



Combating child sexual abuse – review of EU rules.

Organisation responding: The Internet Watch Foundation (IWF)

Address: Internet Watch Foundation, Discovery House, Chivers Way, Vision Park, Histon, Cambridge, CB24 9ZR

Contact details of the person responding: Abigail Fedorovsky, Policy and Public Affairs Assistant, abigail@iwf.org.uk

1. About the Internet Watch Foundation (IWF)

- 1.1. The Internet Watch Foundation (IWF) is an international hotline based in the UK, funded by the internet industry and European Commission, which provides a secure and anonymous place for 2.5 billion people globally to report suspected child sexual abuse material in their local language through the 48 reporting portals we operate around the world. If these reports are confirmed as CSAM, our analysts work to have that imagery removed from the internet- wherever it may be hosted in the world. The IWF is also the only hotline in Europe currently permitted to proactively search for child sexual abuse images and videos.
- 1.2. The IWF's vision is an internet free from child sexual abuse and we are a charity that works in partnership with the technology industry, law enforcement (including Europol), the European Commission and other Government's globally to achieve that aim.
- 1.3. The technical tools and services we provide help to keep technology companies platforms and services free from CSAM. The IWF has over 170 Members from the internet industry who deploy our services to combat the spread of CSAM on their platforms.
- 1.4. Along with 45 other hotlines around the world, the IWF is part of the International Association of Internet Hotlines (INHOPE) and through our role as the UK Safer Internet Centre are also part of the Insafe Network, the European network of Awareness Centres promoting a safer internet.
- 1.5. **In 2020, more than half (57%) of all the unique child sexual abuse URLs exchanged through INHOPE's database in 2020 were identified by the IWF.**
- 1.6. **In 2020, the IWF assessed and removed 153,383 reports confirmed as containing CSAM. This was a 16% increase from 2019. Each report can contain from one to thousands of individual images or videos, so this equates to millions removed that year.**

2. Summary

- 2.1. Given our role in removing millions of images and videos containing child sexual abuse every year, the IWF's welcomes the opportunity to provide feedback to aid the Commission's review of Directive 2011/93.

2.2. We would recommend that the Commission pursue Option 4: *New legislation on prosecuting offenders, protecting victims and preventing offences plus non-legislative measures.*

2.3. This is because we believe that the current directive should be replaced by a Regulation. In the past decade, new trends and emerging threats related to CSAM that have developed and as the European Commission stated in its roadmap consultation on a more effective fight to combat child sexual abuse, there are several EU Member States who are not currently implementing the current directive. **One of the benefits of moving towards a regulation would be that member states would have to comply with a regulation.**

2.4. We also believe that this problem cannot be solved simply through legislation, but that educational programmes and support from a variety of stakeholders (including industry and civil society) are essential in eradicating online CSAM and in enabling children to use the internet safely.

2.5. It is essential that the EU prioritises tackling CSAM more than ever – we have seen that Europe has become the global hotspot for hosting this illegal content. **In 2020, over 86% of the 153,383 webpages assessed and removed by the IWF were hosted in Europe and 77% were hosted in the Netherlands.**

3. Replace the EU Directive 2011/93 with a Regulation

3.1. We would recommend that the 2011 Directive be replaced by a new CSAM Regulation so that Member States would have to comply with this, resolving many of the current transposition issues. We think this would motivate Member States to meet their obligations at a faster pace.

3.2. It is essential that Member States are pushed to introduce solutions to tackle CSAM as fast as possible, particularly given the current threat level. **According to the WePROTECT Global Alliance's 2019 Threat Assessment, there are 750,000 individuals estimated to be looking to connect with children across the globe for sexual purposes online at any one time.** The EU must have a zero-tolerance approach to prevent new content being created, any more children being victimised and content allowed to be hosted in the EU.

3.3. This would also mean that a set of Europe-wide standards and definitions of CSAM could be introduced, which would allow companies to act upon illegal content more swiftly and with simpler systems in place.

4. New trends in CSAM

4.1. Since 2011, the IWF has seen new trends when it comes to CSAM, partly exacerbated by the COVID-19 pandemic and associated lockdowns. At the start of the pandemic, the IWF was one of the first organisations to warn that there might be an increased risk to children, with both children and sexual predators spending much more time online and alone.

4.2. Europol's 2021 *European Union Serious and Organised Crime Threat Assessment (EU SOCTA)* highlighted the continuous increase in activities related to online child sexual abuse over recent years, as well as the accelerated digitalisation in the EU due to COVID-19 and the likelihood that criminals will continue to use new technologies.

4.3. In particular, the IWF has seen a dramatic increase in "self-generated" indecent images of children, often where young girls are groomed or coerced into sexual activity in front of a webcam

or camera-enabled device which is then captured by an offender. Our analysts often see this taking place in the child's bedroom or other domestic settings.

4.4. So far in 2021 we have seen a 117% increase in this type of content. It now makes up over two thirds of the CSAM our analysts assess and remove.

4.5. Most victims of “self-generated” abuse are 11-13 year old girls.

4.6. We believe that all EU guidance on CSAM should be updated to include this type of content. It is particularly complex as there may be different reasons why children share these images - some may be groomed by adult predators, whilst others may share a sexual image with a peer and some images which may have been shared with a peer are then leaked online. It is very difficult for IWF analysts to understand the motivation for an image appearing online (the conduct behind an image) but what we can tell is that the images we remove are often harvested from their original upload locations.

4.7. Alongside legislation, it is vital that Member States introduce educational initiatives about healthy relationships in the current digital age, including teaching around sexting and how to block, report and disclose inappropriate requests online. Teachers and other professionals that work with children must be trained effectively about these issues and about how to respond to disclosure from their students.

4.8. Educational programmes should be targeted at both teenagers and much younger children, given that the majority of victims of “self-generated” abuse are 11-13 years old or younger.

4.9. We recently ran a campaign with two strands about “self-generated” abuse, one aimed at children and one aimed at their parents and carers. We conducted a survey before and after the campaign, finding that if parents initiate just one good conversation with their child, it is much more likely that their daughter will disclose any abuse or inappropriate request on social media.

4.10. Member states should run similar awareness programmes that equip their citizens with knowledge about these issues and encourage them to have constructive conversations about it.

5. The role of Hotlines

5.1. Similar to the IWF, there are many national hotlines throughout Europe that work to eradicate CSAM and keep children safe. However, at the moment, the IWF is the only hotline in Europe that is allowed to proactively search the internet for child sexual abuse.

5.2. In the first full year that the IWF was allowed to proactively search for content, there was a 147% increase in the amount of CSAM we were able to remove.

5.3. We believe all hotlines across the EU should be able to proactively search and action the removal of content as trusted flaggers to internet companies. Hotlines should be given a clear explicit legal role, to utilise their knowledge and expertise.

5.4. It is also essential that there is adequate funding for hotlines and investment into the latest technology that helps hotlines detect and tackle CSAM more effectively, including web crawling technology and image classifiers. At present, there is no technology that can accurately age a child, and this is even a challenge for our human moderators. Whilst technology is improving all the time, we should not forget that the importance of human moderation too.

5.5. The IWF has recently developed a tool called [IntelliGrade](#), a new, world-first grading tool that allows analysts who review content to tag an image or video with various characteristics (taxonomy). These tags can then be automatically mapped onto other legal jurisdictions- USA, Australia, Canada, New Zealand and the UK.

5.6. The IWF would welcome a conversation with the European Commission about how to best harmonise these standards across Europe with a view to including the European standard within IntelliGrade's taxonomy, should the European Commission opt for proposal four following this consultation.

5.7. The EU should lead the way in working with member states to support and adopt the IntelliGrade taxonomy globally by including additional labels and metadata as efficiently as possible. This means by having one European wide standard that can be adopted by all member states and preferably would already be aligned with the similar taxonomy attributes of IntelliGrade that maps to five other classifications internationally. This would enable more content to be reviewed automatically, meaning that the work would both be more effective, efficient and provide welfare benefits for individuals who would not have to review images that can already been assessed elsewhere.

5.8. One of the particularly traumatic aspects of online child sexual abuse is that the content can be re-uploaded and downloaded locally repeatedly. For instance, in one case in the US, law enforcement reported that one victim's images had been viewed over 70,000 times. IntelliGrade allows for a more streamlined removal of duplicate images, providing real benefits to victims.

6. Redefining terms

6.1. We would suggest that the Commission updates certain terms and encourages Member States to do the same. For instance, we would like the term "child pornography" to be updated to "child sexual abuse material" or "child sexual exploitation/abuse". No child can consent to their own abuse, so calling it "pornography" can be misleading.

6.2. Whilst we have referred to the emerging trend of "self-generated" indecent imagery of children because that is the name given in the Luxembourg Guidelines, we would suggest that the EU uses the term "first-person produced" indecent imagery. It is vital to avoid blaming children for what has happened to them, and the term "self-generated" can make it feel like this is the case.

7. Conclusion

7.1. We refer to our previous [comprehensive response](#) to the initial roadmap on the EU Strategy for a more effective fight to combat child sexual abuse, which makes further suggestions for improvements which could be made to improve the situation within Europe.

7.2. We support the need for reform of the Directive and propose replacing this with a regulation. But we also encourage the European Commission to build on work already being undertaken by hotlines like the IWF, which make such a big contribution to the European database. We would like to see the European Commission work with us in the design of any legislation as we believe we have insights and expertise which could be enhanced further.