



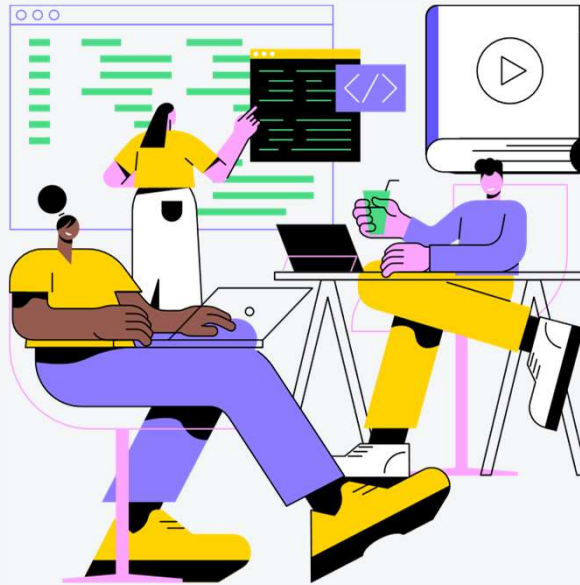
COFACE Working Group on Safer Internet

Zagreb, 8th May 2024





Welcome and Roundtable





Update on EU Developments



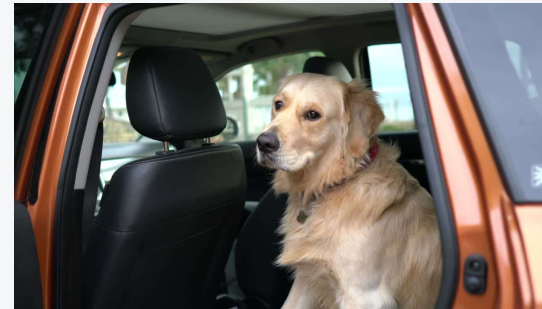
Beatrijs Gelders
Policy and Advocacy Officer

Quick check-in

How are you currently feeling?



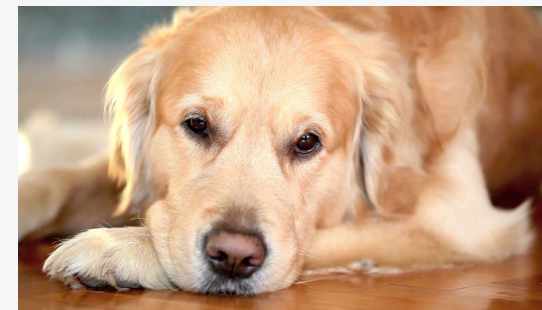
1.



2.



3.



4.



Which frameworks?

1. Better Internet for Kids Strategy

2. Strategy for a more effective fight against CSA

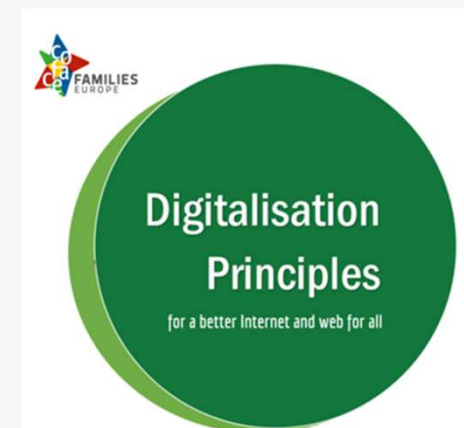
3. Digital Services Act

4. Artificial Intelligence Act

COFACE's Families Lens

COFACE monitors these different frameworks through the COFACE Families Lens:

- COFACE [Child Compass](#) (2020)
- COFACE [Digital Principles](#) (2018)





1.

Better Internet For Kids Strategy

1. Better Internet for Kids Strategy

- Digital arm of the [EU Strategy on the Rights of the Child](#)
- First strategy (BIK) adopted in 2012, [New Strategy \(BIK+\)](#) adopted in 2022
- Vision: age-appropriate digital services, with no one left behind and with every child in Europe protected, empowered and respected online



Three pillars:

1. PROTECT - Safe digital experiences
2. EMPOWER - Digital empowerment
3. RESPECT - Active participation

1. Better Internet for Kids Strategy

Reasons new strategy

- Since 2012, children's use of digital technologies has changed dramatically (see [2020 'EU Kids Online' findings](#)).
- Harmful and illegal content, conduct, contacts and consumer risks are frequently present for children online.
- Children are now more active and independent digital consumers than they were 10 years ago.
- There is a lack of skills and active participation.
- Not all children have equal, effective, safe and inclusive access to digital technology.

1. Better Internet for Kids Strategy

Key action under BIK+ Strategy: EU Code of conduct on age-appropriate design (BIK Code)

- Will build on the regulatory framework provided in the Digital Services Act (DSA)
- Aim: to reinforce the involvement of industry in protecting children when using digital products, with the ultimate goal of ensuring their privacy, safety and security online (co-creating nature)



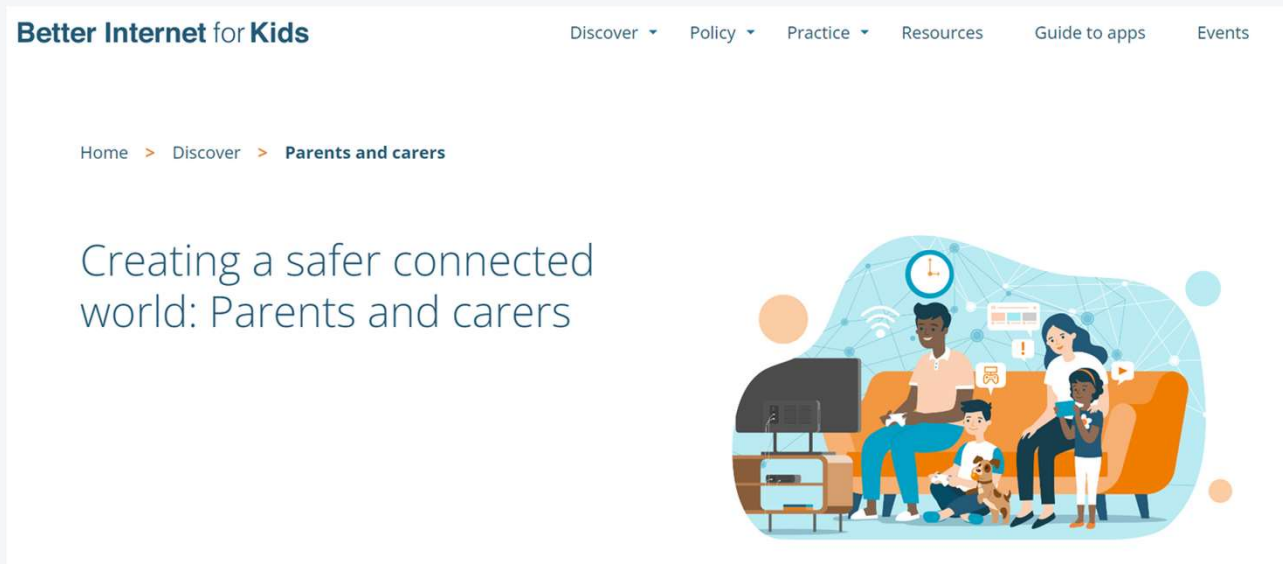
1. Better Internet for Kids Strategy

Other key actions

- Organise media literacy campaigns targeting children, teachers, parents and carers: [MediaSmartOnline Campaign](#)
- Campaign to protect children and youth against digital marketing practices: [AdWiseOnline Campaign](#)

1. Better Internet for Kids Strategy

[BIK Portal](#) with information, guidance and resources on better internet issues from the joint Insafe-INHOPE network, and other key stakeholders – public awareness hub targeting parents and carers



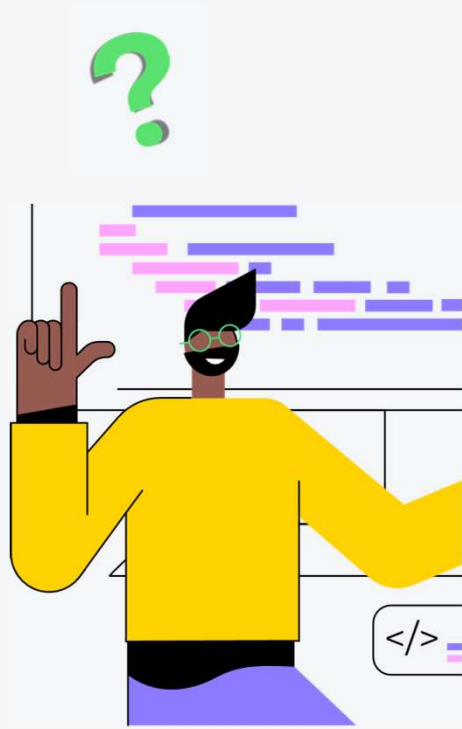
1. Better Internet for Kids Strategy

Other initiatives under the BIK

- EU co-funded network of [Safer Internet Centres](#) (awareness centres, helplines, hotlines and youth panels) which work together with BIK Youth Ambassadors and BIK Youth Panels
- Supporting [INHOPE hotlines](#)
- [Safer Internet Forum](#): each year in November
- [Safer Internet Day](#): each year in February



Questions?



2.

Strategy for a more effective fight against CSA

2. Strategy for a more effective fight against CSA

Actions Strategy focused on legislation

- Temporary Derogation from certain provisions of the e-Privacy Directive
- Proposal Child Sexual Abuse Regulation
- Recast 2011 Child Sexual Abuse Directive

2. Strategy for a more effective fight against CSA

Temporary Derogation from certain provisions of the e-Privacy Directive

- Adopted in July 2021
- Reason: since December 2020 number-independent interpersonal communications services (NI-ICS) fall under the scope of the e-Privacy Directive




No continuation of voluntary detection possible, unless authorisation in EU or national legislation



Temporary derogation gives legal basis until 3 August 2024, but prolonged until 3 April 2026

2. Strategy for a more effective fight against CSA

Proposal Child Sexual Abuse Regulation

- Proposed by Commission in May 2022
- Reason: voluntary actions and self-regulatory measures alone are not enough; increase in reports of online CSA  long-term framework needed
- Builds further on the Digital Services Act (DSA), which addresses all illegal content in general
- [Parliament adopted its position](#); Council still needs to adopt its general approach (currently compromise text under the Belgian Presidency)

2. Strategy for a more effective fight against CSA

Proposal Child Sexual Abuse Regulation

Main components

- obligations for providers of information society services at risk of being misused for the purpose of online child sexual abuse to prevent, detect, report and remove online child sexual abuse on their services
- establishment of an EU Centre to prevent and combat child sexual abuse

2. Strategy for a more effective fight against CSA

Proposal Child Sexual Abuse Regulation

Risk assessment, mitigation measures and detection orders

General obligation

- to assess the risk of their services being misused for online child sexual abuse
- to adopt mitigation measures


2. Strategy for a more effective fight against CSA

Proposal Child Sexual Abuse Regulation

Risk assessment, mitigation measures and detection orders

If despite mitigations measures (e.g. safety by design)

- evidence of a significant risk of abuse
- risk of abuse outweighs the negative consequences of a detection order

 National courts or independent administrative authorities could issue a detection order on request of the coordinating authority

2. Strategy for a more effective fight against CSA

Recast 2011 Child Sexual Abuse Directive

- In February 2024, Commission proposed a recast of the 2011 CSA Directive
- Updating minimum rules on the definition of criminal offences and sanctions in the area of sexual exploitation of children, as well as minimum standards on effective investigation and prosecution, assistance and support to victims, and prevention
- Reasons:
 - exponential growth of online sharing of CSAM
 - latest technological developments
 - increased online presence of children

2. Strategy for a more effective fight against CSA

Recast 2011 Child Sexual Abuse Directive

Some of the proposed changes

- Shift in terminology in line with [Luxembourg Guidelines](#), for example, ‘child sexual abuse material’ instead of ‘child pornography’
- Update definitions of criminal offences to cover new phenomena (e.g. AI-generated material)
- Including a definition of ‘consent’ and ‘non-consensual act’
- More specific requirements for prevention and assistance to victims

2. Strategy for a more effective fight against CSA

Recast 2011 Child Sexual Abuse Directive

- Proposal recast is open for feedback: [Public Consultation](#) until 21 May 2024

Commission adoption

FEEDBACK: OPEN

Feedback period

08 February 2024 - 21 May 2024 (midnight Brussels time)

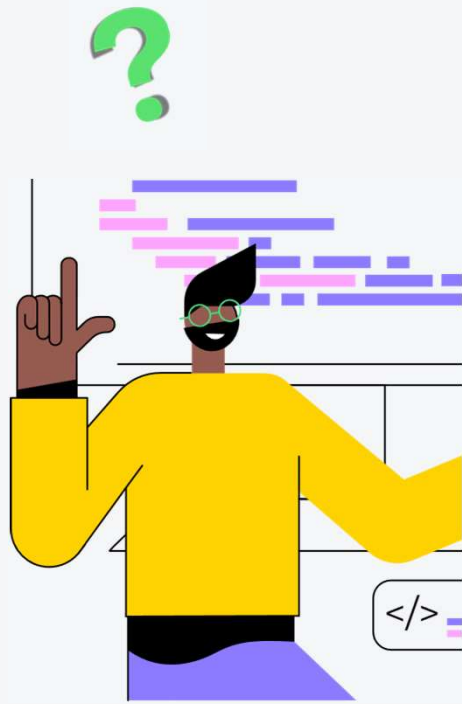
2. Strategy for a more effective fight against CSA

COFACE is part of the European Child Sexual Abuse Legislation Advocacy Group ([ECLAG](#))

- Advocating for a robust EU framework to end child sexual abuse and exploitation
- Some key demands:
 - to ensure that platforms design their services with children's rights and needs at the forefront (child safety by design)
 - EU to require online service providers to prevent, detect, report, and remove child sexual abuse online
 - strong safeguards to avoid any misuse of any detection technology, and to ensure the privacy of users is respected



Questions?





3.

Digital Services Act

3. Digital Services Act

- Adopted in 2022
- As of 17 February 2024, the DSA rules apply to all platforms
- Since end of August 2023, rules already applied to designated platforms with more than 45 million users in the EU, the so-called Very large online platforms (VLOPs) like Instagram and Snapchat or Very large online search engines (VLOSEs) like Google and Bing
- Each Member State has to designate a Digital Services Coordinator (national regulatory bodies)



3. Digital Services Act

Article 14: Terms and Conditions

“3. Where an intermediary service is primarily directed at minors or is predominantly used by them, the provider of that intermediary service shall explain the conditions for, and any restrictions on, the use of the service in a way that minors can understand.”

3. Digital Services Act

Article 22: Trusted Flaggers

“Providers of online platforms shall take the necessary technical and organisational measures to ensure that notices submitted by trusted flaggers, acting within their designated area of expertise [...] are given priority and are processed and decided upon without undue delay.”

3. Digital Services Act

Article 28: Online Protection of Minors

“1. Providers of online platforms accessible to minors shall put in place appropriate and proportionate measures to ensure a high level of privacy, safety, and security of minors, on their service.

2. Providers of online platform shall not present advertisements on their interface based on profiling [...] using personal data of the recipient of the service when they are aware with reasonable certainty that the recipient of the service is a minor.”



3. Digital Services Act

Article 34 and 35: Risk Assessment and Mitigation

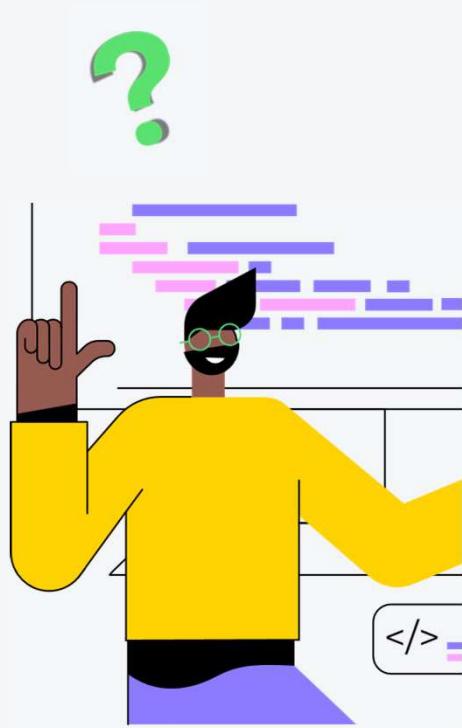
- Every year, VLOPs and VLOSEs need to identify and assess the potential online risks for children and young people using their services.
- They must put measures in place to mitigate these risks, such as age verification and parental control tools, and tools aimed at helping minors signal abuse or obtain support.

3. Digital Services Act

Example of enforcement: [Commission opens proceedings against TikTok under the DSA](#)

- Regarding the launch of TikTok Lite in France and Spain
- Second formal proceedings against TikTok
- Investigation of the following (infringement Article 34 & 35 DSA):
 1. Whether TikTok complies with the DSA obligation to conduct and submit a risk assessment report prior to deploying functionalities, in this case the “Task and Reward Lite”; in particular with regard to risks related to the addictive effect of the platforms.
 2. Whether the measures taken by TikTok mitigate those risks.

Questions?

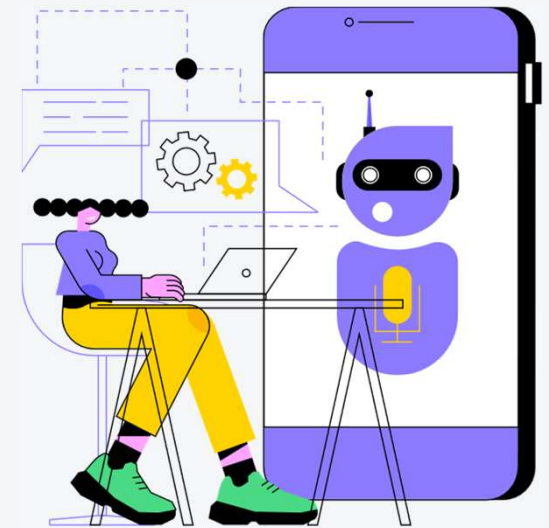


4.

Artificial Intelligence Act

4. Artificial Intelligence Act

- First ever comprehensive legal framework on AI
- March 2024: AI Act was voted into law by the European Parliament
- Fully applicable only in 2026; but some exceptions, for example, bans on prohibited practices, which will apply six months after the entry into force date
- Aim: to protect fundamental rights, democracy, the rule of law and environmental sustainability from high-risk AI, but exceptions for law enforcement and migration authorities

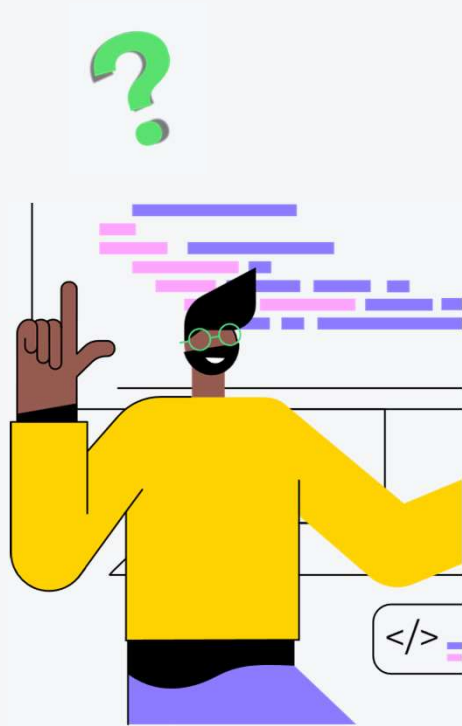


4. Artificial Intelligence Act

Some provisions considering children

- Ban on any AI system that exploits any of the vulnerabilities of a natural person or a specific group of persons due to their age, disability or a specific social or economic situation (**Article 5: Prohibited AI Practices**), *but no specific mention of ‘children’*
- Providers of “high-risk” AI systems shall give consideration to whether in view of its intended purpose the system is likely to adversely impact persons under the age of 18 and, as appropriate (**Article 9: Risk Management system**)
- Deployers of an AI system that generates or manipulates image, audio or video content constituting a deep fake, shall disclose that the content has been artificially generated or manipulated (**Article 50: Transparency Obligations**)

Questions?



Thank you!





Spotlight on two key networks: Insafe and INHOPE



INHOPE



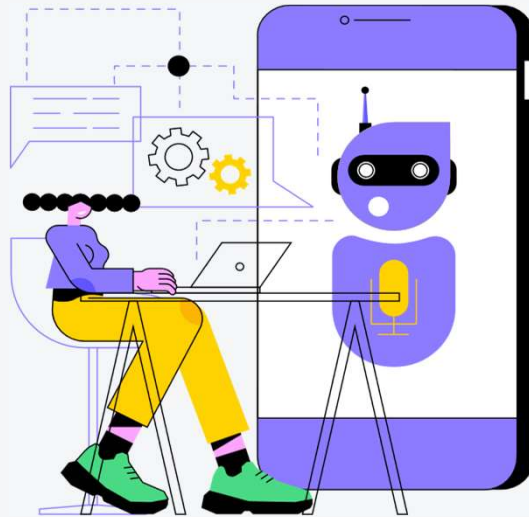
Coffee Break

16.00-16.15





Update from COFACE members on their safer internet initiatives



Conclusions and next steps

