

Supporting Victims of Child Sexual Abuse Material

Submitted by: Individual
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WHEREAS, child sexual abuse material is the recording of the sexual abuse and exploitation of a child; and

WHEREAS, the *United Nations Convention on the Rights of the Child* (“UNCRC”) reflects a commitment by each signatory state to take all appropriate national, bilateral and multilateral measures to prevent the sexual exploitation of children (Article 34); and

WHEREAS, the UNCRC commits all signatories to take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim of exploitation or abuse (Article 39), and the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* (the "Optional Protocol") reiterates the obligation to ensure appropriate assistance to victims, including their full social reintegration and full physical and psychological recovery (Article 9, point 3); and

WHEREAS, the Optional Protocol calls on signatory states to strengthen international cooperation for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism (Article 10, point 1), to adopt appropriate measures to protect the rights and interests of child victims at all stages of the criminal justice processes (Article 8), to ensure access to adequate procedures to seek compensation from those criminally responsible (Article 9, point 4); and to promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation (Article 10, point 2); and

WHEREAS, the IACP recognizes that child sexual abuse imagery is often present in child sexual abuse cases, the privacy and dignity of the children whose child sexual abuse has been recorded is violated each time a child's sexual abuse image is shared, and as such, expedited detection of such evidence is critical to halting the propagation of this abusive material and protecting victims from a lifetime of ongoing victimization; and

WHEREAS, there are a number of organizations around the world working to reduce the online sexual exploitation of children (including hotlines within the INHOPE network, the policing community and governments); and

WHEREAS, survivors experience life-long impacts, including worrying about being recognized by someone who has seen their imagery; and

WHEREAS, on August 29, 2018, the countries of Australia, Canada, New Zealand, the United Kingdom and the United States issued the Five Country Ministerial Statement on Countering the Illicit Use of Online Spaces which statement acknowledged the widespread transmission of

CSAM online (among other things), and called upon industry and governments to do more to address the spread of illicit content online; and

WHEREAS, it is recognized that technological tools and innovation can be harnessed to automate and/or enhance the detection, removal and prevention of upload of child sexual abuse material, with one such tool being Project Arachnid (developed by the Canadian Centre for Child Protection and supported by the National Center for Missing and Exploited Children (NCMEC)). Project Arachnid is a platform designed to reduce the public availability of child sexual abuse material (CSAM) through both proactive detection methods as well as tools for industry. It utilizes hash values provided by the RCMP and INTERPOL and NCMEC to facilitate this detection; and

WHEREAS, since January 2017, Project Arachnid has been fully operational, and there are now hotlines in some countries that are either already supporting the work being done by Project Arachnid by assessing content, or are working towards doing so, including NCMEC. As of September 2018, Project Arachnid has reportedly flagged over 1.7 million unique images and videos for assessment and that over 910,000 notices have been sent to providers to request removal of CSAM. The model of notice and takedown is one that is being used by hotlines around the world and while most providers have been responsive and have been complying with the request to remove CSAM, it is recognized that there are providers that take significantly longer than that; and

WHEREAS, there are a vast number of CSAM victims globally who have not been identified by law enforcement. Now, therefore, be it

RESOLVED, that the IACP recognizes that the creation and distribution of child sexual abuse imagery (CSAM) is a serious international problem and encourages the law enforcement community to do more to support other stakeholder efforts to reduce the public availability of CSAM; and be it

FURTHER RESOLVED, that the IACP recognizes that the creation and distribution of child sexual abuse imagery often has lifelong impacts on victims around the world and more must be done to identify victims in all countries so that they can begin the recovery process; and be it

FURTHER RESOLVED, that the IACP recognizes the need to reduce the ongoing victimization and harm that survivors of CSAM suffer as a result of their CSAM being accessible online; and be it

FURTHER RESOLVED, that the IACP recognizes that tools that automate and/or enhance the detection, removal and prevention of upload of CSAM can help to reduce the public availability of CSAM, provide psychological relief to survivors, and help prevent newly identified victims from experiencing similar ongoing and future victimization; and be it

FURTHER RESOLVED, that the IACP encourages the international law enforcement community to increase its awareness and understanding of Project Arachnid and its role in detecting and facilitating the removal of CSAM, including legacy content; and be it

FURTHER RESOLVED, that the IACP calls for the international law enforcement community to support the operation of Project Arachnid, including through the coordinated submission of hash values to INTERPOL and NCMEC as expeditiously as possible; and be it

FURTHER RESOLVED, that the IACP strongly encourages law enforcement agencies around the world to make a determination of whether imagery exists in all child sexual abuse cases, and if found, to submit the hash values associated with the imagery to INTERPOL or NCMEC as expeditiously as possible, recognizing that hash values are essential to automating the detection, removal and prevention of upload of CSAM; and be it

FURTHER RESOLVED, that the IACP strongly agrees that more must be done to facilitate victim identification in all countries, including collaboration between law enforcement agencies in different jurisdictions to share information and resources to identify and assist victims, and the IACP encourages law enforcement agencies to advocate for the resources needed to join in a coordinated international effort to identify unknown victims; and be it

FURTHER RESOLVED, that the IACP supports the consideration of legislative initiatives within each jurisdiction that: encourage timely compliance with notices sent to service providers requesting removal of child sexual abuse material that is believed to be hosted on their service; increase the accountability of industry to ensure that CSAM, when detected, is removed as expeditiously as possible; and help secure the retention of information needed for further investigation; and be it

FURTHER RESOLVED, that the IACP recognizes that victims of CSAM may face procedural and practical difficulties in providing a victim impact statement in cases that involve subsequent possessors and distributors of their CSAM and supports the creation of an international database of victim impact statements, from victims of CSAM, that is anonymized and accessible for court purposes in various countries.