



2002

Annual Report

Hotline against child pornography and national socialistic offences



www.stopleveline.at

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Preface

Dear reader!

Thank you for your interest in the work of Stopleveline!

Now that another year of intensive and dedicated work has passed, we would like to take the opportunity of informing you again in this annual report about the activity of the Stopleveline as well as the improvements since the publication of the annual report 2001.

At the beginning of this annual report we would like to point out that the reports to the Stopleveline have significantly increased during the last year. In our opinion, this especially reflects the increasing importance of the internet as well as the increasing sensibility of its users. However, it also reflects the strong name recognition of the Stopleveline - this makes us proud, although most the reports have a sad background.

The year 2002 has not brought general innovations in the Stopleveline's basic tasks. Nevertheless, we would like to inform you about the minor changes as well as the topical events.

At this point I would like to take the opportunity - in the name of all Stopleveline staff members and advisory board members - of expressing my gratitude to you and to all people who have supported the Stopleveline in the past and who have successfully cooperated with us.

The Stopleveline staff members are glad to continue the cooperation with you in the future and to be at your disposal for any questions or suggestions.

Barbara Haindl
Chairwoman of the Stopleveline advisory board



1. History

1.1) Foundation of the Hotline

The reason for the formation of a report office for illegal contents on the internet was an incident at an ISP in Vienna in the year 1997. Due to a report in March 1996, based on the upload of illegal contents on the internet by a customer of this ISP, the entire technical equipment was confiscated. A protest was raised throughout Austria against these drastic measures.

With regard to the fast expansion of the internet, this incident has made clear that new ways of cooperation between the economy and the public authorities - but also between the individual users - had to be found and will have to be found. For this reason, new ideas concerning a voluntary self-regulation in cooperation with the public authorities have been considered and deemed desirable. Thus, in September 1997, the ISPA (association of the Austrian internet service providers) was founded, and several work groups have been established, especially the work group „Criminal Law“ directed 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. Child pornography and right wing radicalism have been defined as its field of activity.

In January 2001, the ISPA-hotline gets a new look - it becomes the Stopleveline, which is introduced to the public on 17th January. As a matter of fact, its tasks remain unchanged.

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.

Particularly in order to inform the Austrian ISPs, who are the ISPA-members, about their responsibility, the ISPA code of conduct expressly deals with the handling of illegal contents.

Today the Stopleveline 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. An extensive cooperation with the public authorities also requires meetings in order to exchange the technical knowledge between the agents, especially with regard to new services and possibilities on the internet.

1.3) The Hotline expands

In the meantime, the Stopleveline has 3 staff members, who have been assigned to different fields of duty and who guarantee the operative process of reports at any time. Based on their professional work, the Stopleveline can react in a fast, reliable and efficient way.

In addition, a database has been set up in order to contact the ISPs fast and directly. Therefore, detailed data of the ISPA-members' contacts has been recorded within the data base, which is constantly kept up-to-date.



1. History

1.4) Public relations of the Stopline

Since the Stopline's new look much has been done for the expansion of information for the public. Thus, there is a „news“ area on the website, which constantly summarizes topical reports about subject areas of the Stopline in the media in order to inform about events related to this topic.

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. In reaction, the Stopline has included some links to its website, which were especially made up for children and young persons. In addition, another area has been added to the internet which includes security tips for the different user groups. You can also find links to internet pages, which deal with the secure use of the internet and its services.



www.stopline.at



1. History

1.4.1 Lectures

All persons in charge appreciate that the Stopleveline and its field of activity have been presented at different occasions over and over, and Stopleveline lecturers have been invited. This should inform the public about the existence of this hotline and sensitize them for a right and helpful use of the internet.

In October 2002 for example, a symposium regarding child protection entitled „Brave New Online World? Chances and Risks“ took place in Klagenfurt, which was predominantly addressed to pedagogues and educators. A workshop about the Stopleveline, its duties and its possibilities was also made. It was also interesting that several participants of the discussion have suggested expanding the Stopleveline's fields of activity. This shows that the public is much aware of the diverse dangers of the internet - besides all its advantages.



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, this committee discussed the general cooperation between the groups in the struggle against illegal contents on the internet 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 2002

Georg Hahn	ISPA President
Peter Rastl	University of Vienna / Aconet
Kurt Einzinger	Secretary general of the ISPA
Wolfgang Schwabl	Mobilkom Austria
Rudolf Gross	Interpol
Günter Poßegger	Bundesamt für Verfassungsschutz und Terrorismusbekämpfung (Federal office for the protection of the constitution and the fight against terrorism)
Manfred Rupp	Bundesamt für Verfassungsschutz und Terrorismusbekämpfung (Federal office for the protection of the constitution and the fight against terrorism)
Gabriele Schmölder	University of Graz
Michael Pilz	Lawyer
Christian Reiser	Security expert
Richard Wein	Manager of nic.at
Barbara Haindl	Lawyer of nic.at, Stopline advisory board chairwoman

2.2) Die Zusammenarbeit mit Providern und Behörden

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 Stopline 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 Stopline depends on the support of the providers, as these enable the Stopline staff members access to the newsgroups on their news servers. As most providers advocate the Stopline as an authority for a voluntary self-control, they are very cooperative and support the work of the Stopline.

But also the public authorities appreciate the Stopline as a self initiative of the industry and consider it as an important partner. The communication between the federal ministry of the interior (Interpol, Federal office for the protection of the constitution and the fight against terrorism) and the Stopline works smoothly.

Apart from the usual cooperation, the meetings of the Stopline advisory board offer the opportunity to keep up the personal contact and to discuss particular concerns. It was a great gain for the Stopline, as an ISP employee joined the Stopline advisory board in the year 2002.



3. Internationales

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 the cooperation of the different hotlines 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. This plan of measures was renewed in the year 2002 for another 18 months.



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

By now, INHOPE has 15 report office members in Europe and closely cooperates with hotlines in America and Australia. Consequently, reports concerning child pornographic contents which are located on foreign servers can be traced quickly and efficiently.

The Stopleveline is one of the founder members of INHOPE and has taken an active role in its development ever since. INHOPE meetings take approximate 3 times a year 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. The exchange of information concerning staff welfare, which means the mental condition of the agents, also stays an important topic for INHOPE. In this regard it is important to pay attention to this topic and to provide support in advance, so that relevant damages do not occur or can be detected and averted in their initial stage.

One of the most important topics is the cross-national investigation of illegal contents. So, the individual hotlines determine where the content is published and then report to the hotline in the proper country. This hotline, in turn, has means to contact the local authorities with less administrative barriers, who can initiate a criminal prosecution immediately.

INHOPE continues to establish work groups that concentrate on certain subjects. At the moment, there are 5 work groups dealing with the topics code of conduct, contents, membership fees, statistics and public relations. Members of different hotlines are involved in these work groups, who try to develop proposals for the best working methods. Their aim is to assimilate the working methods of the individual hotlines and to expand their fields of knowledge as good as possible, as well as to provide great support for the hotline members and for the establishment and strengthening of new hotlines.



3. International

INHOPE (Association of Internet Hotline Providers in Europe) is introduced on their new homepage at www.inhope.org, which also deals with the members of the different countries. This page is available in German, English, French and Spanish.



3.1.1) Members

Country	Organization	Web address
America	Cybertipline (NCMEC)	www.ncmec.org
Australia	ABA	www.aba.gov.au
Austria	Stopleveline	www.stopleveline.at
Belgium	Child Focus	www.childfocus.be
Denmark	Red Barnet	www.redbarnet.dk
Germany	Electronic Commerce Forum	www.eco.de
Germany	FSM	www.fsm.de
Germany	Jugenschutz.net	www.jugenschutz.net
England	Internet Watch Foundation	www.iwf.org.uk
Finland	Pelastakaa Lapset - Rädda Barnen	www.pela.fi
France	AFA	www.pointdecontact.org
Ireland	ISPAI	www.hotline.ie
Iceland	Barnaheill	www.barnaheill.is
Italy	Save the Children Italia	www.stop-it.org
Netherland	Meldpunt	www.meldpunt.org
Sweden	Rädda Barnen	www.rb.se/hotline
Spain	ACPI	www.asociacion-acpi.org

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. Please find some relevant topics in the preceding annual reports of the Stopleveline.

In the scope of an INHOPE meeting the Stopleveline members also gained a lot of experience while visiting the NCMEC (National Center for Missing and Exploited Children, 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 pedophiliac 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.

In the year 2002 an event of the European Commission took place in Luxembourg, where members of the executive authorities and members of hotlines from countries all over the world were invited.

Some topics were:

- cooperation between public authorities and the hotlines
- how to intensify this cooperation
- what problems exist in the different countries
- adjustment of the legal basis and laws

So the activities of the Stopleveline 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

We would like to point out that staff members of the Stoplevelne do not actively search the internet for illegal contents, but exclusively deal with reported messages.

4.1) Reports to the Stoplevelne

A report to the Stoplevelne can be made in two ways: either the online form on the homepage www.stoplevelne.at is filled out, or the illegal content is reported by e-mail to meldung@stoplevelne.at.

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

It is specially advised not to send pictures, as this could already be an illegal action. For an investigation it is sufficient for the Stoplevelne 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, the date, subject and/or keywords in file-sharing programs (e.g. Kazaa), 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 Stoplevelne works on the report

Reports are treated anonymous. Sender addresses are not forwarded in any way. 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 Stoplevelne 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. Working method

4.1.2) Illegal material on websites and in e-groups

If there are illegal contents on websites, the Stopline locates the host, i.e. the ISP or server which grants access to the illegal content in the net. 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.

4.1.3) Illegal contents in newsgroups

If the content of a newsgroup posting is illegal, first the Stopline has to find out whether it can access this newsgroup. If not, the Stopline depends on the support of the provider, which can give the Stopline access to their news-servers. The work of the Stopline 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 area has become more and more relevant to the Stopline within the last years, much information has been gathered by INHOPE members, and the hotline staff members were purposefully informed and trained.

4.1.5) E-mails

The Stopline continuously gets reports concerning the receipt of undesirable e-mails - so called spam-e-mails. Complaints about the receiving of such e-mails are not within the responsibility of the Stopline, as investigation work would be necessary, which is reserved to the executive authorities.

However, if www-addresses or other services are shown in a forwarded e-mail, the Stopline will gladly process these messages in order to locate possible illegal contents.

During the INHOPE meetings, the awareness regarding spam e-mails has also been considerably trained.

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. Furthermore, a constant monitoring of the relevant chat is necessary. This means that every chat room must be observed for 24 hours a day, which would result in the assignment of many staff members.



4. Working method

4.2) Reports to provider

Each report to a provider is exclusively informative. The Stopline does not delete contents itself, but rather advises the providers how to proceed. After that the provider decides for himself how to react to the content.

This responsibility of the ISP has become more important, especially with regard to the new e-commerce law, which has become effective on 1.1.2002.

4.3) Check of success

The Stopline gladly replies to a received report, provided that the sender has entered his e-mail address. However, the Stopline is neither able to give information about its own processing results nor about the investigations of the executive. However, there is often news in the media about a successful strike against distributors of child pornographic or neo-Nazi contents. Whether such successful strikes are based on a Stopline report, can only be assumed by the Stopline members, as the executive authorities don't provide relevant information.

4.4) Why solely child pornography and right-wing extremism?

Stopline members are often confronted with the question „Why do you exclusively proceed against child pornography and right-wing extremism?“

This topic has also been forwarded to the Stopline advisory board. After several, partly legal discussions the decision has been made not to include other illegal contents - e.g. terrorism, illegal gambling or fraud on the internet - to the Stopline's field of activity, for the following reasons:

- child pornography and right wing radicalism are very sensitive and considerable fields of activity,
- none of the other areas appear as strongly on the internet as especially child pornography,
- the Austrian laws for illegal contents are quite diversified. This makes explicit classifications of illegal contents difficult, as the courts have the exclusive deciding competence,
- some areas would require investigation work, which is reserved to the executive authorities.



5.1) Legal matters concerning child pornography and national socialistic offences

The topic child pornography has been the center of many discussions on the internet for the last years. Some critics 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, actually all areas of daily life. 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, also meets the penal elements of the crime.

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.*
- (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 living children involved or just adults with children's faces or heads. In this case it depends on the impression, as the viewer of the picture gets the impression of 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 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 austrian 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.

5.1.2) National socialistic offences

In Austria the denial of Nazi crimes as well as the dissemination and glorification 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 Stopline is not able to react as quickly and efficiently. Nevertheless, the Stopline does not pass up an opportunity in order to fight those parties.

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.

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 Bestandteile 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 and categorized. With the help of statistics the Stopline is able to make out trends. In the year 2002 for example, it has been concluded that spam e-mails have become more important according to these statistics.

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.

At the moment, the staff members have to deal with an amount of 100 to 150 reports per month, whereas general and legal inquiries as well as services for providers and public relations are not included.

Further, the statistics are used by the European Union and INHOPE, because lectures and special topics require relevant information.

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 Kazaa - 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 Stopline.

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 Stopline 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.

6.3) 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 also create statistics on the reported contents.



6. Facts and numbers

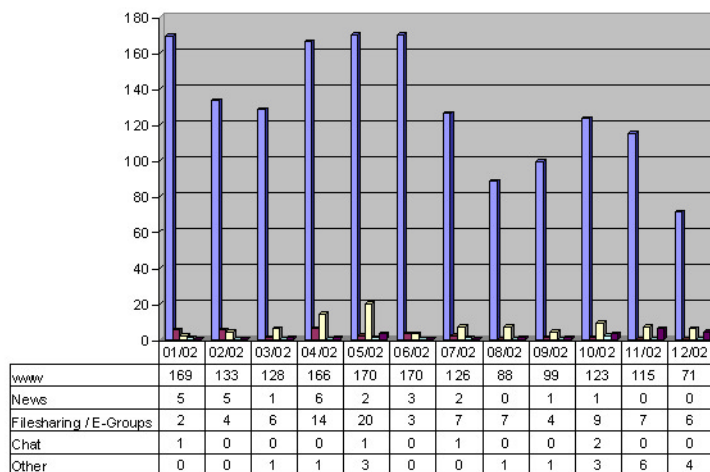
6.4) Tendencies

Every now and then, the Stopline is confronted with questions regarding more frequent reports in some months or areas.

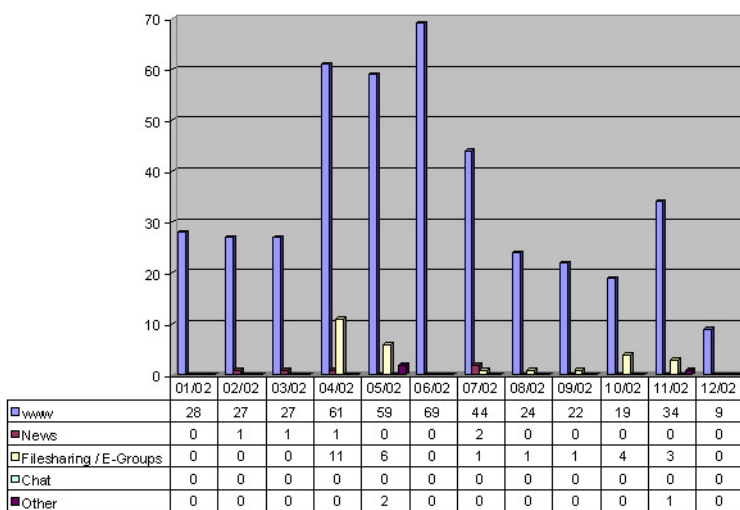
In this regard, the Stopline can only speculate. Especially discussions with foreign hotline members confirm suspicions that also the media, particularly media reports about the topical destruction of a paedophile ring or interviews with abuse victims, play an important role in the sensitization of the public.

7.1) Statistics on internet services

Reports January - December 2002:



Appropriate reports January - December 2002:

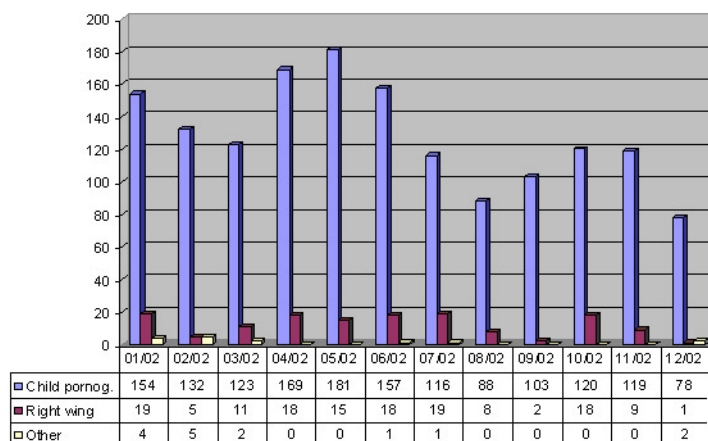




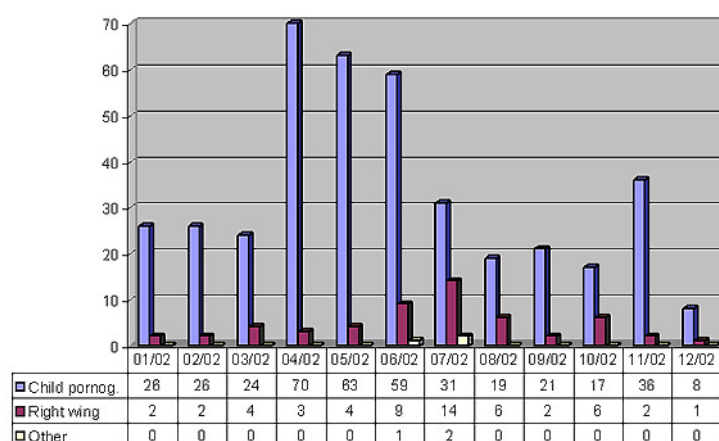
7. Statistics

7.2) Statistics on reported contents

Reports January - December 2002:

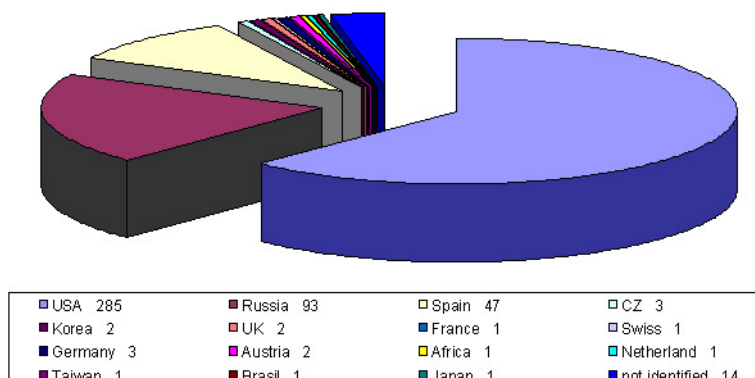


Appropriate reports January - December 2002:



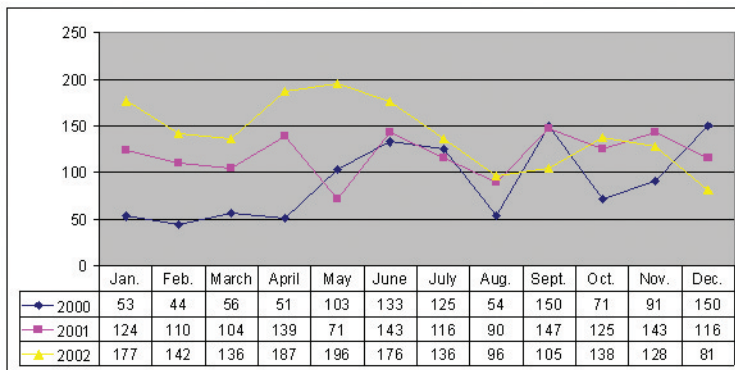
7.3) Statistics about the countries of origin 2002

In this year the Stopline has made a new statistic indicating the countries of origin where the supposed illegal contents are being hosted.

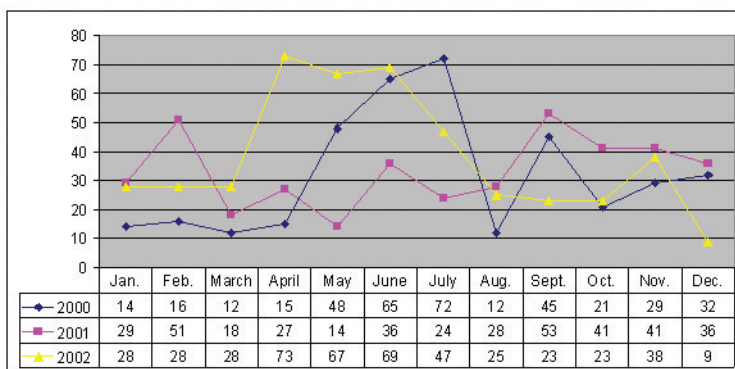


7.4) Comparison 2000, 2001 and 2002

Comparison of reports January - December:



Comparison of correct reports January - December:





8.) News of success?!

As mentioned earlier, staff members of the Stopleveline can not tell whether the Stopleveline or other hotlines were involved in a detention or in revealing cases of child pornographic or right-wing extremist contents on the internet. However, we would like to give a short description of an especially wide-stretched case in the year 2002.

Operation Landslide

The Austrian Interpol was involved in an internationally coordinated police operation concerning the investigation of child pornographic contents.

Detentions have been made in several Interpol member states based on violations regarding child pornography on the internet. This successful operation was the result of a close cooperation between the US Postal Inspection Service and Interpol.

In 1999 during an operation in Fort Worth, Texas, the US Postal Inspection Service has confiscated data from residents of all continents, who had got access to internet pages with child pornographic contents. More than 389,000 entries have been listed. After the police operation had been closed in the United States, Interpol asked for data access in order to proceed against offenders outside of North America.

On this basis a separate database including data from more than 60 countries has been established in the Interpol General Secretariat, which was forwarded to all member states that have a legislation against child pornographic contents. This resulted in thousands of searches all over the world. An infinite number of child pornographic material was found. A significant number of persons in society.

Interpol, the US Postal Inspection Service and many more involved countries were constantly in contact during the planning of this operation. The briefing took place in the General Secretariat of Interpol, where the results and the support were also coordinated.

Thousands of public authorities were integrated. This resulted in one of the largest and most successful operations up to now, aiming at the identification and location of collectors and distributors of pictures of sexual abuse of underage children.

Also in Austria several house searches were made, which also lead to some detentions and legal accusations.

For further information about Interpol please contact the website: <http://www.interpol.int>



Internet Service Providers Austria - ispa

The internet service providers in Austria provide access to the internet or international connectivity to the public, to authorities and to companies in different ways of net infrastructure. Furthermore, they offer a wider range of services, contents and applications to the public users and to the economy via internet. The use of the internet in the life and in the economy of the people has become essential and is constantly increasing.

Promptness and strength through competence and mutuality is an important basis for the ISPA regarding the representation of wishes and interests of the internet as well as the representation of commercial and private users. Our strength and competence are based upon the strength and competence of our members.

Die ISPA:

- promotes the internet in Austria.
- acts as a representative of the ISPA members towards the government, public authorities and all other institutions, organizations and bodies.
- acts as a negotiation platform between Telekom Austria and alternative ISPs for the operation of ADSL and SDSL in Austria.
- stands for the support of fair competition especially regarding regulation and unbundling
- serves as a promoter of special projects like ASP Group Austria and WLAN Group Austria.
- organizes work groups and initiatives for ISP relevant topics.
- serves as a platform for common efforts to develop and implement standards and policies (self-liability)
- provides special services for its members, like sample general terms and conditions, legal information, press reviews etc.
- supports requests and interests of its members in the public.
- cares for international cooperation and exchange of experience with institutions and organizations that have the same or similar aims.
- offers an independent information platform to its members.
- regularly arranges information and discussion events based on topical and important questions of the internet industry.

ISPA topics:

- competition - for general conditions regarding competition
- ISPA broadband offensive - promotion of internet broadband connections
- WLAN - mobile und stationary radio connections with the internet
- Spam - against unwanted advertisement via e-mail
- CIRCA - Computer Incident Response Coordination Austria
- Application Service Providing - services via internet
- E-Commerce - for dynamic electronic business connections
- E-Payment - for secure and easy payment systems for the internet
- Cybercrime - law and prosecution on the internet
- Stopleveline - report office for illegal contents on the internet
- Obligatory data storage - proportionality and privacy
- Unbundling and regulation - for a fair competition

And many more.



ISPA

The ISPA is a community of the Austrian internet service providers, which represents the interests of the internet industry and supports the internet in Austria.

Interested persons can contact the ISPA office at any time for inquiries and information, either via telephone number +43 1 4095576 or via e-mail to office@ispa.at

Johannes Schwertner - President

Kurt Einzinger - Secretary General

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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 - Abteilung II/BK/10 - Interpol



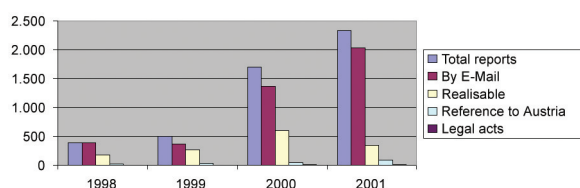
Report office for child pornography on the internet

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 office for the protection of the constitution and the fight against terrorism

Federal Ministry of the Interior

Bundesamt für Verfassungsschutz und Terrorismusbekämpfung

(Federal office for the protection of the constitution and the fight against terrorism)

Report office for Nazi resurgence on the internet

www.bmi.gv.at

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 with the address bar displaying <http://www.bmi.gv.at/web/hemosecue.nsf/MemoStaatspolizei?OpenForm>. The page header features the BM.I logo and the text 'BUNDESMINISTERIUM FÜR INNERES'. Navigation links include 'Sitemap', 'Suchen', 'Kontakt', and 'Impressum'. The main heading is 'Meldung an die Staatspolizei'. Below this, there are 'Senden' and 'Löschen' buttons. A timestamp indicates the date and time: 'Datum: 14.03.2002 10:08:56 AM'. A text prompt asks the user to provide their message in the next field. A large text area is provided for the message. Below the text area, a note states: 'Wenn Sie nicht anonym bleiben möchten, geben Sie bitte in nachstehende Felder Namen und Adresse sowie E-mailadresse ein:'. There are three input fields labeled 'E-Mail-Adresse:', 'Name:', and a partially visible 'Adresse:' field.



For further questions and suggestions we will gladly be at your disposal: office@stopline.at.

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