

From: EDPB Secretariat
Sent: 16 October 2020 18:25
Cc: EDPB Secretariat; [REDACTED]
Subject: [TECH] Confluence forum on Temporary Derogation ePrivacy CSAM

Circulated on behalf of [REDACTED] from the EDPS
Please note that the draft regulation can be found [in confluence](#).

Dear colleagues,

As mentioned during the latest meeting of the TECH ESG, the EDPS is preparing to issue an Opinion on the Proposal for an Interim Regulation on the processing of personal and other data for the purpose of combatting child sexual abuse, which provides for a temporary derogation from Article 5(1) and Article 6 of the ePrivacy Directive.

We have created a dedicated topic on the [Confluence TECH ESG forum](#) to share any reactions they may have in relation to the Proposal and in particular to seek your views on the following two questions:

- 1) Has your SA (or to your knowledge any other SA) ever taken a position at national level in relation to the use of PhotoDNA or similar technologies, e.g. as a result of a complaint or an own-initiative opinion? If so, could you please provide references?
- 2) Are you aware of any court cases or news stories concerning individuals who have been wrongly accused/reported to authorities as a result of the use of automated detection techniques? If so, could you please provide references?

We kindly request that you share your responses by Friday 23 October 2020 if possible.

Many thanks in advance for your kind consideration to this matter.

Best wishes,



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For the Secretariat



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