

Child sexual abuse online - detection, removal and reporting

Fields marked with * are mandatory.

Introduction

The fight against child sexual abuse is a priority for the EU.

The European Commission published in July 2020 the [EU Strategy for a more effective fight against child sexual abuse](#). The Strategy sets out a comprehensive response to the growing threat of child sexual abuse both offline and online, by improving prevention, investigation, and assistance to victims. It includes eight initiatives for the 2020-2025 period to put in place a strong legal framework, strengthen the law enforcement response, and facilitate a coordinated approach across the many actors involved in protecting and supporting children.

In particular, the Commission committed in the Strategy to:

- propose the necessary legislation to tackle child sexual abuse online effectively including by requiring relevant online services providers to detect known child sexual abuse material and require them to report that material to public authorities; and
- start working towards the possible creation of a European centre to prevent and counter child sexual abuse, based on a thorough study and impact assessment. The centre would provide holistic support to Member States in the fight against child sexual abuse, online and offline, ensuring coordination to maximise the efficient use of resources and avoiding duplication of efforts.

Purpose

The purpose of the present open public consultation is to gather evidence from citizens and stakeholders to inform the preparation of the above initiatives and it is part of the data collection activities that the related [inc option impact assessment](#) announced in December 2020.

Structure

Following a first set of questions to identify the type of respondent, the consultation has two sections, one for each of the initiatives in the Strategy that it covers:

1. Legislation to tackle child sexual abuse online effectively:

- Issue: what is the current situation and where are the gaps?
- Legislative solution: what should it include to tackle the above gaps effectively?

2. Possible European centre to prevent and counter child sexual abuse:

- Issue: what is the current situation and where are the gaps?
- Possible European centre: what features could it have to help tackle the above gaps effectively?

Terminology:

The consultation uses the following terminology:

- 'Child sexual abuse material' ('CSAM'), refers to material defined as 'child pornography' in Article 2(c) of [Directive 2011/93/EU](#). The consultation uses 'child sexual abuse material' instead of 'child pornography', in accordance with the [Luxembourg Guidelines](#).
- 'Grooming' refers to the solicitation of children for sexual purposes.
- 'Child sexual abuse online' includes both 'child sexual abuse material' and 'grooming'.

'Public authorities' refers to e.g. regional, national or international government entity, including law enforcement.

Privacy

All replies as well as position papers will be published online. Please read the privacy statement on how personal data and contributions will be processed.

The estimated time for completion is 30 minutes. Thank you for your contribution.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
-

- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

* Surname

* Email (this won't be published)

* Scope

- International
- Local
- National
- Regional

* Level of governance

- Local Authority
- Local Agency

* Level of governance

- Parliament
- Authority
- Agency

* Organisation name

255 character(s) maximum

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

* Country of origin

Please add your country of origin, or that of your organisation.

- | | | | |
|--------------------------------------|--|-------------------------------------|--|
| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Martin |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Algeria | <input type="radio"/> Ecuador | <input type="radio"/> Luxembourg | <input type="radio"/> Samoa |
| <input type="radio"/> American Samoa | <input type="radio"/> Egypt | <input type="radio"/> Macau | <input type="radio"/> San Marino |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Andorra	El Salvador	Madagascar	São Tomé and Príncipe
<input type="radio"/> Angola	<input type="radio"/> Equatorial Guinea	<input type="radio"/> Malawi	<input type="radio"/> Saudi Arabia
<input type="radio"/> Anguilla	<input type="radio"/> Eritrea	<input type="radio"/> Malaysia	<input type="radio"/> Senegal
<input type="radio"/> Antarctica	<input type="radio"/> Estonia	<input type="radio"/> Maldives	<input type="radio"/> Serbia
<input type="radio"/> Antigua and Barbuda	<input type="radio"/> Eswatini	<input type="radio"/> Mali	<input type="radio"/> Seychelles
<input type="radio"/> Argentina	<input type="radio"/> Ethiopia	<input type="radio"/> Malta	<input type="radio"/> Sierra Leone
<input type="radio"/> Armenia	<input type="radio"/> Falkland Islands	<input type="radio"/> Marshall Islands	<input type="radio"/> Singapore
<input type="radio"/> Aruba	<input type="radio"/> Faroe Islands	<input type="radio"/> Martinique	<input type="radio"/> Sint Maarten
<input type="radio"/> Australia	<input type="radio"/> Fiji	<input type="radio"/> Mauritania	<input type="radio"/> Slovakia
<input type="radio"/> Austria	<input type="radio"/> Finland	<input type="radio"/> Mauritius	<input type="radio"/> Slovenia
<input type="radio"/> Azerbaijan	<input type="radio"/> France	<input type="radio"/> Mayotte	<input type="radio"/> Solomon Islands
<input type="radio"/> Bahamas	<input type="radio"/> French Guiana	<input type="radio"/> Mexico	<input type="radio"/> Somalia
<input type="radio"/> Bahrain	<input type="radio"/> French Polynesia	<input type="radio"/> Micronesia	<input type="radio"/> South Africa
<input type="radio"/> Bangladesh	<input type="radio"/> French Southern and Antarctic Lands	<input type="radio"/> Moldova	<input type="radio"/> South Georgia and the South Sandwich Islands
<input type="radio"/> Barbados	<input type="radio"/> Gabon	<input type="radio"/> Monaco	<input type="radio"/> South Korea
<input type="radio"/> Belarus	<input type="radio"/> Georgia	<input type="radio"/> Mongolia	<input type="radio"/> South Sudan
<input type="radio"/> Belgium	<input type="radio"/> Germany	<input type="radio"/> Montenegro	<input type="radio"/> Spain
<input type="radio"/> Belize	<input type="radio"/> Ghana	<input type="radio"/> Montserrat	<input type="radio"/> Sri Lanka
<input type="radio"/> Benin	<input type="radio"/> Gibraltar	<input type="radio"/> Morocco	<input type="radio"/> Sudan
<input type="radio"/> Bermuda	<input type="radio"/> Greece	<input type="radio"/> Mozambique	<input type="radio"/> Suriname
<input type="radio"/> Bhutan	<input type="radio"/> Greenland	<input type="radio"/> Myanmar /Burma	<input type="radio"/> Svalbard and Jan Mayen
<input type="radio"/> Bolivia	<input type="radio"/> Grenada	<input type="radio"/> Namibia	<input type="radio"/> Sweden
<input type="radio"/> Bonaire Saint Eustatius and Saba	<input type="radio"/> Guadeloupe	<input type="radio"/> Nauru	<input type="radio"/> Switzerland
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

- | Bosnia and Herzegovina | Guam | Nepal | Syria |
|--|---|--|--|
| <input type="radio"/> Botswana | <input type="radio"/> Guatemala | <input type="radio"/> Netherlands | <input type="radio"/> Taiwan |
| <input type="radio"/> Bouvet Island | <input type="radio"/> Guernsey | <input type="radio"/> New Caledonia | <input type="radio"/> Tajikistan |
| <input type="radio"/> Brazil | <input type="radio"/> Guinea | <input type="radio"/> New Zealand | <input type="radio"/> Tanzania |
| <input type="radio"/> British Indian Ocean Territory | <input type="radio"/> Guinea-Bissau | <input type="radio"/> Nicaragua | <input type="radio"/> Thailand |
| <input type="radio"/> British Virgin Islands | <input type="radio"/> Guyana | <input type="radio"/> Niger | <input type="radio"/> The Gambia |
| <input type="radio"/> Brunei | <input type="radio"/> Haiti | <input type="radio"/> Nigeria | <input type="radio"/> Timor-Leste |
| <input type="radio"/> Bulgaria | <input type="radio"/> Heard Island and McDonald Islands | <input type="radio"/> Niue | <input type="radio"/> Togo |
| <input type="radio"/> Burkina Faso | <input type="radio"/> Honduras | <input type="radio"/> Norfolk Island | <input type="radio"/> Tokelau |
| <input type="radio"/> Burundi | <input type="radio"/> Hong Kong | <input type="radio"/> Northern Mariana Islands | <input type="radio"/> Tonga |
| <input type="radio"/> Cambodia | <input type="radio"/> Hungary | <input type="radio"/> North Korea | <input type="radio"/> Trinidad and Tobago |
| <input type="radio"/> Cameroon | <input type="radio"/> Iceland | <input type="radio"/> North Macedonia | <input type="radio"/> Tunisia |
| <input type="radio"/> Canada | <input type="radio"/> India | <input type="radio"/> Norway | <input type="radio"/> Turkey |
| <input type="radio"/> Cape Verde | <input type="radio"/> Indonesia | <input type="radio"/> Oman | <input type="radio"/> Turkmenistan |
| <input type="radio"/> Cayman Islands | <input type="radio"/> Iran | <input type="radio"/> Pakistan | <input type="radio"/> Turks and Caicos Islands |
| <input type="radio"/> Central African Republic | <input type="radio"/> Iraq | <input type="radio"/> Palau | <input type="radio"/> Tuvalu |
| <input type="radio"/> Chad | <input type="radio"/> Ireland | <input type="radio"/> Palestine | <input type="radio"/> Uganda |
| <input type="radio"/> Chile | <input type="radio"/> Isle of Man | <input type="radio"/> Panama | <input type="radio"/> Ukraine |
| <input type="radio"/> China | <input type="radio"/> Israel | <input type="radio"/> Papua New Guinea | <input type="radio"/> United Arab Emirates |
| <input type="radio"/> Christmas Island | <input type="radio"/> Italy | <input type="radio"/> Paraguay | <input type="radio"/> United Kingdom |
| <input type="radio"/> Clipperton | <input type="radio"/> Jamaica | <input type="radio"/> Peru | <input type="radio"/> United States |
| <input type="radio"/> Cocos (Keeling) Islands | <input type="radio"/> Japan | <input type="radio"/> Philippines | <input type="radio"/> |

- | | | | |
|--|----------------------------------|--|--|
| <input type="radio"/> Colombia | <input type="radio"/> Jersey | <input type="radio"/> Pitcairn Islands | <input type="radio"/> United States
Minor Outlying
Islands |
| <input type="radio"/> Comoros | <input type="radio"/> Jordan | <input type="radio"/> Poland | <input type="radio"/> Uruguay |
| <input type="radio"/> Congo | <input type="radio"/> Kazakhstan | <input type="radio"/> Portugal | <input type="radio"/> US Virgin
Islands |
| <input type="radio"/> Cook Islands | <input type="radio"/> Kenya | <input type="radio"/> Puerto Rico | <input type="radio"/> Uzbekistan |
| <input type="radio"/> Costa Rica | <input type="radio"/> Kiribati | <input type="radio"/> Qatar | <input type="radio"/> Vanuatu |
| <input type="radio"/> Côte d'Ivoire | <input type="radio"/> Kosovo | <input type="radio"/> Réunion | <input type="radio"/> Vatican City |
| <input type="radio"/> Croatia | <input type="radio"/> Kuwait | <input type="radio"/> Romania | <input type="radio"/> Venezuela |
| <input type="radio"/> Cuba | <input type="radio"/> Kyrgyzstan | <input type="radio"/> Russia | <input type="radio"/> Vietnam |
| <input type="radio"/> Curaçao | <input type="radio"/> Laos | <input type="radio"/> Rwanda | <input type="radio"/> Wallis and
Futuna |
| <input type="radio"/> Cyprus | <input type="radio"/> Latvia | <input type="radio"/> Saint
Barthélemy | <input type="radio"/> Western
Sahara |
| <input type="radio"/> Czechia | <input type="radio"/> Lebanon | <input type="radio"/> Saint Helena
Ascension and
Tristan da
Cunha | <input type="radio"/> Yemen |
| <input type="radio"/> Democratic
Republic of the
Congo | <input type="radio"/> Lesotho | <input type="radio"/> Saint Kitts and
Nevis | <input type="radio"/> Zambia |
| <input type="radio"/> Denmark | <input type="radio"/> Liberia | <input type="radio"/> Saint Lucia | <input type="radio"/> Zimbabwe |

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

* Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.



Anonymous

The type of respondent that you responded to this consultation as, your country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself.

Public

Your name, the type of respondent that you responded to this consultation as, your country of origin and your contribution will be published.

*** Contribution publication privacy settings**

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the [personal data protection provisions](#)

1. Legislation to tackle child sexual abuse online effectively

a. Issue: what is the current situation and where are the gaps?

1. In your experience, what types of child sexual abuse online and related activities are most concerning and should be tackled in priority?

Distribution of **known** child sexual abuse material by uploading it to the open web (e.g. by posting it in social media or other websites, uploading it to image lockers, etc)

Distribution of **known** child sexual abuse material via messaging applications and e-mails

- Distribution of **known** child sexual abuse material via darknets
- Distribution **known** of child sexual abuse material in peer-to-peer networks
- Distribution of **new** child sexual abuse material by uploading it to the open web (e.g. by posting it in social media or other websites, uploading it to image lockers, etc).
- Distribution of **new** child sexual abuse material via messaging applications and e-mails
- Distribution of **new** child sexual abuse material via darknets
- Distribution of **new** child sexual abuse material in peer-to-peer networks
- Online grooming of children
- Children distributing self-generated material
- Other

Please specify:

500 character(s) maximum

2. Why do you consider the above activities most concerning? Please explain, also taking into account the current measures in place that you are aware of to tackle the above activities.

2000 character(s) maximum

Please specify:

500 character(s) maximum

3. Considering the current gaps in the fight against child sexual abuse online that in your view exist, which of the following outcomes should the new legislation aim to achieve in priority with regard to child sexual material and online grooming?

- Reduce the amount of **known** child sexual abuse material uploaded in the open web
- Reduce the amount of **known** child sexual abuse material distributed via messaging applications and emails
-

Reduce the amount of **known** child sexual abuse material distributed via darknets

- Reduce the amount of **known** child sexual abuse material distributed via peer-to-peer networks
- Reduce the amount of **new** child sexual abuse material uploaded in the open web
- Reduce the amount of **new** child sexual abuse material distributed via messaging applications and emails
- Reduce the amount of **new** child sexual abuse material distributed via darknets
- Reduce the amount of **new** child sexual abuse material distributed via peer-to-peer networks
- Reduce the amount of sexual material self-generated by children distributed online
- Enable a swift takedown of child sexual abuse material after reporting
- Ensure that child sexual abuse material stays down (i.e. that it is not redistributed online)
- Reduce the number of instances of online grooming of children
- Other

Please specify:

500 character(s) maximum

4. Considering the current gaps in the fight against child sexual abuse online that in your view exist, which of the following outcomes should the new legislation aim to achieve in priority with regard to tackling child sexual abuse in general, including prevention and victim support aspects?

- Provide legal certainty for all stakeholders involved in the fight against child sexual abuse online (e.g. service providers, law enforcement and child protection organisations)
- Enable a swift start and development of investigations
- Improve transparency and accountability of the measures to fight against child sexual abuse online
- Ensure that the legislation is future proof, i.e. that it remains effective despite future technological developments

- Ensure a victim-centric approach in investigations, taking the best interests of the child as a primary consideration
- Improve prevention of child sexual abuse
- Improve assistance to victims of child sexual abuse
- Other

Please specify:

500 character(s) maximum

5. Which of the following statements reflect the main challenges that you face in your work investigating child sexual abuse cases?

- The volume of child sexual abuse material detected online has increased dramatically in the last decade and there are insufficient human and technical resources to deal with it
- Lack of uniform reporting procedures, resulting in variable quality of reports from service providers
- Dependence on organisations located in non-EU countries
- Inefficiencies in public-private cooperation between service providers and public authorities (please specify below)
- Inefficiencies/difficulties with accessing evidence due to technical challenges
- The introduction of end-to-end encryption resulting in difficulties in accessing evidence of child sexual abuse
- Underreporting of instances of child sexual abuse online linked to the introduction of end-to-end encryption
- Differences between Member States' national laws (please specify below)
- Gaps in national and/or EU laws (please specify below)
- Issues connected to the level of the interference with the fundamental rights of the technologies used (please specify below)
- Cybersecurity vulnerabilities created by some of the technologies used (please specify below)
- Other (please specify below)
- We do not encounter particular challenges in investigations of child sexual abuse online

Comments (including additional information completing the answers above):

2000 character(s) maximum

6. Do you consider that the activities of service providers are sufficiently supervised by public authorities? Please provide a reasoning for your response and provide concrete examples of supervisory measures.

2000 character(s) maximum

7. Do you have any other comments in relation to the current situation and challenges in your actions to fight against child sexual abuse online?

2000 character(s) maximum

5. In which of the following ways do you cooperate **with law enforcement authorities** in the fight against child sexual abuse online?

- Forwarding reports of child sexual abuse online received from the public
- Forwarding reports of child sexual abuse online received from service providers
- Providing technology for the detection of child sexual abuse online
- Providing hash lists for the detection of child sexual abuse material
- None
- Other

Please specify:

500 character(s) maximum

6. Are there any areas of improvement in the cooperation between civil society organisations and law enforcement authorities in the fight against child sexual abuse online?

- Yes
- No
- No opinion

If yes, what are the areas of improvement?

1000 character(s) maximum

7. In which of the following ways do you cooperate **with service providers** in the fight against child sexual abuse online?

- Sending notice-and-takedown requests to service providers
- Receiving reports of child sexual abuse online from service providers
- Providing technology for the detection of child sexual abuse online
- Providing hash lists for the detection of child sexual abuse material
- Advising service providers on policies to fight child sexual abuse online
- Other

Please specify:

500 character(s) maximum

8. Are there any areas of improvement in the cooperation between civil society organisations and service providers in the fight against child sexual abuse online?

- Yes
- No
- No opinion

If yes, what are the areas of improvement?

2000 character(s) maximum

9. In your opinion, do current efforts to tackle child sexual abuse online strike an appropriate balance between the rights of victims and the rights of all users (e.g. privacy of communications)?

at most 1 choice(s)

- Yes, the balance is about right
- No, current efforts place too much emphasis on victims' rights and not enough emphasis on the rights of all users
- No, current efforts place too much emphasis on the rights of all users and not enough emphasis on victims' rights
- No opinion

Comments

1000 character(s) maximum

10. Do you have any other comments in relation to the current situation and challenges in your actions to fight against child sexual abuse online?

2000 character(s) maximum

b. Legislative solution: what should it include to tackle the above gaps effectively?

Scope

1. If online service providers were to be subject to a legal obligation to detect, remove and report child sexual abuse online in their services, providers of which of the following services should be subject to that legal obligation?

- Instant messaging
- Text-based chat (other than instant messaging)
- Webmail
- Voice chat
- Video chat
- Video streaming
- Audio streaming
- Web hosting
- Image hosting
- Social media
- Online gaming
- Cloud infrastructure
- Message boards
- No service provider should be subject to such legal obligation
- Other

Please specify:

500 character(s) maximum

2. If legislation were to explicitly allow online service providers to take voluntary measures to detect, remove and report child sexual abuse online in their services, providers of which of the following services should be included?

- Instant messaging
- Text-based chat (other than instant messaging)
- Webmail
- Voice chat
- Video chat
- Video streaming
- Audio streaming
- Web hosting
- Image hosting
- Social media
- Online gaming
- Cloud infrastructure
- Message boards
- No service provider should be legally enabled to take such voluntary measures
- Other

Please specify:

500 character(s) maximum

3. If legislation was to either allow or oblige relevant online service providers to detect, remove and report child sexual abuse online in their services, should the legislation apply to service providers that offer services within the EU, even when the providers themselves are located outside the EU?

- Yes
- No

Comments

1000 character(s) maximum

4. Which types of child sexual abuse online should the possible legislation cover and how?

	Mandatory detection and removal	Mandatory reporting	Voluntary detection and removal	Voluntary reporting	No need to cover this in the legislation
Known child sexual abuse material (i.e. material previously confirmed as constituting child sexual abuse)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New (unknown) child sexual abuse material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Online grooming	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Live-streaming of child sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments

2000 character(s) maximum

5. Some of the current tools that service providers use to voluntarily detect, report and remove child sexual abuse online do not work on encrypted environments. If online service providers were to be subject to a legal obligation to detect, remove and report child sexual abuse online in their services, should this obligation apply regardless of whether these services use encryption?

- Yes
- No

Comments

2000 character(s) maximum

6. If yes, what should be the form of such legal obligation?

- Relevant online service providers who offer encrypted services should be obliged to maintain a technical capability to proactively detect, remove and report child sexual abuse online in their services
- Other

Please specify:

2000 character(s) maximum

Safeguards

7. To be able to detect, remove and report child sexual abuse online, service providers need to carry out a series of actions.

To what extent do you agree that the following actions are proportionate, when subject to all the necessary safeguards?

	Fully agree	Partially agree	Partially disagree	Fully disagree	No opinion
To check whether images or videos uploaded online (e.g. to a social media platform, or a file hosting service) are copies of known child sexual abuse material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To assess whether images or videos uploaded online (e.g. to a social media platform, or a file hosting service) constitute new (previously unknown) child sexual abuse material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To check whether images or videos sent in a private communication are copies of known child sexual abuse material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To assess whether the images or videos sent in a private communication constitute new child sexual abuse material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To assess whether the contents of a text-based communication constitute grooming	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To assess, based on data other than content data (e.g. metadata), whether the user may be abusing the online service for the purpose of child sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8. The actions to detect, remove and report child sexual abuse online may require safeguards to ensure the respect of fundamental rights of all users, prevent abuses, and ensure proportionality.

To what extent do you agree that the legislation should put in place safeguards to ensure the following:

	Fully agree	Partially agree	Partially disagree	Fully disagree	No opinion

The tools used to detect, report and remove child sexual abuse online reduce the error rate to the maximum extent possible	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The tools used to detect, report and remove child sexual abuse online are the least privacy intrusive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The tools used to detect, report and remove child sexual abuse online comply with the data minimisation principle and rely on anonymised data, where this is possible	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The tools used to detect, report and remove child sexual abuse online comply with the purpose limitation principle , and use the data exclusively for the purpose of detecting, reporting and removing child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The tools used to detect, report and remove child sexual abuse online comply with the storage limitation principle , and delete personal data as soon as the purpose is fulfilled	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The online service provider conducts a data protection impact assessment and consults the supervisory authority , if necessary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Online service providers are subject to the oversight of a supervisory body to assess their compliance with legal requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reports containing new material or grooming are systematically subject to human review before the reports are sent to law enforcement or organisations acting in the public interest against child sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All reports (including those containing only previously known child sexual abuse material) are systematically subject to human review before the reports are sent to law enforcement or organisations acting in the public interest against child sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A clear complaint mechanism is available to users	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Effective remedies should be available to users that have been erroneously affected by the actions of the service provider to detect, report and remove child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Providers should make clear in the Terms and Conditions that they are taking measures to detect, report and remove child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
---	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------

Other (please specify):

2000 character(s) maximum

Sanctions

9. To what extent do you agree with the following statements, in the context of possible future legislation allowing/obliging relevant online service providers to detect, report and remove child sexual abuse online in their services:

	Fully agree	Partially agree	Partially disagree	Fully disagree	No opinion
Companies should be subject to financial sanctions if they fail meet the legal obligations (including safeguards) related to the detection, reporting and removal of child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Companies should be subject to criminal sanctions if they fail meet the legal obligations (including safeguards) related to the detection, reporting and removal of child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Companies that erroneously detect, remove or report child sexual abuse online in good faith should not be subject to the relevant sanctions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There should be no sanctions for failure to meet the legal obligations (including safeguards) related to the detection, reporting and removal of child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify):

2000 character(s) maximum

Transparency and accountability

10. **Transparency reports** could refer to periodic reports by service providers on the measures they take to detect, report and remove child sexual abuse online.

These transparency reports should be:

	Yes	No	No opinion
Obligatory to ensure transparency and accountability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Voluntary : an obligation would incur an additional burden on the online service providers, especially when they are small and medium enterprises	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluated by an independent entity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Standardised , to provide uniform quantitative and qualitative information to improve the understanding of the effectiveness of the technologies used as well as the scale of child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify):

500 character(s) maximum

11. **Transparency reports** should include the following information:

- Number of reports of instances of child sexual abuse online reported by type of service
- Number of child sexual abuse material images and videos reported by type of service
- Time required to take down child sexual abuse material after it has been flagged to/by the service provider
- Types of data processed to detect, report and remove child sexual abuse online
- Legal basis for the processing to detect, report and remove child sexual abuse online
- Whether data are shared with any third party and on which legal basis
- Number of complaints made by users through the available mechanisms and the outcome of those proceedings
- Number and ratio of false positives (an online event is mistakenly flagged as child sexual abuse online) of the different technologies used
- Measures applied to remove online child sexual abuse material in line with the online service provider's policy (e.g. number of accounts blocked)
- Policies on retention of data processed for the detecting, reporting and removal of child sexual abuse online and data protection safeguards applied

- Other

Please specify:

1000 character(s) maximum

Performance indicators

12. Which indicators should be monitored to measure the success of the possible legislation?

- Number of reports of child sexual abuse online reported by company and type of service
- Number of child sexual abuse material images and videos reported by company and type of service
- Time required to take down child sexual abuse material after it has been flagged to/by the service provider
- Number of children identified and rescued as a result of a report, by company and type of service
- Number of perpetrators investigated and prosecuted as a result of a report, by company and type of service
- Number of related user complaints as a result of a report, by company and type of service
- Other

Please specify:

1000 character(s) maximum

2) Possible European centre to prevent and counter child sexual abuse

a. Issue: what is the current situation and where are the gaps?

1. Do you see a need for additional coordination and support at EU level in the fight against child sexual abuse online and/or offline to maximize the efficient use of resources and avoid duplication of efforts?

- Yes
- No
-

No opinion

Comments

1000 character(s) maximum

2. Please specify the challenges in the fight against child sexual abuse that could benefit from additional coordination and support at EU level

- Law enforcement: lack of an EU approach (i.e. based on EU rules and/or mechanisms) to detect child sexual abuse online and in particular lack of a single **EU database** to detect known child sexual abuse material
- Law enforcement: lack of EU approach to **determine relevant jurisdiction (s)** of the instances of child sexual abuse online and to **facilitate investigations**
- Law enforcement: lack of an EU approach in the functioning of **hotlines** to report child sexual abuse online
- Law enforcement: lack of control mechanism at EU level to ensure **accountability and transparency** (e.g. in cases of erroneous takedown or abuse in the search tools to report legitimate content, including misuse of the tools for purposes other than the fight against child sexual abuse)
- Prevention: insufficient **research** into what motivates individuals to become offenders
- Prevention: lack of **evaluation** of effectiveness of prevention programmes
- Prevention: insufficient **communication and exchange of best practices** between practitioners (e.g. public authorities in charge of prevention programmes, health professionals, NGOs) and researchers
- Assistance to victims: insufficient **research** on the effects of child sexual abuse on victims
- Assistance to victims: lack of **evaluation** of effectiveness of programmes to assist victims
- Assistance to victims: insufficient **communication and exchange of best practices** between practitioners (e.g. public authorities, health professionals, NGOs) and researchers
- Other

Please specify:

1000 character(s) maximum

b. Possible European centre: what features could it have to help tackle the above gaps effectively?

Roles

Law enforcement support

1. Should the centre be established, which of the following functions would be relevant to support law enforcement action in the fight against child sexual abuse in the EU?

	Very relevant	Relevant	Somewhat relevant	Not relevant	No opinion
Receive reports in relation to child sexual abuse, ensure the relevance of such reports, determine jurisdiction(s), and forward them to law enforcement for action	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintain a single EU database of known child sexual abuse material to facilitate its detection in companies' systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Coordinate and facilitate the takedown of child sexual abuse material identified through hotlines	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitor the take down of child sexual abuse material by different stakeholders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments (including other possible functions to support law enforcement action, if any):

1000 character(s) maximum

2. What other roles, if any, could the possible centre, play in relation to the EU co-funded network of INHOPE hotlines in the Member States?

([INHOPE](#) is an international association of Internet hotlines co-funded by the European Commission. It focuses on the removal of illegal content, specifically child sexual abuse material online)

1000 character(s) maximum

3. Should the centre be established, which of the following functions would be relevant to ensure transparency and accountability regarding actions of service providers to detect, report and remove child sexual abuse online in their services?

	Very relevant	Relevant	Somewhat relevant	Not relevant	No opinion
Ensure that the tools employed are not misused for purposes other than the fight against child sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure that the tools employed are sufficiently accurate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure that online service providers implement robust technical and procedural safeguards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Draft model codes of conduct for service providers' measures to detect, report and remove child sexual abuse online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sanction service providers whose measures to detect, report and remove child sexual abuse online, including associated technical and procedural safeguards, do not meet legal requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Receive complaints from users who feel that their content was mistakenly removed by a service provider	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Publish aggregated statistics regarding the number and types of reports of child sexual abuse online received	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments (including other possible functions to ensure transparency and accountability, if any):

1000 character(s) maximum

4. Please share any good practices or any other reflections with regard to the support to law enforcement investigations that the possible centre could provide.

1000 character(s) maximum

Prevention

5. Should the centre be established, which of the following functions would be relevant to **support prevention efforts** in the fight against child sexual abuse in the EU?

	Very relevant	Relevant	Somewhat relevant	Not relevant	No opinion
Support Member States in putting in place usable, rigorously evaluated and effective multi-disciplinary prevention measures to decrease the prevalence of child sexual abuse in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Serve as a hub for connecting, developing and disseminating research and expertise, facilitating the communication and exchange of best practices between practitioners and researchers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Help develop state-of-the-art research and knowledge, including better prevention-related data	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide input to policy makers at national and EU level on prevention gaps and possible solutions to address them	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments (including other possible functions to support prevention efforts, if any):

1000 character(s) maximum

6. What key stakeholders in the area of prevention should the possible centre cooperate with to stimulate the exchange of best practices and research?

1000 character(s) maximum

7. What role could the possible centre play to improve the cooperation with industry on prevention?

1000 character(s) maximum

8. What practical actions could the possible centre take to raise awareness on prevention issues?

1000 character(s) maximum

Assistance to victims

9. Should the centre be established, which of the following functions would be relevant to **support efforts to assist victims** of child sexual abuse in the EU?

	Very relevant	Relevant	Somewhat relevant	Not relevant	No opinion
Support implementation of EU law in relation to assistance to child victims of sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support the exchange of best practices on protection measures for victims	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carry out research and serve as a hub of expertise on assistance to victims of child sexual abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support evidence-based policy on assistance and support to victims	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support victims in removing their images and videos to safeguard their privacy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure that the perspective of victims is taken into account in policymaking at EU and national level	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments (including other possible functions to support efforts to assist victims of child sexual abuse, if any):

1000 character(s) maximum

10. Who are the potential key stakeholders in the area of victim support the possible centre should cooperate with to facilitate the exchange of best practices and research?

1000 character(s) maximum

11. What key actions could the possible centre undertake to ensure that the perspective of child victims is taken into account in policymaking at EU and national level?

1000 character(s) maximum

12. What practical actions could the possible centre take to raise awareness of children's rights and of child victims' needs?

1000 character(s) maximum

13. What good practices can you point out with regard to the potential centre's support for assistance to victims?

1000 character(s) maximum

Governance and type of organisation

14. Which stakeholders should be involved in the governance of the possible centre?

1000 character(s) maximum

15. What would be the most appropriate type of organisation for the possible centre?

- EU body
- Public-private partnership
- Not for profit organisation
- Other

Please specify:

1000 character(s) maximum

16. How should the possible centre be funded? (please select as many options as appropriate)

- Direct funding from the Union budget
- Mandatory levies on industry
- Voluntary contributions from industry
- Voluntary contributions from not-for-profit organisations
- Other

Please specify:

1000 character(s) maximum

17. Are you aware of any organisations which you believe could serve as suitable models/references or which could provide best practices/lessons learned for the possible centre? Please specify.

1000 character(s) maximum

18. Other comments:

2000 character(s) maximum

If you would like to submit a document completing your answers to this consultation you can do that here.

Please upload your file

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed