

Briefing for the LIBE Committee Hearing- Fighting Child Sexual Abuse Online

The Internet Watch Foundation is an international hotline, operating reporting portals in over 40 countries world-wide enabling citizens to report securely and anonymously suspected incidents of child sexual abuse. We are the appropriate authority for issuing Notice and Takedown in the UK and we are the only hotline in Europe permitted to proactively seek this imagery online. We offer tools and services to the internet industry to keep their platforms free from child sexual abuse.

DO the **right** thing ✓

The Problem-

- According to the data in the IWF's 2019 Annual Report¹, Europe has now become the global hotspot for the hosting of child sexual abuse. **Almost 90% of the worlds Child Sexual Abuse Material is now located on European servers**, with **71%** in total hosted in the Netherlands.
- **Image Hosting Boards (84%) and Cyberlockers (6%)** * are particularly problematic areas for the hosting and removal of this content. Many of these providers refuse to co-operate without a court order when they are notified, they are hosting illegal content, meaning that content remains live for longer and this is exploited by those who seek to exploit children.
- The demand for child sexual abuse images is also disturbing. Recent estimates from the UK's National Crime Agency estimates that **300,000 people**² in the UK pose a threat to children either online or through physical contact abuse. The IWF found that during the first month of the UK lockdown, **8.8 million attempts were made to access known child sexual abuse imagery** on the IWF's URL list across three providers serving the UK market.
- Europol³ and Interpol have both found that this activity increased during the current Covid-19 pandemic with both children and those who seek to exploit them spending more time online.
- The European Commission also announced recently that it has **opened infringement proceedings against 23 Member States for possible non-conformities** with the current child sexual abuse directive.

*an Image Hosting Board- lets users upload images which then are made available through a unique URL (webpage). A Cyberlocker is defined as- file hosting or cloud storage providers, specifically designed to host users' files.

What can be done about this?

- The IWF is calling on the European Commission to replace the [current Directive on combatting the sexual abuse and exploitation of children](#). **We want to see this replaced with a regulation, directly applicable across EU Member States.** This, we believe, would solve many of the transposition issues with the current directive and provide an opportunity to develop clear standards and expectations of what is required when it comes to dealing with child sexual abuse on a Europe wide basis.
- Secondly, we believe that there are several recommendations from the LIBE Committee in the previous Parliament⁴ that can be revisited. The most pertinent is ensuring that there is a **clear and explicit legal role for hotlines and that their work and activities is appropriately funded.**
- We also believe the role of hotlines could further be enhanced, by ensuring that **all hotlines can proactively search for illegal child sexual abuse material** and that they **be designated as trusted flaggers** to help support and assist industry efforts.
- We also believe that initiatives supporting the **education and awareness of children and young people, parents and those who work with them also need continued funding.**

¹ <https://www.iwf.org.uk/report/iwf-2019-annual-report-zero-tolerance>

² <https://www.policeprofessional.com/news/nca-intelligence-reveals-300000-in-uk-pose-sexual-threat-to-children/>

³ <https://www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic>

⁴ https://www.europarl.europa.eu/doceo/document/A-8-2017-0368_EN.pdf?redirect

- The IWF has seen a disturbing rise in self-generated child sexual abuse imagery online. In 2019, it accounted for **30%** of all the content we removed from the internet and **76% of that was of girls in the 11-13 age range.**
- We must continue to educate children of the dangers online, through the excellent work of Safer Internet Centre's initiatives such as Safer Internet Day.

What are the potential challenges or things to watch out for?

- The European Commission has just announced a raft of very welcome announcements and consultations. The new Strategy to combat child sexual abuse, a new strategy on the rights of the child and proposals for a new Digital Services Act to update the e-Commerce Directive. All these initiatives must be joined up in their approach. **We are calling on the European Commission to take a child rights-based approach and encourage companies and Member States to act within their best interests.**
- We believe that a comprehensive legal intervention is required within the Digital Services Act and that this must complement the plans for a more effective fight against child sexual abuse by empowering the role of hotlines as trusted flaggers and ensuring it is resourced appropriately. **We would encourage Commissioner Johansson to ensure that there is a joined-up approach between the various initiatives and that they complement and not contradict each other.**
- **The European Commission must avoid being overly prescriptive in its use of technological tools to fight child sexual abuse online.** We have seen the challenges that have been created with the e-privacy file that attempts to enshrine image hashing in law. This would be a mistake as it means that legislation will have to be updated to keep up with new technical developments, which traditionally have outpaced legislation. **We encourage the European Commission to adopt tech neutral legislation and establish a principled based approach that focusses on a platforms systems and processes for dealing with CSAM.**
- **We would also encourage the European Commission to draw upon those with the skills and expertise working within this field already to develop its legislative agenda further.** There are examples of good practice within the European Union and beyond. Tackling child sexual abuse is a global issue and requires global solutions. Any plans for a new Centre to tackle child sexual abuse must compliment and not duplicate other global efforts. We would urge the European Commission to engage with the five-eye countries, given their recent announcement of the voluntary principles⁵ for companies to sign up to.

Questions to Commissioner Ylva Johansson?

- To ask Commissioner Johansson what discussions she has had with other European Commissioners and their departments to ensure that the new strategy to tackle child sexual abuse joins up with other legislative initiatives from the European Commission?
- To ask Commissioner Johansson what consideration she has given to the involvement of hotlines, like the Internet Watch Foundation, in helping to assist with tackling child sexual abuse and exploitation online?
- To ask Commissioner Johansson what steps are being proposed through both the Digital Services Act and the new strategy to tackle Child Sexual Abuse and Exploitation on image hosting boards and cyberlockers?
- To ask Commissioner Johansson if she can provide an update on the current developments and outcomes from the European Commission's roadmap consultation on a new strategy to fight child sexual abuse?
- To ask Commissioner Johansson about the state of the infringement procedures opened against 23 Member States in 2019 for possible non-conformities in the transposition of the Child Sexual Abuse Directive (2011/93).

⁵ <https://www.gov.uk/government/publications/voluntary-principles-to-counter-online-child-sexual-exploitation-and-abuse>