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| From: | Presidency |
| To: | Permanent Representatives Committee (Part 2) |
| No. prev. doc.: | 13032/21 |
| Subject: | Ministerial conference on the prevention and investigation of child sexual abuse - draft Joint Statement – Approval |

1. A ministerial conference on the prevention and investigation of child sexual abuse will take place on 11–12 November 2021 in Brdo pri Kranju, Slovenia. It will be dedicated to the issue of fighting child sexual abuse, with a focus on its digital dimension, which is one of the priorities of the Presidency in the justice and home affairs area.
2. Ministers of the interior of the Member States, the Schengen Associated Countries, the Western Balkans and the United States of America have been invited to attend the ministerial conference, alongside representatives of EU institutions and agencies, as well as international and regional organisations.
3. For the purposes of this event, the Presidency is preparing a discussion paper to frame the thematic exchange of views on the issue of prevention and awareness-raising of child sexual abuse and on the main challenges concerning the investigation of this crime.

4. To prepare the statement that will be issued at the end of this event, the Presidency tabled a draft text set out in document 13032/21. It has been discussed by the JHA Counsellors (External Relations) on 25 October. Because of the tight deadlines, delegations were invited to provide their written comments to the Presidency by 26 October COB. The draft statement was also shared with the above third countries' representatives for their perusal.
5. The Presidency examined the comments received and included most drafting suggestions in the revised draft statement set out in the annex. Changes to document 13032/21 are marked in **bold underline** and ~~striketrough~~.
6. The Permanent Representatives' Committee is invited to approve the draft statement as set out in the annex and to agree that it be presented to ministers for issuance during the ministerial conference, on the understanding that, if on-site adjustments of the text are required following the discussions in the ministerial conference, the text may be adapted accordingly provided that the changes do not affect the substance and intent of the text.

**MINISTERIAL CONFERENCE ON THE PREVENTION AND
INVESTIGATION OF CHILD SEXUAL ABUSE**

Brdo pri Kranju, Slovenia, 11 – 12 November 2021

Draft Joint Statement

1. Ministers responsible for Home Affairs (hereinafter: ministers) of the EU Member States, the Schengen Associated States, the Western Balkan partners and the United States of America met in Brdo pri Kranju on 11 and 12 November 2021 at the invitation of the Minister of the Interior of the Republic of Slovenia. The meeting was also attended by representatives of the EU institutions and agencies. *[to be updated with international/regional organisations or initiatives which attend]*.
2. The sexual abuse of children both online and offline is one of the most serious crimes and, as such, **is** one of Slovenia's main priorities during its Presidency of the Council of the EU, **and an ongoing priority for the EU and its Member States**. Child sexual abuse has wide-ranging and serious life-long consequences for victims and it causes significant and long-term social harm to children, who are often unaware of possible threats and are therefore especially vulnerable. Child sexual abuse ~~is~~ **can be** extremely difficult to investigate, **including because of the high vulnerability of victims, and, in the online context, the anonymity of offenders and frequent international dimension of organised crime networks**.
3. **Building on existing international and European standards, in particular the UN Convention on the Rights of the Child and the European Convention on Human Rights**, the ministers discussed policies and practices aimed at raising awareness of child sexual abuse and exploitation, as well as preventing this criminal offence and protecting victims. In addition, the ministers exchanged views on the main challenges and the tools needed for the successful investigation of this crime.

4. The ministers stressed that developing the necessary tools, mechanisms and legislative solutions, **and implementing them at national level,** to prevent **and** detect, investigate **child sexual abuse offences** and prosecute criminal offenders, as well as swiftly **detect and report child sexual abuse online and** remove child sexual abuse material online, is key to protecting and respecting the rights of children, ~~some of whom suffer from the effects of sexual abuse their entire lives.~~
5. The ministers agreed that preventing children from becoming victims of sexual abuse in the first place is the highest priority. They concurred that these days, children are more exposed than ever to becoming victims of online sexual abuse, because they spend more and more time online. The internet is an easy, cheap, fast and seemingly anonymous way of communication and file sharing, and abusers are eager to exploit this. Hence, the amount of child sexual abuse ~~material~~ on the internet has been growing exponentially in recent years, **also in the context of the COVID pandemic,** ~~fuelling demand for new material, and~~ leading to new abuses and more victims. Accordingly, the need to effectively tackle this crime has never been greater.
6. In order to develop effective preventive measures, the ministers highlighted the fact that there is a clear need to raise awareness of the potential pitfalls of new technologies, the internet, **online video games and** social media used by perpetrators, as well as regarding the possibility of abuse among teenagers and abuse **in the circle of trust** ~~from caretakers,~~ where child sexual abuse ~~material~~ is often **committed** ~~made~~.
7. The ministers considered the possibility of joint prevention and awareness-raising campaigns, and supported closer cooperation in this area. To ensure effective prevention activities, the exchange of experience and good practices among experts would be beneficial, in order to build on the existing programmes of various partners in the fight against sexual abuse of children and to develop joint approaches and comprehensive prevention strategies.

8. As regards investigating child sexual abuse, the ministers exchanged views on the magnitude of the problem and the main challenges faced by investigators. They agreed on the need to combat child sexual abuse as a matter of priority, irrespective of the physical location or nationality of the child. In ongoing criminal cases, investigators are faced with the challenge of analysing and processing the vast amount of seized or found material that shows child abuse. To be able to do so effectively, it is crucial for different stakeholders to work together **in order** ~~with only one goal~~: to identify the victims and protect them from the sexual abuse, as well as bring sexual offenders to justice. The ministers welcomed the involvement of Europol, ~~and~~ Eurojust **and Interpol**, within their respective mandates, in this regard.
9. The ministers acknowledged that ~~in order to ensure successful investigation of child sexual abuse~~, guaranteeing law enforcement access to data needed for the protection of victims, and the detection, prevention, investigation and prosecution of child sexual abuse is of paramount importance. In this context, the importance of appropriate solutions regarding data retention, encryption, e-evidence and the darknet environment was highlighted. Such solutions should aim to ensure that investigators and other competent authorities are equipped with the tools necessary to perform their tasks of ensuring **public** security, including safeguarding the most vulnerable members of our societies. **Any solutions should fully respect the fundamental rights and freedoms of all users concerned, including on privacy, protection of personal data and fair trial guarantees.**
10. The ministers also emphasised the critical importance of cooperation with the industry, in particular internet service providers, social media platforms and electronic communication providers, who are best placed to proactively detect and report child sexual abuse. All existing cooperation tools and initiatives **such as those promoting media and digital literacy** at national, regional and international level should be used to their full extent in the fight against child sexual abuse. **In this regard, the ministers welcomed the announcement of the summit of the WeProtect Global Alliance to End Child Sexual Exploitation Online in Brussels on 3-4 March 2022, and recognised its importance as a means of engagement with other governments, industry, civil society organisations and other key stakeholders in the fight against these crimes.**

11. The ministers ~~were briefed~~ **welcomed the briefing** by the Commission on the upcoming ~~legislation~~ **legislative proposal** to prevent and combat child sexual abuse, which **may propose** ~~will impose~~ obligations on online service providers to detect, ~~and~~ report **and remove** child sexual abuse online, as a means to support industry in its efforts to prevent and combat these crimes, and ~~will~~ **could** create an EU centre to prevent and combat child sexual abuse. The new EU centre should support **law enforcement and** industry ~~and law enforcement~~ to detect, report and remove child sexual abuse online, and facilitate Member States' efforts on prevention and assistance to victims.
12. Finally, the ministers underlined the importance of international cooperation to ensure that criminals cannot abuse the differences in laws and policies across jurisdictions and avoid creating not just a jurisdictional gap, but an outright chasm of justice.
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