

Introduction

The amount of child sexual abuse detected online is increasing rapidly year to year. The vast scale of the problem and its serious and long-lasting impact on victims makes this a societal issue of immense importance. It is also a very complex matter that requires a commitment from all players involved, from government and law enforcement to industry and civil society, and a high degree of collaboration between them. To foster such collaboration and encourage a collective response, from authorities, industry and experts, ECPAT has initiated a Swedish Tech Coalition.

The proposal

The Swedish Tech Coalition fully supports the EU's fight against child sexual abuse and exploitation. We welcome the ambition to establish a comprehensive legislative framework to strengthen efforts in that regard and to bring legal certainty. The Tech Coalition looks forward to being a constructive partner and to speak with one voice, to the extent possible, to support the Government and the Commission throughout the legislative scrutiny process on the Commission's *Proposal for a Regulation laying down rules to prevent and combat child sexual abuse*.

Comments on the Commission's Proposal

1. Scope

As mentioned, the Swedish Tech Coalition strives to apply an eco-system approach. Given the complexity of the issue, and the constantly evolving techniques, it will be important to apply this same approach also on a EU level and with regards to the new EU Centre, as well as to secure an EU framework flexible enough to ensure room for technological innovation.

2. Risk assessments and risk mitigation measures

Members of the Tech Coalition, including both platforms such as TikTok and Meta, as well as telco operators, have various preventative and risk mitigation measures in place, ranging from policy to technical to operational, and including safety-by-design approaches. We would like to see the Regulation recognize the importance of companies' voluntary efforts and allow for those to continue by creating a clear legal basis for number-independent interpersonal communication services to process data for the purpose of prevention and detection of child sexual abuse. If that is not the case, once the ePrivacy Derogation expires, certain voluntary efforts would need to stop. The lack of such a legal basis will also impact companies' ability to innovate and create new technological solutions to tackle child sexual abuse online.

3. Detection Orders

The Tech Coalition is a good example of the voluntary efforts in the fight against CSAM. Equally, ECPAT is a member of the INHOPE network and works with the Canadian Center for Child Protection in Project Arachnid. The process that leads to the issuing of a detection order (described in article 7) is quite complex, and we fear lengthy delays with consequences for victims. We therefore underline the importance of including a clear, legal basis as outlined above, to preserve voluntary efforts against child sexual abuse, independent from a detection order.

We recognize the importance of detection of new CSAM and solicitation of children, but such tools provide a challenge. For this reason, we would welcome collaborating with the EU center to explore solutions and develop tools that fulfil the demands set in the proposal.

4. EU Centre

We welcome the proposal for the creation of an EU Center on Child Sexual Abuse and hope that it will help put focus on the importance of prevention and victim support. We also hope that the Center will collaborate with industry and civil society, by regularly consulting with them, drawing expertise

from them and support the ongoing work of developing technology and making it available to as many as many as possible., It is important that ongoing, well functioning partnerships, f.ex. with INHOPE and it's member hotlines, including NCMEC and IWF, as well as between industry and other vital organisations such as Canadian Center for Child Protection, should continue. With regards to the reporting obligations included in the proposal, we would welcome a few clarifications: 1) that reporting efforts would not be duplicated; 2) that the role of hotlines would be recognized and respected; and 3) that, when appropriate, the reporting would be limited to the Coordinating Authority of the Member State of establishment and the EU Center, in order to avoid disseminating information that could enable bad actors.

Conclusion

The signing members of the Tech Coalition see the proposed Regulation as another opportunity to set a gold standard for online regulation. Child sexual abuse and exploitation is a global problem, and we hope that the EU will work closely with international actors, as well as complement existing, well-functioning, voluntary measures and partnerships with a legislative framework, rather than fragment the fight.

The Tech Coalition, as well as individual members, remains available to provide further input and discuss as the process progresses.