

Council of the European Union

> Brussels, 28 July 2020 (OR. en)

9977/20

ENFOPOL 189 JAI 622 COSI 120 CATS 54 JAIEX 71

COVER NOTE

Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
27 July 2020
Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
COM(2020) 607 final
COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU strategy for a more effective fight against child sexual abuse

Delegations will find attached document COM(2020) 607 final.

Encl.: COM(2020) 607 final



EUROPEAN COMMISSION

> Brussels, 24.7.2020 COM(2020) 607 final

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

EU strategy for a more effective fight against child sexual abuse

INTRODUCTION

The EU Charter of Fundamental Rights recognises that children have the right to such protection and care as is necessary for their well-being, among other provisions. The 1989 UN Convention on the Rights of the Child establishes the right of the child to be protected from all forms of violence¹.

Child sexual abuse is a particularly serious crime that has wide-ranging and serious **life-long consequences** for victims. In hurting children, these crimes also cause **significant and long term social harm**. In many cases, children are sexually abused by persons they know and trust, and on whom they are dependent². This makes these crimes particularly difficult to prevent and detect. There are indications that the **COVID-19** crisis has exacerbated the problem³, especially for **children who live with their abusers**⁴. In addition, children are **spending more time than before online, possibly unsupervised**. While this has allowed them to continue their educational studies and stay in touch with their peers, there are signs of increased risk of children coming into contact with **online predators**⁵. With more offenders isolated at home, the **demand for child sexual abuse material** has increased (e.g. by 25% in some Member States⁶), which in turn leads to increased demand for new material, and therefore **new abuses**⁷.

The Council of Europe estimates that in Europe, **one in five children fall victim** to some form of sexual violence⁸. Sexual abuse and sexual exploitation of children can take multiple forms and they can occur **both online** (e.g. forcing a child to engage in sexual activities via live streaming or exchanging child sexual abuse material online) **and offline** (e.g. engaging in sexual activities with a child or causing a child to participate in child prostitution)⁹. When the abuse is also recorded and shared online, the harm is perpetuated. Victims have to live with the knowledge that images and videos of the crimes showing the worst moments of their lives are being circulated and anyone, including their friends or relatives, may see them.

The exponential development of the digital world has been abused making this crime a **truly global one**, and has unfortunately facilitated the creation of a global market for child sexual abuse material. The past few years have seen a **dramatic increase** in reports of child sexual abuse online concerning the EU (e.g. images exchanged in the EU, victims in the EU, etc.): from 23 000 in 2010 to more than 725 000 in 2019, which included more than 3 million images and videos¹⁰. A similarly dramatic increase has occurred globally: from 1 million

¹ Also of relevance for child sexual abuse in the domestic context is the <u>Council of Europe Convention on</u> <u>preventing and combatting violence against women and domestic violence</u> (CETS. 210; COM 2016(111) final).

² This includes in particular children with disabilities living in institutional care.

³ Europol, <u>Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19</u> pandemic, 19 June 2020.

WePROTECT Global Alliance, World Childhood Foundation, Unicef, UNDOC, WHO, ITU, End Violence Against Children and UNESCO, <u>COVID-19 and its implications for protecting children online</u>, April 2020.
 Ibid

⁵ Ibid.

⁶ Europol, <u>Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19</u> pandemic, 19 June 2020.

⁷ The number of child sexual abuse reports globally <u>quadrupled in April 2020</u> (4.1 million reports) compared to April 2019 (around 1 million), as reported to the US National Centre for Missing and Exploited Children.

⁸ Council of Europe, <u>One in Five campaign</u>.

⁹ This strategy refers to child sexual abuse for simplicity but it should be understood as covering also child sexual exploitation and child sexual abuse material (referred to in legislation as "child pornography").

¹⁰ As reported to the US <u>National Centre for Missing and Exploited Children (NCMEC)</u>. US law requires internet companies based in the US to report to NCMEC any instances of child sexual abuse that they find in their networks. NCMEC then forwards those reports to the relevant public authorities around the world

reports in 2010 to almost 17 million in 2019, which included nearly 70 million images and videos¹¹. Reports indicate that the EU has become the **largest host of child sexual abuse material globally** (from more than half in 2016 to more than two thirds in 2019)¹².

Recently, an investigation into child sexual abuse in Germany resulted in the discovery of potentially more than 30 000 suspects using group chats and messenger services to share materials, incite each other to create new materials, and exchange tips and tricks on how to groom victims and hide their actions¹³. The use of end-to-end encryption makes identifying perpetrators more difficult if not impossible. In this particular example, to date, only 72 suspects in Germany have been identified and 44 victims.

The introduction of **end-to-end encryption**, while beneficial in ensuring privacy and security of communications, also facilitates the access to secure channels for perpetrators where they can hide their actions from law enforcement, such as trading images and videos. The use of encryption technology for criminal purposes therefore needs to be **immediately addressed** through possible solutions which could allow companies to **detect and report** child sexual abuse in end-to-end encrypted electronic communications. Any solution would need to ensure both the privacy of electronic communications and the protection of children from sexual abuse and sexual exploitation, as well as the protection of the children depicted in the child sexual abuse material.

The fight against child sexual abuse is **a priority for the EU**. The European Parliament¹⁴ and the Council¹⁵ have both called for further concrete action. Similar calls have been made globally in multiple forums¹⁶, including by the media¹⁷, as it has become evident that the world as a whole is **losing the battle** against these crimes, and is failing to effectively protect the right of each child to live free from violence. The EU therefore needs to **reassess** and **strengthen its efforts**.

The aim of this strategy is to provide an effective response, at EU level, to the fight against child sexual abuse. It provides a framework for **developing a strong and comprehensive response** to these crimes, both in their **online and offline** form. It sets out **eight initiatives** to implement and develop the right legal framework, strengthen the law enforcement response and catalyse a coordinated multi-stakeholder action in relation to **prevention, investigation** and **assistance to victims**. The initiatives make use of all **tools available** at EU level, both as regards **substantive EU law** (section I) and as regards **funding and cooperation** (section II)¹⁸. This strategy is to be implemented over the next five years (2020-2025)¹⁹.

for action. As the largest internet companies are based in the US, NCMEC de facto centralises the reporting of child sexual abuse globally.

¹¹ *Ibid*.

¹² Internet Watch Foundation, <u>Annual Reports of 2016 to 2019</u>.

¹³ BBC, <u>Germany investigates 30,000 suspects over paedophile network</u>, 29 June 2020;

Frankfurter Allgemeine, <u>Die schockierende Zahl des Tages: 30.000 Verdächtige</u>, 29 June 2020.

¹⁴ <u>Resolution on the 30th anniversary of the UN Convention on the Rights of the Child</u>, November 2019.

¹⁵ <u>Council conclusions on combating the sexual abuse of children</u>, October 2019.

¹⁶ For example, at the <u>December 2019 summit of the WePROTECT Global Alliance to End Child Sexual</u> <u>Exploitation Online</u>, or by the <u>"Five Eyes" (US, UK, Canada, Australia and New Zealand)</u> in <u>July 2019</u>.

¹⁷ See, for example, the series of New York Times articles published from <u>September 2019</u> to <u>February 2020</u>, which exposed to the public the depth and complexity of the problem.

¹⁸ See the <u>roadmap for this Communication</u> for more details on the targeted consultations conducted.

¹⁹ The implementation of this strategy will be coordinated with the implementation of other relevant strategies that the Commission has recently adopted or will soon adopt, including on the rights of the child, on victims' rights, on trafficking in human beings, on security union and on gender equality.

I. IMPLEMENT AND DEVELOP THE RIGHT LEGAL FRAMEWORK TO PROTECT CHILDREN

In 2011, the EU took an important step with the adoption of the Child Sexual Abuse Directive (2011/93/EU²⁰), whose **implementation** in Member States now has to be finalised as a matter of **urgency**. In parallel, any identified legislative gaps need to be addressed through the most appropriate means.

1. Ensure complete implementation of current legislation (Directive 2011/93/EU)

The Child Sexual Abuse Directive was the first **comprehensive EU legal instrument** establishing minimum rules concerning the definition of criminal offences and sanctions in the area of sexual abuse and sexual exploitation of children and child sexual abuse material, covering the prevention, investigation and prosecution of offences, and assistance to and protection of victims.

The criminal offences cover **offline and online** situations such as viewing and distributing child sexual abuse material online, grooming (i.e. establish an emotional connection with the child online with the purpose of sexual abuse) and webcam sexual abuse. Beyond substantive and procedural criminal law, the Directive also requires Member States to put in place extensive administrative (i.e. non-legislative) measures, such as on the exchange of criminal records between Member States via the European Criminal Records Information System (ECRIS) as part of the pre-recruitment screening for positions involving direct and regular contacts with children, or training of professionals likely to come into contact with child victims of sexual abuse. These measures require the involvement and coordination of **multiple actors** from various areas of government (e.g. law enforcement, healthcare, education, social services, child protection authorities, judiciary and legal professionals), as well as private entities (e.g. industry and civil society).

Member States have made **substantial progress** in implementing the Directive. However, there is still considerable scope for the Directive to reach its full potential through the **complete implementation** of all of its provisions by Member States. Challenges remain in the areas of **prevention** (in particular prevention programmes for offenders and for people who fear that they might offend), **criminal law** (especially the definition of offences and level of penalties), and **assistance, support and protection** measures for **child victims**²¹. In 2019, to ensure complete implementation, the Commission opened **infringement procedures** against 23 Member States²².

The Commission will continue to work closely with Member States to resolve all remaining issues **as a matter of priority** and ensure complete implementation of and full compliance

²⁰ <u>Directive 2011/93/EU</u> of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, OJ L 335, 17.12.2011. For simplicity, the document refers to this as "Child Sexual Abuse Directive".

²¹ For more details, see the <u>Report from the Commission to the European Parliament and the Council assessing the extent to which the Member States have taken the necessary measures in order to comply with Directive 2011/93/EU of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, COM/2016/0871 final, as well as the <u>Report from the Commission to the European Parliament and the Council assessing the implementation of the measures referred to in Article 25 of Directive 2011/93/EU of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, COM/2016/0872 final.</u></u>

²² All Member States except DK (not bound by the Directive), and CY, IE and NL (with which dialogue on conformity is ongoing).

with the Directive across the EU. The Commission will also support Member States' work in this area by continuing to facilitate the **exchange of best practices** and lessons learned²³.

Key action:

⇒ Member States must finalise the implementation of the Child Sexual Abuse Directive as a matter of priority. The Commission will continue to make use of its enforcement powers under the Treaties through infringement procedures as necessary to ensure swift implementation.

2. Ensure that EU legislation enables an effective response

The Commission will assess whether the **Child Sexual Abuse Directive** needs to be updated, taking into account the study referred to in initiative #3 below. In addition to the Child Sexual Abuse Directive, there are multiple **legislative instruments at EU level** that support and shape the fight against child sexual abuse, notably when it comes to the role that the private sector plays in preventing and combating child sexual abuse.

The **e-evidence proposals**²⁴, put forward by the Commission in April 2018, play a key role in facilitating swift access to key evidence held by the private sector, such as the identity of individuals who have uploaded and shared child sexual abuse material. The Commission reiterates its call for **swift adoption**.

In addition, the relevant framework includes the **e-commerce Directive**²⁵, which determines the existing liability rules for online intermediaries and allows for the notice and takedown mechanisms for illegal content and the **e-privacy Directive**²⁶. The Commission's proposal for a **Regulation on Privacy and Electronic Communications**²⁷, currently being discussed by the European Parliament and the Council, will update the legal framework and replace the ePrivacy Directive. As from December 2020, the e-privacy Directive will have an extended scope as a result of the **Electronic Communications Code**²⁸. This would prevent certain companies (in the absence of national legislative measures adopted in accordance with Article 15(1) of the e-privacy Directive) from continuing their own measures on voluntary detection, removal and reporting of child sexual abuse online. The Commission considers that it is essential to take **immediate action** to address this. It will therefore propose a narrowly-

²³ Since 2017 the Commission has organised six expert workshops to support Member States in implementing the Directive. Another workshop on prevention will take place by Q4 2020.

²⁴ Proposal for a Regulation on European Production and Preservation Orders for electronic evidence in criminal matters, COM/2018/225; and

<u>Proposal for a Directive</u> laying down harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings, COM/2018/226.

²⁵ <u>Directive 2000/31/EC</u> on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'), OJ L 178, 17.7.2000.

²⁶ <u>Directive 2002/58/EC</u> concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), OJ L 201, 31.7.2002.

²⁷ Proposal for a Regulation concerning the respect for private life and the protection of personal data in electronic communications (Regulation on Privacy and Electronic Communications), COM/2017/010 final.

²⁸ Directive (EU) 2018/1972 establishing the European Electronic Communications Code, OJ L 321, 17.12.2018 This Directive extends the scope of the e-privacy Directive to over the top (OTT) inter-personal communication services such as messenger services and email. The ePrivacy Directive does not contain a legal basis for voluntary processing of content and traffic data for the purpose of detecting child sexual abuse. Providers can only apply such measures if based on a national legislative measure, that meets the requirements of Article 15 of the Directive (proportionality etc.), for restricting the right to confidentiality. In the absence of such legislative measures, measures to detect child sexual abuse undertaken by these providers, which process content or traffic data, would lack a legal basis.

targeted legislative solution with the sole objective of allowing current voluntary activities to continue. This solution would allow the time necessary for the adoption of a new longer-term legal framework, while ensuring the respect of fundamental rights, including the rights to privacy and the protection of personal data.

The Commission has committed to make proposals on the legislative framework for digital services, which would have implications for tackling child sexual abuse material online. The **Digital Services Act** package, to be proposed by end of 2020²⁹, will clarify and upgrade liability and safety rules for digital services. In this context, the Commission will consider the need to remove disincentives for voluntary actions to address illegal content, goods or services intermediated online, in particular in what concerns online platform services.

The Commission considers that the fight against child sexual abuse online requires clear **mandatory obligations** to detect and report child sexual abuse online to bring more clarity and certainty to the work of both law enforcement and relevant actors in the private sector to tackle online abuse. It will start preparing **sector-specific legislation** in order to tackle child sexual abuse online more effectively, in full respect of fundamental rights, including in particular the right to freedom of expression, protection of personal data and privacy. Mechanisms to ensure accountability and transparency will be key elements of the legislation in which the centre referred to in initiative # 6 could be involved.

The **Europol Regulation**³⁰, which determines the scope of Europol's activities, is also of relevance³¹. The Commission has announced in its 2020 work programme a legislative proposal to strengthen **Europol's mandate** in order to improve operational police cooperation. Europol has encountered **limits** in the support it can provide because of the rapidly growing challenge of child sexual abuse. In addition, Europol's ability to support the Member States is **hampered by its inability to receive personal data directly from the private sector**, whose infrastructure is abused by perpetrators to host and share child sexual abuse material. The European Commission will further assess these issues as part of the upcoming **review of the Europol mandate**, planned for adoption in Q4 2020.

These possible legislative changes will be **consistent** with the EU's policy on combating child sexual abuse and should ensure that there is a legislative framework to enable and support relevant stakeholders in **preventing**, **detecting**, **reporting** and **acting effectively to protect children** in any instance of child sexual abuse.

The Commission launched an <u>open public consultation</u> on the Digital Services Act package on 2 June 2020.
 Regulation (EU) 2016/794 on the European Union Agency for Law Enforcement Cooperation (Europol), OJ L 135, 24.5.2016. The Europix Regulation (Regulation (EU) 2018/1727 on the European Union Agency for

Criminal Justice Cooperation (Eurojust) OJ L 295/138, 21.11.2018) is also of relevance.

³¹ Also relevant in this framework are:

 <u>Regulation (EU) 2016/679</u> of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, an in particular Articles 6, 23 and Recital 50.

Directive (EU) 2018/1808 of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive), in view of changing market realities, OJ L 303, 28.11.2018, has introduced new rules requiring that platforms act responsibly with regard to the third party content they host with a view to better protecting the public from the dissemination of specific illegal or harmful content (including child sexual abuse material).

Key actions:

- ⇒ In a first stage, **as a matter of priority**, the Commission will propose the necessary legislation to ensure that providers of electronic communications services can continue their current voluntary practices to detect in their systems child sexual abuse after December 2020.
- ⇒ In a second stage, by Q2 2021, the Commission will 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.

3. Identify legislative gaps, best practices and priority actions

The transposition measures that Member States have communicated to the Commission include measures that are not specifically required by the Child Sexual Abuse Directive but which were considered as needed in the fight against child sexual abuse by Member States³². This suggests that there might be relevant issues that the Directive **does not sufficiently address**. The Commission convened an expert workshop in September 2019 to gather more information about those possible legislative gaps and concluded that further work was required to gather additional evidence.

As the Directive was adopted in 2011, there should also be an assessment of its **implementation in practice**, in terms of effectiveness, efficiency, relevance, coherence and EU added value, among other criteria. This assessment should consider in particular the **online aspects** of these crimes, where doubts exist as to whether the present framework is **fit for purpose after 9 years** that have seen significant technological changes and the exponential growth of online sharing. Technology has made it easier than ever before for perpetrators to make contact with children, share images of abuse, hide their identity and profits, and conspire with each other to avoid accountability and commit further crimes³³.

Furthermore, offenders have become increasingly sophisticated in their use of technology and technical capabilities including **encryption** and **anonymity** (e.g. peer-to-peer file sharing and the use of darknet). This criminal activity creates problems for society in general and for law enforcement in particular in its role of protecting society³⁴.

In light of the above, the Commission will launch as a matter of priority a study to identify legislative and implementation gaps, best practices and priority actions at EU level, assessing:

- whether the current EU legislation solves the issues for which it was put in place; and
- whether there are **new issues** in relation to these crimes that the current legislation addresses **only partially or not at all.**

The study will take into account the ongoing work by the **Council of the EU** to ensure the effective implementation of its October 2019 conclusions on combatting child sexual abuse,

³² For example, measures mandating employers in professions that involve direct and regular contact with children to request the criminal records of candidates when recruiting for a position.

³³ <u>ECPAT.org - What we do</u>, accessed on 5 April 2020.

³⁴ Europol, <u>Internet Organised Crime Threat Assessment (IOCTA) 2019</u>; Independent Inquiry into Child Sexual Abuse, <u>The Internet Investigation Report 2020</u>; Virtual Global Taskforce Online Child Sexual Exploitation, <u>2019 Environmental Scan</u>.

which could lead to the creation or update of national action plans to coordinate action at national level. It will also take into account the November 2019 **European Parliament** resolution³⁵, the December 2017 European Parliament's report on the transposition of the Child Sexual Abuse Directive³⁶, and the work of the Council of Europe's Lanzarote Committee³⁷.

Key action:

⇒ The Commission will launch by the end of 2020 an extensive study to identify legislative gaps, best practices and priority actions at EU level in the fight against child sexual abuse online and offline.

II. STRENGTHEN THE LAW ENFORCEMENT RESPONSE AND ENHANCE COOPERATION AMONG ALL STAKEHOLDERS

The fight against child sexual abuse needs to be fought on many fronts, including by society at large. Real progress can only be made when work is stepped up in relation to prevention, reporting, referral, investigation, protection and identification, treatment and follow-up of each and every case. Social services, health-care professionals, academics, researchers, educators, the judiciary, law enforcement, children, families, NGOs, media and broader society each have a role to play, in a true multi-stakeholder, multi-disciplinary approach.

4. Strengthen law enforcement efforts at national and EU level

Child sexual abuse requires a **competent and comprehensive** law enforcement response, both at national and at European level. The **COVID-19** crisis has brought to light the need to improve the **digital capabilities** of law enforcement and judicial authorities to preserve their ability to protect citizens effectively, as the May 2020 Recovery Plan highlighted³⁸.

Law enforcement agencies in Member States vary in structure when it comes to addressing child sexual abuse. To ensure the protection of children within and beyond their borders, it is important that Member States can rely on **specialised units that are properly equipped and staffed with well-trained officers** in national policing structures. In response to a recent wave of large-scale cases, a number of Member States have chosen to increase their staff working on preventing and combating child sexual abuse, which the Commission warmly welcomes.

As part of these units, Member States should consider setting up national victim identification teams. Where these teams already exist, Member States should consider extending the national level capacity to the relevant regional and local teams.

To fight these crimes effectively, Member States should also be able to participate in **collaborative EU and international efforts to identify children** with European Cybercrime Centre (EC3) or through the International Child Sexual Exploitation (ICSE) database hosted at Interpol. The resources each Member State assigns to counter the threat of child sexual abuse should also take into account the country's capacity to support international collaboration in this area.

³⁵ <u>European Parliament Resolution</u> of 26 November 2019 on children's rights on the occasion of the 30th anniversary of the UN Convention on the Rights of the Child, 2019/2876(RSP).

³⁶ <u>European Parliament Report on the implementation of Directive 2011/93/EU</u>, December 2017.

³⁷ <u>https://www.coe.int/en/web/children/lanzarote-committee.</u>

³⁸ Europe's moment: Repair and Prepare for the Next Generation, <u>COM(2020) 456</u>.

Child sexual abuse cases, especially those involving digital materials, are rarely limited to one Member State. In addition to maintaining national intelligence databases, Member States should therefore invest in **systematically** channelling relevant intelligence to **Europol**, as a central **EU criminal information hub**, to support each other in tackling cross-border cases³⁹.

Effectively fighting child sexual abuse also requires **cutting edge technical capacities**. Some national investigation teams lack the necessary knowledge and/or tools e.g. to detect child sexual abuse material in a vast number of seized photos or videos, to locate victims or offenders, or to conduct investigations in the darknet or in peer to peer networks. To **support the development of national capacities to keep up with technological developments**, the Commission provides funding to Member States through the **Internal Security Fund** (ISF-Police)⁴⁰. In addition, the Commission also provides funds under **ISF-Police** through Union Actions, which include, for example, calls for proposals and procurement to fight the **online and offline** aspects of child sexual abuse⁴¹. A **new call for proposals** in the area of combatting child sexual abuse will take place by the end of **2020**. The Commission also funds **research** projects under **Horizon 2020** to support the development of national capacities (in law enforcement and other areas) to fight against child sexual abuse⁴². Future calls for proposals to fight these crimes will open under the new **Horizon Europe** framework programme on research and innovation⁴³.

The use of **online undercover investigation** techniques is an important asset in infiltrating the networks that are concealed behind this kind of technology. These methods have proven very effective in understanding offender behaviour and interaction on online service providers, and have ultimately facilitated the shutting down of communication channels used by these offenders, as well as their prosecution. An increasingly important need for law enforcement activity in these spaces is the ability to effectively **infiltrate** particularly dangerous online groups of offenders. This can be enabled through a number of different methods that are currently only available to a small number of Member States and non-EU partners. Consideration should be given to making this capability available across the EU to more effectively target these offenders without being dependent on other partners. EU values and fundamental rights shall stay in the core of any future measures.

Europol will set up an **Innovation Hub and Lab**⁴⁴ to facilitate Member State access to technical tools and knowledge developed at EU level. This initiative will also allow the identification of needs in Member States to tackle the challenges of digital investigations, which will help determine the allocation of EU funding for research, innovation and development of police capacities.

The Innovation Hub and Lab will further facilitate Member States' access to the resources and experience of **Europol's European Cybercrime Centre (EC3).** EC3 has played an important role in supporting Member States in combating sexual abuse of children, ever since its creation. This support takes various forms, for example:

• EC3 has contributed to **victim identification** efforts since 2014. Collaborative actions with the Member States and partners with operational agreements through the Europol

³⁹ Cross-border cases may require the support of Eurojust. Also, it is important that judicial authorities are trained to handle child sexual abuse cases, including on the online aspects of the problem.

⁴⁰ More information is available <u>here</u>.

⁴¹ Examples of projects funded in the 2018 call for proposals include <u>AviaTor</u>, <u>4NSEEK</u> and <u>VERBUM_SAT</u>.

⁴² Examples of projects include <u>ASGARD</u>, <u>GRACE</u>, <u>LOCARD</u> and <u>INSPECTr</u>.

⁴³ See <u>here</u> for an example of call for proposals on research, open until 22 August 2020.

⁴⁴ As discussed in the <u>Justice and Home Affairs Council, 7-8 October 2019</u>.

Victim Identification Task Forces⁴⁵ and use of various investigative approaches including the ICSE database have led to the identification of **almost 360 children and 150 offenders**.

- Europol (frequently in cooperation with **Eurojust**) has helped coordinate numerous successful investigations⁴⁶.
- Specific Operational Action Plans (OAPs) on combating child sexual abuse and exploitation, are implemented each year under the **EU Policy Cycle** / EMPACT for the fight against serious and international organised crime, supported by Europol⁴⁷.
- Europol has been instrumental in the gathering, collation and publication of reports such as the Serious and Organised Crime Threat Assessment (SOCTA)⁴⁸ and Internet Organised Crime Threat Assessment (IOCTA)⁴⁹ reports, which include specific sections on the fight against child sexual abuse.
- Europol has also worked with its international partners to provide online safety advice for parents and carers⁵⁰ to help keep children safe online during the COVID19 crisis, in addition to three weekly intelligence reports for targeted audiences⁵¹.

Key action:

⇒ Europol will set up an Innovation Hub and Lab and the Commission will provide funding to facilitate the development of national capacities to keep up with technological developments and ensure an effective response of law enforcement against these crimes.

5. Enable Member States to better protect children through prevention

Some of the articles of the Child Sexual Abuse Directive in which Member States are incurring in more delays to fully implement are those that require putting in place **prevention programmes**⁵², where multiple types of stakeholders need to take action.

As regards prevention targeted at (potential) offenders, Member States' difficulties concern programmes at **all stages**: before a person offends for the first time, in the course of or after criminal proceedings, and inside and outside prison.

Research into what motivates individuals to become offenders is scarce and fragmented and the communication between practitioners and researchers is minimal:

• The current **lack of research** makes it difficult to **draw up and put in place** effective programmes at all stages. The few programmes that are in place⁵³ are **rarely** evaluated to assess their effectiveness.

⁴⁵ More information is available in these press releases from Europol of $\frac{27/05/2019}{25/10/2019}$ and $\frac{25/10/2019}{25/10/2019}$.

⁴⁶ See for example these press releases from Europol of <u>12/03/2020</u>, <u>31/03/2020</u>, and <u>21/04/2020</u>, as well as <u>Eurojust Annual Report 2019</u>, e.g. p.13.

⁴⁷ May 2017 <u>Council conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021</u>.

⁴⁸ The latest SOCTA report is available <u>here</u>.

⁴⁹ The latest IOCTA report is available <u>here</u>.

⁵⁰ More information is available <u>here</u>.

⁵¹ Other important initiatives at EU level on protecting children during COVID 19 include the <u>Betterinternetforkids.eu COVID19 campaign</u>.

⁵² In particular Articles 22, 23 and 24. For more details, see the <u>Report from the Commission to the European</u> Parliament and the Council assessing the extent to which the Member States have taken the necessary measures in order to comply with Directive 2011/93/EU of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, COM/2016/0871 final.

• In addition, the various types of **practitioners** in this field (e.g. responsible authorities providing prevention programmes for people who fear that they might offend, public authorities in charge of prevention programmes in prisons, NGOs offering prevention programmes to support the reintegration in the community of sex offenders) **do not communicate sufficiently** with each other on the effectiveness of the programmes, including **lessons learned and best practices**.

To address these difficulties, the Commission will work on setting up a **prevention network** of relevant and reputed **practitioners and researchers** to support Member States in putting in place **usable, rigorously evaluated and effective** prevention measures to decrease the prevalence of child sexual abuse in the EU and **facilitate the exchange of best practices**. Specifically, the network would:

- 1. Enable a virtuous cycle of practice to research and research to practice:
 - Researchers would provide practitioners with scientifically tested initiatives, and practitioners would provide researchers with continuous feedback on the prevention initiatives to further contribute to strengthen the evidence base. Victims' perspectives and views would be also brought into the network's work.
 - Although the network' work would cover all areas related to preventing child sexual abuse, it would have a strong focus on **prevention programmes for offenders and for people who fear that they might offend**, as this is the area where Member States struggle the most.
 - It is known that not all offenders have a paedophilic disorder⁵⁴ (other motivations to offend include exploitation for financial gain), and not everyone who has a paedophilic disorder ends up being an offender (some people seek support in dealing with their paedophilia). Substantial **research** is needed to understand **the process** by which a person ends up offending, including **risk factors and triggers.** Some statistics suggest that up to 85% of those who view child sexual abuse images also physically abuse children⁵⁵. Viewing child sexual abuse material is also a criminal offence, which generates demand for new material and therefore new physical abuse⁵⁶.
 - The network would follow a **scientific approach** to prevention. Although prevalence data is scarce, studies indicate that around **3%** of the male population could have a paedophilic disorder. Practitioners recognise that **tackling the problem at its root** by acknowledging that difficult fact and putting in place preventive measures, is the most effective way to protect victims and alleviate the workload of law enforcement authorities.
- 2. Support Member States' work to raise awareness by creating focused **media campaigns** and **training** materials:

⁵³ For an overview of prevention programmes in the EU and third countries, see Di Gioia R., Beslay, L. (2018) <u>Fighting child sexual abuse: prevention policies for offenders – Inception Report</u>, EUR 29344 EN, doi:10.2760/48791.

⁵⁴ In a self-report survey with a sample of 1,978 young adult males from Sweden, 4.2 % reported they had ever viewed child sexual abuse material (<u>Seto, et al, 2015</u>). In another self-report survey with a sample of 8,718 adult males in Germany, 2.4% of respondents reported using that material (<u>Dombert, et al, 2016</u>).

⁵⁵ <u>https://childrescuecoalition.org/the-issue/.</u>

⁵⁶ The Atlantic, <u>*I. Pedophile*</u>, David Goldberg, 26 August 2013.

- It would facilitate the exchange of information on **training materials and capacity building** and collect **'best practice' examples** to inspire **media campaigns** and training across Member States. It would help **avoid duplication** of efforts by, e.g. facilitating the adaptation and translation to the national context of materials created in other Member States.
- The Commission, supported by the network, would also launch and support **awareness raising campaigns** to help inform children, parents, carers and educators about risks and preventive mechanisms and procedures. These would be developed with the network.
- Prevention efforts are necessary in relation to organisations that work with children – sports centres and clubs, religious institutions, healthcare services, schools, afterschool activities - to raise awareness and to inform them about ways to prevent abuse, e.g. by providing focused training⁵⁷, ensuring they have in place appropriate procedures and making use of their legal empowerment under EU law to request criminal records across borders via the European Criminal Records Information System⁵⁸. This highly effective EU system is crucial in the prevention of sexual abuses as it allows to make background checks of an individual's possible criminal history when recruiting for professional or organised voluntary activities involving direct and regular contacts with children. Professionals from all sectors, who might come in contact with children, need to be trained and equipped with the tools to prevent and detect early signs of possible sexual violence and abuse, and to interact with children and their families in an appropriate manner, driven by the specific needs and the best interests of the child. This also includes law enforcement authorities and the judiciary where child victims are involved in criminal investigations against their abusers. Families and carers, professionals and broader society need to understand the seriousness of these crimes and the devastating effect they have on children, and be given the support needed to report these crimes and support child victims. This requires specialised information, media campaigns and training.
- Children themselves need to have the **knowledge and tools** that could help them not to be confronted with the abuse when possible (e.g. on how to use the web safely), and they need to be informed that certain behaviours are not acceptable. The Commission-funded network of Safer Internet Centres⁵⁹ raises awareness on online safety and provides information, resources and assistance via helplines and hotlines on a wide range of digital safety topics including grooming and sexting⁶⁰. The One in Five campaign by the Council of Europe⁶¹ and Europol's "#SayNo" initiative⁶² are further examples of how this can be done. When abuse occurs, children need to feel secure and empowered to speak up, react and report⁶³, even when the abuse comes from within their circle of trust (i.e. loved ones or other people they know and trust), as it is often the case. They also need to have access to safe, accessible and age-appropriate channels to report the abuse without fear. Prevention efforts also need to take into account the specific circumstances and needs of various groups of

⁵⁷ See, for example, <u>Erasmus+</u>, the EU's programme to support education, training, youth and sport in Europe.

⁵⁸ European Criminal Records Information System (ECRIS). More information is available <u>here</u>.

⁵⁹ More information is available <u>here</u>.

⁶⁰ See for example the Irish Safer Internet Centre <u>here</u>.

⁶¹ More information is available <u>here</u>.

⁶² More information is available <u>here</u>.

⁶³ The upcoming <u>Digital Education Action Plan</u> will also cover child sexual abuse online.

children who are particularly exposed to the risks of sexual abuse, such as children with disabilities⁶⁴, children in migration (in particular unaccompanied minors) and children victims of trafficking (the majority of whom are girls).

The aim is to organise the network in **working groups** that will facilitate the exchange of best practices and the work on concrete initiatives to generate tangible output. The working groups could be organised **by practice** (i.e. by professional background, e.g. healthcare practitioners, social workers, education practitioners, law enforcement, judicial authorities, prison authorities, policy makers and researchers) and **by programme** (i.e. by type of target group of the prevention programme, e.g. offenders and people who fear that they might offend, or training and awareness raising programmes for children, families and the community).

Maximising work to prevent child sexual abuse is essential. The exponential increase of child sexual abuse reports **has overwhelmed law enforcement** in the EU and globally, reaffirming the consensus among practitioners (including law enforcement) that **this problem is impossible to solve through law enforcement action only and requires multi-agent coordination.**

The network would aim at strengthening the capacity in the EU on prevention of child sexual abuse and would have a global reach to draw on all relevant expertise within and outside of the EU. It would also have an important online presence to facilitate sharing its work within the EU and globally so that all countries could benefit from state-of-the-art research and approaches.

In summary, the prevention network would enable: a) more effective **action** in the fight against child sexual abuse (**online and offline**) in the EU; b) more effective and efficient **use of the existing (limited) resources** in the EU allocated to preventing child sexual abuse; and c) more effective **cooperation with partners globally**, so that the EU can benefit from global expertise without duplicating efforts.

Key action:

⇒ The Commission will start immediately to prepare a prevention network at EU level to facilitate the exchange of best practices and support Member States in putting in place usable, rigorously evaluated and effective prevention measures to decrease the prevalence of child sexual abuse in the EU.

6. A European centre to prevent and counter child sexual abuse

The Commission will 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.

The European Parliament called for the creation of a centre in its November 2019 resolution⁶⁵, and Member States highlighted in their October 2019 Council conclusions the need for a coordinated and multi-stakeholder approach⁶⁶. The centre could build on the best practices and lessons learned from similar centres around the world, such as the

⁶⁴ <u>EU Fundamental Rights Agency Report</u>: Violence against children with disabilities, 2015.

⁶⁵ November 2019 <u>Resolution on the 30th anniversary of the UN Convention on the Rights of the Child</u>.

⁶⁶ October 2019 <u>Council conclusions on combating the sexual abuse of children</u>.

National Centre for Missing and Exploited Children (NCMEC) in the US, the Canadian Centre for Child Protection and the Australian Centre to Counter Child Exploitation.

To ensure **holistic support** to Member States in the fight against child sexual abuse, and subject to further assessment, the centre's functions could cover **three areas**:

1. Law enforcement: Europol is a key actor in the fight against child sexual abuse, notably through the analysis and channelling of reports of abuse received from the U.S. Building on Europol's role and experience, the centre could work with law enforcement agencies in the EU and in third countries to ensure that victims are identified and assisted as soon as possible and that offenders are brought to justice. It could support Member States by receiving reports in relation to child sexual abuse in the EU from companies offering their services in the EU, ensure the relevance of such reports, and forward these to law enforcement for action. The centre could also support companies by, for example, maintaining a single database in the EU of known child sexual abuse material to facilitate its detection in companies' systems, in compliance with EU data protection rules. In addition, the centre could also support law enforcement by coordinating and facilitating the takedown of child sexual abuse material online identified through hotlines.

The centre could operate according to strict control mechanisms to ensure **accountability and transparency**. In particular, the centre could potentially play a role in helping ensure that there is no erroneous takedown or abuse of the search tools to report legitimate content (including misuse of the tools for purposes other than the fight against child sexual abuse) and in **receiving complaints** from users who feel that their content was mistakenly removed. Accountability and transparency will be key elements of the legislation referred to in the key actions of initiative #2.

- 2. Prevention: building on the work of the prevention network, the centre could support Member States in putting in place usable, rigorously evaluated and effective multidisciplinary prevention measures to decrease the prevalence of child sexual abuse in the EU, taking account of differing vulnerabilities of children according to their age, gender, development and specific circumstances. It could facilitate coordination to support the most efficient use of resources invested and expertise available on prevention across the EU, avoiding duplication of efforts. A hub for connecting, developing and disseminating research and expertise, it could facilitate and encourage dialogue among all relevant stakeholders and help develop state-of-the-art research and knowledge, including better data. It could also provide input to policy makers at national and EU level on prevention gaps and possible solutions to address them.
- 3. Assistance to victims: the centre could work closely with national authorities and global experts to ensure that victims receive appropriate and holistic support, as the Child Sexual Abuse Directive and the Victims' Rights Directive⁶⁷ require⁶⁸. It could also work on supporting the exchange of best practices on protection measures for child victims. It could also support Member States by carrying out research (e.g. on short and long-term

⁶⁷ <u>Directive 2012/29/EU</u> of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, OJ L 315, 14.11.2012. This Directive complements with general victims' rights the specific provisions for victims of child sexual abuse contained in the Child Sexual Abuse Directive.

⁶⁸ To ensure a coherent approach to EU victims' rights policy, the centre could also cooperate with the Victims' Rights Platform set up under the <u>EU Strategy on victims' rights (2020-2025)</u>, COM/2020/258 final.

effects of child sexual abuse on victims) to **support evidence-based policy** on assistance and support to victims and serving **as a hub of expertise** to help coordinate better and avoid duplication of efforts. The centre could also **support victims in removing their images and videos** to safeguard their privacy, including through **proactively searching** materials online and notifying companies⁶⁹.

The centre could **bring together all the initiatives** in this strategy by enabling **more effective cooperation** between public authorities (including law enforcement), industry and civil society in the EU and globally, and becoming the **reference entity in the EU for expertise** in this area:

- Legislation-focused initiatives: the centre could assist with its expertise the Commission on its role to support Member States on the implementation of the Child Sexual Abuse Directive. This expertise, which would increase with time as the centre continues to identify gaps and best practices in the EU and beyond, would facilitate evidence-based policy by the Commission that could also ensure that EU legislation is up to date to enable an effective response.
- Cooperation and funding-focused initiatives: working closely with the Commission and similar centres in other countries and with the WePROTECT Global Alliance to end child sexual exploitation, the centre could ensure that all Member States have immediate and centralised access to global best practices, and that children around the world can benefit from EU's best practices. The centre could also draw on the results of the prevention network, and the experience of the Safer Internet Centres.

The Commission will work closely with the European Parliament and Member States to **explore the various implementation options**, including **making use of existing structures** for the centre's functions where appropriate, with a view to maximising the centre's addedvalue, effectiveness, and sustainability. The Commission will carry out an **impact assessment**, with a study to be launched immediately, to identify the best way forward including the best funding mechanisms and legal form that this centre should take.

Key action:

⇒ The Commission will launch **immediately** a study to work towards the creation of a European centre to prevent and counter child sexual abuse to enable a **comprehensive** and effective EU response against child sexual abuse online and offline.

7. Galvanise industry efforts to ensure the protection of children in their products

Providers of certain online services are **uniquely well placed** to prevent, **detect and report** child sexual abuse that occurs using their infrastructure or services.

At present, a number of companies voluntarily detect child sexual abuse. NCMEC received almost **17 million** reports of child sexual abuse from those companies in 2019 alone⁷⁰. These reports include not only abusive images and videos but also situations that pose an **imminent danger to children** (e.g. details of arrangements to meet to physically abuse the child or suicide threats by the child following blackmail by the offender). These reports have been

⁶⁹ The centre could also serve as an advocate for child victims to ensure that their voices are heard and taken into account in policymaking at EU and national level, raising awareness of children's rights and of child victims' needs.

⁷⁰ See <u>here</u> the list of companies that reported to NCMEC in 2019, and the number of reports submitted by each of them.

instrumental for years in rescuing children in the EU from ongoing abuse. They have led to, for example:

- the rescue of 11 children, some as young as 2 years old, who were exploited by a network of abusers in Sweden⁷¹;
- the single largest operation ever against child sexual abuse in Denmark⁷²;
- the rescue of a 9 year-old girl in Romania, who had been abused by her father for more than a year⁷³;
- the rescue of a 4 year-old girl and her 10 year-old brother in Germany, who had been abused by their father⁷⁴;
- the arrest of an offender in France who groomed 100 children to obtain child sexual abuse material from them⁷⁵;
- the rescue of 2 girls in Czechia, abused by a 52 year-old man, who recorded the abuse and distributed it online⁷⁶.

The efforts that companies make to detect and report child sexual abuse **vary significantly**. In 2019, a single company, **Facebook**, sent almost 16 million reports (94% of the total that year), while other US-based companies sent fewer than 1 000 reports, and some fewer than 10^{77} .

Last year, Facebook announced plans to implement **end-to-end encryption** by default in its instant messaging service. In the absence of accompanying measures, it is estimated that this could reduce the number of total reports of child sexual abuse in the EU (and globally) by **more than half**⁷⁸ and **as much as two-thirds**⁷⁹, since the detection tools as currently used do not work on end-to-end encrypted communications.

Given the key role that certain online services play in the distribution of child sexual abuse material, and the actual and potential importance of the industry in the fight against child sexual abuse, it is essential that it **takes responsibility** for protecting children in its products, in line with EU fundamental rights, including on privacy and personal data protection.

In 2020, the Commission has begun work on supporting industry efforts in the fight against child sexual abuse online under the **EU Internet Forum**. The forum, which brings together all EU Home Affairs Ministers, high-level representatives of major internet companies, the European Parliament and Europol, has served since 2015 as a model for a successful cross-sector collaboration in the fight against terrorist content online and has now expanded to also cover child sexual abuse online.

In addition to continuing to support the fight against terrorist content online, the EU Internet Forum will provide a **common space to share best practices and the challenges** that private and public actors encounter in their fight against child sexual abuse online, to **increase**

⁷¹ Swedish Cybercrime Centre SC3, Swedish Police.

⁷² <u>2018 Internet Organised Crime Threat Assessment</u>, Europol, page 32.

⁷³ As reported in the Romanian media, see <u>here</u> and <u>here</u>.

⁷⁴ As reported by the German Federal Police (BKA).

⁷⁵ As reported by the French police.

⁷⁶ As reported by the Czech police.

⁷⁷ National Centre for Missing and Exploited Children, <u>2019 Reports by Electronic Service Providers</u>.

⁷⁸ National Centre for Missing and Exploited Children, <u>End-to-end encryption: ignoring abuse won't stop it.</u>

⁷⁹ The New York Times, <u>An Explosion in Online Child Sex Abuse: What You Need to Know</u>, 29/09/2019.

⁸⁰ <u>2019 Internet Organised Crime Threat Assessment</u>, Europol, page 34.

mutual understanding and find solutions together. It will also enable high-level political coordination to maximise the efficiency and effectiveness of actions across the EU.

One of the specific initiatives under the EU Internet Forum in 2020 is the creation of a technical **expert process** to map and assess possible solutions which could allow companies to **detect and report** child sexual abuse in **end-to-end encrypted electronic communications**, in full respect of fundamental rights and without creating new vulnerabilities criminals could exploit. Technical experts from academia, industry, public authorities and civil society organisations will examine possible solutions focused on the device, the server and the encryption protocol that could ensure the privacy and security of electronic communications.

Key action:

⇒ Under the EU Internet Forum, the Commission has launched an expert process with industry to map and preliminarily assess, by the end of 2020, possible technical solutions to detect and report child sexual abuse in end-to-end encrypted electronic communications, and to address regulatory and operational challenges and opportunities in the fight against these crimes.

8. Improve protection of children globally through multi-stakeholder cooperation

Child sexual abuse is **a global reality** across all countries and social groups and it happens both **offline and online**. It is estimated that, at any given moment, across the world there are more than **750 000 predators online** exchanging child sexual abuse material, streaming live abuse of children, extorting children to produce sexual material or grooming children for future sexual abuse⁸¹.

The following map shows the real time downloads in a given day of **a sample** of child sexual abuse material⁸²:

⁸¹ U.N. General Assembly, Human Rights Council, <u>Report</u> of the Special Rapporteur on the sale of children, child prostitution and child pornography, 13 July 2009.

⁸² <u>Child Rescue Coalition</u>, real time downloads of a sample of child sexual abuse material on 13 July 2020. The different colours of the dots indicate different networks from which the material was downloaded.



There is also evidence that offenders **travel to third countries** to take advantage of more lenient legislative frameworks or fewer enforcement capacities and to commit abuse without fearing law enforcement. The ability to require those who commit sexual offences against children to **register** and comply with certain conditions imposed by the court or probation services after their release from prison plays an important role in protecting children⁸³.

The Commission has **supported global efforts** through multi-stakeholder cooperation⁸⁴ for years, well aware that **it takes a network to defeat a network**. One example is the Commission-funded **ICSE database**, hosted at Interpol, which holds more than 1.5 million images and videos and has helped identify **20 000 victims worldwide**, through the collaborative efforts of the more than 60 countries (and Europol) that are connected to it⁸⁵. The Commission also co-funds the **INHOPE** network of hotlines⁸⁶ from more than 40 countries to facilitate the removal of child sexual abuse material online anonymously reported by the public⁸⁷. The Commission will continue supporting global action with funding to enhance international cooperation. In particular, the EU will continue to support the EU-UN

⁸³ See recital 43 of the Child Sexual Abuse Directive (2011/93).

⁸⁴ For example, the <u>Alliance to better protect minors online</u> brings together the European Commission, leading ICT and media companies, NGOs and UNICEF to improve the online environment for children and young people by focusing on user empowerment, enhanced collaboration, and awareness raising.
⁸⁵ Internetical Internetical Child Savuel Europeint of the people of

⁸⁵ <u>Interpol's International Child Sexual Exploitation database</u>, as of May 2019.

⁸⁶ For over 20 years, as part of the Safer Internet policy (see <u>European Strategy for a Better Internet for Children</u>, COM/2012/0196, Pillar 4), the EU has supported cooperation between law enforcement, internet industries and NGOs, in the EU and globally, to combat this crime, including with EU funding to hotlines.

⁸⁷ Commission funding to the hotlines and to the central hashes database "ICCAM" is currently provided under Connecting Europe Facility; future funding has been proposed by the Commission under Digital Europe Programme. The hotlines analyse the reports and the location of hosting service providers, and forward details of confirmed CSAM to the relevant law enforcement agency, for criminal investigation and victim identification, and to the hosting service providers for content removal. See <u>here</u> for more information.

Spotlight Initiative⁸⁸, to prevent and eliminate all forms of violence against women and girls across five regions around the globe⁸⁹.

In 2012, the Commission co-founded with the competent US authorities the Global Alliance Against Child Sexual Abuse Online⁹⁰, which brought together 54 countries to improve victim protection, identify and prosecute offenders, raise awareness, and reduce the availability of child sexual abuse material online. This initiative merged with a similar one from the UK, WePROTECT, created in 2014, which brought governments together with industry and NGOs. In 2016, both initiatives agreed to join forces and form the **WePROTECT Global Alliance** to End Child Sexual Exploitation Online, which currently includes 97 governments, 32 global technology companies, 33 civil society organisations and international institutions, and 5 regional organisations⁹¹. At the end of 2019, the organisation became an **independent legal entity** in the form of a foundation with limited liability, set up in the Netherlands.

The WePROTECT Global Alliance has advanced countries' commitment towards a more coordinated response to the global fight against child sexual abuse, based on global threat assessments, and a model national response. These have helped to clarify the challenges and assist member countries in setting achievable practical goals.

The Commission will continue to support the alliance as a member of its policy board, given its **co-founder** status, including with funding. This will allow the Commission to **ensure coherence** with global initiatives (in particular regulatory ones), which in turn will support and strengthen the effectiveness of actions within the EU by providing Member States access to global best practices. In particular, by participating in the policy board of the WePROTECT Global Alliance, the Commission actively contributes to increase standards for the protection of children, the identification of perpetrators, and support for child victims across the globe. This facilitates the EU's efforts to share best practices with and to support national authorities in third countries in implementing international standards in the online space (i.e. protection of children), in line with the EU Action Plan on Human Rights and Democracy 2020-2024⁹². The Commission has supported this type of global cooperation for years and considers the WePROTECT Global Alliance as the central organisation for coordinating and streamlining **global** efforts and regulatory improvements, and bringing about a more effective global response.

Key action:

⇒ The Commission will continue contributing to **increase global standards** for the protection of children against sexual abuse by promoting multi-stakeholder cooperation through the **WePROTECT Global Alliance**, and through dedicated **funding**.

NEXT STEPS

This strategy presents a framework to respond in a comprehensive way to the increasing threat of child sexual abuse, both in its **online and offline** form. This strategy will be the reference framework for EU action in the fight against child sexual abuse for the **2020-2025**

⁸⁸ More information about the Spotlight Initiative is available <u>here</u>.

⁸⁹ The EU will also engage with civil society organisations (Joining Forces Initiative) in Sub-Saharan Africa to reduce levels of violence, abuse, exploitation and neglect against children and adolescents, especially in countries most affected by COVID-19.

⁹⁰ More information about the Global Alliance Against Child Sexual Abuse Online is available <u>here</u>.

⁹¹ As of 17 June 2020. More information about WePROTECT Global Alliance is available <u>here</u>.

⁹² More information about the EU Action Plan on Human Rights and Democracy 2020-2024 is available <u>here</u>.

period. It will also inform related Commission initiatives such as the EU strategy on the rights of the child, to be adopted in early 2021.

The Commission will **work closely** with companies, civil society organisations, academia, practitioners, researchers, law enforcement and other public authorities, and other relevant stakeholders, in the EU (including the European Parliament and the Council) and globally, during the coming months and years to ensure an **effective exploration and implementation** of the **eight initiatives presented in the strategy**.

The right **legal framework** should be implemented to enable an effective response, including on investigations, prevention and assistance to victims, by the relevant actors, including companies.

Child sexual abuse is a complex issue that requires the **maximum cooperation** from all stakeholders, which have to be able, willing, and ready to act. The Commission will **spare no efforts** to ensure that this is the case, given the **urgent need** to take **effective action**.

Our children are our present and our future. The Commission will continue using all available tools to ensure that **nothing steals that future** from them.