

Statement on the future of the CSA Regulation

On 20 June 2024, the Belgian Presidency of the EU Council became the fourth country to fail to broker a deal on the controversial Child Sexual Abuse (CSA Regulation).

This unusual scenario is a symptom of how flawed and misguided the original proposal was. First put forward by the European Commission in 2022, this law has been coined 'Chat Control' because, [as confirmed by the legal and technical community](#), it would amount to generalised monitoring of private communications, **undermine digital security by breaking encryption** and without evidence that it would even achieve its aim of protecting children.

Despite two years of intense internal negotiations, the Council of the EU – which represents the EU's Member State governments – has not been able to reach consensus about the proposal. Several Member States, in particular Poland and Germany, have demanded confirmation that the future law would be compatible with the EU's Charter of Fundamental Rights. The responsible Directorate-General of the European Commission, DG HOME, has been unable to provide such guarantees – and instead has [faced scandals](#) around [conflicts of interest](#), and [targeting of online adverts](#) in support of this law on the basis of unlawful targeting of people's religion.

This failure to reach a deal is a reflection of the fact that there is no magical solution to the serious, complex and socially-entrenched problem of child sexual abuse. Thinking that flawed AI technology is the answer amounts to techno-solutionism, and has faced intense criticism, including:

- [Putting adolescents' consensual sexual self-expression at risk](#);
- [Threatening journalists, human rights defenders, doctors, lawyers, politicians, intelligence agencies, LGTQI+ people, and anyone else who relies on secure, private communications](#);
- [Catching innocent people in its drag net](#).

Most recently, the European Commissioner for Values and Transparency garnered public attention when [she admitted on record – for the first time – that the proposed CSA Regulation would break encryption](#). This should be the final straw for the EU's legislators, proving that this proposal is not fit for purpose.

We, the undersigned digital rights, human rights and children's rights/protection organisations, therefore make the following recommendations:

1. **The Council and European Parliament should demand that the European Commission** withdraw the draft CSA Regulation, and instead:
 - i. Work with children's rights groups, child protection advocates, digital human rights groups, cybersecurity experts and other technologists to develop new technical and non-technical solutions which are lawful, targeted, and technically-feasible, where these are necessary;
 - ii. Focus on the implementation of the Digital Services Act (DSA) to ensure that illegal content is tackled swiftly and proportionately;
2. **EU Member States** should invest in the capacity and resources of national child protection hotlines, including raising awareness of the existence of these hotlines, and boosting their capacity to support victims and survivors;
3. **EU Member States** should pursue primary prevention, including investing in prevention programmes for potential offenders or re-offenders, transforming police and judicial systems to ensure that they are child-friendly, requiring criminal record checks for people working with children, increasing education and other societal measures that will be more effective in stopping abuse before it happens.

Signed,

1. Access Now
2. Alternatif Bilisim (Alternative Informatics Association)
3. Asociația pentru Tehnologie și Internet Romania
4. Aspiration
5. Bits of Freedom The Netherlands
6. CDT Europe
7. Chaos Computer Club
8. Citizen D / Državljan D Slovenia
9. D3 - Defesa dos Direitos Digitais Portugal
10. D64 – Center for Digital Progress Germany
11. Danes je nov dan Slovenia
12. Defend Digital Me
13. Der Kinderschutzbund Bundesverband e.V.
14. Digitale Gesellschaft Germany
15. Digital Rights Ireland
16. Digital Society Forum
17. Digital Society, Switzerland
18. Digitalcourage Germany
19. ECNL
20. EFF
21. Electronic Frontiers Australia
22. Electronic Frontier Norway
23. Electronic Privacy Information Center (EPIC)
24. Epicenter.works Austria
25. European Digital Rights (EDRi)
26. European Sex Workers Rights Alliance (ESWA)
27. Foundation for Information Policy Research (FIPR)
28. 5th of July Foundation, Sweden
29. Homo Digitalis Greece
30. ICCL Ireland
31. Internet Society
32. Internet Society Portugal Chapter
33. IT-Pol Denmark
34. Iuridicum Remedium Czechia
35. La Quadrature du Net France
36. Lobby4kids - Kinderlobby
37. Metamorphosis Foundation
38. National Association for Free Software Portugal (ANSOL)
39. OpenMedia
40. Politiscope Croatia
41. Privacy & Access Council of Canada
42. SHARE Foundation Serbia
43. SUPERRR Lab Germany
44. The Commoners
45. The Digitas Institute Slovenia
46. The Tor Project
47. Vrijschrift.org the Netherlands
48. Xnet Spain

Signatories added retrospectively:

49. Offlimits Hotline - the Netherlands