

## **Ministers' Declaration**

### **Facilitating International Cooperation in Online Child Sexual Abuse Investigations**

(Washington, D.C. - 30th September, 2014)

Two years ago, we, the Ministers of Justice and Interior of countries worldwide, gathered in Brussels, Belgium, and pledged our efforts to wage an international fight against the online sexual abuse of children. Based on our experience fighting this ever-growing threat to children around the globe, we announced the launch of the Global Alliance Against Child Sexual Abuse Online and our commitment to pursue four shared policy targets:

- Enhancing efforts to identify victims, whose sexual abuse is depicted in child pornography, and ensuring that they receive the necessary assistance, support and protection;
- Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders;
- Increasing public awareness of the risks posed by children's activities online, including the self-production of images, in order to reduce the production of new child pornography; and
- Reducing the availability of child pornography online and the re-victimization of children.

While the countries of the Global Alliance have made significant progress on all four of these policy targets since the formation of the Global Alliance, the fight to eradicate the online exploitation of children is far from complete.

In pursuing these policy targets, we have observed that offenders who exploit children online typically operate outside the framework of national boundaries. In particular, online groups, networks, and communities of offenders pose an increasing and potent threat to all children because these groups often include members who are actively abusing children and encouraging others to sexually abuse children for the purpose of creating new child pornography that can be shared. These groups are frequently populated by hundreds of members from around the globe, many of whom employ sophisticated technological tools designed to obscure their identity and location, and are often hosted and administered in different countries. We have also seen offenders using online social networking platforms to befriend children in other countries, entice these children to produce sexually explicit images or videos of themselves, and then ultimately extort even more damaging imagery from them, often with deeply tragic results for the victims. In these increasingly common circumstances, which require the involvement and

coordination of multiple law enforcement agencies and jurisdictions, the sexual abuse and exploitation of children is truly a borderless crime.

We recognize that prompt intervention by law enforcement is critically important to the identification and apprehension of those who exploit children online because such offenders: transmit electronic information (including images and videos), which, by its very nature, can be rapidly altered, obscured or deleted; and victimize children, who may be at risk of further sexual abuse and are also best able to provide accurate information and testimony close in time to the offense conduct. For these reasons, law enforcement's ultimate effectiveness in online child exploitation investigations is closely correlated with its ability to swiftly identify and rescue children at risk, and timely gather and access evidence across borders, including witness testimony and electronic information stored by ISPs and online platforms.

We are concerned that while many of the processes and frameworks, both wholly-domestic and multilateral in nature, that govern the gathering and exchange of specific, case-related information and evidence among law enforcement organizations operating in different countries may be sufficient for many types of criminal investigations, they often fail to provide the expedient access to information and evidence that is necessary to effectively investigate and prosecute online child exploitation offenses. To achieve our four policy targets, these processes and frameworks must account for and address the myriad challenges posed by online child exploitation offenses.

We therefore commit to addressing the transborder obstacles to identifying and rescuing victims of exploitation, and to identifying and prosecuting offenders. To facilitate continued progress on our four policy targets, we agree to pursue the following potential actions where and when possible, in full respect of due process and fundamental rights requirements:

- (1) Enabling law enforcement among Global Alliance countries to gain timely access to electronic information and evidence held by Internet Service Providers and other repositories of electronic information that is material to the investigation and prosecution of child sexual abuse offenses through central authorities and other legally authorized channels, so that no nation becomes a safe haven for such information;
- (2) Facilitating prompt and comprehensive exchange among law enforcement of information and evidence pertinent to child sexual abuse offenses featuring transborder offense conduct, victims, co-conspirators, or evidence repositories;
- (3) Enabling Internet Service Providers and other repositories of electronic information to provide information pertinent to the identification, apprehension, and ultimate prosecution of online child sexual abuse offenders to law enforcement pursuant to

legal process in a manner and time frame consistent with reasonable investigative and prosecutorial demands;

- (4) Augmenting existing, collaborative and transborder efforts to identify and rescue victims of online child sexual abuse.

Declaration endorsed by the Ministers of Justice and Interior of: Albania, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cambodia, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Hungary, Ireland, Israel, Italy, Japan, Republic of Korea, Kosovo, Latvia, Lithuania, Luxembourg, Malta, Mexico, Republic of Moldova, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, the Philippines, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom, and the United States of America.