



### THE PROTECTION OF LEGAL GOODS IN THE DIGITAL COMMON MARKET BETWEEN THE NEEDS OF SECURITY AND THE PROTECTION OF HUMAN RIGHTS

The *Communication from the Commission to the European Parliament, the Council, the European economic and social committee and the Committee of regions* (May 6, 2015), concerning *A Digital Single Market Strategy for Europe* - after underlining the economic losses arising from the spread of cybercrimes, that «often result in disruption of services and fundamental rights violations» - identifies the removal of these effects as one of the lines of action to be implemented to restore «citizens' trust in online activities»

This paper deals with “*Combatting illegal content on the Internet*”. It examines critically the requirements and the procedures for removing illegal contents, with particular regard to *child pornography* and to *terrorism*.

Particular attention is paid to the tasks and responsibilities of the ISP.

The conclusion is the need to find a reasonable balance point between opposing demands: on one side, prosecution of crimes and removal of harmful consequences of the offenses; on the other, the respect for the fundamental rights of the individual (Freedom of expression, freedom of enterprise, etc ...). This balance has so far been entrusted to the Constitutional courts, to the CJEU and to the ECHR. In the future will need the contribution of supranational laws.