

2022 Annual report

Annual transparency report on activities of the Council for Media Services under Regulation 2021/784 of the European Parliament and of the Council on addressing the dissemination of terrorist content online

Introduction

In accordance with European Regulation 2021/784 (the Regulation), the Council for Media Services (CMS), a national competent authority, has compiled a Transparency Report on its activities in 2022. The aim of the Regulation is to combat and prevent the dissemination of terrorist content online, which refers to any content that incites or solicits the commission of terrorist offenses, as defined in Article 2 (7) of the Regulation. The Regulation creates obligations for hosting service providers to remove terrorist content from their platforms within specified timeframes and to take measures to protect their services against the dissemination of such content to the public.

Background

The Regulation entered into force on 7 June 2022. Since then, hosting service providers offering their services in the EU are obliged to remove or disable access to terrorist content within one hour of receiving a removal order from a competent authority, as referred to in Article 3 of the Regulation. In Slovakia, this belongs to the competence of the Police Force.

Under Article 5 of the Regulation: „a hosting service provider exposed to terrorist content shall, where applicable, include in its terms and conditions and apply provisions to address the misuse of its services for the dissemination to the public of terrorist content“, (e.g. technical means to expeditiously identify terrorist content). The oversight of the implementation of specific measures pursuant to Article 5 is conducted by the CMS.

Besides tackling the dissemination of terrorist content online, the Regulation enhances the cooperation and coordination between Member States and the European Commission with a cooperation framework to ensure its effective implementation. To enforce the Regulation, Slovakia has designated two competent authorities – the CMS and the Police Force.

Pursuant to Articles 8 and 21 of the Regulation, the CMS is mandated to publish a transparency report on its activities. The primary purpose of this submission is to enhance the transparency of the CMS and, in doing so, inform the public and partners in the EU about the CMS' activities in preventing the dissemination of terrorist content online within the context of the Regulation. Lastly, this document constitutes an annual transparency report as per Article 8 of the Regulation.

Reported numbers

According to Article 8 of the Regulation, a transparency report should contain at least the following information:

a) the number of removal orders issued under Article 3, specifying the number of removal orders subject to Article 4(1), the number of removal orders scrutinized under Article 4, and information on the implementation of those removal orders by the hosting service providers concerned, including the number of cases in which terrorist content was removed or access thereto was disabled and the number of cases in which terrorist content was not removed or access thereto was not disabled;

(b) the number of decisions taken in accordance with Article 5(4), (6) or (7), and information on the implementation of those decisions by hosting service providers, including a description of the specific measures;

(c) the number of cases in which removal orders and decisions taken in accordance with Article 5(4) and (6) were subject to administrative or judicial review proceedings and information on the outcome of the relevant proceedings;

(d) the number of decisions imposing penalties pursuant to Article 18, and a description of the type of penalty imposed.

In relation to Article 8 (a), there were no **(0)** removal orders issued, no **(0)** orders were scrutinized under Article 4. Since no removal orders were issued there is no information on their implementation to be reported. As a result, there were no cases in which terrorist content was removed or access thereto disabled.

In relation to Article 8 (b), there were no **(0)** decisions taken in accordance with Articles 5(4), (6) or (7) of the Regulation.

In relation to Article 8 (c), there were no **(0)** cases in which removal orders and decisions taken in accordance with Articles 5(4) and (6) were subject to administrative or judicial review proceedings and information on the outcome of the relevant proceedings.

In relation to Article 8 (d), there were no **(0)** decisions imposing penalties pursuant to Article 18 of the Regulation.

Article 21 prescribes Member States to collect from their competent authorities and the hosting service providers under their jurisdiction and send to the Commission by 31 March of every year information about the actions they have taken in accordance with this Regulation in the previous calendar year. The information mentioned in this article includes:

(a) the number of removal orders issued and the number of items of terrorist content which have been removed or access to which has been disabled and the speed of the removal or disabling;

(b) the specific measures taken pursuant to Article 5, including the number of items of terrorist content which have been removed or access to which has been disabled and the speed of the removal or disabling;

(c) the number of access requests issued by competent authorities regarding content preserved by hosting service providers pursuant to Article 6;

(d) the number of complaint procedures initiated and actions taken by the hosting service providers pursuant to Article 10;

(e) the number of administrative or judicial review proceedings initiated and decisions taken by the competent authority in accordance with national law.

In relation to Article 21 (a), there were no **(0)** removal orders issued, no terrorist content removed and no access disabled. Since no terrorist content was removed or disabled there is no information on the speed of the removal or disabling.

In relation to Article 21 (b), there were no **(0)** specific measures taken pursuant to Article 5. Since no specific measures were taken there is no information on the number of terrorist content removed, access disabled or speed of the removal or disabling.

In relation to Article 21 (c), there were no **(0)** access requests issued by competent authorities regarding content preserved by hosting service providers pursuant to Article 6.

In relation to Article 21 (d), there were no **(0)** complaint procedures initiated and actions taken by the hosting service providers pursuant to Article 10.

In relation to Article 21 (e), there were no **(0)** administrative or judicial review proceedings initiated and no decisions taken by the competent authority in accordance with national law.

In addition, there was no scrutiny of the removal order by the competent authority in relation to Article 4(3).

Additional information on the terrorist attack in Bratislava (October 2022)

On 12 October 2022, a terrorist attack directed against the LGBTQ+ community took place on Zámocká Street in Bratislava. Shortly before the attack, the perpetrator published an online manifesto titled "A call to arms", which was later classified as illegal and terrorist content. Furthermore, the attack was also associated with an unprecedented surge in potentially illegal and terrorist content in the information space. This terrorist content was uploaded mainly on foreign servers. In this connection Slovak Police Force cooperated closely with Europol (EU IRU) in sending out referrals to relevant hosting service providers. Except for the terrorist content on the Telegram platform accounts, all other providers heeded the call and removed the content in question.

Immediately after the attack, the CMS carried out, in light of its newly acquired competences related to systematic oversight of the dissemination of information online, a detailed mapping of information channels while promptly taking measures to mitigate the negative impacts of harmful and potentially illegal content.

Monitoring activities of the CMS detected 26 unique URLs allowing users to either download the entire manifesto or its selected excerpts in 10 digital content repositories. The CMS notified all providers of the services concerned of the terrorist content available via their respective services. Since most providers of the services cooperated with CMS and removed the content in question, a removal order was not needed and thus no removal order was issued by the competent authority in light of the Bratislava shooting.

As a response to the attack, the CMS has published a report [*The Bratislava Shooting – Report on the role of online platforms*](#). This report summarizes the actions taken by the CMS following the incident and offers recommendations to platforms and Member States on how to effectively implement mechanisms designated to prevent and address the online dissemination of terrorist, extremist and harmful content.

In an attempt to escalate the attacker's manifesto to the level of global initiatives tackling terrorist content online, such as the Global Internet Forum to Counter Terrorism (GIFCT), Christchurch Call Initiative or Tech Against Terrorism, the CMS initiated intensive cooperation with relevant partners within these networks. As a result, and in cooperation with the Slovak Police Force, the manifesto was added to the global database of terrorist content of the GIFCT.