



STOPLINE
Annual Report
2009

Hotline against Child Pornography and
National Socialist Offences on the Internet

www.stopline.at

Imprint

Disclosure according to § 25 media law:

Media owner, editor and proprietor (100%):

Stopline
c/o ISPA - Internet Service Providers Austria
Verband der österreichischen Internet-Anbieter
1090 Vienna, Währingerstrasse 3/18
E-mail: office@stopline.at

Stopline advisory board:

Peter Rastl, Andreas Wildberger, Richard Wein, Ewald Ebner, Gabriele Schmölzer, Michael Pilz, Wolfgang Schwabl, Christian Reiser, Thomas Grünwald, Romana Cravos, Bernhard Jungwirth, Sibylle Geißler, Harald Gremel, Barbara Schloßbauer.

Chairwoman of the advisory board:

Barbara Schloßbauer

General policy: The annual report of the Stopline as well as its website shall provide information about the Stopline, which is the Austrian report office against illegal contents (child pornography and National Socialist reactivation) on the Internet.

Copyright: All rights reserved

Liability restriction: The Stopline is not liable for any damages caused by incorrect or late contents or actions that have been taken relying upon the appropriateness of the content. The website or documents referring to it as well as their contents are to be considered as information rather than binding legal advice.

Editor: Stopline

Place of production and publication: Vienna



1. Stopleveline	2
1.1 What is the Stopleveline?	2
1.2 History of the Stopleveline	2
1.3 Structure of the Stopleveline	3
1.4 The Stopleveline Advisory Board	3
1.5 Cooperation ...	4
1.5.1 ... with ISPs	4
1.5.2 ... with public authorities	4
1.5.3 ... Saferinternet.at	4
1.5.4 ... on an international basis	4
2. Reports	5
2.1 Processing reports	5
2.2 Reports to the Stopleveline	5
2.3 Processing of reports	5
2.3.1 Illegal material on websites and in e-groups	6
2.3.2 Illegal contents in file-sharing programs	6
2.3.3 Illegal contents in newsgroups	6
2.3.4 E-mails	6
2.3.5 Chat and other services	6
2.4 Reports to ISPs	6
2.5 Summary of the processing of reports	7
2.6 Problems with report processing	7
2.7 Control of success...?	7
3. Legal basis	8
3.1 Child pornography	8
3.2 National Socialist reactivation	9
4. Statistics	11
4.1 How and why are statistics made?	11
4.2 What was reported to the Stopleveline in 2009?	11
4.3 Comparison of reported and appropriate reports from 1999 to 2009	12
4.4 Statistics about reported contents	12
4.5 Statistics about Internet services	13
4.6 Statistics about countries of origin 2009	14
5. Successful cooperations	15
5.1 The European Union - Safer Internet Plus Programme	15
5.2 Inhope	16
5.2.1 Inhope Members	17
5.3 Internet Service Providers Austria - ISPA	18
5.4 Federal Ministry of the Interior - Federal Police Agency - BKA	21
5.5 Federal Ministry of the Interior - Federal Agency for State Protection and Counter Terrorism - BVT	22
5.6 Saferinternet.at	23



1. The Stopleveline

1. The Stopleveline

1.1 What is the Stopleveline?

Over the past years, the Internet has become a platform without which daily life would be unthinkable, as it is offering unimagined possibilities for both job-related and private purposes. Nevertheless, besides all those positive effects, the Internet is also abused for negative or even illegal contents and has therefore become a significant medium for spreading child pornography and National Socialist ideas. This is especially due to the fact that a world-wide distribution is fast, does not require special (financial) efforts, and it is also widely anonymous. Thus, the investigation work of the responsible law enforcement agencies often proves to be difficult, so the relevant authorities are also dependent on the cooperation of the Internet users for a successful fight against these illegal activities.

The Stopleveline is a hotline, i.e. an Internet report office which can be addressed by all Internet users - also anonymously if they wish - who come across child pornographic or National Socialist contents on the Internet. The relevant laws for determining the criminal relevance are § 207 a StGB (Austrian penal code) regarding child pornography, and the Austrian national socialist prohibition law and the law against the wearing of national socialist regalia and symbols regarding National Socialist reactivation, respectively. Please refer to section 3 for further information.

1.2 History of the Stopleveline

The reason for the formation of a report office for illegal contents on the Internet was an incident that happened in connection with an Austrian Internet service provider in the year 1997. Following a complaint based on the upload of illegal contents on the Internet by a customer of this ISP, the entire technical equipment was confiscated. This caused a lot of damage, as the company's business activities as an ISP ceased. Protests were raised throughout Austria against these drastic measures.

With regard to the fast expansion of the Internet, this incident has made it clear to all parties involved that new ways of cooperation between the industry and the public authorities - but also among the Internet users themselves - had to be found. For this reason, the ISPs started thinking about new ideas for a close cooperation and a voluntary self-regulation in cooperation with the public authorities, and so the ISPA (association of the Austrian Internet service providers) was founded in September 1997 (see section 5.3). In addition, the work group "Criminal Law" was established within the ISPA under the direction of Peter Rastl, head of the EDP center of the University of Vienna, which suggested the foundation of a report office. The formal foundation of the so-called "ISPA-Hotline" took place in November 1998, in consultation with the Federal Ministry of the Interior, and in early 2000 its new name became "Stopleveline". Child pornography and National Socialist reactivation have been defined as the Stopleveline's field of activity.

Since that time the Stopleveline has become a report office which is authorised and accepted by the public authorities. The Stopleveline closely cooperates with the Federal Ministry of the Interior (Federal Office of Criminal Investigation and Federal Agency for State Protection and Counter Terrorism) and with the Internet service providers by means of the ISPA. For an extensive cooperation with the public authorities there are regular meetings in order to exchange the technical knowledge between the agents, especially with regard to new services and possibilities of the Internet and mobile communications sector, which are becoming more and more important.

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



1. The Stopline



Since 2007, the Stopline has been cooperating with the Saferinternet.at initiative in the field of education and sensitisation regarding security risks on the Internet (refer to section 5.6 for additional information)



Additionally, the Stopline has been incorporated in a centralised international network of report offices - the organisation Inhope (find more information in section 5.2).



The Stopline is financially supported by the EU within the Safer Internet Programme (www.ec.europa.eu/saferinternet) and by nic.at, the registry for .at-domains (www.nic.at).



co-funded by
the European
Union

1.3 Structure of the Stopline

The Stopline has been incorporated into the ISPA (Internet Service Providers Austria) as an institution of voluntary self-control, and it is imbedded in the guidelines of the ISPA members (see section 5.3).

The Stopline's advisory and superordinate body is the Stopline Advisory Board.



1.4 The Stopline Advisory Board

The Stopline Advisory Board is a communication platform for experts from the economy, Internet industry and public authorities. Experts like lawyers, university professors and IT security experts contribute additional know-how.

The Stopline Advisory Board has 3 - 4 meetings per year. The agenda includes topics that reflect the interests of each trade and, at the same time, improve the relationship between all participants.

Members of the Stopline Advisory Board 2009

Peter Rastl	ZID University of Vienna / Aconet
Andreas Wildberger	ISPA Secretary General
Romana Cravos	ISPA
Wolfgang Schwabl	Telekom Austria TA AG/ mobilkom austria AG
Ewald Ebner	Federal Office of Criminal Investigation
Sibylle Geißler	Federal Agency for State Protection and Counter Terrorism
Gabriele Schmölzer	University of Graz
Michael Pilz	Lawyer
Christian Reiser	Security expert
Richard Wein	CEO of nic.at
Thomas Grünwald	Senior Prosecutor, Federal Ministry of Justice
Harald Gremel	Federal Office of Criminal Investigation
Bernhard Jungwirth	Saferinternet.at
Barbara Schloßbauer	nic.at jurist, Chairwoman of the Stopline Advisory Board



1. The Stopleveline

1.5 Cooperation ...

Keeping in touch with other parties **”concerned“** with a potentially illegal website - i.e. ISPs and executive bodies from the Stopleveline’s point of view - is especially important for the processing of reports, as the Internet contents may change permanently and rapidly.

1.5.1 ... with ISPs

In case of possibly illegal contents on servers of an Austrian ISP, a fast contact with the ISP makes sure that all necessary steps are taken in order to remove these contents.

The Stopleveline staff members have introduced the Stopleveline and its activities in many discussions with ISPs. In this connection, the fear of the ISPs that the Stopleveline would ban or censor Internet contents itself could be removed.

The cooperation between the Stopleveline, the ISPA organisation and the Internet service providers is enhanced by the Stopleveline Advisory Board membership of representatives of the ISPA and the Internet service providers.

1.5.2 ... with public authorities

Public authorities - especially the Federal Office of Criminal Investigation, the Federal Agency for State Protection and Counter Terrorism and the Federal Ministry of Justice - appreciate the Stopleveline as the industry’s own initiative and consider it as an important partner. In this regard, the intensive exchange of information between the agents makes it possible to discuss new technologies and tendencies, for example. It is especially during the meetings of the Stopleveline Advisory Board, which also consists of representatives of these public authorities, that interesting discussions take place for the benefit of all participants.

1.5.3 ... Saferinternet.at

The activities of the Stopleveline primarily serve the fight against illegal contents that already exist and have been found on the Internet. At the same time it is also important that organisations focus on giving information about the right use of modern methods of communication, i.e. the Internet or the mobile phone.

For this reason, Stopleveline closely cooperates with Saferinternet.at (see section 5.6), which is an Austria-wide initiative that supports Internet users in a safe use of the Internet.

1.5.4 ... on an international basis

In order to make a successful stand against the international and boundless character of the Internet and the problems of fighting illegal Internet sites, the Stopleveline closely cooperates with international partners, especially with the EU, within the scope of the Safer Internet Plus promotion programme, and hotlines from other countries (see chapter 5).

2. Reports



2. Reports

2.1 Processing reports

The following chapter shall give you an understanding of the Stopleveline's main activities - the processing of reports. It must be pointed out that the Stopleveline's staff members do not actively search for illegal contents on the Internet themselves. They solely process reports and links that have been forwarded to them by watchful Internet users or partner hotlines.

2.2 Reports to the Stopleveline

A report to the Stopleveline can be made in two ways:

- Via website form at www.stopleveline.at
- Or via e-mail to report@stopleveline.at.

Either by filling out the online form at www.stopleveline.at or by reporting the illegal content via e-mail to report@stopleveline.at.

As desired, the sender of the website form can either remain anonymous or specify their contact data, respectively. If an e-mail address is specified, the Stopleveline will send a standard reply confirming the receipt of the report. Upon consultation with the executive, information can be given about a possible illegality of a website.



It is specially advised not to send images, as this could already be an illegal action. In order to investigate a report, it is sufficient for the Stopleveline to receive a detailed reference of the suspicious material. This might include the following information:

- a clear URL for website contents (www),
- a detailed specification of the author
- the date,
- the subject and/or keywords in file-sharing programs (e.g. Kazaa)
- or a detailed description of the posting in news groups. It is important to specify the name of the news group, the news server as well as the sender, date and subject of the posting.

A free text field is provided for commenting on or summarising the reported content.

2.3 Processing of reports

A rapid discovery of the content depends on the quality of the report. The more precise the "guide" is, the faster and more efficient the report can be processed. The procedure is different depending on the type of the online service. In a first step, the Stopleveline staff members check whether the reported content actually is or could be illegal - according to Austrian law. This happens in accordance with the criteria of the legal regulations, especially § 207a of the Austrian penal code or the Verbotsgesetz (national socialist prohibition law).

In case of illegal material, the Stopleveline locates the host - which is the ISP or server via which the illegal content has been published on the Internet. If an Austrian Internet service provider is affected, he will be contacted along with the public authorities and informed about the illegal content. Incoming reports are treated anonymously, and sender addresses are not forwarded in any way.



2. Reports

If the illegal material is published on a foreign server, the local authorities will be informed, too. In addition, the Stopline forwards the information to foreign partner-hotlines (see section 5.2), which commence their own procedures and contact the authorities in their countries - provided that this country actually has a partner hotline within the international network of INHOPE.

In this connection, it must be pointed out again that the Stopline only processes the reports by checking whether a content is possibly illegal. In this case, the responsible authorities or partner hotlines are informed. Therefore, the Stopline does not initiate the suspension or deletion of the relevant contents on its own.

2.3.1 Illegal material on websites and in e-groups

Websites are Internet sites that can be accessed via browsers (e.g. Microsoft Internet Explorer, Mozilla Firefox, Opera).

E-groups can be accessed the same way as websites, but also offer the possibility to actively create contents like photo albums (e.g. MSN groups).

2.3.2 Illegal contents in file-sharing programs

File sharing is an Internet service that allows the exchange of data (games, music, programs, images etc.) by means of programs like Kazaa or Emule.

2.3.3 Illegal contents in newsgroups

Newsgroups are online discussion platforms. It is possible to take part in a forum by means of a newsreader (e.g. Outlook Express, Messenger) or a browser with a web-based access to newsgroups.

2.3.4 E-mails

E-mails are electronic mail sent via Internet, either by means of programs like Microsoft Outlook or Lotus Notes or via various Internet providers or free e-mail addresses like GMX or Hotmail.

If www-addresses or other services are listed in a forwarded e-mail, the Stopline will gladly process these messages in order to identify possible illegal contents.

2.3.5 Chat and other services

Chat means discussion between users via Internet. Messages can be transmitted in real-time via chat programs. In the meantime, chatters are making use of their own "language", which consists of many abbreviations and symbol strings. So-called chat forums are often used to get in touch with new people. They carry the inherent danger that no one really knows who is actually behind a certain chat profile.

2.4 Reports to ISPs

Each report to an ISP is solely informative. The Stopline does not delete or exercise any censorship contents itself, but rather gives advice to the ISPs about how to proceed. The ISP has to decide for himself how to react to the content. The code of conduct of the ISPA (see section 5.3) serves as a basis therefore.

Austrian ISPs are actually aware of their responsibility, which means that illegal contents will be immediately removed from the web.

This responsibility of the ISP has become more important, especially with regard to the new e-commerce law, which also regulates the liability of the ISPs.

2. Reports



2.5 Summary of the processing of reports



2.6 Problems with report processing

Problems might occur during the processing of reports, especially due to wrong or insufficient information regarding newsgroups or file sharing programs. As a result, the processing of the report becomes complicated or even impossible.

In addition, the access to website or e-group contents might be restricted. Unfortunately, the Stopleveline's possibilities are quite limited in this regard unless the report contains access data for the restricted areas.

Due to the technological development, the determination of the country of origin is getting difficult for the Stopleveline's staff members, as the technology used for encoding the host servers is becoming more and more sophisticated.

As there are internationally different approaches regarding the criminal prosecution, the staff members of the hotline also have to face legal problems sometimes - both in Austria and in other countries.

2.7 Control of success...?

The Stopleveline will confirm the receipt of a report, provided that the sender has entered an e-mail address. However, the Stopleveline is neither able to give information about its own results nor about the investigations of the executive.



3. Legal basis

3.1 Child pornography

In the recent years, the topic child pornography has often been the focus of many discussions around the Internet. This prompted several critics to condemn the Internet as a criminal medium. This is not true, as the situation today shows that the Internet has found its way into universities, offices, schools and families. It has become a part of our daily life, and many people use its positive aspects in their leisure times and jobs. In the meantime, the major part of the population could no longer imagine living without the Internet.

Nevertheless, especially pictures of child molestation on the Internet have shocked many people. But not everything that looks like child pornography at first glance can be regarded as a criminal offence.

§ 207a StGB

In Austria the offence of child pornography is defined in § 207a of the penal code (StGB).

Wording of the law only available in German:

§ 207a Pornografische Darstellungen Minderjähriger

- (1) *Wer eine pornografische Darstellung einer minderjährigen Person (Abs. 4)*
 1. *herstellt oder*
 2. *einem anderen anbietet, verschafft, überlässt, vorführt oder sonst zugänglich macht, ist mit Freiheitsstrafe bis zu drei Jahren zu bestrafen.*
- (2) *Mit Freiheitsstrafe von sechs Monaten bis zu fünf Jahren ist zu bestrafen, wer eine pornographische Darstellung einer minderjährigen Person (Abs. 4) zum Zweck der Verbreitung herstellt, einführt, befördert oder ausführt oder eine Tat nach Abs. 1 gewerbsmäßig begeht. Mit Freiheitsstrafe von einem bis zu zehn Jahren ist zu bestrafen, wer die Tat als Mitglied einer kriminellen Vereinigung oder so begeht, dass sie einen besonders schweren Nachteil der minderjährigen Person zur Folge hat; ebenso ist zu bestrafen, wer eine pornographische Darstellung einer minderjährigen Person (Abs. 4) unter Anwendung schwerer Gewalt herstellt oder bei der Herstellung das Leben der dargestellten minderjährigen Person vorsätzlich oder grob fahrlässig gefährdet.*
- (3) *Wer sich eine pornographische Darstellung einer mündigen minderjährigen Person (Abs. 4 Z 3 und 4) verschafft oder eine solche besitzt, ist mit Freiheitsstrafe bis zu einem Jahr zu bestrafen. Mit Freiheitsstrafe bis zu zwei Jahren ist zu bestrafen, wer sich eine pornographische Darstellung einer unmündigen Person (Abs. 4) verschafft oder eine solche besitzt.*
- (3a) *Nach Abs. 3 wird auch bestraft, wer im Internet wissentlich auf eine pornografische Darstellung Minderjähriger zugreift.*
- (4) *Pornographische Darstellungen Minderjähriger sind*
 1. *wirklichkeitsnahe Abbildungen einer geschlechtlichen Handlung an einer unmündigen Person oder einer unmündigen Person an sich selbst, an einer anderen Person oder mit einem Tier,*
 2. *wirklichkeitsnahe Abbildungen eines Geschehens mit einer unmündigen Person, dessen Betrachtung nach den Umständen den Eindruck vermittelt, dass es sich dabei um eine geschlechtliche Handlung an der unmündigen Person oder der unmündigen Person an sich selbst, an einer anderen Person oder mit einem Tier handelt,*
 3. *wirklichkeitsnahe Abbildungen*
 - a) *einer geschlechtlichen Handlung im Sinne der Z 1 oder eines Geschehens im Sinne der Z 2, jedoch mit mündigen Minderjährigen, oder*
 - b) *der Genitalien oder der Schamgegend Minderjähriger, soweit es sich um reißerisch verzerrte, auf sich selbst reduzierte und von anderen Lebensäußerungen losgelöste Abbildungen handelt, die der sexuellen Erregung des Betrachters dienen;*
 4. *bildliche Darstellungen, deren Betrachtung - zufolge Veränderung einer Abbildung oder ohne Verwendung einer solchen - nach den Umständen den Eindruck vermittelt, es handle sich um eine Abbildung nach den Z 1 bis 3.*

3. Legal basis



- (5) Nach Abs. 1 Z 1 und Abs. 3 ist nicht zu bestrafen, wer
1. eine pornographische Darstellung einer mündigen minderjährigen Person mit deren Einwilligung und zu deren eigenem Gebrauch herstellt oder besitzt oder
 2. eine pornographische Darstellung einer mündigen minderjährigen Person nach Abs. 4 Z 4 zu seinem eigenen Gebrauch herstellt oder besitzt, sofern mit der Tat keine Gefahr der Verbreitung der Darstellung verbunden ist.

With regard to the activities of the Stopleveline, child pornography is mostly defined by pictures showing minors involved in sexual intercourse. Persons under the age of 18 are minors, while persons under the age of 14 are also politically immature. Pornographic material is usually presented in the form of photographs or movies and the like. Other illustrations like drawings, paintings, comics or montages are grey areas. In these cases it is not instantly possible to verify the authenticity of the picture. The decisive factor is that the beholder must have the impression that a sexual intercourse with minors actually takes place. Texts describing the sexual intercourse with children are not criminal in terms of child pornography but possibly with regard to other legal regulations.

According to § 207a StGB (Austrian penal code), child pornography is defined by sexual intercourse with or by focussing on the genitals of minors. Thus, neutral photos of nudist beaches, for instance, are not subject to child pornography.

If a picture is subject to child pornography, any activity in connection with this is illegal: i.e. wilful access to such material on the Internet, producing, offering, acquiring, possessing or dealing with child pornography, also import, transport and export - except the regulations according to § 207a, para. 5 StGB (Austrian penal code).

It must also be pointed out that this graphical material represents elements of an offence, which are liable to prosecution only by the police and by the public prosecutor's office. Thus, it must be implicitly advised against selective Internet investigations by users. Even if the user's intentions are good (e.g. in order to make a report to the Stopleveline), he might incur a penalty.

3.2 National Socialist reactivation

In Austria, the denial of Nazi crimes as well as the dissemination and glorification of national socialist ideologies are a punishable offence. By contrast, other countries like Great Britain or the USA protect such activities by law (freedom of opinion and speech). In these countries there is also no legal basis for counteractive measures.

Regarding the fight against national socialist offences, the following legal regulations are applied in Austria:

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.



3. Legal basis

§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.*

§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.*

Abzeichengesetz (Bundesgesetz vom 5.4.1960, mit dem bestimmte Abzeichen verboten werden)

§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 regulations clearly point out that dealing with the ideologies of an illegal organisation in an objective, critical or historical way is legal, but not the approval of its ideas.



4. Statistics

4.1 How and why are statistics made?

The Stopline receives reports about the spreading of supposedly illegal contents within different Internet services (e.g. www or file-sharing). Each of these reports is processed and categorised. By making statistics, the Stopline is able to recognise trends and to verify its own work.

The statistics are divided into 2 sections - all received reports and reports that have been classified as supposedly illegal by the Stopline staff members. The last-mentioned are labelled „appropriate“. Regarding the content of a report, the statistics distinguish between child pornography, National Socialist reactivation and others, which include reports that are not within the Stopline's field of activity.

4.2 What was reported to the Stopline in 2009?

With almost 3,500 reports in the year 2009, the total number of incoming reports again lies above the numbers of the previous years. About 30% of all incoming reports turned out to refer to obviously illegal contents.

The statistics about the type of reported contents within the past years clearly prove that reports on child pornography significantly outweigh reports on national socialist offences. A possible reason is the sensibility of the Internet users, who have stronger legal or moral concerns about child pornographic contents than about those including national socialist material.

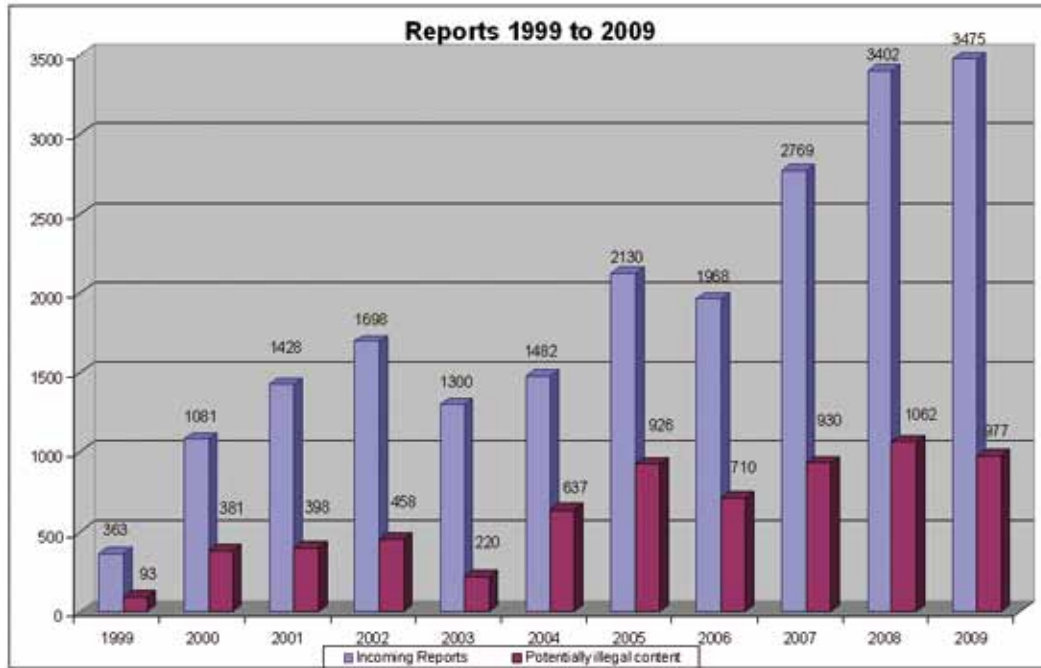
Like in the years before, the presumable country of origin of the possibly illegal contents reported to the Stopline in the year 2009 was mostly the USA, followed by Russia and the Netherlands. However, supposedly illegal contents can also be found on host-servers located in countries like South Korea, China, Thailand and Japan.

Finally, it can be said that users predominantly report websites of the WWW (World Wide Web) to the Stopline. The number of reported newsgroups, file-sharing programs and e-groups is continuously decreasing strongly.



4. Statistics

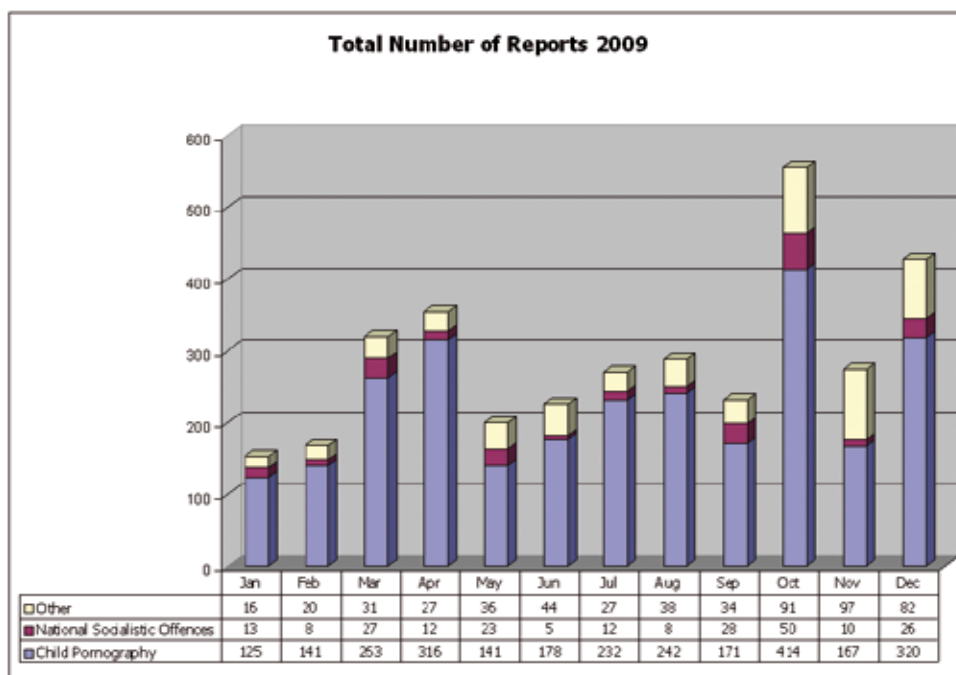
4.3 Comparison of reported and appropriate reports from 1999 to 2009



Unapplicable reports especially include adult pornography, legal pictures of minors or websites that are no longer in operation.

4.4 Statistics about reported contents

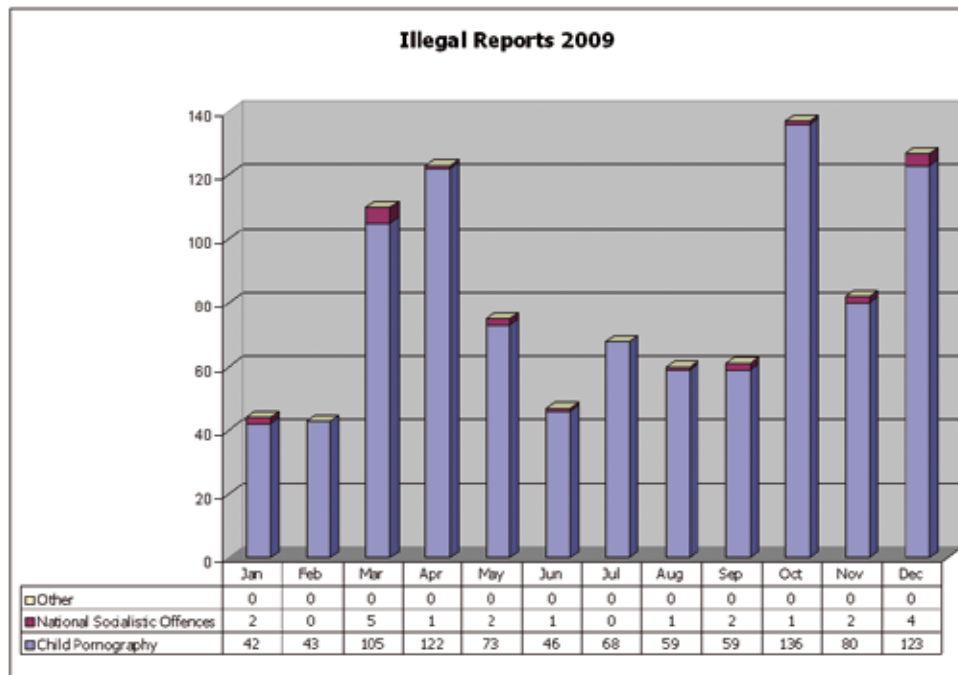
Reports January - December 2009:



4. Statistics

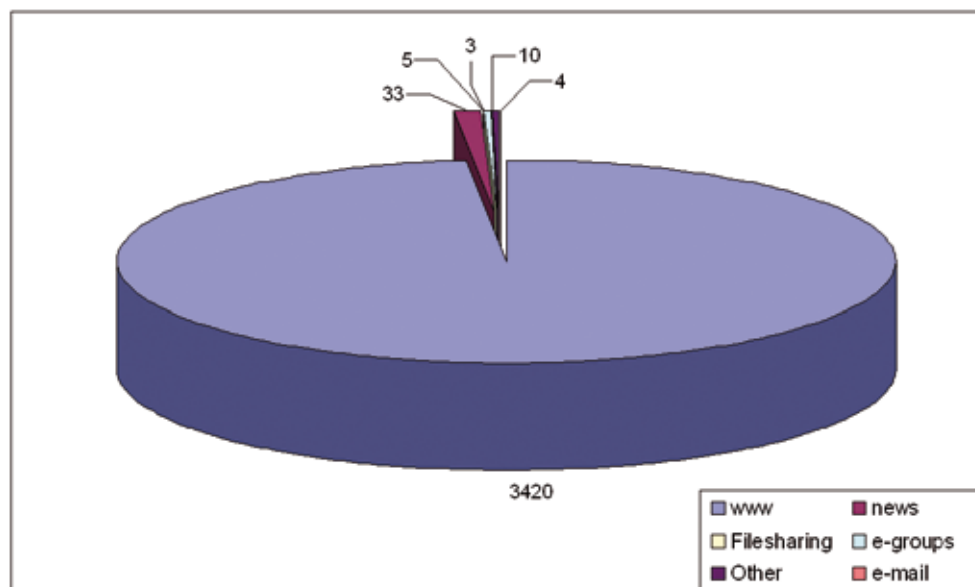


Appropriate reports January - December 2009:

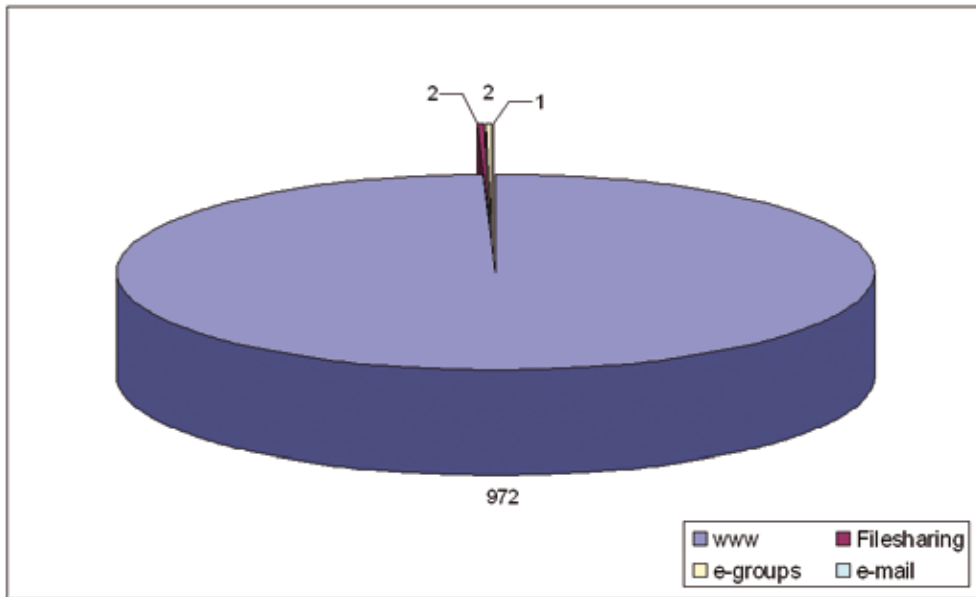


4.5 Statistics about Internet services

Reports January - December 2009:

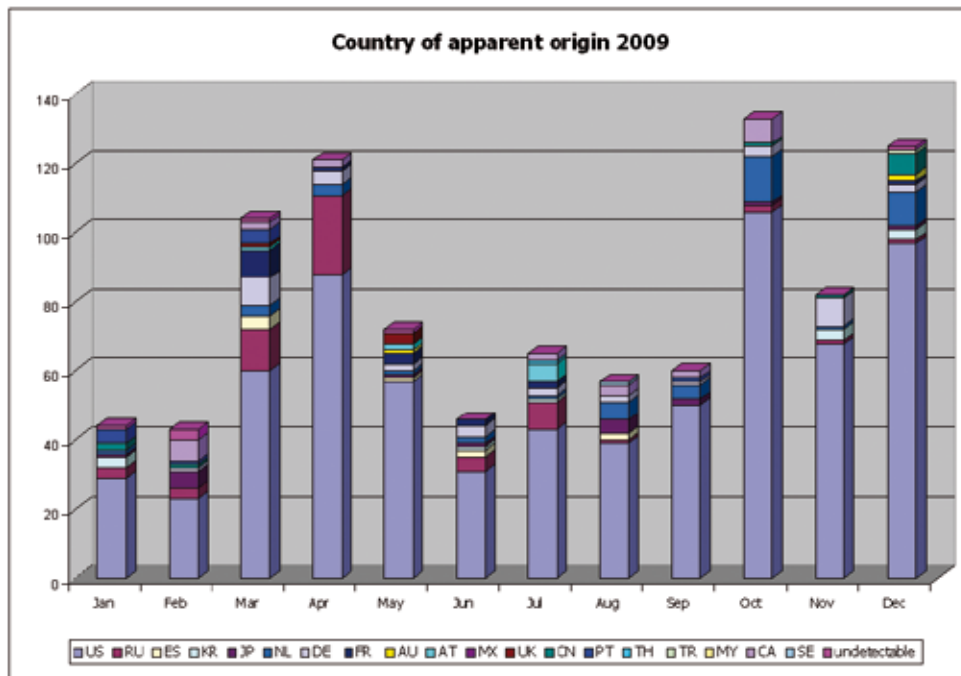


Appropriate reports January - December 2009:



4.6 Statistics about countries of origin 2009

This statistic shows the countries where the supposedly illegal contents are hosted.



Detailed figures for the years 2000 to 2008 are available in the relevant annual reports on the Stopline website at www.stopline.at.

5. Cooperations



5. Successful cooperations

5.1 The European Union - Safer Internet Plus Programme

The Safer Internet Plus Programme provides the funding of activities for a cooperative approach within the EU against illegal and harmful Internet contents. The Stopline is also financially supported by this EU programme.



Already back in 1997, the European Commission started supporting a pilot project to establish a European hotline-platform, which took place within the Daphne program. At that time, the project INHOPE was established - already with a view to the Action Plan made up in 1999 by the EU. Initially, INHOPE served as a discussion platform in order to check the possibility of establishing hotlines by the industry and to 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“ (decision no. 276/1999/EG; <http://europa.eu.int/ISPO/iap/decision/en.html>). The intention of this long-term action plan were, amongst others, the creation of national report offices and awareness organisations as well as a European hotline network in order to intensify the cooperation of the different hotlines and to accelerate the establishment of new report offices in other countries. The current EU support programme has been renewed several times until at least 2013 due to its great success.

The basic aim of the project is the promotion of a safe use of the Internet and new online technologies, as well as the fight against illegal and unwanted Internet contents. Apart from the hotlines, this programme also concentrates on the information and training of parents, educators and children. The international cooperation is a vital part of all its fields of activity.

Basically, four fields of activity have been designed:

- Fight against illegal contents;
- Fight against unwanted and harmful contents;
- Promotion of a safe environment;
- Sensitisation of the Internet users.

Please find further detailed information on the website site of the EU Commission:

<http://www.ec.europa.eu/saferinternet>



5. Cooperations

5.2 INHOPE

INHOPE (Association of Internet Hotline Providers) is a union of Internet hotlines. It consists of online report offices, especially in Europe but also in the USA, Canada, Australia, Japan, South Korea, South Africa and Taiwan. In the meantime, INHOPE consists of 36 report office members in 31 countries of the world.

Stopline is one of the founder members of INHOPE and has taken an active role in its development ever since. INHOPE meetings take place about three times a year in the countries of the respective partner hotlines, and they especially serve to the exchange of experience, e.g. with regard to IT, new technologies or the communication of the hotlines with the public. The exchange of information with regard to staff welfare, i.e. the psychological attendance of the report agents, also stays an important topic for INHOPE.



However, one of the most significant aspects is the cross-national investigation of illegal contents. In doing so, the relevant hotlines try to localise the supposedly illegal content and forward this information to the proper hotline in that country. This hotline, in turn, has shorter and less bureaucratic contacts to the local authorities, which can initiate their proceedings immediately. This is necessary in order to investigate reports about e.g. child pornographic contents in a fast, efficient and successful way.

The principles that are adhered to by the members of INHOPE are:

- the freedom of the Internet;
- supporting the positive features of the Internet;
- the shared responsibility of governments, educationists and the Internet industry to protect young people.

The work of INHOPE also seeks to create a permanent safety awareness regarding the Internet and to promote relevant education in Europe.

Information about INHOPE is available on the www.inhope.org.

5. Cooperations



5.2.1 INHOPE Members

Country	Organisation
Australia	ACMA (www.acma.gov.au)
Austria	Stopleveline (www.stopleveline.at)
Belgium	Child Focus (www.childfocus.be)
Bulgaria	Web112.net (www.web112.net)
Canada	Cybertip.ca (www.cypertip.ca)
Chinese Taipei	ECPAT Taiwan 547 (www.web547.org.tw)
Cyprus	SafenetCY (www.cyberethics.info)
Czech Republic	Our Child Foundation Hotline (www.internethotline.cz)
Czech Republic	Horka linka (www.horkalinka.cz)
Denmark	Red Barnet (www.redbarnet.dk)
Finland	Pelastakaa Lapset / Rädda Barnen (www.nettivistihje.net)
France	AFA-France / Pointe de Contact (www.pointdecontact.net)
Germany	Electronic Commerce Forum (www.eco.de)
Germany	FSM (www.fsm.de)
Germany	jugendschutz.net (www.jugendschutz.net)
Greece	Safeline (www.safeline.gr)
Hungary	Matisz (www.matisz.hu)
Iceland	Barnaheill (www.barnaheill.is)
Ireland	ISPAI (www.hotline.ie)
Italy	Save the Children Italia (www.stop-it.org)
Italy	Hot114 (www.hot114.it)
Japan	IAJ Hotline (www.iajapan.org)
Latvia	NetSafe Hotline www.drossinternets.lv
Lithuania	Draugiskas Internetas (www.draugiskasinternetas.lt)
Luxembourg	Lisa Stopleveline (www.lisa-stopleveline.lu)
Netherlands	Meldpunt (www.meldpunt-kinderporno.nl)
Poland	NIFC Hotline Polska (www.hotline.org.pl)
Portugal	Linha Alerta (http://linhaalerta.internetsegura.pt/)
Russia	Safe RUnet (www.saferunet.ru)
Russia	Friendly Runet Foundation (www.friendlyrunet.ru)
Slovenia	Spletno-Okno (www.spletno-okno.si)
South Africa	Film Publication Board (www.fpbprochild.org.za)
South Korea	ICEC Internet119 (www.internet119.or.kr)
Spain	Protegeles (www.protegeles.com)
United Kingdom	Internet Watch Foundation (www.iwf.org.uk)
United States	CyberTipline (www.cybertipline.com)



5. Cooperations

5.3 Internet Service Providers Austria - ISPA

ISPA Mission Statement

The ISPA – Internet Service Providers Austria – is the umbrella organisation of the Internet economy, whose intention is to create the optimum economical and legal conditions for the development of the Internet. The ISPA regards the use of the internet as a decisive cultural technology and, thus, assumes the corresponding socio-political responsibility.



The ISPA is representing the Austrian Internet economy

The ISPA is the industry union of the Austrian Internet service providers, which was founded as a registered association in the year 1997. Its aim is to promote the Internet in Austria and to support the requests and interests of currently more than 200 members from business areas like access, service, hosting, and content providing. The ISPA regards itself as a lobby group and mouthpiece of the Austrian Internet industry towards the government, public authorities and other institutions, and it promotes the communication of the market participants among themselves.

ISPA's topics of focus and fields of activity



On the one hand, ICT-political processes concerning the Internet are providing input for the ISPA in order to develop particular areas. On the other hand, the ISPA possesses the leadership to actively participate in shaping and advancing these processes.

The ISPA's fields of activity also include all legal matters that are essential for the business transactions of its members as well as for framing clear ICT-political statements. These include public comments and policy papers of the ISPA, which provide both information for its members and competent input for political and law-making processes. Moreover, the ISPA continuously sharpens its position by means of lobbying and public relations.

The ISPA stands for comprehensive information competence for members and stakeholders and lays claim to actively take part in ICT-political and law-making processes as well as to competently react to legal questions concerning the ISPA's key topics and ICT-political issues. The ISPA's primary aim is the promotion of the Internet in Austria, with the will to emphasize the positive aspects of a worldwide network.

5. Cooperations



One of the vital elements of the ISPA's daily work and the effectiveness of its results is the national and international networking with partner organisations and initiatives. Thus, as a member of EuroISPA, the ISPA is able to closely observe the current developments in Europe and to actively influence these developments by means of policy work, position papers, public commenting and lobbying activities. The mutual exchange of information about the different local conditions enables the industry to deal with the most relevant topics. This, in turn, provides valuable suggestions regarding the strategic positioning on a national level.

The project "Saferinternet.at" has evolved from an EU action plan. In cooperation with the Institute for Applied Telecommunication (ÖIAT), the ISPA is responsible for planning and implementing local measures to develop the secure Internet use in Austria.

With the Stopline initiative the ISPA has founded a contact point for people who come across illegal material on the Internet (child pornographic and national socialist contents) and want to report this information in an anonymous way.

Extract from the ISPA code of conduct

§ 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 informed of 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.

These guidelines are based on the principles of freedom of opinion, privacy protection, free trade in services, technical and economical feasibility as well as on the experience of the Austrian Internet providers.



5. Cooperations

§ 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-contact possibility for illegal content, 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 socialistic offences), 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 § 78 („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 December 3rd, 2003), depending on the severity and frequency of the non-observance of the rules.

5. Cooperations



5.4 Federal Ministry of the Interior

Head office for the public safety - Federal Police Agency

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 authorities.
- performance of actions for suspected child pornography on the Internet.

In the following years a determined media relations work was initiated by the executive authority in order to publish the report office and its contact information. The constantly rising number of reports as well as the resulting investigations reflect these successful efforts and prove that the Austrian Internet users appreciate the report office.

These numbers also reflect the considerable increase of Internet users. In addition, the significant proportion of legal acts that are forwarded to the report office by police authorities within the framework of Europol and the Federal Police Agency emphasise the successful work in this area.

Another important field of activity is the assistance of other Austrian security organisations in these special investigations and the coordination of investigations against larger groups of offenders. The only private organisation in Austria that cooperates with the report office for child pornography on the Internet is the STOPLINE, which directly submits pre-filtered evidence for further processing.

In addition, there are investigations to find the victims of the abuse and the offenders by identifying and spreading the pictures over the Internet.

As an example, Canadian authorities forwarded a photoset showing 3 minor girls, who were obviously being abused, to the report office of the Federal Police Agency, as the background of the images were indicating a German-speaking area. Using the technical data left by the camera on the digital image, it was possible to trace the owner of the camera, who was a 52-year-old German citizen. He could be arrested in northern Germany, and the 3 girls were safeguarded against further abuse. Furthermore, considerable photo and video material documenting his brutal acts of abuse was seized at the offender's home. In December 2006, the court sentenced him to an unconditional imprisonment of 14 years and a subsequent preventive detention.



5. Cooperations

5.5 Federal Ministry of the Interior

Federal Agency for State Protection and Counter Terrorism (BVT)

If you find a website or newsgroup including neo-Nazi, racist and anti-Semitic contents on a website, please report your finding to the

Report office for National Socialist reactivation

Your information will be kept in confidence by request. As a matter of course, you can also make a report to any police station in case of suspicions regarding National socialist reactivation.

ns-wiederbetaetigung@mail.bmi.gv.at



www.bmi.gv.at/meldestellen/

5. Cooperations



5.6 Saferinternet.at

Saferinternet.at – the national information and coordination center for a safe Internet use

The initiative Saferinternet.at especially supports children, youths, parents and teachers in Austria in using the Internet safely.

Saferinternet.at
Das Internet sicher nutzen!

Saferinternet.at offers different services, like a comprehensive information portal, teaching material, videos, leaflets for parents and youths, information and continuing education events, the organisation of the Safer Internet Day in Austria, newsletters, media relations, free phone and online counselling in cooperation with “147 Rat auf Draht” as well as a national advisory board in cooperation with the Stopleveline including all relevant Austrian stakeholders.

The partner project Handywissen.at provides information around a secure and responsible use of the mobile phone.



Saferinternet.at closely cooperates with all Austrian projects that focus on a safe Internet and with the European Safer Internet Network (Insafe).

The initiative is being coordinated by the Austrian Institute for Applied Telecommunication (ÖIAT) in cooperation with Internet Service Providers Austria (ISPA) and implemented in collaboration with both the public authorities and the economy.

Financing is provided by the Safer Internet Programme of the EU Commission (DG Information Society & Media), ministries and sponsors from the industry (Microsoft, Telekom Austria, A1, eBay).

Contact: Mag. Bernhard Jungwirth, office@saferinternet.at
Web: www.saferinternet.at, www.handywissen.at



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

**Place the Stopline logo
on your website!**

www.stopline.at/download



**Publisher © Stopline
c/o ISPA, Währingerstrasse 3/18
A-1090 Wien, AUSTRIA**

**www.stopline.at
office@stopline.at**

Supported by



co-funded by
the European
Union

nicat
the austrian registry