



# 2001

## Annual Report

### *Hotline against child pornography and national socialistic offences*



[www.stoplevelne.at](http://www.stoplevelne.at)

## **Imprint**

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**Editor:** Stopline

**Place of production and publication:** Vienna



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## Preface

Dear reader!

Another year of intensive and dedicated work lies behind us. We would like to take this as an occasion to present you our current annual report, in order to inform you about the activities of the Stopleveline, as well as the innovations since the publication of the annual report 2000.

We would like to point out, that the reports to the Stopleveline have strongly increased during the last year. This specially emphasizes the growing importance of the internet and the sensitiveness of its users, but also points out the increasing name recognition of the Stopleveline, which makes us proud - even if most of the reports have a sad background.

The year 2001 has brought some changes to the Stopleveline, especially the change of name from „ISPA-Hotline“ to „Stopleveline“ and the completely new web appearance. Fortunately, we have by now been able to present the homepage of the Stopleveline to English-speaking users.

Consequently, I would like to take the chance to express our thanks in the name of all members of the Stopleveline and the Stopleveline advisory board to all who have supported the Stopleveline and successfully cooperated with us. It is a personal delight and honor to me, because I joined the Stopleveline advisory board a few month ago.

The members of the Stopleveline are looking forward to a good cooperation in the future and will gladly be at your disposal, if you have any questions or suggestions.

Barbara Haindl  
Chairwoman of the Stopleveline advisory board



# 1. History

## 1.1) Foundation of the Hotline

The ISPA report office against illegal contents on the internet was founded on the occasion of an incident in 1997: At that time the police confiscated the entire technical inventory of an Internet Service Provider in Vienna, based on an official search warrant. Regarding to a notification of the Munich public prosecutor's office in March 1996 (!), one of his customers had uploaded child pornographic contents to the internet. Although the provider himself was not suspected and the confiscation merely served to the securing of evidence, roughly 2500 of his customers were affected by this measure. According to this, the disapproval of the Austrian Internet Service Providers was strong. Why should they be held responsible for the illegal contents of their customers?

In protest against that, the local providers organized a general strike on 25 March 1997 - Austria was offline for the duration of two hours.

Due to the fast way of spreading in the internet, new kinds of cooperation between the industry and public authorities, as well as between the single users, had and will have to be found. Therefore, in September 1997 the ISPA was founded. In addition, several work groups have been established, especially the work group „Criminal Law“ lead by Mr. Peter Rastl. This work group decided a working program on 20 June 1998, which proposed the establishment of a report office. The formal foundation of the Hotline took place in November 1998, in agreement with the Federal Ministry of the Interior.

Since that time the providers and the public authorities have been informed at the same time, whenever internet users reported illegal contents. Consequently, both have been able to take measures redressing these illegal contents.

The ISPA code of conduct also contains how to deal with illegal contents, in order to inform the ISPA members about their responsibilities.



# 1. History

## 1.2) The Hotline makes allies

In autumn 1998 the discussion of the Hotline was resumed, as it was interpreted by some providers not as a service and a protective measure rather than a means of censorship. This misunderstanding was removed by a personal discussion between the Hotline members and the providers, and a cooperative atmosphere based on mutual information was created. The communication among those involved - providers, public authorities and other hotlines - has been intensified and has worked smoothly ever since. Additionally, the Hotline advisory board was founded, which consists of members of all those involved.

Today the Stopleveline - former ISPA Hotline - is a publicly authorized and accepted report office. The Stopleveline closely cooperates with the Federal Ministry of the Interior (Interpol, service of the state police) and with the internet service providers.

## 1.3) The Hotline expands

Since the year 2000 the Stopleveline has had two members who verify and forward the daily reports and put them into archives. Their professional working methods enable the Stopleveline to react quickly, reliably and efficiently.

Additionally the building-up of a database has started, in order to contact providers in a fast and direct way. Therefore the exact contact information and contact persons of the ISPA members have to be added to the database. The information is naturally kept up to date and constantly expanded by new ISPA members.



# 1. History

## 1.4) The ISPA-Hotline becomes



In January 2001 the ISPA-Hotline gets a new look - it becomes the Stopleveline - with a new design, a new name and a new address. It is introduced to the public on 17 January 2001.

Of course, their tasks remain unchanged.

[www.stopleveline.at](http://www.stopleveline.at)



## 1.5) Stopleveline

Since the change of the look of the Stopleveline - former ISPA-Hotline - the information for the public has been increased. For example, a section was added to the website which contains security advices for everyone. In this connection, the information also responds to children and young persons.



# 1. History

A news section can also be found on the website, which constantly tries to summarize current issues of the Stopline and gives information about topical occurrences.

During the last year public relations has been forced in order to thoroughly inform the internet users about the Stopline and its work. People have had the possibility to order the Stopline's folder or obtain it directly from the website.



In addition, we have got in contact with child and youth protection organizations, which have been informed about the Stopline's work. Due to this information several links from different websites were drawn to [www.stopline.at](http://www.stopline.at). In reaction, the Stopline has included some links to its website, which were especially made up for children and young persons. You can also find links to internet pages, which deal with the secure use of the internet and its services.

An extensive cooperation with the public authorities also requires meetings, in order to exchange technical knowledge between the people involved - especially regarding new services and possibilities of the internet.





## 2. Structure

### 2.1) The Stopline advisory board

The Stopline's head committee is the Stopline advisory board. This advisory board is a communication platform between the economy, the internet industry and the public authorities. Specialists like lawyers and university professors contribute additional know-how. The Stopline advisory board has 3 - 4 meetings per year.

On the one hand, the general cooperation between the groups in the struggle against illegal contents on the internet is discussed at those meetings. Additionally, knowledge is exchanged and possibilities for a mutual support are discussed. A major element of these meetings are guidelines for a „officially guided self-control“ of the economy.

On the other hand, the Stopline advisory board is responsible for the working methods of the Stopline, and therefore discusses internal sequences and competences and sets up topical priorities.

#### 2.1.1) The current members of the Stopline advisory board

Georg Hahn	ISPA President
Peter Rastl	University of Vienne / Aconet, Stopline advisory board chairman from 21. May bis 2. October 2001
Kurt Einzinger	Secretary general of the ISPA
Rudolf Gross	Interpol
Günter Poßegger	Service of the state police
Manfred Rupp	Service of the state police
Gabriele Schmölder	University of Graz
Michael Pilz	Lawyer
Christian Reiser	Security expert
Richard Wein	Manager of nic.at
Marianne Wolfsgruber	Lawyer of the Stopline, Stopline advisory board chairwoman until 21. May 2001
Barbara Haindl	Lawyer of the Stopline, Stopline advisory board chairwoman since 2. October 2001



## 2. Structure

### 2.2) Cooperation with providers and public authorities

Concerning the processing of reports a good connection to others involved is necessary - reports must be reached by the right persons, the reports have to be taken seriously, and above all it has to be reacted instantly. Contents of the internet can be changed and removed immediately, or published on a different location.

Consequently, the Stopleveline members have determined definite contact persons on account of several discussions with the providers, who can be contacted in case of an illegal content on their servers and who know which steps have to be taken.

Particularly in processing illegal material that is posted in newsgroups, the Stopleveline depends on the support of the providers, because they can enable Stopleveline members to access the newsgroups on their news-servers.

As most providers advocate the Stopleveline as an authority for a voluntary self-control, they are very cooperative and support the work of the Stopleveline.

But also the public authorities appreciate the Stopleveline as a self initiative of the industry and consider it as an important partner. The communication between the federal ministry of the interior (Interpol, service of the state police) and the Stopleveline works smoothly.

Apart from the usual cooperation, the meetings of the Stopleveline advisory board offer the opportunity to keep up the personal contact and to discuss particular concerns. Another member of the service of the state police was included in the Stopleveline advisory board this way.



## 3. International

During the last years the efforts of international organisations to fight illegal contents on the internet - especially child pornography - have increased. Worldwide networks have been established in several conferences, in order to fight criminal actions on the internet effectively and internationally. It must be pointed out that all these initiatives, in spite of their work against illegal activities, still have a positive opinion of the internet and its services.

### 3.1) EU and INHOPE

Already in 1997 the European Commission supported a pilot project to establish a European hotline-platform within the scope of the Daphne program. At that time the project INHOPE was established (already with a view to the Action Plan made up in 1999) - initially as a discussion platform, which checks the possibility to establish hotlines by the industry and which should find partners in Europe.

On 25 January 1999 the European Commission decided to launch the „Action Plan on Promoting Safer Use of the Internet“, better known as the „Internet Action Plan“. <http://europa.eu.int/ISPO/iap/decision/de.html>.

The intention of this action plan is the creation of an European hotline network, in order to intensify their cooperation as well as to force the establishment of new report offices in further countries.

The project INHOPE is now financially supported by the European Union within the scope of this measure plan and has been able to become a European association of hotlines against illegal contents.



<http://europa.eu.int/ISPO/iap>

By now, INHOPE has 13 report office members in Europe and closely cooperates with hotlines in America, Australia and Norway. Consequently, reports concerning child pornographic contents which are located on foreign servers can be traced quickly and efficiently.



### 3. International

The Stopline is one of the founder members of INHOPE and has taken an active role in its development ever since. INHOPE meetings take place in the countries of the respective partner hotlines and especially serve to the exchange of views, e.g. concerning the field of EDP, new behaviors of the offenders or their frequently used services. But also international investigations of illegal contents are important, as well as the exchange of information about staff-welfare, which means to look after the mental condition of the persons dealing with a case and to take care of them in advance, in order to avoid psychological damage.

Also work groups are regularly launched in order to intensify individual topics.

INHOPE (Association of Internet Hotline Providers in Europe) is introduced on their new homepage at [www.inhope.org](http://www.inhope.org), which also deals with the members of the different countries.





## 3. International

### 3.1.1) Members

<b>Country</b>	<b>Organization</b>	<b>Web address</b>
America	Cybertipline (NCMEC)	<a href="http://www.ncmec.org">www.ncmec.org</a>
Australia	ABA	<a href="http://www.aba.gov.au">www.aba.gov.au</a>
Austria	Stopleveline	<a href="http://www.stopleveline.at">www.stopleveline.at</a>
Belgium	Child Focus	<a href="http://www.childfocus.be">www.childfocus.be</a>
Denmark	Red Barnet	<a href="http://www.redbarnet.dk">www.redbarnet.dk</a>
Germany	Electronic Commerce Forum	<a href="http://www.eco.de">www.eco.de</a>
Germany	FSM	<a href="http://www.fsm.de">www.fsm.de</a>
Germany	Jugenschutz.net	<a href="http://www.jugenschutz.net">www.jugenschutz.net</a>
England	Internet Watch Foundation	<a href="http://www.iwf.org.uk">www.iwf.org.uk</a>
France	AFA	<a href="http://www.pointdecontact.org">www.pointdecontact.org</a>
Ireland	ISPAI	<a href="http://www.hotline.ie">www.hotline.ie</a>
Iceland	Barnaheill	<a href="http://www.barnaheill.is">www.barnaheill.is</a>
Netherland	Meldpunt	<a href="http://www.meldpunt.org">www.meldpunt.org</a>
Norway	Save the Children	<a href="http://www.reddbarna.no">www.reddbarna.no</a>
Sweden	Rädda Barnen	<a href="http://www.rb.se/hotline">www.rb.se/hotline</a>
Spain	ACPI	<a href="http://www.asociacion-acpi.org">www.asociacion-acpi.org</a>

### 3.2) Further international activities

The members of the Stopleveline also eagerly engage in other international initiatives - either by giving lectures or by joining conferences and work groups like the following ones:

The UNESCO passed the „Declaration and Action Plan“ in January 1999 within the scope of a conference in Paris, where more than 300 specialists from different fields discussed ways to prevent paedophilia and child pornography on the internet. UNESCO aims at a worldwide convention to protect children, which is joined by all countries.

In September 1999 the Bertelsmann Foundation and INCORE (Internet Content Rating for Europe) organized the „Internet Content Summit“ in Munich. The topic was the self-regulation of the internet, emphasizing hotlines and report offices for illegal contents.

Also in September 1999 (29th September - 1st October) the international conference „Combating Child Pornography on the Internet“ took place



### 3. International

in Vienna. It was organized during the Austrian EU-presidency by the Austrian government, the US government and the European Commission. The main objectives were the improvement of the cooperation with judicial and prosecution authorities, the creation of procedures within the internet provider industry, as well as the promotion of the establishment and the linking of hotlines.

In February 2000 the Bertelsmann Foundation held another workshop on the self-regulation of the internet in London, where the Stopline was also represented by its members.

In the scope of an INHOPE meeting the Stopline members also gained a lot of experience while visiting the NCMEC (National Center for Missing and Exploited Children, [www.ncmec.org](http://www.ncmec.org)), which is located near Washington D.C. This institution deals with missing and exploited children, and has often successfully contributed to the disclosure of international pedophilic circles.

As NCMEC directly cooperates with the FBI, several lectures were given by FBI employees and other executive offices, which were quite interesting and informative. But also different working methods and projects were introduced by NCMEC and in cooperation with the officials.

So the activities of the Stopline should not just be seen in a national context but also as the part of a worldwide network, which is supported by a number of international initiatives.



## 4. Working method

It has to be pointed out that members of the Stopline do not search for illegal contents on the internet themselves, they just deal with reports from outside.

### 4.1) Reports to the Stopline

A report to the Stopline can be made in two ways: either the online form on the homepage [www.stopline.at](http://www.stopline.at) is filled out, or the illegal content is reported by e-mail to [meldung@stopline.at](mailto:meldung@stopline.at).

Report here

Source:  World Wide Web (Internet-page / URL - e.g. http://www.a-example.at/specimen)  
 Newsgroup  
 Other information

Continue

Report here

**World Wide Web**

Nature of suspect content:  Child-pornography  
 Neo-Nazism / National Socialist Offences

Source: WEB - URL (e.g. http://www.a-example.at/specimen)

Short description or comment:

Should you request an answer, please state e-mail address here:

Submit Reset

As desired, the sender can either remain anonymous or enter his e-mail address. If an e-mail address is entered, the Stopline sends a reply confirming the receipt of the report.



## 4. Working method

It is specially advised not to send pictures, as this would already be an illegal action. For an investigation it is sufficient for the Stopline to receive a detailed reference of the suspicious material. This would be a clear URL for contents of homepages (www), a detailed reference of the author, subject and/or keywords in file-sharing programs (e.g. Napster, Morpheus, etc.), or a detailed description of the posting for news groups. In this case the name of the news group, the news server, sender, date and subject of the posting are important.

A free text field allows to summarize or comment on the content.

### 4.1.1) The Stopline works on the report

Reports are treated anonymous. Sender addresses are not forwarded in any way. The data of all received reports is transferred to a database before the actual investigation starts. Depending on the quality of the report the discovery of the content is more or less time-consuming - the more precise the „guide“ is, the faster the investigation can commence. Afterwards, the members of the Stopline check, whether the reported content is actually illegal - according to the Austrian law. The procedure differs in a way, depending whether the illegal content was found on a web site or in a newsgroup posting.

### 4.1.2) Illegal material on websites and in e-groups

If there are illegal contents on websites, the host is located by the Stopline. If an Austrian internet service provider is affected, he is contacted at the same time as the public authorities and informed about the illegal content. After the report is forwarded to the providers and public authorities, there is still a good cooperation between both. Providers and authorities now take further measures.

If the illegal material is located on foreign servers, the local authorities are still informed. In addition, the Stopline forwards the information to foreign partner-hotlines, which commence their own procedures and contact the authorities in their countries.





## 4. Working method

### 4.1.3) Illegal contents in newsgroups

If the content of a newsgroup posting is illegal, first the Stopleveline has to find out whether it can access this newsgroup. If not, the Stopleveline depends on the support of the provider, which can give the Stopleveline access to their news-servers. The work of the Stopleveline is more efficient, if the report concerning a newsgroup / a posting is detailed. If it is assumed illegal, the relevant data is reported to the competent authority.

At the same time a report goes out to all ISPA members, informing them that illegal material was found in the corresponding newsgroup.

### 4.1.4) Illegal contents in file sharing-programs

If illegal contents are found in file sharing-programs, the feature of the content is copied (provided that the service allows it) and forwarded to the competent authority specifying author, subject and naturally the program.

As this field has just become relevant for the Stopleveline in the course of the year 2001, some questions have been arising. Due to the good cooperation with the authorities and due to the exchange of knowledge with the members of INHOPE, these questions could always be answered in an instant.

### 4.1.5) E-mails

The Stopleveline continuously gets reports concerning the receipt of undesirable e-mails - so called spam-e-mails. However, these are outside Stopleveline's range of duties, as investigation methods would be necessary, which are left to the executive organs.

If www-addresses or other services are noted in the e-mail, the Stopleveline will gladly include them in its work routine.



## 4. Working method

### 4.1.6) Chat and other services

Chat and other services of the internet are treated by the Stopline only in special cases. Especially Chat (IRC - Internet Relay Chat) is a great challenge, as communication works in real-time. In addition, there is the possibility to move into „private rooms“, where the public usually does not have access to. As the hotline does not carry out investigations (those are reserved to the police), the limits are obvious.

### 4.2) Reports to providers

Each report to a provider is exclusively informative. The Stopline does neither lock nor delete contents itself, but rather advises the providers how to proceed. After that the provider decides for himself how to react to the content.

### 4.3) Check of success

The Stopline gladly replies to a report, provided that the sender has entered his e-mail address. But the Stopline is not able to give information about the investigations of the executive. However, there are often news about a successful strike against child pornographic or neo-Nazi contents in the media.



## 5. Legal / illegal

### 5.1) Legal matters concerning child pornography and national socialist offences

The topic child pornography has been the center of many discussions on the internet for the last years. Some people tend to consider the entire new medium criminal.

That is wrong, as the current situation shows that the internet has been accepted to universities, office, schools and families.

Many people make use of the positive aspects for their spare time or their jobs. New jobs have arisen, and if you listen to children talking about the internet, you can see that the virtual world has already become a part of their lives, has filled them with enthusiasm and has enabled them to access the whole world from their rooms.

Nevertheless, the pictures of child molestation on the internet have shocked many people. So a legislation that made child pornography a punishable offence has been created within a short time. But not all that seems to be child pornography is child pornography

#### 5.1.1) Legal facts of child pornography in Austria

In Austria the offence of child pornography is defined by §207a penal code.

#### **AUSTRIAN WORDING OF THE LAW (only available in german):**

##### **§ 207a Pornografische Darstellung mit Unmündigen**

- (1) *Wer eine bildliche Darstellung einer geschlechtlichen Handlung an einer unmündigen Person oder einer unmündigen Person an sich selbst, an einer anderen Person oder mit einem Tier, deren Betrachtung nach den Umständen den Eindruck vermittelt, dass es bei ihrer Herstellung zu einer solchen geschlechtlichen Handlung gekommen ist,*
  1. *herstellt oder zum Zweck der Verbreitung einführt, befördert oder ausführt oder*
  2. *einem anderen anbietet, verschafft, überlässt, vorführt oder sonst zugänglich macht,*  
*ist mit einer Freiheitsstrafe bis zu zwei Jahren zu bestrafen.*
- (2) *Mit Freiheitsstrafe bis zu drei Jahren ist zu bestrafen, wer die im Abs. 1 bezeichnete Tat gewerbsmäßig oder als Mitglied einer Bande begeht.*



## 5. Legal / illegal

- (3) *Wer sich eine pornografische Darstellung mit Unmündigen (Abs 1) verschafft oder eine solche besitzt, ist mit Freiheitsstrafe bis zu sechs Monaten oder mit Geldstrafe bis zu 360 Tagessätzen zu bestrafen.*
- (4) *Der Täter ist nach Abs.1, 2 und 3 nicht zu bestrafen, wenn die Tat nach einer anderen Bestimmung mit strengerer Strafe bedroht ist.*

Child pornography is defined by pictures of sexual acts children are involved in. A child is a person under the age of 14. Apart from classical photos, media like films, disks, cd-roms or interactive computer games also belong to the term pictures. Texts describing sexual acts with children are not punishable in the sense of child pornography, but eventually by other legal rules. Other pictures like drawings, paintings, comics or photomontage can be on the borderline, if it can't be seen at first glance whether there are children involved or just adults with children's faces or heads. In this case it depends on the impression, whether a sexual act with children has actually taken place or not.

All sexual acts become „sexual“ at a certain degree. This does not include a mere undressing or photos shot on a nudist beach. Also, many pictures have a certain sexual tendency like „Lolita pictures“ - nude pictures of young girls in a pornographic pose. However, such pictures are not criminal.

If the picture contains child pornography, any action connected with it is illegal: producing, offering, acquiring, handing over, presenting and any other way to open it to the public like importing, transporting and exporting.

Concerning those types of pictures it has to be mentioned that there is a criminal offence, and prosecution is and must be left to the police. Reports to the Stopleveline are a good thing, if relevant websites or pictures were discovered by chance.

Even if the industry or especially providers play an important role in cooperating with the public authorities, the internet user must be aware of the fact that it is not allowed to investigate on one's own initiative. No matter if the user's intentions are good - like reporting to the Stopleveline - he could eventually make himself liable to prosecution.



## 5. Legal / illegal

### 5.1.2) National socialistic offences

In Austria the denial of Nazi crimes as well as the dissemination of its ideologies is a punishable offence. By way of contrast, in other countries like England or America such activities are protected by law (freedom of opinion and speech). In these countries there is no legal basis for countermeasures, so in many cases the Stopleveline is not able to react as quickly and efficiently. Nevertheless, the Stopleveline does not pass up an opportunity in order to fight those pages.

Concerning the fight against national socialist offences the following legal regulations are used in Austria:

**AUSTRIAN WORDING OF THE LAW (only available in german):  
*Verbotsgesetz (Verfassungsgesetz vom 8.5.1945 über das Verbot der NSDAP)***

- §1 *Die NSDAP, ihre Wehrverbände (SS, SA, NSKK, NSFK), ihre Gliederungen und angeschlossenen Verbände sowie alle nationalsozialistischen Organisationen und Einrichtungen überhaupt sind aufgelöst; ihre Neubildung ist verboten. ...*
- §3 *Es ist jedermann untersagt, sich, sei es auch außerhalb dieser Organisationen, für die NSDAP oder ihre Ziele irgendwie zu betätigen.*
- §3a *Einer gerichtlich strafbaren Handlung macht sich schuldig...:*  
*1. wer versucht, eine gesetzlich aufgelöste nationalsozialistische Organisation aufrechtzuerhalten oder wiederherzustellen oder mit einer solchen Organisation oder mit einer in ihrem Namen handelnden Person in Verbindung zu treten...*
- §3d *Wer öffentlich oder vor mehreren Leuten, in Druckwerken, verbreiteten Schriften oder bildlichen Darstellungen zu einer der nach §1 oder §3 verbotenen Handlung auffordert, aneifert oder zu verleiten sucht, insbesondere zu diesem Zweck die Ziele der NSDAP, ihre Einrichtungen oder Maßnahmen verherrlicht oder anpreist, wird ... bestraft.*
- §3g *Wer sich auf andere als die in den §§ 3a bis 3f bezeichnete Weise im nationalsozialistischen Sinne betätigt, wird sofern die Tat nicht nach einer anderen Bestimmung strenger strafbar ist, mit Freiheitsstrafe von einem bis zehn Jahren, bei besonderer Gefährlichkeit des Täters oder Betätigung bis zu 20 Jahren bestraft.*



## 5. Legal / illegal

**Mit der Verbotsgesetznovelle 1992 wurde der § 3h dieses Gesetzes neu geschaffen (Strafbarkeit der sogenannten „Ausschwitz-Lüge).**

*§3h ...wird auch bestraft, wer in einem Druckwerk, im Rundfunk oder in einem anderen Medium oder sonst öffentlich auf eine Weise, dass es vielen Menschen zugänglich ist, den nationalsozialistischen Völkermord oder andere NS-Verbrechen gegen die Menschlichkeit leugnet, gröblich verharmlost, gutheißt oder zu rechtfertigen sucht.*

**Mit einer Verwaltungsstrafe werden Delikte nach dem Abzeichengesetz (Bundesgesetz vom 5.4.1960, mit dem bestimmte Abzeichen verboten werden) bestraft.**

*§1 (1) Abzeichen, Uniformen oder Uniformteile einer in Österreich verbotenen Organisation dürfen öffentlich weder getragen noch zur Schau gestellt, dargestellt oder verbreitet werden. Als Abzeichen sind auch Embleme, Symbole und Kennzeichen anzusehen.*

*§2 (1) Die Verbote des §1 finden, wenn nicht das Ideengut einer verbotenen Organisation gutgeheißen oder propagiert wird, keine Anwendung auf Druckwerke, bildliche Darstellungen, Aufführungen von Bühnen- und Filmwerken sowie Ausstellungen, bei denen Ausstellungsstücke, die unter §1 fallen, keine wesentlichen Bestandteil der Ausstellung darstellen.*

*(2) Auf sonstige Ausstellungen finden die Verbote des §1 dann keine Anwendung, wenn sich die Ausstellung und deren Zweckbestimmung eindeutig gegen das Ideengut der betreffenden verbotenen Organisation richtet.*

Both wordings of the law point out that dealing with the ideas of an illegal organisation is legal, but not the approval of its ideas.



## 6. Facts and numbers

### 6.1) Why are statistics created?

The Stopline daily receives a certain amount of reports on supposed illegal contents within different services of the internet. Each of these reports is processed, categorized and added to a database. With the help of statistics the Stopline is able to make out trends. In the year 2001, for instance, these statistics showed that new services like filesharing-programs and e-groups have gained more importance in spreading illegal material.

Technical tendencies of the reports enable us to react faster to innovations by the use of training and better equipment, as well as to get specific information from the international network.

In the beginning of our work we had to work on 20 - 30 reports per month - now we have to deal with roughly 150 reports, whereas general and legal inquiries as well as services for providers are not included.

Further, the statistics are used by the European Union and INHOPE, because lectures and special topics require relevant information. As all INHOPE members had had different methods to create statistics, a work group was founded which has collected all data and has tried to reduce it to a common denominator.

As the Stopline has quite simple statistics, some small innovations concerning the creation of statistics had to be introduced. However, the result has remained unchanged since the last year, and so the different statistics can easily be compared.

A new feature of the statistics is the field of filesharing-programs - a new technical service for the download of different types of data (e.g. Napster, Morpheus).



## 6. Facts and numbers

### 6.2) How are statistics created?

The statistics distinguish between 5 types::

- www means internet pages in the World Wide Web;
- News is the abbreviation for newsgroups;
- Filesharing-programs are services like Napster or Morpheus - persons offering relevant material keep turning up and use different techniques;
- Chat is the usual term for Internet Relay Chat;
- The field „others“ includes for example the forwarding of e-mails with a supposed illegal content to the Stopleveline.

The statistics created are again divided into 2 sections - on the one hand all received reports, and on the other hand reports concerning supposed illegal contents of different services. The last-mentioned are labelled „correct“.

The following numbers definitely show that www is the large part of the reports.

Chat can only be processed by the Stopleveline in special cases, as for an efficient work real-time monitoring is necessary for this medium. This procedure would be qualified as investigation work that can obviously just be carried out by the executive.

Reports are only added to the statistics, if they are actually processed. If an address is reported repeatedly within a short time, this report is just considered once for the statistics.





## 6. Facts and numbers

### 6.3) What is reported?

Regarding the content reports on child pornography predominate neo-Nazism with about 90 %. Neo-Nazi pages have usually been reported, whenever National Socialism was a central point of discussion in the local media.

For a clear overall view of „what is reported“ we have also created statistics on the reported contents.

### 6.4) Tendencies

There is the question why reports are more frequent in certain months, or why one field of content is reported more often.

In this connection the Stopline can just speculate.

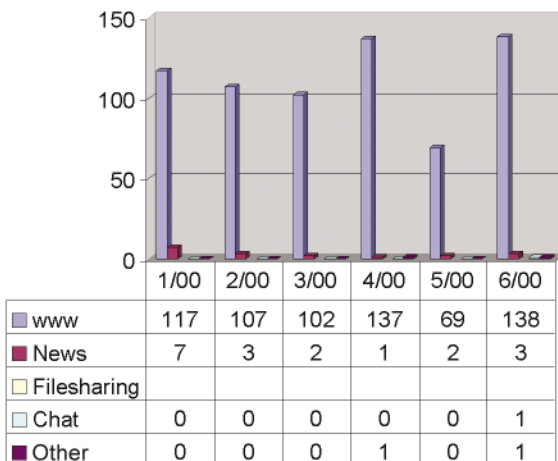
In a few cases it can be noticed that reports become more frequent whenever a topic is in the media or there is a reason for a special coverage.



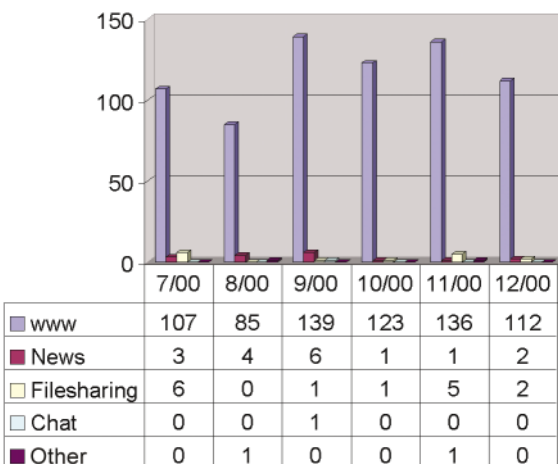
## 7. Statistics

### 7.1) Statistics on internet services

Reports January - June 2001:



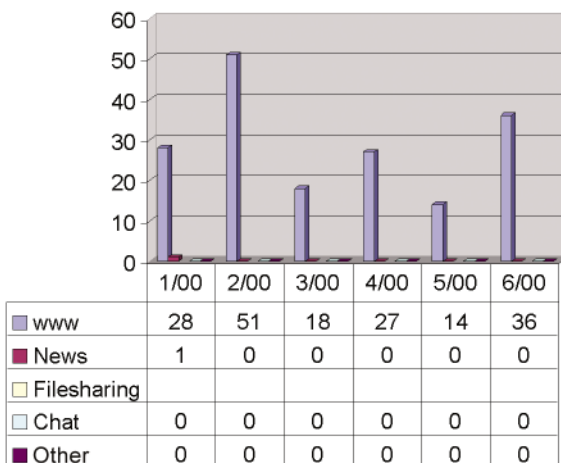
Reports July - December 2001:



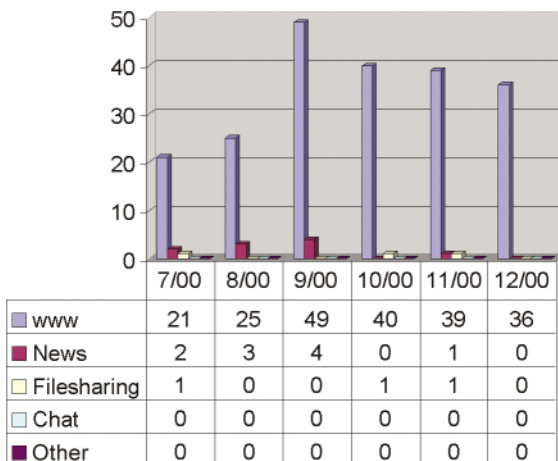


## 7. Statistics

Appropriate reports January - June 2001:



Appropriate reports July - December 2001:

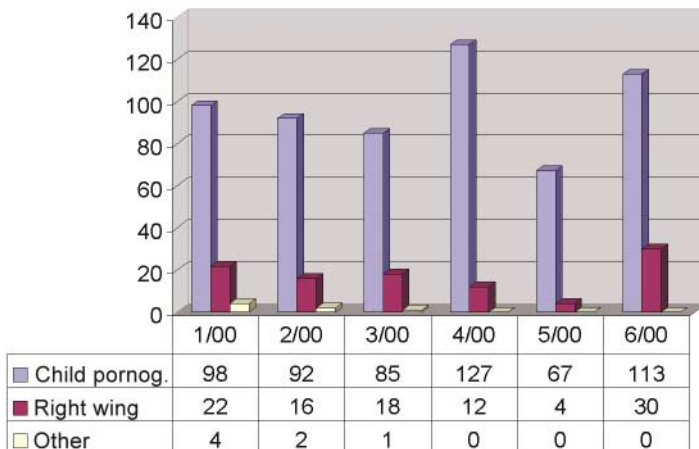




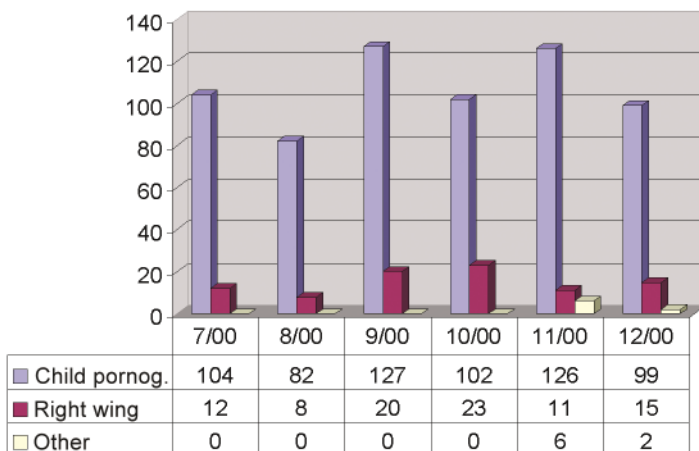
## 7. Statistics

### 7.2) Statistics on reported contents

Reports January - June 2001:



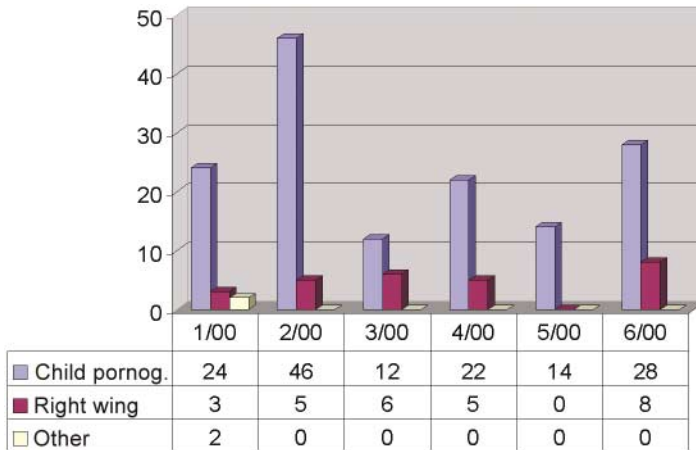
Reports July - December 2001:



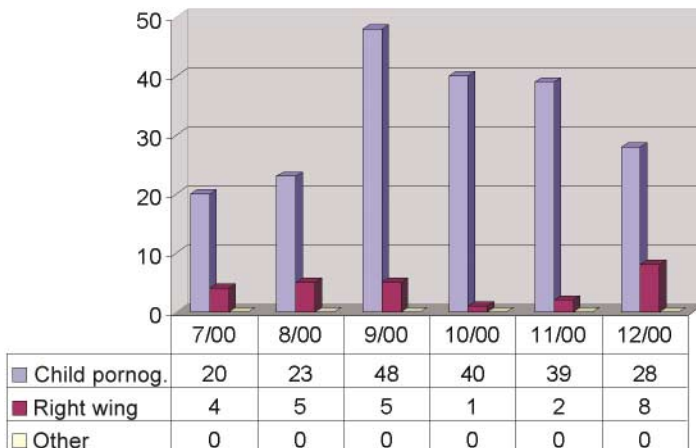


## 7. Statistics

Appropriate reports January - June 2001:



Appropriate reports July - December 2001:

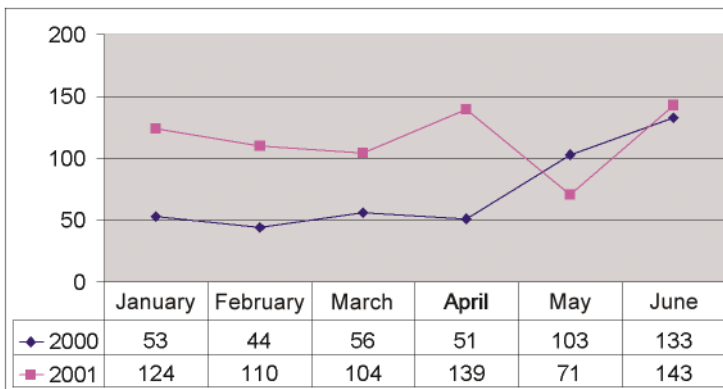




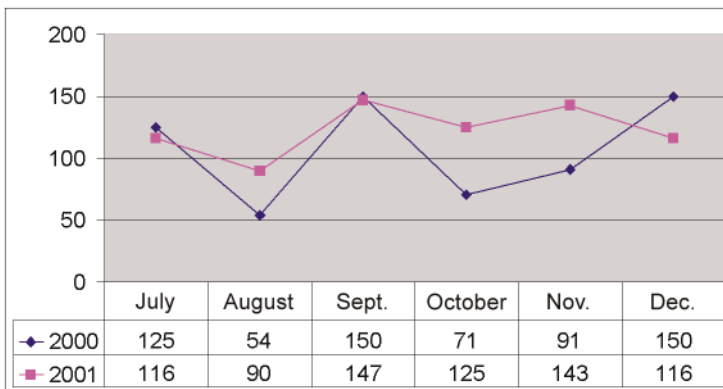
## 7. Statistics

### 7.3) Comparison 2000 and 2001

Comparison of reports January - June:



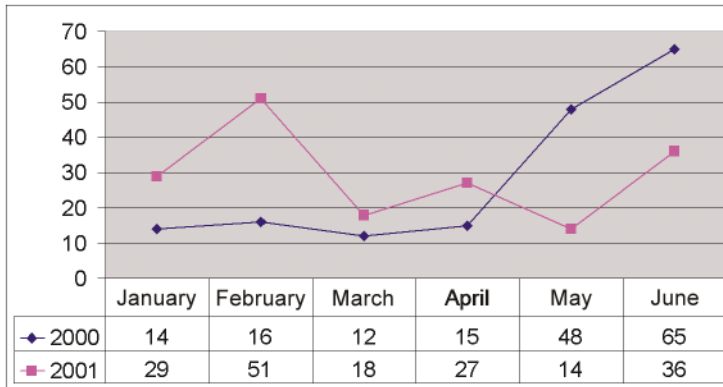
Comparison of reports July - December:



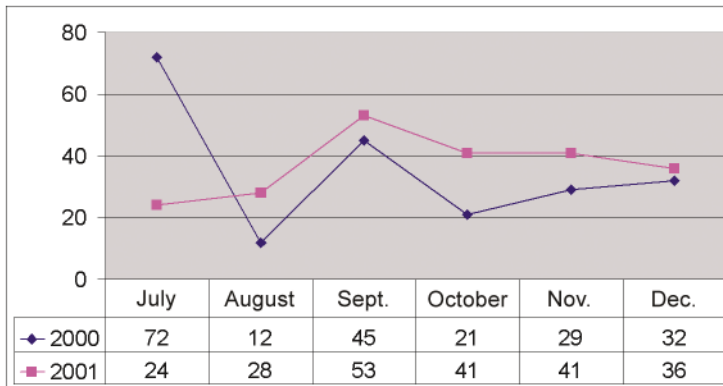


## 7. Statistics

Comparison of correct reports January - June:



Comparison of correct reports July - December:





## Internet Service Providers Austria - ispa

The ISPA (Internet Service Providers Austria) was founded in 1997 as a voluntary industry union of the Austrian internet service providers (ISP) for the purpose of „promoting the internet in Austria“ and for the task to improve its general conditions.

Since the foundation it has been a success to unite a wide range of companies to the ISPA, whose business is directly or indirectly based on the infrastructure of the internet. This is also revealed by the ISPA members´ different fields of activity. As of the end of the year 2001 about 200 internet service providers have joined the ISPA dealing with access-providing, backbone-providing, content-providing, hostings-providing and internet services.

Here are some examples for the activities of the ISPA:

- participation in the realization of the online rate
- negotiation on an ADSL-offering of the TA (Telekom Austria) to the ISPs
- information and communication platform for ISPs (members)
- participation in international organizations (EuroISPA, ICRA, FEDMA, INHOPE ...)
- operating an e-commerce platform for ISPs and interested companies
- securing the infrastructure (CIRCA - Computer Incident Response Coordination Austria)
- operating the hotline for illegal contents on the internet
- simplification of the subscribers´ connection
- questions of interconnection
- questions of provider liability and terms of business
- code of conduct for providers
- business meetings for members
- questions of copyright concerning internet
- questions of prosecution and computer criminality on the internet
- questions of the Telekom regulations and the telecommunications law (TKG)
- organization of relevant meetings and conferences
- questions of domain administration
- questions of content control and filtering





- questions of measuring and observing the internet in Austria
- public relations for the internet development and the ISPs in Austria
- care of the ASP group Austria  
Since spring 2001 a group for the development and promotion of the ASP (Application Service Providing) model has been established within the ISPA: <http://www.asp-group.at>  
As of the end of the year 2001 about 27 companies have joined the ASP group as members.

Additionally, the ISPA office is available for questions and information per telephone +43 1 409 55 76 or e-mail: [office@ispa.at](mailto:office@ispa.at) at any time.

ISPA - Internet Service Providers Austria

President: Georg Hahn

Secretary-general: Kurt Einzinger

Währingerstrasse 3/18

A-1090 Wien, AUSTRIA

Tel.: +43 1 409 55 76

email: [office@ispa.at](mailto:office@ispa.at)

web: <http://www.ispa.at>



## Extract from the ISPA code of conduct

(agreed at the ISPA general meeting on 2 December 1999)

### §1. Aim of the ISPA code of conduct

The ISPA is the union of Austrian internet service providers.

The code of conduct was agreed according to the statutes and articles of the ISPA and describes the practical procedures of the ISPA and its members in performing their duties as internet providers („ISPA members“). This code of conduct can be used by internet users and the public in order to be guided by the procedures of the ISPA members.

### §2. General responsibilities of the ISPA members

In order to explain the responsibilities of the ISPA members regarding these guidelines, they are divided into different categories. Members can have different duties as well, and in doing so their behavior has to correspond to the respective business.

- content-providers: providers who offer their own contents on the internet; they are fully responsible for their contents
- access-providers: providers who offer users access to the internet; they are not responsible for transferred contents
- host-providers: providers who provide memory for internet contents; they are not responsible for these contents and are not bound to check these contents; if they are informed about illegal contents, they proceed according to §4 of this code of conduct
- backbone-providers: providers who offer international internet connections; they are not responsible for transferred contents

The ISPA members declare that all general conditions have to be applied by law according to their business. Criminal law, data protection law and telecommunications law are exemplary.



### **§4. Responsibilities of the ISPA members concerning internet contents**

Internet users can express themselves free and unrestricted on the internet. They are responsible for their behaviours, their own contents and the use of other contents. The ISPA members point out that internet contents are subject to the relevant Austrian laws and that they stop access to publicly accessible, illegal contents by technically and economically acceptable means.

In the first place, the ISPA members take note of illegal contents by the „Internet-Hotline“, the ISPA office or relevant authorities. Information on presumed illegal contents by a third party is forwarded to the Internet-Hotline. The Internet-Hotline is managed by the ISPA and serves to take reports of illegal contents on the internet (especially child pornography and National Socialist resurgence), to verify reported contents and to forward these reports to those providers, who are able to stop access to this content, and to relevant national and international authorities.

The Internet-Hotline is included in a network of international internet report offices, in order to guarantee an efficient transmission of information also beyond the Austrian borders. The ISPA members enable simple access to the Internet-Hotline for their customers (e.g. per links from their homepages to the Internet-Hotline).

Informed ISPA members immediately stop access to these contents by means of possible and reasonable actions, or demonstrably take the necessary steps to immediately stop access to these contents, if the relevant server is within the sphere of influence of their customers. In both cases - provided that it is economically and technically reasonable - ISPA members secure evidence for the duration of one month, but do not delete such evidence deliberately.



### **§5. Responsibilities of the ISPA members concerning misuse of the internet**

In case of information about the misuse of the internet according to TKG §75 („use“) ISPA members proceed appropriate to their responsibilities concerning internet contents (according to the paragraphs above).

They secure operation of the net and internet services by all technically available and economically reasonable means - including the disconnection of sources of relevant material from the internet in clear cases.

### **§8. Declaration of the ISPA members concerning this code of law**

The ISPA members declare their approval of these rules and bind themselves to realize and support them. They will adjust these rules to changing actual and legal developments by appropriate decisions according to the statutes and articles of the ISPA in periodical intervals. The ISPA members look upon these rules as a substantial contribution of the Austrian providers to the protection of the internet against illegal and dangerous contents, which should also protect the providers against legal liabilities for these contents.

Objections to a supposed non-observance of the rules by ISPA members have to be addressed to the ISPA in written form (e-mail, fax or letter). The head of the ISPA has to acquaint himself with the state of affairs by requesting a written statement (per e-mail, fax or letter) from the accused ISPA member and has to judge the complaint concerning its correctness and its severity. If the complaint is confirmed by this judgement, the head has different means to admonish the ISPA member concerned or to end his membership (according §6 (4) of the statutes and articles of the ISPA (state of 3 December 1998)), depending on the severity and frequency of the non-observance of the rules.



## Federal Ministry of the Interior

Criminal Police Service N.C.B. Interpol - Austria  
Bundeskriminalamt - AbteilungII/BK/10 - Interpol



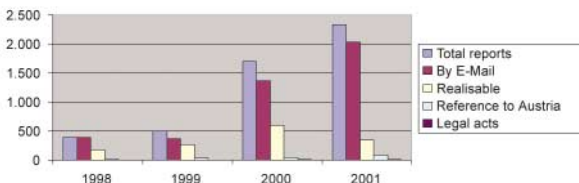
## Report office for child pornography on the internet

[meldestelle@interpol.at](mailto:meldestelle@interpol.at)

Due to a decision of the national parliament in March 1997 the operation of the report office for child pornography on the internet has commenced. The following tasks should be performed by the members of the report office:

- acceptance of both official and private hints
- exchange of information between local and foreign prosecution officials
- performance of actions for suspected child pornography on the internet

Subsequently it was tried to announce the existence of the report office and its contact possibilities in the public by means of the media. This should have turned out well in the meantime, as the increasing number of hints show. Stoline is the only private organization which the report office for child pornography on the internet cooperates with. From there pre-filtered hints are directly transmitted for further processing.





## Federal Ministry of the Interior

Service of the state police

### Report office for Nazi resurgence on the internet

[www.bmi.gv.at](http://www.bmi.gv.at)

[staatspolizei@mail.bmi.gv.at](mailto:staatspolizei@mail.bmi.gv.at)

Acceptance of hints concerning neo-Nazi, racist and anti-Semitic contents on the internet.

The screenshot shows a web browser window displaying the BM.I (Bundesministerium für Inneres) website. The page title is "Meldung an die Staatspolizei". The browser address bar shows the URL: <http://www.bmi.gv.at/web/vernetzte/m/m/m/m/staatspolizei/0/perfom>. The page content includes:

- BM.I logo and "BUNDESMINISTERIUM FÜR INNERES" text.
- Navigation links: Sitemap, Suchen, Kontakt, Impressum.
- BM.I Homepage link.
- Form title: "Meldung an die Staatspolizei".
- Buttons: "Senden" and "Löschen".
- Date: "Datum: 14.03.2002 10:08:56 AM".
- Text: "Bitte geben Sie in nachstehendes Feld Ihre Mitteilung ein:".
- A large empty text input field.
- Text: "Wenn Sie nicht anonym bleiben möchten, geben Sie bitte in nachstehende Felder Namen und Adresse sowie EMailadresse ein:".
- Form fields for "E-Mail-Adresse:" and "Name:".



For further questions and suggestions we will gladly be at your disposal:  
[office@stopline.at](mailto:office@stopline.at).

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