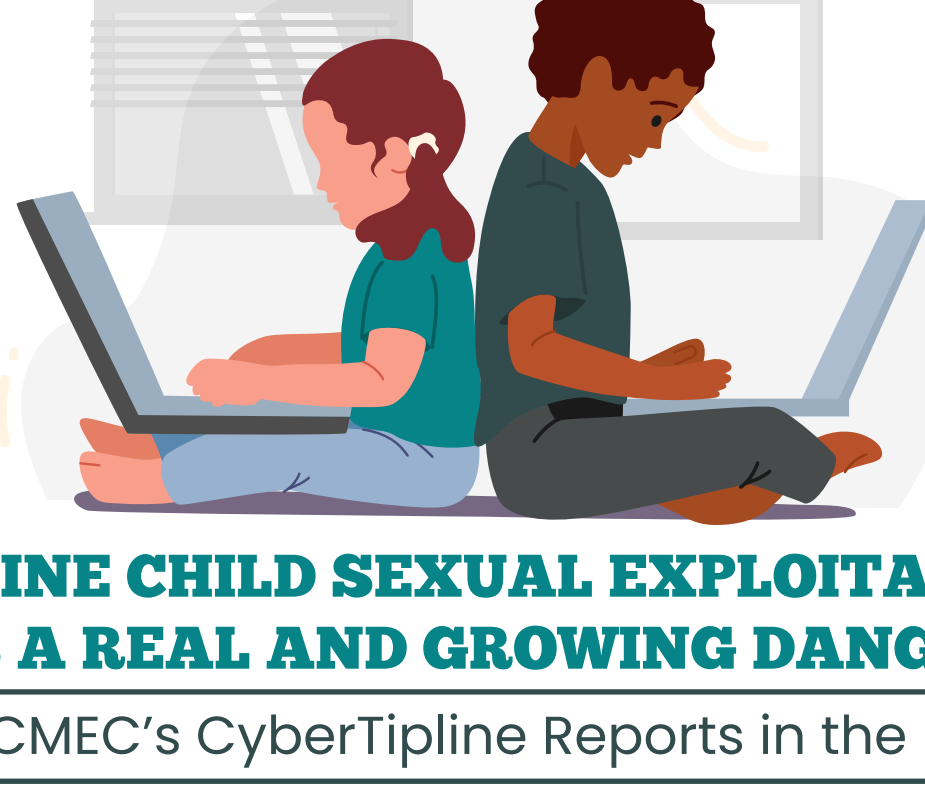
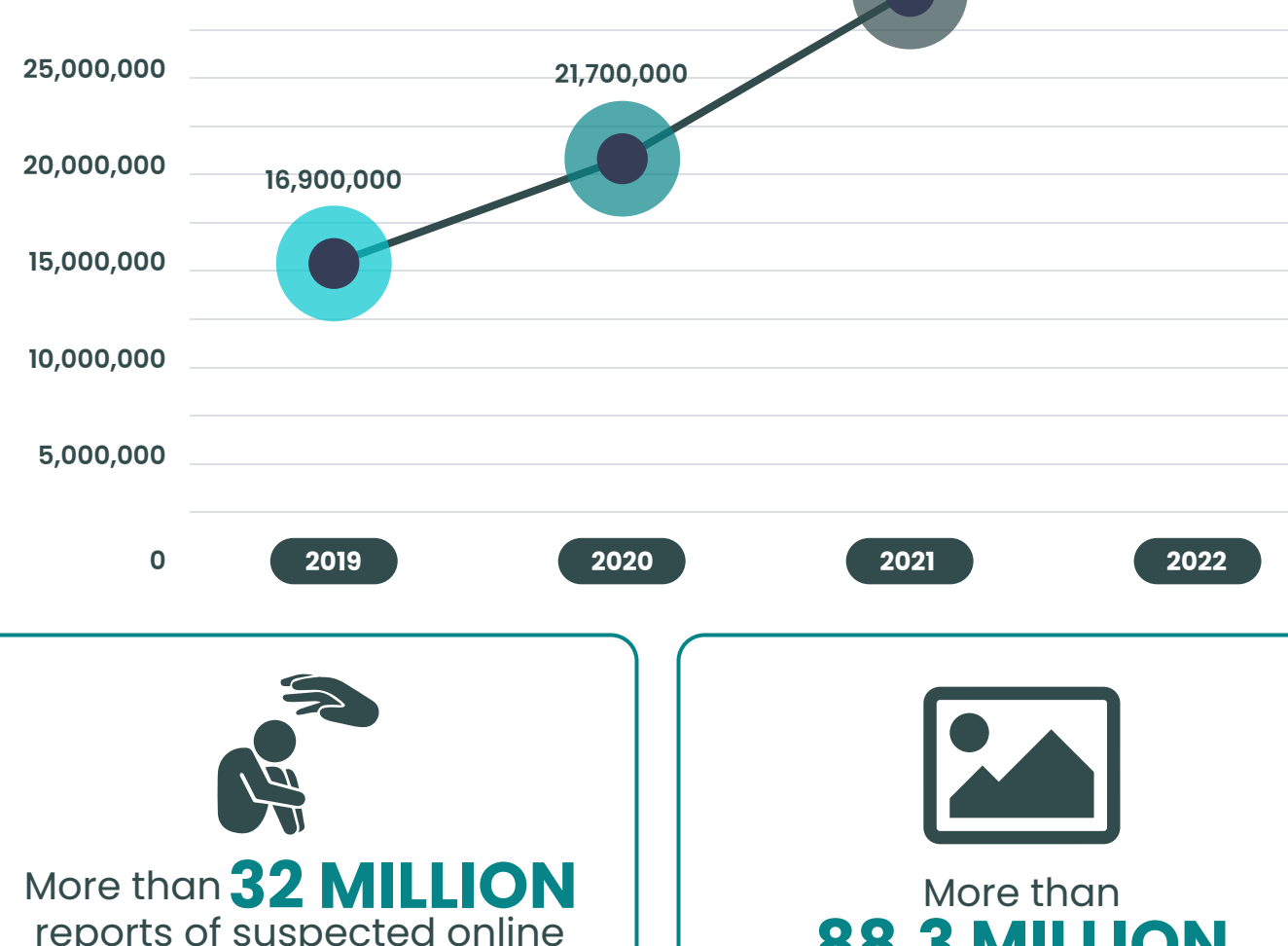


# THE DUTY AND RESPONSIBILITIES OF ELECTRONIC SERVICE PROVIDERS TO COMBAT EXPLOITATION CONTENT AND PROTECT MINORS



## ONLINE CHILD SEXUAL EXPLOITATION IS A REAL AND GROWING DANGER

NCMEC's CyberTipline Reports in the U.S.



More than **32 MILLION** reports of suspected online child sexual exploitation were received by NCMEC's CyberTipline in **2022**



More than **88.3 MILLION** images and videos distributed in **2022**

## THE ESPs' DUTY OF CARE OF CHILDREN



Electronic service providers (ESPs) play a critical role in the prevention and combat of online child sexual exploitation crimes, including in the detection, reporting and removal of child sexual abuse material (CSAM) and child sexual exploitation material (CSEM) and activities with the intent to sexually exploit children.

## THE PROBLEM OF ESPs IN SAFEGUARDING CHILDREN



*ESPs struggle to prevent the scale and volume of online child sexual exploitation.*

**Tech companies' self-regulation, both individually and cross-industry, is significantly diverse, with:**



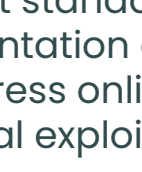
Uneven awareness



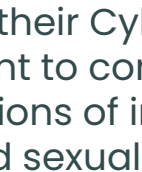
Differing in how they regard the extent of the problem



Varying mechanisms to detect and remove CSAM/CSEM



Divergent standards in the implementation of policies to address online child sexual exploitation



Different criteria in the information to include in their CyberTips for law enforcement to conduct proper investigations of instances of online child sexual exploitation

**Voluntary action by ESPs has proven ineffective in preventing this crime, with inconsistent reporting to law enforcement.**



In **2022**, fewer than **50** internet companies voluntarily accessed the hash-matching technology provided by NCMEC to proactively detect images and videos of CSAM/CSEM on their services.



Even though **83%** of the 1500 registered ESPs are registered in the United States, **only 236** of them reported to the CyberTipline in 2022, and **over 90%** of these reports **came from five ESPs: Facebook, Instagram, Google, WhatsApp, and Omegle.**



**Only 49%** of the reports submitted by ESPs to the CyberTipline **contained actionable -sufficient and necessary- information** for law enforcement for analysis and investigation.

**Companies' voluntary practices may be subject to change as they may make changes in their policies.**

## ESPs' RESPONSIBILITY TO RESPECT THE RIGHTS OF CHILDREN ONLINE

The responsibility of internet companies to respect children's rights exists independently from governments' legal obligations.

The U.N. Guiding Principles on Business and Human Rights provide a framework for businesses, including internet companies, to respect human rights, including the rights of children. (A/HRC/17/31, Annex).



The Guiding Principles emphasize the responsibility of companies, including internet companies, to prevent or mitigate adverse human rights impacts on their business operations.

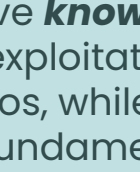
This duty of internet companies includes addressing child exploitation and abuse risks facilitated through their services and platforms.

**Internet companies are private actors with human rights responsibilities.**

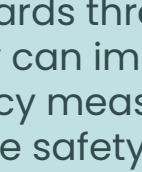
## RECOMMENDATIONS FOR ESPs TO PREVENT ONLINE CHILD EXPLOITATION



Consistent industry-wide standards are needed to tailor a harmonized approach to combating crimes of child sexual exploitation online.



ESPs should implement measures to detect, report, and remove **known** and **new**, illegal or exploitative images and videos, while ensuring that the fundamental rights of users are protected.



ESPs should implement safety by-design safeguards through which they can implement that balance safety protection for children.

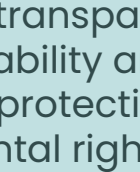


ESPs should implement measures to identify and prevent grooming (solicitation of children) activities.

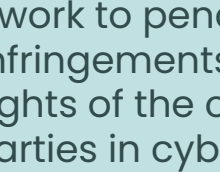
## RECOMMENDATIONS FOR GOVERNMENTS TO PROTECT CHILDREN



Legislation or regulation may be needed to place greater responsibility on internet companies to protect children and increase coordination efforts.



Governments should provide clear guidance to ESPs to improve transparency and accountability and ensure the protection of fundamental rights of users.



Governments should revise the domestic legal framework to penalize the infringements of the rights of the child by third parties in cyberspace.



Governments should promote a multistakeholder approach to protect children from harm online, involving technology companies, civil society organizations, parents, educators, and children.

Report content and suspicious contacts to the **National Center for Missing and Exploited Children's CyberTipline** or **1-800-843-5678**.

**Human Trafficking Front**  
Campaign Putting an End to the Online Exploitation of Children: Preventing Victimization and Strengthening Child Protection Systems



This program is funded in part by The Children's Trust. The Children's Trust is a dedicated source of revenue established by voter referendum to improve the lives of children and families in Miami-Dade County.

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