

(English version)

**Question for written answer E-002183/24
to the Commission
Piotr Müller (ECR)
(20 October 2024)**

Subject: Further work on 'chat control' (CSAM)

In light of information about the suspension of work due for completion in June 2024 on the child sexual abuse material regulation (CSAM), commonly referred to as 'chat control', I would like to ask the following questions:

1. What further plans does the Commission have for the CSAM regulation, particularly in view of the fears expressed by many legal experts and organisations dealing with privacy protection, who stress the need to protect encrypted communication?
2. Is it considering amendments to the draft to address widely expressed concerns about breaches to the confidentiality of private communications, particularly with end-to-end encrypted applications like Signal and WhatsApp and if so, what are these proposed amendments?
3. Is there a timeline for a possible resumption of work on the regulation and deadlines for the implementation of the new proposals in 2024 or the coming years and if so, please give details.

I would point out that encrypted communication is a key element in protecting users' privacy and should not be breached on the pretext of tackling illegal content. I expect the Commission to set out a clear position that will assuage fears of a massive violation of citizens' privacy.

Submitted: 20.10.2024

**Answer given by Mr Brunner on behalf of the European Commission
(13 January 2025)**

1. The Council of the European Union has been discussing the proposal for a regulation to prevent and combat child sexual abuse⁽¹⁾ to reach a general approach; the European Parliament has already adopted its position for the interinstitutional negotiations. The Commission supports the discussions to adopt a new legislative framework before the expiration of the Interim Regulation⁽²⁾ in 2026. In this process, as in all its work, the Commission is committed to guaranteeing the fundamental rights of children by preventing and combating child sexual abuse, offline and online, as well as guaranteeing the right to privacy and confidentiality of all users. To that end, the proposal contains strict and detailed safeguards for the privacy of users, including a mandatory case-by-case assessment of all detection orders against the Charter of Fundamental Rights of the European Union and other EU law. Furthermore, while providers required to execute detection orders may select technologies best suited to their services, including those end-to-end encrypted, the technologies and accompanying measures must comply with the General Data Protection Regulation⁽³⁾ and the ePrivacy Directive⁽⁴⁾.
2. In light of the foregoing, it is currently for the Council and the European Parliament to propose amendments to the proposal.
3. The legislative discussions are ongoing. The Commission is committed to supporting the co-legislators to reach an agreement as soon as possible that effectively protects children and safeguards all fundamental rights at stake.

⁽¹⁾ Proposal for a regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A209%3AFIN>

⁽²⁾ Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41).

⁽³⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R0679>

⁽⁴⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).