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# Public consultation on measures to further improve the effectiveness of the fight against illegal content online

Fields marked with \* are mandatory.

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## Introduction

The availability and proliferation of illegal content online remains an important public policy and security concern in the EU, notably with regards to the dissemination of terrorist content, as well as of illegal hate speech, child sexual abuse material, or illegal commercial practices and infringements of intellectual property rights, selling of illicit drugs, counterfeits or other illicit goods.

The Commission adopted on 28 September 2017 a Communication (<https://ec.europa.eu/digital-single-market/en/news/communication-tackling-illegal-content-online-towards-enhanced-responsibility-online-platforms>) with guidance on the responsibilities of online service providers in respect of illegal content online and a Recommendation (<https://ec.europa.eu/digital-single-market/en/news/commission-recommendation-measures-effectively-tackle-illegal-content-online>) on measures to effectively tackle illegal content online on 1 March 2018.

The Commission is collecting evidence on the effectiveness of measures and the scale of the problem, and will explore, by the end of 2018, further measures to improve the effectiveness of combating illegal content online.

In particular, through the present public consultation the Commission seeks to gather views from all relevant stakeholders. The questionnaire is targeted to the general public, hosting service providers such as online platforms, organisations reporting the presence of illegal content online, competent authorities and law enforcement bodies, and academia, civil societies and other organisations.

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## About you

\*Please indicate the capacity in which you are replying to this public consultation. Please note that the option you select will personalise the subsequent questions.

*at most 1 choice(s)*

- ☐ a) as an individual, in my personal capacity
- ☐ b) representing an online hosting service provider
- ☐ c) representing a business associations replying on behalf of online hosting providers
- ☒ d) representing a non-for-profit organisation identifying and reporting allegedly illegal content online
- ☐ e) representing a for-profit organisation identifying and reporting allegedly illegal content online
- ☐ f) representing a competent authority, including law enforcement authorities, internet referral unit, ministries or consumer protection authorities

- ☐ g) representing an organisation or business representing victims
- ☐ h) representing civil society organisation representing civil rights interests
- ☐ i) representing other industry association
- ☐ j) representing a research or academic organisation
- ☐ k) other

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## Section for organisations reporting the presence of illegal content

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***Replying to the questionnaire is estimated to take 20 to 30 minutes and may require documenting answers with specific data.***

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### General information about your organisation

\*Name of the organisation

50 character(s) maximum

Wikimedia Italia

If your organisation is included in the Transparency Register, please indicate your ID number.

*If your organisation is not registered, we invite you to register here (<https://ec.europa.eu/transparencyregister/public/ri/registering.do?locale=en>), although it is not compulsory to be registered to reply to this consultation. Why a transparency register? ([http://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=WHY\\_TRANSPARENCY\\_REGISTER](http://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=WHY_TRANSPARENCY_REGISTER))*

40 character(s) maximum

070762412733-39

\*Should the European Commission need further details in relation to your answers, would you agree to be contacted by the Commission?

☒ Yes ☐ No

\*Email address:

federico.leva@wikimedia.it

\*In what country does your organisation have its headquarters?

Italy

\*Is your organisation established in a/several EU Member State(s)?

☐ a) Yes

☒ b) No

\*Please briefly describe your organisation and/or provide a public URL.

500 character(s) maximum

[https://meta.wikimedia.org/wiki/Wikimedia\\_Italia](https://meta.wikimedia.org/wiki/Wikimedia_Italia)

Our members are independent volunteers on Wikimedia wikis and other free culture projects which handled the submission of textual and multimedia works by millions of users in the last 15 years, like the Italian Wikipedia, the Italian Wikisource and Wikimedia Commons.

## Illegal content online

What type(s) of illegal content is your organisation mostly concerned with?

- ☐ a) Terrorist content
- ☐ b) Child sexual abuse materials
- ☐ c) Illegal hate speech
- ☒ d) Copyright infringement
- ☐ e) Infringement of other intellectual property rights (e.g. counterfeit, design rights infringement)
- ☐ f) Illegal commercial practice
- ☐ g) Other

Please select in the list below the systems you use for detecting each of the following types of illegal content, if applicable.

|   | Terrorist content     | Illegal hate speech   | Child sexual abuse    | Copyright infringing content     | Content infringing other IPR (e.g. counterfeit, design rights) | Illegal commercial practices | Other                 |
|---|-----------------------|-----------------------|-----------------------|----------------------------------|--|------------------------------|-----------------------|
| Content monitored and reported by staff | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>  | <input type="radio"/>        | <input type="radio"/> |
| Automated detection tools               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>  | <input type="radio"/>        | <input type="radio"/> |

|                                  |                       |                       |                       |                       |                       |                       |                                  |
|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|
| Content flagged by third parties | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Other                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

If other, please specify

200 character(s) maximum

An open source and free software, MediaWiki, empowers thousands of users to manually flag and remove infringing content with the occasional help of publicly logged bots.

For each of the systems you use, please explain how accurate they are. Please share measurements for specific accuracy indicators where available, in particular when automated tools are used (e.g. shares of true/false positives, shares of true/false negatives), per type of illegal content.

1,500 character(s) maximum

As for our volunteers, their action is almost entirely manual. Infringing content is detected after the fact thanks to the open and transparent nature of the wikis. Anyone can see and remove it, while mistakes can be corrected in an equally open system. Private reports can be made to volunteers by email.

Can you quantify the costs supported by your organisation for each type of system used for detecting and flagging illegal content online (e.g. absolute numbers per year, or as a fraction of operating expenditure of the relevant business unit(s) per year)?

|   | Estimated costs for initial set-up | Estimated cost for use and maintenance |
|---|------------------------------------|--|
| Content monitored and reported by staff |                                    |  |
| Automated detection tools               |                                    |  |
| Content flagged by third parties        |                                    |  |
| Other                                   |                                    |  |

To your knowledge, what share of the content you report to hosting service providers (per year) is taken down? What is the median timeframe from your notification to take-down?

|  | Share of the content reported which is removed by online hosting service providers | Median timeframe from notification to take-down |
|--|--|---|
| Terrorist content  |  |   |
| Illegal hate speech  |  |   |
| Child sexual abuse material  |  |   |
| Copyright infringing content   |  |   |
| Infringement of other intellectual property rights (e.g. counterfeit, design rights infringements) |  |   |
| Illegal commercial practices   |  |   |
| Other  |  |   |

Is your organisation labelled as a 'trusted flagger' (or equivalent) with privileged status given by a/several hosting service providers?

- ☐ Yes
- ☐ No

Please describe the challenges, obstacles and risks you are facing in tackling illegal content.

*1,000 character(s) maximum*

Traditional publishers host excessive amounts of copyright infringements without any effective procedure to counter it. When newspapers publish plagiarism copied from Wikipedia without attribution, the permanent existence of such violations makes it very hard to identify who is the original source. Mistakes happen where the copyright infringer ends up being flagged as the original author of a text or image. This makes it impossible to deploy any automated system for detection of copyright violations, although existing tools for content similarity (like Google Images) are used by some volunteers as hints for manual investigations.

Publishers should provide transparent and effective methods for anyone to report plagiarism and should publish transparency reports on the results. Because infringement of openly licensed works (cc-by-sa licensed texts and images) damages the commons, every citizen should have the legal right to report such infringement.

## Further measures for detecting, removing and preventing reappearance of illegal content

What features of notice systems and further measures do you consider to be most effective for enabling hosting service providers to make diligent decisions on the content notified? Please score the features on a scale from 1 (very effective) to 5 (not effective).

|   | 1                     | 2                                | 3                                | 4                     | 5                     | I don't know                     |
|---|-----------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|----------------------------------|
| Standardised, accessible and user-friendly online interface for reporting content | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Identification of content with unique identifiers (e.g. URLs)                     | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Possibility to file multiple notices  | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Explanation of reasons and grounds of illegality                                  | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Allowing for anonymous notices  | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Standardised, binding notice and action procedures                                | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Other   | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

What further mechanisms would best support the cooperation between hosting services and trusted flaggers? Please score the mechanisms below on a scale from 1 (very effective) to 5 (not effective).

|  | 1                     | 2                     | 3                     | 4                                | 5                                | I don't know                     |
|--|-----------------------|-----------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| Agreement between the platform and the trusted flaggers                                      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            |
| Trusted status agreed by a group of platforms  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            |
| Certification of the trusted flaggers by national authorities                                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            |
| Certification of trusted flaggers at EU level  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            |
| Possibility to submit data feeding the hosting service provider's automated moderation tools | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| Financial support to trusted flaggers by public authorities                                  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| Financial support to trusted flaggers by private entities on a voluntary basis               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| Setting time-limits to processing referrals and notifications from trusted flaggers          | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| Other  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            |

What criteria should organisations fulfil to gain a privileged status ('trusted flaggers') when reporting content for removal?

*1,000 character(s) maximum*

Be completely transparent about their methods. For instance, only using free/libre open source software and open data to feed their systems.

What are the specific privileges (e.g. fast-track/immediate removal of content notified), and responsibilities such trusted flaggers should have, in your opinion, when flagging the different types of illegal content?

*1,000 character(s) maximum*

On Wikimedia wikis, bots trusted by the community operate like any other user, but have higher rate limits for their actions. They're also strongly encouraged to publish their source code as free/libre open source software.

Please score the following measures to support the uptake and deployment of automated tools for removal of illegal content. Please score the measures below on a scale from 1 (very useful) to 5 (not useful).

|   | 1                     | 2                     | 3                                | 4                     | 5                                | I don't know                     |
|---|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|----------------------------------|
| Sharing of best practices between industry players  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Industry-governed sharing of software solutions   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Industry shared governance of databases supporting filtering technology                   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Industry shared governance of databases of training data for detection algorithms         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Publicly supported databases for filtering content, training data, and/or technical tools | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| Public investment in research and development   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| Private investment in research and development  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Requirements to deploy automated tools for detecting and/or blocking content              | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| Requirements to use shared databases for blocking content                                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| Other   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |

If other, please specify

There is no need to promote automated tools for removal of illegal content, but it may be useful to regulate the existing ones (especially automated "copyright trolls" which clog the systems with masses of unwarranted DMCA-like notices). Any public support must only go towards free/libre open source software and open data solutions which can be adopted by any industry player old or new and inspected by the society as a whole.

What safeguards should be put in place when using automated tools for the detection and removal of illegal content online? Please score the measures below on a scale from 1 (very useful) to 5 (not useful).

|  | 1                     | 2                                | 3                     | 4                     | 5                     | I don't know          |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Transparency, in simple, clear language, of the general principles for the algorithmic decision-making | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Transparent reporting on the accuracy indicators for the automated tools used                          | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

|   |                                  |                       |                                  |                       |                       |                                  |
|---|----------------------------------|-----------------------|----------------------------------|-----------------------|-----------------------|----------------------------------|
| Audits and error-detection tests for algorithmic filtering and algorithmic detection of illegal content | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| 'Human in the loop' principle: include human review in the processes leading to removal of content      | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Counter-notice procedures also when content removal/blocking is decided through automated means         | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Other   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

If other, please specify

Transparency needs to apply to every detail of the automated systems, which should be fully open source. Counter notices must be open to anyone affected by the decision even if not materially damaged (e.g. the removal of a public domain work for a meritless copyright claim should be up for challenge by any citizen interested in accessing the work or in its availability).

What are the most effective safeguards to counter erroneous removal of legal content? Please score the measures below on a scale from 1 (very effective) to 5 (not effective).

|   | 1                                | 2                                | 3                                | 4                     | 5                     | I don't know                     |
|---|----------------------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|----------------------------------|
| Availability of counter-notice procedures   | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Information to the content provider on grounds for removal  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Transparency on the process for removal   | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Transparent information on time from detection/notice to removal of the different types of content                                      | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Transparent process for restoring content when counter-notices have provided reasonable grounds to reject the allegations of illegality | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Encourage the use of out-of-court dispute settlement  | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Cooperation with third-parties such as self-regulatory bodies or competent authorities, for consultation in difficult cases             | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Other   | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |



Please describe the challenges, obstacles and risks you are facing in tackling illegal content.

1,000 character(s) maximum

Wikimedia wikis allow the easy reversion of any deletion because content is always preserved and every action is logged: logs are generally available for anyone to see and can be downloaded and analysed in bulk; they always contain a reason for each action. Mistakes can be noticed by any user (or any privileged user in case of PII being involved) and reported with the same system, on wiki. Additional, sensitive or private evidence can be sent by email to a second group of volunteers partially overlapping with the on-wiki volunteers.





























## Your opinion

In your opinion, who has an important role to play in tackling illegal content online?

|  | Main role                        | Important role        | Marginal role                    | I don't know          | No answer             |
|--|----------------------------------|-----------------------|----------------------------------|-----------------------|-----------------------|
| Internet users   | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Hosting service providers  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Public and other competent authorities and law enforcement bodies                | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Private entities affected by the spread of illegal content (e.g. rights holders) | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Individual victims affected by illegal content                                   | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Civil society and other organisations with expertise who flag illegal content    | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

To what extent do you agree with the following statements?

|                                      | Strongly agree                   | Agree                 | Neutral               | Disagree              | Strongly disagree     | I don't know          | No answer             |
|--------------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| *The Internet is safe for its users. | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| *It is important that there are arrangements in place so that no illegal content is spread on the Internet.   |    |    |    |    |    |    |    |
| *It is important that freedom of expression is protected online.  |    |    |    |    |    |    |    |
| *Hosting service providers should process all notifications they receive and assess the legality of the content notified.                                   |    |    |    |    |    |    |    |
| *When content is flagged as illegal by private organisations with proven expertise , hosting services should speed up the process for removing the content. |  |  |  |  |  |  |  |

|  |                                  |                       |                       |                       |                                  |                       |                                  |
|--|----------------------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|
| *When content is flagged as illegal by competent authorities or law enforcement bodies, platforms should speed up the process for removing the content | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| *When online hosting services remove content, users should be able to contest this decision by contacting the service (counter-notice).                | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| *The regulatory framework is effective against illegal content.  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Hosting service providers are effective in tackling illegal content.   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |

In your opinion, is there a need for further measures to tackle illegal content online?

|  |                |       |         |          |                   |              |           |
|--|----------------|-------|---------|----------|-------------------|--------------|-----------|
|  | Strongly agree | Agree | Neutral | Disagree | Strongly disagree | I don't know | No answer |
|--|----------------|-------|---------|----------|-------------------|--------------|-----------|

|  |                       |                       |                       |                       |                                  |                       |                                  |
|--|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|
| Through proactive measures taken by hosting service providers and other relevant actors.                                   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Via legislative measures.  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Actions should be taken at EU level to put appropriate measures in place.  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Different types of illegal content should be dealt with in different legal frameworks, to take into account specificities. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |

Are there additional comments you would like to make? Please detail, in particular, if your answers refer to different experiences, different types of illegal content, etc.

*500 character(s) maximum*

Legislative action is needed, if anything, to prevent the most widespread and damaging case of illegal content online, namely copyfraud by self-styled rightholders. Particularly in the case of copyright exceptions and copyright expiration, no effective legal tools exist to safeguard the common good (e.g. public domain or copyleft works) from private abuse, exploitation and appropriation. Private citizens and non-profits should be able to file complaints and lawsuits to recoup damages.

Please feel free to upload a concise document, such as a position paper of relevance to this public consultation.

*Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this open public consultation.*

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Your contribution

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Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001 ([http://www.europarl.europa.eu/RegData/PDF/r1049\\_en.pdf](http://www.europarl.europa.eu/RegData/PDF/r1049_en.pdf))

- ☒ **can be published with your organisation's information** (I consent the publication of all information in my contribution in whole or in part including the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- ☐ **can be published provided that your organisation remains anonymous** (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.

## Contact

[cnect-consultation-illegal-content@ec.europa.eu](mailto:cnect-consultation-illegal-content@ec.europa.eu)

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