

From: [REDACTED]
Sent: jeudi 2 septembre 2021 18:57
To: HOME FIGHT AGAINST CSA; [REDACTED]
Subject: Interim legislation on CSA detection / Article 7

Dear [REDACTED]

Thank you for your email regarding the interim legislation on CSA detection (Regulation (EU) 2021/1232). We very much welcome this initiative and are supportive of the Commission's wider efforts to combat child sex abuse online and to protect children.

However, as the TikTok service does not qualify as an "interpersonal communications service" for the purposes of Directive (EU) 2018/1972, in our assessment the service is therefore not in scope for application of the interim legislation on CSA detection. With regard to TikTok's direct message feature, we note that Art. 2(5) of Directive (EU) 2018/1972 stipulates that the definition of an interpersonal communications service "*does not include services which enable interpersonal and interactive communication merely as a minor ancillary feature that is intrinsically linked to another service*" (our emphasis).

That said, we remain very much committed to combatting child sex abuse online and our practices are in line with the objectives and general principles contained in the interim legislation on CSA detection. This includes reporting detected child sex abuse material to the [National Center for Missing and Exploited Children](#), as an organisation acting in the public interest against child sexual abuse.

We look forward to engaging further with the Commission and other stakeholders later this year on the important work in relation to the EU's long-term legislative proposal to combat child sex abuse material online.

Kind regards

[REDACTED]

On Thu, Aug 26, 2021 at 11:23 AM HOME-FIGHT-AGAINST-CSA@ec.europa.eu <HOME-FIGHT-AGAINST-CSA@ec.europa.eu> wrote:

Dear Sir/Madam,

We would like to draw your attention to Article 7 of the [Regulation \(EU\) 2021/1232](#) on a temporary derogation from certain provisions of the ePrivacy Directive.

Article 7

Public list of organisations acting in the public interest against child sexual abuse

1. By 3 September 2021, providers shall communicate to the Commission a list of the names of organisations acting in the public interest against child sexual abuse to which they report online child sexual abuse under this Regulation. Providers shall communicate any changes to that list to the Commission on a regular basis.
2. By 3 October 2021, the Commission shall make public a list of the names of organisations acting in the public interest against child sexual abuse communicated to it under the paragraph 1. The Commission shall keep that public list up to date.

Please use the following address to communicate names of organisations to which you report instances of online child sexual abuse: HOME-FIGHT-AGAINST-CSA@ec.europa.eu

Kind regards

From: [REDACTED]

Sent: Friday, July 30, 2021 12:10 PM

Cc: [REDACTED]

Subject: Interim legislation on CSA detection published

Dear all,

We would like to share the good news that that on the [interim derogation legislation](#) to enable online communication services to continue their voluntary actions to detect child sexual abuse online has been [published in the Official Journal](#) of the EU today. The new rules will apply from 2 August 2021.

It is an important step in our common efforts to protect children against such crimes. Many of you have followed closely the negotiations, have supported the Commission proposal, have provided data/evidence, and/or have raised awareness. I would like to once again thank you for your support in this challenging process.

However, the interim derogation is only the beginning. We count on your continued support in the preparation, and later in the negotiations with the European Parliament and the Council later this year, of the long-term legislative proposal that we hope will make a long-lasting, positive change for children in the EU and globally.

Thank you again and best regards,

 on behalf of the Team



European Commission - DG Migration and Home Affairs
Unit D.4 Security in the Digital Age





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