Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 15799
20 June 2023

Protection of children and of European fundamental rights

Written declaration No. 780

This written declaration does not reflect the position of the Assembly; only of those members that have signed it. It will not be considered further by the Assembly.

We, the undersigned, declare the following:

Combating sexual abuse of children and child abuse images, protecting those at risk and holding perpetrators accountable are immeasurably high priorities, as stated by the Parliamentary Assembly in Resolution 1834 (2011).

The European Commission's proposal of a Regulation laying down rules to prevent and combat child sexual abuse (COM/2022/209 final) raises concerns regarding its compatibility with European fundamental rights, especially with the right to respect for private and family life and correspondence as guaranteed in Article 8 of the European Convention on Human Rights.

While the regulation aims to remain technologically neutral, its broad scope would compel service providers to implement content verification tools leading to the use of client-side scanning, the breaking of end-to-end encryption and the scanning of personal cloud storages.

The concerns expressed by European data protectionists, legal experts and civil rights activists, as well as by the Ministers of Justice of several Council of Europe member States such as Austria, Germany, Liechtenstein, Luxemburg and Switzerland should be taken seriously. While measures against sexual abuse of children and child abuse images must be strengthened, Council of Europe member States and the European Union should refrain from steps damaging European fundamental values.

Signed (see overleaf)

Signed[1]*:*

KUHLE Konstantin, Germany, ALDE
ANASTASSOV Stanislav, Bulgaria, ALDE
BĒRZINŠ Andris, Latvia, ALDE
BILOZIR Larysa, Ukraine, ALDE
CALINICI Ana, Republic of Moldova, ALDE
COMA Bernadeta, Andorra, ALDE
DOWNE Percy, Canada
FABRICIUS Camilla, Denmark, SOC
FRANCIS Brian, Canada
GATTOLIN André, France, ALDE
GIRAUD Joël, France, ALDE
GRIN Jean-Pierre, Switzerland, ALDE
HEER Alfred, Switzerland, ALDE
HOFFMANN Christoph, Germany, ALDE
HOOP Franziska, Liechtenstein, ALDE
HUSEYNOV Rafael, Azerbaijan, ALDE
JENSEN Gyde, Germany, ALDE
JEVGRAFOV Aleksei, Estonia, ALDE
KERN Claude, France, ALDE
KLEINWÄCHTER Norbert, Germany, EC/DA
KRAVCHUK Yevheniia, Ukraine, ALDE
KRISPER Stephanie, Austria, ALDE
LINK Michael Georg, Germany, ALDE
LUCKS Max, Germany, SOC
LYDEKA Arminas, Lithuania, ALDE
MUSLIU-SHOSHI Ariana, Assembly of Kosovo*
PAHLKE Julian, Germany, SOC
PREMIK Dean, Slovenia, ALDE
RYLE Alexander, Denmark, ALDE
TURAZASHVILI Ketevan, Georgia, NR
VALENTIN Kim, Denmark, ALDE
ZINGERIS Emanuelis, Lithuania, EPP/CD

Total = 30

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1. ALDE: Alliance of Liberals and Democrats for Europe
EC/DA: European Conservatives Group and Democratic Alliance
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
NR: Representatives not belonging to a Political Group