Dear Mr McNamee,

On behalf of Vice-President Kroes, I would like to thank you for your detailed letter of 3 September 2012 (ref. 1035403) regarding child protection in the online environment and more specifically the CEO Coalition for Making Internet a Better Place for Kids. The Commission welcomes EDRI's involvement in the work of the Coalition and your commitment to remaining a constructive partner in this process.

Making this an effective multi-stakeholder action is a key element for the work in the autumn and will be led in part by the discussions on review and monitoring as set out in the Statement of Purpose. We need to learn both from our past experiences of self-regulation and monitoring (such as for the SNS Principles which you cite) and from the on-going work on a "Code for Effective Open Voluntarism: Good design principles for self- and co-regulation and other multistakeholder actions" to ensure that CEO Coalition takes advantage of best practices. The inputs from third parties will also be part of this process – and I appreciate your comments already on this.

Working on the protection of children, particularly in the area of child pornography, requires as you say proportionality – which includes maintaining a balance between safeguarding fundamental rights of citizens and also ensuring that the rights of the victim are protected. One specific concern is that a victim is not subjected to indefinite continuation of the abuse by perpetuating the distribution of the images. Assuring the right balance is not an easy question as the discussions in recent meetings have revealed – especially in areas of such rapid change. However, the difficulty of the task should not be an excuse for doing nothing – subject to ensuring that what is done is in respect for the law and fundamental rights.

We are committed to evidence-based policy – EU-Kids Online (which we continue to fund) is one key element, but other sources including inputs from NGOs and from monitoring agreements such as the SNS Principles were also instrumental in defining the specific actions for the CEO Coalition – bearing in mind that these focused on short term goals where progress could be expected to be made. Our policies as reflected in the Communication on making a better internet for children are much wider than the work of the CEO Coalition and we trust that under Connecting Europe Facility – subject to
positive decision in the context of the Multiannual Financial Framework negotiations – we will continue to maintain a strong focus on research and evidence building.

On one last specific point, you refer to a project under the current Safer Internet work programme which aims to test technologies for identifying images by law enforcement – the technical work is under negotiation but any such test would be expected to cover issues of security, robustness, reliability of the tool, including generation of false positives as you describe in your mail.

If you would like to meet with me and Pat Manson and her team, please do not hesitate to contact us – we have already had experience of a constructive meeting with other NGO interests on an individual basis to explore further the issue round protection of children online.

Yours sincerely

(e-signed)
Detlef Eckert