

# National Center for Missing and Exploited Children

## Children's Rights

<https://www.missingkids.org/content/ncmec/en/blog/2020/we-are-in-danger-of-losing-the-global-battle-for-child-safety.html>

## Public Facing Advocacy Writing

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As parents, citizens and government leaders, we all want the same thing - a world where children are safe and can thrive online. Our digital world was not designed with child safety in mind, but we can work together to redesign our digital products and services to keep each and every child safe and secure.

The European Union is proposing legislation on Wednesday, May 11, 2022 that will potentially have global impact regarding the safety of children. This draft legislation offers a critical opportunity to build a safer internet - one where every child can thrive. As more children go online, now more than ever, we need the EU's leadership to make a long-term commitment, backed with future-proof legislation, to push for the change that is urgently needed for children and survivors.

Last year, in 2021, the National Center for Missing & Exploited Children received over 29 million reports of suspected child sexual exploitation 93.5% of the reports resolved to locations outside of the U.S. This is a global problem and we know there are steps that can be taken to move towards a safer world for children. Our children deserve to learn and grow safely online, but this will only happen if everyone plays their part to keep children safe.

### European Union CyberTipline Data Snapshot

[Download EU - CyberTipline Data Snapshot](#)

### A Battle Won, But Not the War in the Global Fight For Child Safety

For the last 4 months NCMEC and other child safety organizations have been sounding an alarm: the activation of a new European Union ePrivacy Directive had limited tech companies' ability to detect, report, and remove online child sexual abuse material, and went into effect despite the warning that children would suffer.

Today, April 29, 2021, EU legislators announced that they had reached a temporary agreement that would be passed to the European Parliament and Council for adoption. The temporary agreement will allow technology companies to continue their critical work of scanning for, reporting and removing online child sexual exploitation within the parameters of certain oversight requirements.

As NCMEC has recently reported, we have seen a 58% decrease in reports of EU-related child sexual exploitation since December 21, 2020 when the new regulations went into effect. We are grateful for this temporary solution and we know that this is just the beginning of work that needs to happen to offer permanent solutions for child safety online.

Finding those solutions will require the collaboration of technology companies, child-serving organizations and lawmakers.

Children will only be truly protected when permanent legislation is in place.

### Weeks of Waiting: The ePrivacy Directive and the decline of CyberTipline reports in the EU

In the weeks leading up to December 21, 2020 and the activation of new ePrivacy Directive regulations in the European Union, NCMEC and many other child safety organizations sounded an alarm that went unheard. The new regulations, which limited tech companies' ability to detect, report, and remove online child sexual abuse material, went into effect despite the warning that children would suffer.

In the weeks since this time we have continued to call on the EU to enact a compromise allowing service providers to continue using tools to detect online child sexual exploitation. We knew that while we waited for action, offenders would continue to entice, groom, sexually exploit, and trade sexually abusive images of children online without threat of discovery.

A look at EU-related CyberTipline data in the weeks before and after the ePrivacy Directive went into effect shows the impact of 18 weeks of waiting. Reports concerning child sexual exploitation in the EU plummeted by 46% in the first three weeks, 51% in the first six weeks, and **now 58% in the first 18 weeks.**

While many factors may contribute to fluctuations in the data, we believe that this decrease in reporting is the real-world consequence of the EU's failure to find a reasonable compromise prior to December 20, 2020.

This drop represents children who are experiencing sexual exploitation and possibly not receiving the help that they need. The wait for answers from the EU must end now with a solution that lets this critical work to protect children continue.

### FACT CHECK: NCMEC Statement on Swiss CyberTipline Reports

NCMEC is troubled by an inaccurate statistic regarding CyberTipline reports that was originally shared by the Swiss Federal Police and has become widely circulated. A FedPol spokesperson was recently quoted in [Tages-Anzeiger](#) saying, "Last year we received around 9,000 reports. **Just under ten percent** of them were criminally relevant.

Despite attempts to clarify this statement with the Swiss police, NCMEC has not received a response. In the normal course of business, NCMEC does not publicly dispute law enforcements independent evaluation of CyberTipline referrals. However, in this case, NCMEC feels compelled to respond.

Alarmed by this low number, NCMEC analysts conducted an in-depth, visual analysis of the images and videos contained in every 2020 CyberTipline report made available to the Swiss Federal Police. To allow for possible variances between national laws, we applied a very conservative definition of child sexual abuse material\*.

**NCMECs estimate is that at least 63 percent of image-based referrals to the Swiss Federal Police contained graphic child sexual abuse material.** The remaining reports concern potential child sexual exploitation including abusive images where the age of the child is questionable, online grooming and other suspected crimes against children.

The widespread circulation of the erroneous statistic is dangerous as it leads to a lack of understanding of the severity of child sexual exploitation and the effectiveness of tech companies' efforts to combat it.

*\* Imagery depicts a prepubescent child or an identified pubescent child engaged in actual or simulated: sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; bestiality; masturbation; sadistic or masochistic abuse; or lascivious exhibition of the anus, genitals, or pubic area of any person.*

## EUROPEAN UNION CYBERTIPLINE DATA SNAPSHOT: REPORTS SUBMITTED BY TECHNOLOGY COMPANIES

On December 20, 2021, new EU regulations went into effect that infringe on tech companies ability to use scanning technology to detect, report, and remove online child sexual abuse material. Previously, NCMEC had joined with many others who are committed to child safety in a collective effort to call on the EU to enact a compromise allowing service providers to continue using tools to detect online child sexual exploitation. We cautioned that if the EU failed to act this would have a devastating impact literally blinding the world to the online abuse of children in the EU. Offenders would continue to entice, groom, sexually exploit, and trade sexually abusive images of children online with impunity. In the first 42 days since enactment of the new EU regulations, some of our worst fears for children in the EU have been realized.

NCMEC compared EU-related CyberTipline reports submitted by technology companies in the weeks before and after the ePrivacy directive going into effect. Reports concerning child sexual exploitation in the EU plummeted by 46% in the first three weeks and by 51% in the first six.

While other factors may contribute to fluctuations in the data, we believe that much of this decrease in reporting is the real-world consequence of the EUs failure to find a reasonable compromise prior to December 20, 2020.

12/21/2020

### A Blog Update from NCMECs President and CEO, John Clark:

On December 21, the European Unions ePrivacy Directive went into effect with no explicit exception for tech companies to continue using technological tools that detect online child sexual exploitation. Our hope to avoid this disastrous outcome had been focused on an interim regulation being debated in the EU to allow tech companies to continue this critical work until a more permanent solution could be found. While the regulation passed the first hurdle of being approved by the LIBE Committee on December 7, further negotiations between the legislative bodies of the EU failed to reach consensus before discussions ended for the year. The EU will resume discussions in January 2021 about a potential carve-out for tech companies to continue protecting children online and we still believe there is hope for a long-term solution. Yet, as of today, the failure to reach consensus could have a devastating impact on children, especially in the EU and tech companies must make critical decisions about their future use of these technological tools.

Today, we commend Google, LinkedIn, Microsoft, Roblox, and Yubo which have publicly committed to continuing their proactive efforts to detect child sexual exploitation even while the EU deliberates next steps.

NCMEC believes the following actions will contribute to a successful resolution:

1. We must continue urging the European Union to approve a version of the interim regulation that is technologically feasible when discussions resume in January.
2. We must call on the global tech industry to commit to collaborating with the EU to find viable solutions.

Now is the time for anyone who cares about children to get involved. Heres how you can join us in ensuring the door is not shut on this hidden abuse that so many children are suffering:

11/17/2020

By John F. Clark, President and CEO  
The National Center for Missing & Exploited Children

Online child exploitation is a crime that does not abide by borders. You may not realize it, but the European Union is about to surrender in the worldwide battle to protect children if we dont stand up to prevent it from happening. As you read this, decisions are being made that prioritize efforts to secure an absolute right to privacy above stopping the sexual exploitation of children.

Child sexual exploitation is a disturbing topic that most people don't want to think about. But for hundreds of thousands of children throughout Europe, the United States and the rest of the world, it is a daily reality. Regulations passed by the EU have global consequences, which would compromise the safety of children everywhere.

The National Center for Missing & Exploited Children operates the CyberTipline, which for over two decades has served as the global hotline for reports relating to child sexual exploitation. The constant, and ever-escalating volume of horrific child sexual abuse reported to NCMEC is staggering. So there is no uncertainty regarding the nature of this content: these are photos and videos of young children, many so young they cannot ask for help, being raped, sexually tortured, and exploited. Their anguish and abuse is memorialized and shared online with countless users with a sexual interest in children. NCMEC receives reports from around the world - and Europe is home to some of the most horrific.

- In Germany, an infant boy was sexually abused by his legal guardian and tech companies have detected and removed these graphic images and videos from the internet more than 1,900 times.

- In Amsterdam, a childcare worker admitted to sexually abusing more than 83 infants and toddlers in his care. Images and videos of the sexual abuse have been shared on the internet nearly 12,000 times.

- Across the US, eleven boys, ranging in age from 6 to 10, were rescued after being raped and trafficked by a neighbor for over five years. Images and videos depicting the exploitation were produced in Wisconsin, Illinois, Pennsylvania, Florida and California by a male trafficker over seven years. The images of their abuse have been traded online thousands of times.

- In Hawaii, four boys and girls between the ages of 1 and 6 years old were rescued after three years of abuse by their babysitter. The images of their abuse have also been traded thousands of times.

The global fight against these atrocities relies on a complex arsenal of human review and technology tools created in partnership with technology companies, child advocacy organizations and law enforcement. These tools are used to surgically identify imagery depicting child sexual abuse and other forms of online exploitation, giving these children hope of rescue and protection. But these critical, life-saving tools are now at risk, without action from members of the European Parliament. It's up to members of the public across the world to stand together to tell global leaders not to sign away children's safety in the name of privacy.

Beginning on December 21, an element of the EU's ePrivacy Directive will go into effect with no explicit exception that allows tech companies to continue using the technology that detects online child sexual exploitation. Even though this is an unintended result of the ePrivacy Directive, its supporters are pushing towards the effective date with a focus on privacy concerns that shows little or no regard for the impact on children. It is NCMEC's belief that everyone is entitled to privacy, however the sexual assault victims depicted in this illegal imagery should be given the highest priority.

But there is hope - if you get involved. The European Parliament is currently debating an exception to this law which could prevent a global catastrophe. With this interim regulation, tech companies will still be able to use these tools until a more permanent solution can be reached.

Without a solution in place to safeguard children, the ePrivacy Directive could close the curtain to the abuse of children that happens online. We know this issue is hard to talk about, but the numbers cannot be ignored. NCMEC has received more than 82 million reports of child sexual exploitation. What's worse than facing this uncomfortable reality? Knowing that this horrific abuse is happening but never hearing about it at all.

Survivors of these horrific crimes may feel powerless, but you can act now to help protect them. No matter where you live, even in the United States, you can add your name to our petition to the European Parliament to accept the interim regulation until 2025 at [change.org/childsafetyfirst](https://change.org/childsafetyfirst).

But don't stop there. Share this critical message with your friends, family, and colleagues and encourage them to join us in this fight.

We have to act now. Children across the globe are counting on us.

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### **Our Continued Commitment to Safety**

Dec 21, 2020

European regulators are actively wrestling with how best to protect both privacy and safety. The European Electronic Communications Code (EECC) extends the EU's communications regulatory framework, including the e-Privacy Directive's protection of the confidentiality of communications data, beyond traditional telephonic services to number-independent interpersonal communications services. By December 21, today, European Union Member States are expected to transpose this change into national law. At the same time, an interim solution is envisioned, and the European Commission has launched a consultation on a proposed regulation on the detection, removal, and reporting of child sexual abuse material online. On December 15, the Commission published the draft Digital Services Act intended to create the broad framework for, among other things, promoting voluntary efforts to detect and remove illegal and harmful content.

With the EECC's December 21 deadline upon us and no articulated, harmonized regulatory approach for the near future, we remain hopeful that the European authorities will resolve these issues soon. That said, this confluence of inter-related laws has created significant ambiguity and may lead to unintended consequences arising from new expectations of online service providers that present real risks to users of those services. Given this, we believe the only responsible approach is to remain steadfast in honoring our safety commitments that European users and, indeed, users around the world expect and rely upon.

Dec 22, 2020

Snap will continue to combat the spread of CSAM with technologies such as PhotoDNA designed to protect the most vulnerable. We look forward to the work by European policymakers to secure the passage of the interim guidelines and other relevant regulations to help clarify current ambiguities in the law.

Child Safety First  
Social Media Kit

[Read NCMEC's letters that were sent to the European Parliament asking for their support.](#)

[See action taken by the U.S. Senate.](#)

[Learn more about data and trends for reports made to NCMECs CyberTipline.](#)

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