Good afternoon,

Please find below some answers to the questions concerning the Luxembourg statistics referring to online child sexual abuse as regards Article 8(1) of Regulation (EU) 2021/1232.

**a)** The total number of reports that were submitted to the competent national law enforcement authorities in 2021 and 2022 are as follows:

2021: 1702
2022: 789.

**b)** Unfortunately, no child was identified through actions in 2021 and 2022.

The answer to question c) will be transmitted to you by Lisa Schuller (in cc) from the Luxembourg Ministry of Justice as soon as the statistics are available.

Regarding the publication of the statistics, we would be interested in knowing which possibility the Commission can provide to publish them.

Thank you very much in advance.

We remain at your disposal should you require any further information.

Kind regards,

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GRAND-DUCHÉ DE LUXEMBOURG
Ministère de la Sécurité intérieure

4, Place de l’Europe
L-1499 Luxembourg
Message on behalf of the Commission

The Commission would like to draw your attention to the fact that Member States have to fulfil their obligation under Article 8(1) of 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. The Article in question requires that the Member States, by 3 August 2022, and on an annual basis thereafter, shall make publicly available and submit to the European Commission reports with statistics referring to online child sexual abuse on the following:

a) the total number of reports of detected online child sexual abuse that have been submitted by providers and organisations acting in the public interest against child sexual abuse to the competent national law enforcement authorities, differentiating, where such information is available, between the absolute number of cases and those cases reported several times and the type of provider on whose service the online child sexual abuse was detected;
b) the number of children identified through actions pursuant to Article 3, differentiated by gender;
c) the number of perpetrators convicted.

Therefore, we would like to ask the relevant authorities in your Member States to submit the required statistics or, if it has been published, share that information with the European Commission as soon as possible, preferably by 20 January 2023.

The Commission would like to extend its thanks the Member States that already submitted their contributions, namely: AT, CY, CZ, DE, HR, LT, LV, MT, PT, SE, SL, SK.

Starting in February, the Commission will prepare a report on the implementation of the Interim Regulation based on the statistics received by then. This report is of particular importance as it will also contribute to inform the ongoing negotiations of the CSA proposal.

The required statistics and information should be sent to [EC-CSA@ec.europa.eu](mailto:EC-CSA@ec.europa.eu).

Please do not hesitate to contact the Commission at the above-mentioned e-mail address in case of need for more information.

The Commission would like to draw your attention to the fact that, in the absence of a satisfying reply, the Commission may have to use the enforcement power it holds under the Treaties.

Yours faithfully,

CSA team at DG HOME
Dear [Name],

Regarding the statistics under point c), the total number of definite convictions in 2022 for child sexual abuse offences (child sexual abuse material and grooming) is 11.

It has to be noted that this number, contained in the IT system of the judicial authorities, doesn’t differentiate between offences committed online and offences committed offline, and doesn’t differentiate between reports that have been submitted by providers and organizations acting in the public interest against child sexual abuse and reports submitted by other people, as a police report is always established after a report or denunciation by a person or organization.

Also, the convictions passed in 2022 are not necessarily linked to the reports that have been submitted in 2022 (a conviction in 2022 could for instance be linked to a report from 2021 or 2020).

Kind regards

[Name]

LE GOUVERNEMENT DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de la Justice
Direction droit pénal et pénitentiaire

Centre administratif Pierre Werner
13, rue Erasme
L – 1468 Luxembourg-Kirchberg

From: EC-CSA@ec.europa.eu <EC-CSA@ec.europa.eu>
Sent: Friday, January 20, 2023 17:27
To: [Name]
Subject: RE: Reminder on Interim Regulation obligation to submit statistics (dd1 20/01)

Dear [Name],

Thank you for getting back to us. I understand your constraints.

Thank you for communicating us the data once available.

Kind regards,

[Name]

European Commission
Directorate-General Migration & Home Affairs
Unit D4 | Security in the Digital Age
46 Rue du Luxembourg | B-1049 Brussels | Belgium

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From: [name]
Sent: Friday, January 20, 2023 5:01 PM
To: [name]
Cc: [name]
Subject: RE: Reminder on Interim Regulation obligation to submit statistics (dd1 20/01)
Dear [Name],

Regarding the statistics required under point c), we are still awaiting the relevant information by the judicial authorities. We don’t know when we will receive them but will make sure to send them to you as soon as possible.

Kind regards,

[Name]

LE GOUVERNEMENT DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de la Justice
Direction droit pénal et pénitentiaire

Centre administratif Pierre Werner
13, rue Erasme
L–1468 Luxembourg, Kirchberg

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From: EC-CSA@ec.europa.eu <EC-CSA@ec.europa.eu>
Sent: Friday, January 20, 2023 16:23
To: [Name]
Cc: [Name]

Subject: RE: Reminder on Interim Regulation obligation to submit statistics (ddl 20/01)

Dear [Name],

Thank you very much for getting back to us with the statistics already provided below.

For point c) I would like to ask when do you expect this statistics to be available?

Regarding your question, the provision of the statistics is an obligation under the Interim Regulation. In line with Article 8.2 of the Interim regulation the Commission shall aggregate the statistics referred to in paragraph 1 of this Article and shall take them into account when preparing the implementation report pursuant to Article 9.

We remain at your disposal should you require any further clarifications.
Kind regards,

European Commission
Directorate-General Migration & Home Affairs
Unit D4 | Security in the Digital Age
46 Rue du Luxembourg | B-1049 Brussels | Belgium

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From: [email protected]>
Sent: Thursday, January 19, 2023 2:27 PM
To: EC CSA <EC-CSA@ec.europa.eu>
Cc: [email protected]
Subject: FW: Reminder on Interim Regulation obligation to submit statistics ( ddl 20/01)

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Ministère de la Sécurité intérieure

4, Place de l’Europe
L-1499 Luxembourg

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Yours faithfully,

CSA team at DG HOME