



European
Commission

MEMBER OF THE EUROPEAN COMMISSION
HOME AFFAIRS

Dear Minister,

I warmly thank you for your letter of 6 March 2021 regarding the Netherlands' approach to combatting child sexual abuse. I would also like to express my gratitude for your offer regarding the 'HashCheckService' tool and the SCART system.

I welcome the draft legislation, which once adopted will set up a Dutch authority with sanctioning powers compelling hosting providers to cooperate without delay in removing child sexual abuse material online. This initiative would set a good precedent, and it is excellent to see the Netherlands play a leading role in combating a scourge that has hit technologically highly developed countries especially hard.

Taking action to combat child sexual abuse, including online abuse, as well as protecting children is a shared priority. I agree that the role of online service providers is vital, as I highlighted in the 2020 Strategy for a more effective fight against child sexual abuse.¹ As part of this Strategy, the Commission proposed an interim regulation to ensure that relevant service providers can detect and report online child sexual abuse, which I hope the European Parliament and the Council will finalise in the coming weeks.

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¹ 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, 24.7.2020 COM(2020) 607 final.

In parallel, we should also ensure that our authorities have the right tools to fight against child sexual abuse. In many cases, this requires swift access to electronic evidence stored by providers in another country. The e-evidence proposals currently in trilogue negotiations aim to do just that, and they will be vital in ensuring more effective investigations and prosecutions of offenders. I would be grateful for your support in the Council for this package.

In parallel, my services are preparing a comprehensive legislative proposal on tackling child sexual abuse online. This proposal will aim to provide an effective long-term solution to combat child sexual abuse, including among other measures by requiring relevant online services providers to detect and report known child sexual abuse material to public authorities. The open public consultation to prepare this legislative proposal will be open until 15 April 2021.² I encourage the Ministry of Justice and Security of the Netherlands to provide feedback. Especially in view of your recent experience and leadership, your contribution would help the Commission to deliver an effective and practical proposal. My services would be happy to discuss further with their counterparts how the experience and successful initiatives of the Netherlands could be extended at EU level.

I hope that I can count on your support also for the adoption of the long-term legislation and look forward to continuing our fruitful cooperation.

Yours faithfully,

² <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12726-Child-sexual-abuse-online-detection-removal-and-reporting-/public-consultation>