

Response to the European Commission Consultation on ‘Artificial Intelligence- ethical and legal requirements’

Thorn welcomes the opportunity to provide feedback on the Commission's proposal for artificial intelligence regulation. Thorn is a US-based nonprofit organization that builds technology to defend children from sexual abuse and online exploitation. At Thorn, we believe in the power and potential of government, NGOs, and tech companies working together to eliminate child sexual abuse material online. That goal cannot be achieved by just one of these entities alone, and we are grateful for the European Union's leadership. We believe that tailored and precise artificial intelligence legislation is necessary to ensure that child users' privacy and safety is protected.

Legislation on artificial intelligence should allow for innovation and growth in technology that protects children online. If regulation does not allow for this kind of innovation, then we will continue to be behind the curve of individuals exploiting children online. At Thorn we are always working to innovate and refine our technology to protect children. We, and our partners in the child protection ecosystem, need the flexibility to continue to create cutting edge technologies to eliminate child sexual abuse material from the internet. If regulation becomes indiscriminate, or doesn't provide necessary flexibility for this specific use case, it can create unintended consequences that could deter the development of new technologies to protect children online.

In the space of child protection, there are well established technologies that have been tested and refined for over a decade but many of the most cutting edge technologies still need the space for further innovation. These technologies have proven results of finding and saving children from online sexual exploitation. Tailored technological solutions in this space are the future of protecting children from online exploitation and there needs to be a legislative framework that allows for this crucial work to continue. We understand the concerns that some AI applications could lead to the invasion of individual users' privacy but child advocacy organizations have always worked towards surgical and balanced solutions in order to protect children online.

AI and machine learning are important tools when it comes to online child protection - from text analysis that can prevent the grooming of a child for abuse, to facial recognition technology that can identify missing and/or exploited children's photos. When a child is missing or exploited law enforcement needs the tools that can help them find these children in the quickest and most efficient ways possible. When leveraged safely and

responsibly, facial recognition can be one of the tools used to identify child victims of sexual abuse. The ability to use tailored, specific, and regulated “after the fact” facial recognition technology on images and videos of child victims is vital to expedite law enforcement efforts to find and protect children.

Child sexual abuse detection technologies are cutting edge and designed to protect the most vulnerable population in our society. Given this sensitivity, we agree that safeguards and greater transparency are necessary for artificial intelligence technology used in this space. The artificial intelligence regulation must find a balance that protects the general public’s privacy while still allowing for technology designed to protect children. We must not allow offenders the ability to reverse engineer technologies designed to keep our children safe. Any enhanced transparency should not impede the development of technologies that are used to protect children online.