



eco
COMPLAINTS OFFICE

ANNUAL REPORT | 2017



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Sabine Verheyen
Member of the European Parliament

Foreword

Dear Members, Partners, and Friends of the eco Complaints Office, dear Readers,

The rapid development of information technology and the accompanying new digital networks are exerting an immense influence on our communication behavior. They enable each and every one of us to keep ourselves informed, participate in discussions, express opinions, or voice criticism – and allow us to do so on an anonymous basis. At the same time, information, images, and videos are often shared on a non-verified or indiscriminate basis, making them accessible to millions of people within a very short

period of time. As such, the various forms of social media can also become forums for the distribution of illegal and radical content, for insulting comments, untruths, and other harmful content.

On top of all this comes the targeted dissemination of hoaxes, which can influence opinions in order to manipulate social trends in a certain direction, often without users even being aware of what is happening. It is imperative to counter such developments, but this should not compromise the freedom of expression and information which are essential for democratic debate. The greatest challenge is to strike a balance between safety on the Internet and these fundamental principles of democracy.

In 2016, the European Commission, together with the largest Internet platforms, adopted a code of conduct as part of a voluntary commitment to combatting the dissemination of harmful and illegal content on the Internet. The code contains a set of guidelines which oblige companies to review the majority of substantive reports of illegal hate comments in less than 24 hours, and to delete these comments if necessary. The European Commission regularly monitors whether and how the agreement is being implemented. In the European Commission's most recent review for the year 2017, it was clearly shown that, last year, social networks took the initiative in deleting about 70 percent of all objectionable content, a higher proportion

than ever before. It remains to be seen whether and how the Network Enforcement Act (NetzDG), which has been in force in Germany since early 2018, will affect the deletion behavior of social networks.

Over the course of the negotiations on the NetzDG, the CDU/CSU (Christian Democrats/Christian Social) parliamentary group campaigned for a measured regulation, to be based on the model of regulated self-regulation operational in the case of youth media protection. This supports a clear allocation of responsibilities, whilst also allowing for a special balance between the protection of freedom of expression and the protection of personal rights. The advantages of self-regulation are clearly evident in the success of the eco Complaints Office: For more than 15 years, it has been combatting unlawful, prohibited, harmful, and youth-endangering content on the Internet. Thanks to its uncompromising principle of "take-down instead of blocking" and successful cooperation with authorities at national and international level, harmful or illegal content on the Internet is removed within a very short period of time.

In addition to combatting illegal Internet content, as a partner of the German Safer Internet Centre, eco is also an active co-organizer of preventive work, involving the

promotion of media competence and awareness-raising on the Internet. Illegal and harmful content on the Internet can only be effectively combatted by working hand-in-hand with the Internet industry. As such, I will continue to advocate for the approach of regulated self-regulation, at European as well as at national level.

Your



Sabine Verheyen

Member of the European Parliament



Alexandra Koch-Skiba, Attorney-at-Law
Head of eco Complaints Office

Preface

For about 20 years now, the eco Complaints Office has been fighting successfully against illegal content on the Internet. Our work is based on voluntary cooperation with society as a whole, and its fundament is that of the self-regulation of providers and the engagement of Internet users. From the outset, eco has also cooperated with law enforcement agencies in the fight against child sexual abuse material and other illegal Internet content.

With regard to the year 2017, I would like to draw attention to and shed more light on three points in particular.

One of the major challenges of 2017 was a further significant rise in the incidence of complaints. The total number of complaints increased by 11.2% compared to the previous year. Disregarding spam and Usenet content, 27,660 cases were reported to us. The number of justified complaints more than doubled in comparison to the previous year. Thanks to the dedication of the entire team, the success rate of the eco Complaints Office has not been adversely affected by the large increase in the number of reports. Take-down times for depictions of sexual abuse of minors have only slightly increased. All in all, 94.76% of illegal Internet content, such as images of sexual abuse, incitement of the masses, and depictions of violence, reported through the eco Complaints Office have been removed worldwide.

Meanwhile, last year was characterized by a series of political debates concerning the handling of reports of potentially illegal Internet content, with discussions on the Network Enforcement Act (NetzDG) being particularly prominent. With the NetzDG, which came into force in October 2017, the German Federal Government wants to improve law enforcement in social networks.

Here, I would like to touch on just one of our many points of criticism: The periods provided for in the Act, i.e. the 24-hour deletion period for clearly illegal cases and the 7-day deletion period for all other cases, in combination with high fines for violations, will inevitably lead to the over-blocking of content by the platform operators. It is precisely at that juncture, when fundamental rights play an essential role in the assessment of content, that high-quality legal assessment must be given precedence.

Our Complaints Office work shows us literally every day: A high-quality legal assessment requires time and care, which we will continue to assiduously apply in the future! We must not get to a point where we have an indiscriminate culture of deletion on the Internet. In addition, consistent criminal prosecution is essential in order to effectively combat crimes on the Internet. I am therefore very pleased that last year saw us further intensifying our cooperation with law enforcement agencies. We were also active as speakers in training courses for the North Rhine-Westphalia police force in the field of child sexual abuse material as defined as Child Pornography in the German Criminal Code. Cooperation with law enforcement agencies will undoubtedly remain a priority in 2018. However, this should not obscure the fact that it

is imperative to have further state support to ensure the necessary resources for rapid and effective prosecution.

Once again in 2017, the dialogs with our members – for example, within our new event format "Expert Lunch on Youth Media Protection" – as well as the many political debates and discussions with parliamentarians, showed how important transparency is for our work, especially in terms of strengthening confidence in what we do. I am therefore particularly pleased to be able to present you with the second edition of our independent Annual Report of the eco Complaints Office, a report which provides details of our work and statistics for the year 2017.



Alexandra Koch-Skiba, Attorney-at-Law
Head of eco Complaints Office

1. eco Complaints Office: Who we are and what we do

The eco Complaints Office (international.eco.de/internet-complaints-office.html) has been fighting illegal content in the Internet for approximately 20 years. It is embedded in the system of regulated self-regulation and has, in particular, the task of improving youth protection in the Internet.

Currently the eco Complaints Office team consists of six legally trained staff members: the Head of the Complaints Office, three Complaints Office Consultants, and two Internet Content Analysts.

Internet users who come across illegal and – in particular – youth-endangering content, can make a free and anonymous report under international.eco.de/internet-complaints-office.html, www.internet-beschwerdestelle.de/en/index.html (joint portal operated by eco and the FSM – the German

Association for Voluntary Self-Regulation of Digital Media service providers) or by email to hotline@eco.de.

In addition, the eco Complaints Office is a partner of the information platform for young people, jugend.support, and processes reports submitted there together with the complaints offices (on an international level also known as hotlines) of the FSM and jugendschutz.net.

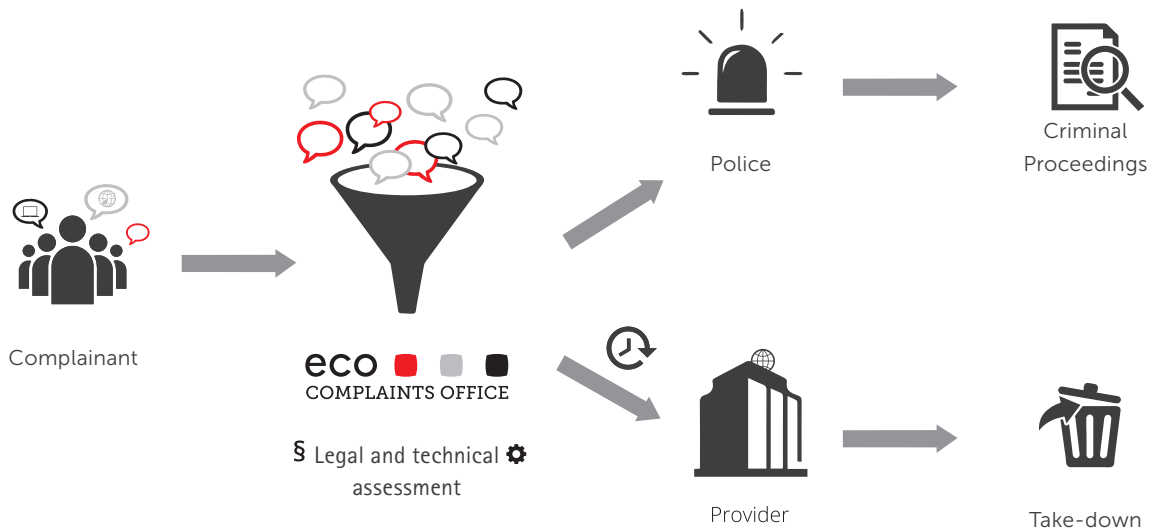
In order to effectively fight illegal online content, cooperation with other relevant players is essential. Therefore, eco cooperates with providers, partner hotlines, and law enforcement agencies, among others. eco is also a founding member of the International Network of Internet Hotlines, INHOPE, and is part of the German Safer Internet Centre.

1.1 Simply and anonymously: Submitting a complaint

The eco Complaints Office accepts complaints regarding all Internet services: world wide web, emails, file-sharing,

chats, newsgroups, discussion forums, and mobile content. The content can be hosted on national or foreign servers.

Reporting Illegal Content to the eco Complaints Office



**This infographic gives a simplified representation of the processing of German cases*

1.2 What kinds of illegal content does the eco Complaints Office deal with?

Incoming complaints initially undergo a comprehensive legal pre-examination. The legal assessment criteria are based in particular on the following offenses/German legal regulations*:

- Section 4 and 5 JMStV (youth-endangering and development-impairing content) as well as the corresponding criminal regulations:
 - Section 184 et seq. StGB (freely accessible adult pornography, pornography depicting violence, animals, children, or juveniles)
 - Section 86, 86a StGB (dissemination of symbols and propaganda material of unconstitutional organizations)
 - Section 130 StGB (incitement of the masses)
- Section 130 a StGB (attempting to cause the commission of offenses)
- Section 131 StGB (depictions of extreme violence)
- Section 174 StGB (grooming)
- Section 201a StGB (dissemination of naked images of minors for profit)
- Section 111 StGB (public incitement to crime)
- Section 7 UWG (unsolicited sending of advertising emails and newsletters)

An outline of the legal basis for the work of the eco Complaints Office can be found at: <http://go.eco.de/complaints-office-legal-basis>.

** JMStV: German Interstate Treaty on the Protection of Minors, StGB: German Criminal Code. UWG: German Act Against Unfair Competition*

1.3 “Take-down instead of blocking”: Self-regulation instead of Internet censorship

The Internet industry’s self-regulation mechanisms for the fight against unlawful online content work very well at both the national and international levels.

The “take-down”, or the removal of content from the Internet, is the central and most effective method in the fight against illegal, prohibited content. The method is fast, effective, and long-lasting, which is why the eco Complaints Office has followed this approach from the very beginning.

In the 17th electoral term, the German Federal Parliament also decided, alongside rigorous law enforcement, to follow the principle of “take-down instead of blocking” in the fight against Child Pornography (as defined in Section 184b of the German Criminal Code) on the Internet, a principle which eco has consistently supported for years. With an almost unanimous decision, on 1 December 2011 the German Parliament concluded the long-standing discussion on Internet blocking by ultimately abolishing the Access Impediment Act which had originally been proposed by Ursula von der Leyen and had come into force in February 2010.

1.4 Measures taken by the eco Complaints Office

After examining the content, action is taken depending on the severity of the offense and the location of the server:

Punishable content hosted in Germany is always reported to the police. In addition, the Complaints Office asks that the hosting provider makes the relevant data available to the law enforcement agency on request and takes appropriate measures to prevent further access to the illegal content.

Should **absolutely prohibited Internet content** be hosted in Germany, the eco Complaints Office asks the hosting provider to take the content down (disconnect). For other youth-endangering or developmentally-impairing content, the provider will be required to ensure that the content is made legally compliant.

Content hosted abroad is initially forwarded to the appropriate INHOPE partner hotline. This hotline then takes over the further processing of the complaint, with the objective of removal or legalization of the content and also works "locally" with the responsible law enforcement agency.

If there is no INHOPE member in the country where the server is located, or if the content reported does not fall within the mandate of the INHOPE partner hotline, eco will contact the hosting provider directly. In addition to this, criminal content hosted abroad is also reported to the police, if the given content is punishable internationally or is subject to universal jurisdiction as foreseen in the German Criminal Code.

2. Complaints 2017: Facts and Figures

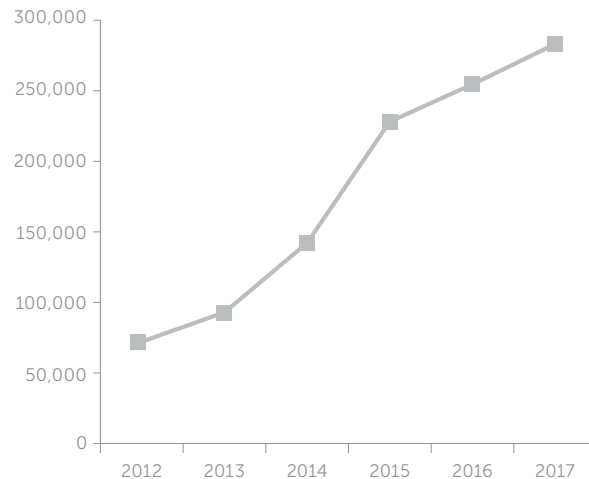
2.1 Number of complaints and measures taken in 2017

In 2017, the eco Complaints Office received a total of 277,256 complaints. This was again an increase in the number of reports of 11.2 % in comparison to the previous year. For years, a majority of complaints have been in regard to the unsolicited sending of email marketing ("spam") and depictions of the sexual abuse and sexual

exploitation of minors. This was also the case in 2017. A striking feature of the year under review was the massive increase in complaints about web-based content. The number of related complaints has increased fivefold compared to the previous year.

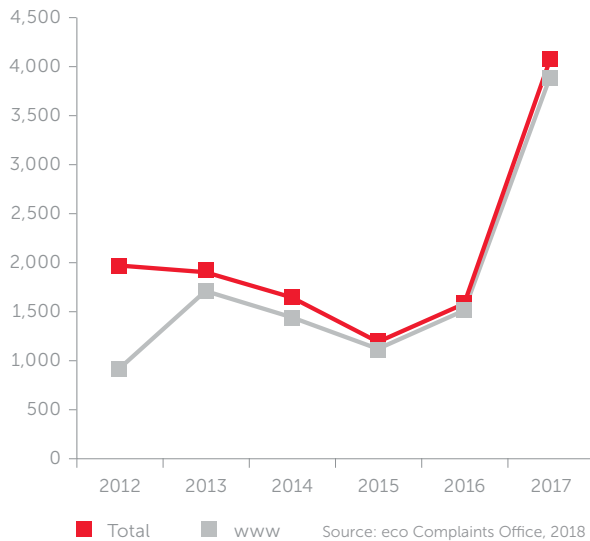
Compared to previous years, the number of justified complaints increased significantly in 2017 to 4,063 cases. A complaint is considered as justified if eco's legal assessment detects a violation of the law and measures are consequently taken. As a matter of principle, measures are taken for every violation of the law unless we are reasonably confident that the necessary measures have already been taken (e.g. reporting to the police and to us in one email, knowledge of measures taken by partner hotlines, etc.).

Growth in Number of Complaints in Annual Comparison



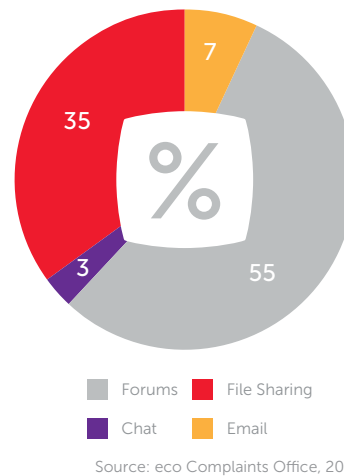
Source: eco Complaints Office, 2018

Development of Justified Complaints in Annual Comparison



The gap between received and justified complaints has widened further in 2017, with "only" about a third of the complaints received justified (disregarding Usenet and email). Here it should be noted that the Complaints Office regularly receives reports which fall outside its mandate for processing, which in turn influences the ratio of reports submitted to justified complaints.

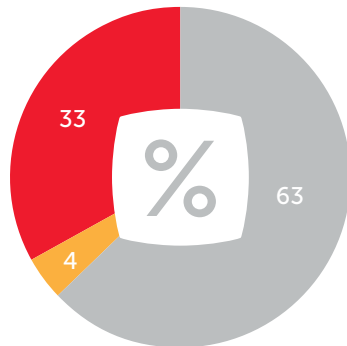
Proportion of Justified Complaints by Service (2017) (Without WWW)



As in previous years, a large proportion of the justified complaints concerned web-based content.

From a content perspective – as in previous years – most complaints dealt with images of the sexual abuse and sexual exploitation of children, defined as "child pornography" in Section 184b of the German Criminal Code.

Justified Complaints (2017) (Without Spam)

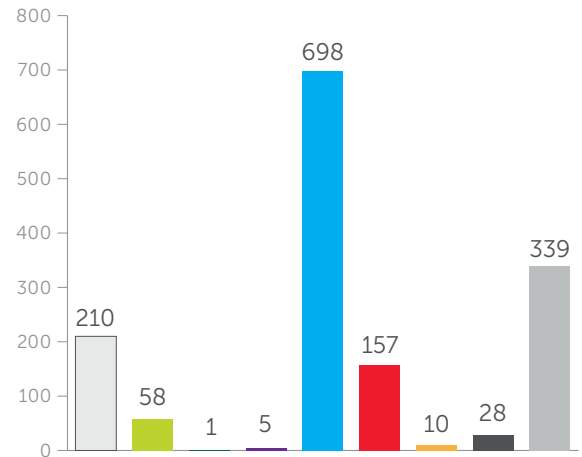


Child Pornography*
 Other
 Racism

Source: eco Complaints Office, 2018

* When we refer to "child pornography", we are referring to a specific offense, defined in Section 184b of the German Criminal Code.

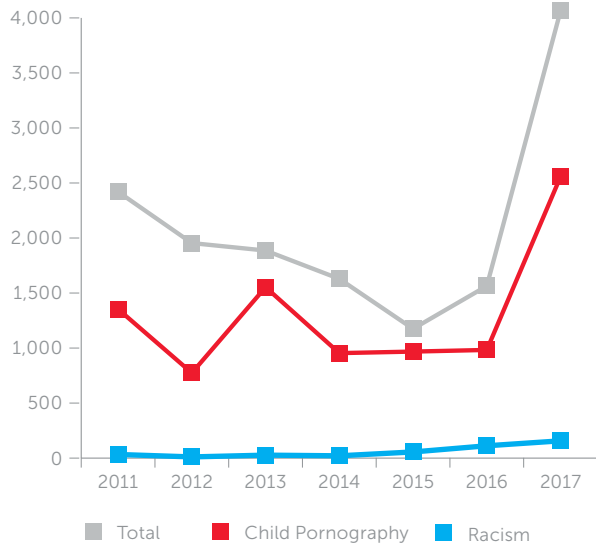
Justified Complaints by Type of Offense (2017) (Without Spam and Without Child Pornography)



Juvenile Pornography
 Posing Images (Section 4 I (9) JMStV)
 Images of Naked Minors as in Section 201a StGB
 Grooming
 Adult Pornography
 Racism
 Depictions of Violence
 Content Impairing Development (Section 5 JMStV)
 Other

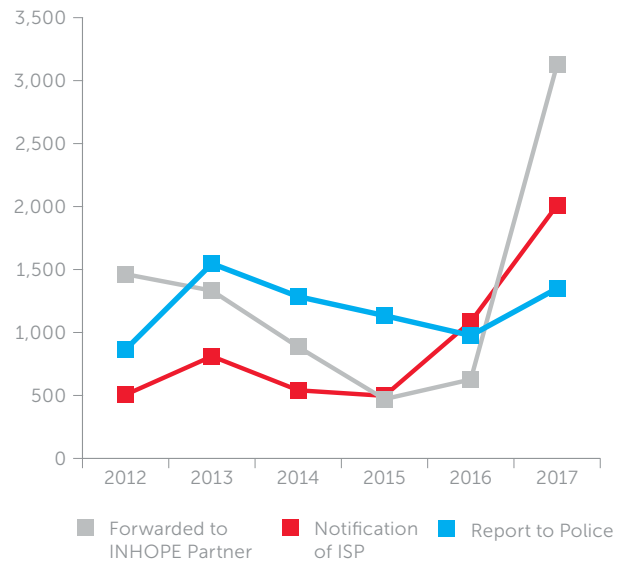
Source: eco Complaints Office, 2018

Development of Justified Complaints



Source: eco Complaints Office, 2018

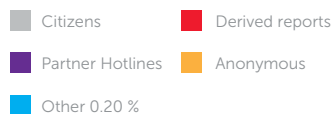
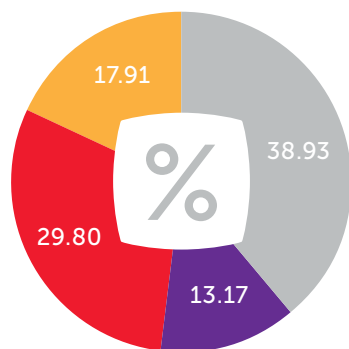
Measures Taken in Annual Comparison (2012-2017)



Source: eco Complaints Office, 2018

In 2017, the eco Complaints Office sent a total of 6,488 notifications to the police, INHOPE partner hotlines and/or ISPs – not including reminders.

Source of Justified Complaints (2017)



Source: eco Complaints Office, 2018

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Inger Paus
Managing Director
Vodafone Institute for
Society and Communications

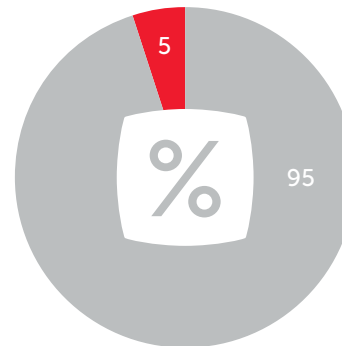
“For more than a decade, eco has been doing outstanding work in the field of online youth media protection. The impressive results of the eco Complaints Office show that the system of self-regulation works – when all stakeholders get involved.”

2.2 Success rate for web-based content

94.76% of the content reported by eco was taken down or otherwise legalized (e.g. through the implementation of an age verification system); in just 5% of the cases, the reported URL was initially moved to another provider (so-called "moved cases").

This demonstrates that self-regulation works – also internationally. Only around one fifth of the reported URLs (20.85%) were hosted in Germany.

Total Success Rate (2017)



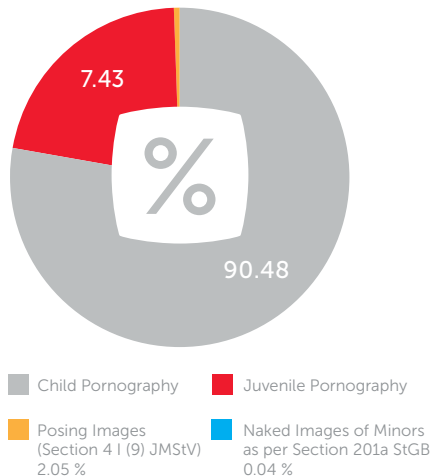
■ Not Redressed ■ Redressed

Source: eco Complaints Office, 2018

2.3 Complaints about depictions of the sexual abuse and sexual exploitation of minors in detail

From the total of 2,826 cases from the area of depictions of the sexual abuse and sexual exploitation of minors, the majority of complaints were regarding content that qualified as Child Pornography as defined in Section 184b of the German Criminal Code.

Depictions of Sexual Abuse and the Sexual Exploitation of Minors in Detail (2017)



Source: eco Complaints Office, 2018

Since January 2015, the offense of Child Pornography makes provision for three different varieties: depictions of the sexual abuse of children, images of partially or completely naked children in unnatural sexualized poses, and the sexually provocative reproduction of the naked buttocks or genitalia of children. Approximately half of the justified Child Pornography complaints in 2017 concerned the first variety (depictions of the sexual abuse of children).

A good third of the justified complaints about images of the sexual abuse and sexual exploitation of children and minors pertained to images of Posing. Posing is defined as images of children and minors in unnatural sexualized poses. According to German law, such content must not be disseminated online.

Depending on the age of the person shown and the kind of depiction, Posing may represent purely an infringement of media law (Section 4 (1) 9, German Interstate Treaty on the Protection of Minors (JMStV)) or is punishable as Child Pornography or Juvenile Pornography (Section 184b (1) 1b and Section 184c (1) 1b, German Criminal Code).

2.3.1 Notable Challenges in 2017

In the second half of 2017, we received two mass reports on images of sexual abuse and the sexual exploitation of minors. In these two reports, we were informed about nearly 3,000 URLs. The messages related (in the main) to videos and picture (collections), which were stored by two file hosts and could only be accessed via premium accounts. Through a collaboration with the Australian INHOPE partner hotline, we were able to obtain the necessary access data and view the contents. Due to these special circumstances and the exceptional amount of time required, we have decided not to include these cases in the following analysis of reaction times.

From a technical perspective, among others, fast-flux cases and referrer cases caused the most difficulties. The so-called fast-flux technique is used to hide the hosting location of a website; it is, for example, also used by

botnets. Here, a fixed domain is allocated to numerous IP addresses which are continuously changing on rotation. The consequence is that location queries can – in intervals of only a few minutes – return different results. This can considerably complicate the Notice and Take-Down process. Depictions of the sexual abuse and sexual exploitation of minors are not infrequently only accessible with a so-called referrer. Here, the user must come from a specific "source" site, which refers across through a link. The "destination" site registers where the user has come from and shows different content depending on the request. Technically, this process can be simulated using particular tools. A more complex, but comparable, method triggers this technical path-setting through the use of cookies. In both cases, different content will be shown depending on the digital path followed or simulated.

On occasion, the use of so-called Content Delivery Networks (CDNs) also made it more difficult to process cases: For example, in instances where there was a delay in reporting back to the actual host provider, or when the take-down check before a reminder was sent required a renewed response from the CDN to identify the actual host provider.

Legally, the boundary between the different varieties of offense in relation to Child Pornography as defined in Section 184b of the German Criminal Code and the boundary between Child Pornography and other relevant regulations in the area of images of the sexual abuse and sexual exploitation of minors frequently poses challenges, especially with regard to statistical recording. Particular examples which should be mentioned here relate to an

assessment of the age of a child, and the distinction between images of children in unnatural sexualized poses and the sexually provocative reproduction of the unclothed genitalia or the naked buttocks of a child.

A further challenge is presented by the different legal situations of countries, particularly in the areas of Posing, virtual Child Pornography and links to Child Pornography.

In addition, one hosting provider consistently ignored every notice from us (and from others), as well as the request for the take-down of content, regardless of the content involved.



Alexander Schaefer
Group Head of Abuse Management
GoDaddy EMEA

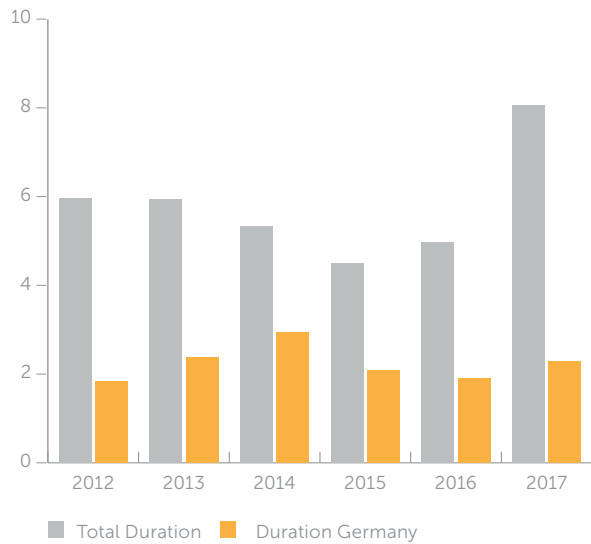
// The eco Complaints Office provides reliable consultation regarding possible illegal content with awareness of the legal obligations present in a variety of countries. //

2.3.2 Overview of the reaction times for web-based Child Pornography cases

It should be borne in mind when considering the following figures and graphs on reaction times for CSAM-related web content, as well as for cases of Posing and racism, that these do not necessarily represent the effective or actual reaction time of the Internet service provider, but rather the time from eco receiving the report until verification by eco of take-down. Here, the checking frequency to ascertain

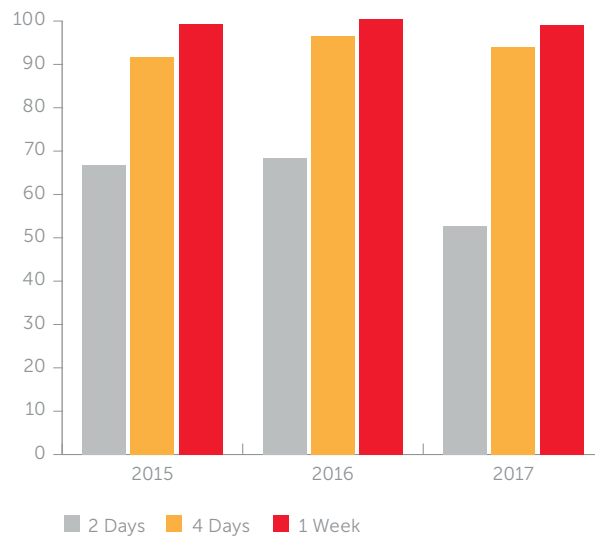
take-down also influences the reaction times. The more often checks are made to see whether the content has been taken offline, the more exact and conclusive statements regarding reaction time are. eco checks for take-down as a rule on week days and does not remove weekends and public holidays on which eco does not work from the calculation of the accessibility and success rates.

Average Duration until Take-Down in Annual Comparison (Child Pornography)



Source: eco Complaints Office, 2018

Take-Down Rates Child Pornography (German Cases)

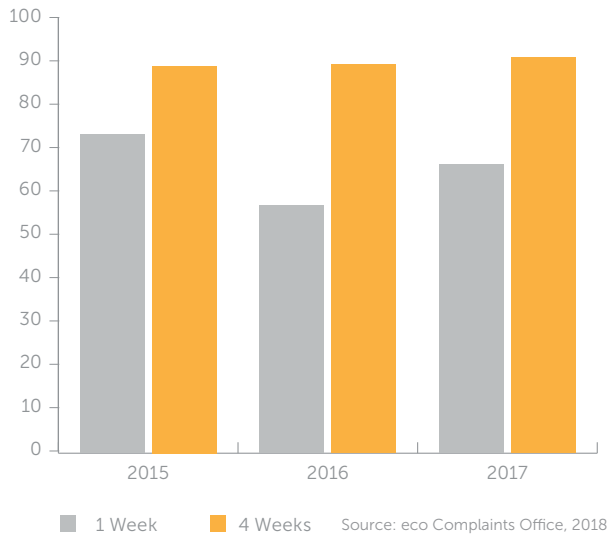


Source: eco Complaints Office, 2018

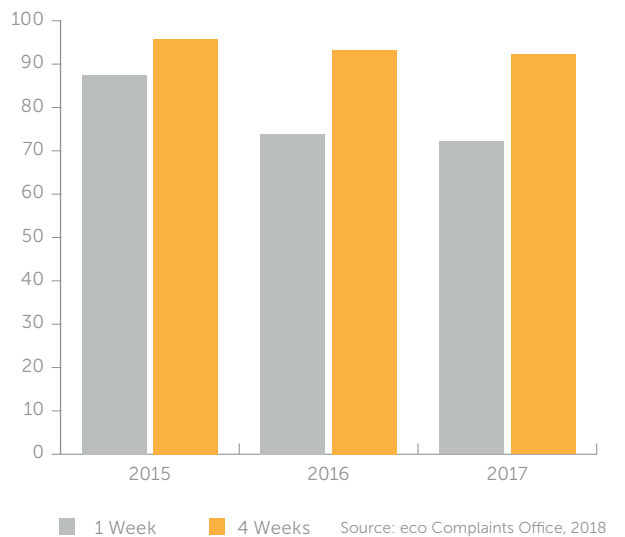
The processing of reports of depictions of the sexual abuse of children has top priority for the eco Complaints Office. However, the strong rise in the number of complaints inevitably had an impact on take-down times. In comparison to previous years, slightly longer take-down times could

therefore be ascertained. Websites with Child Pornography hosted in Germany were offline within 2.28 days on average ("taken down"), whereas globally it took 8.06 days.

Take-Down Rates Child Pornography (Outside of Germany)



Take-Down Rates Child Pornography (All Cases)

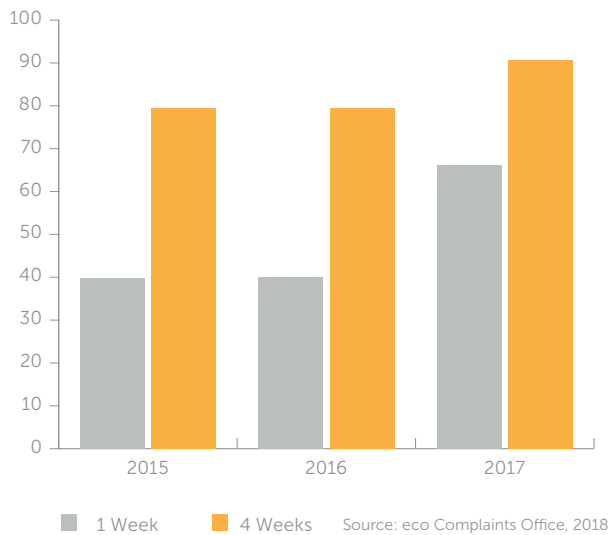


2.3.3 Overview of reaction times for web-based Posing cases

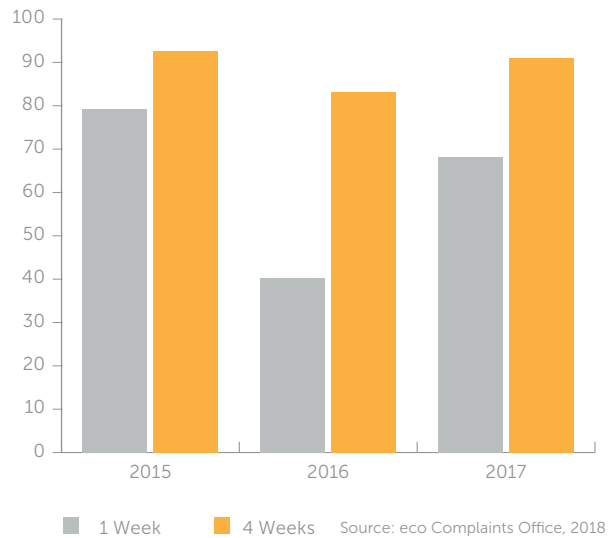
As in the previous year, the take-down times of so-called Posing of minors did not differ significantly from the take-down times for images of the sexual abuse of children. Worldwide, it took on average 8.37 days from the report

being submitted to eco until the content had disappeared. Content hosted in Germany was no longer available on average after 2.74 days. (These figures also include public holidays and weekends.)

Take-Down Rates Posing Cases (Outside of Germany)



Take-Down Rates Posing Cases (All Cases)



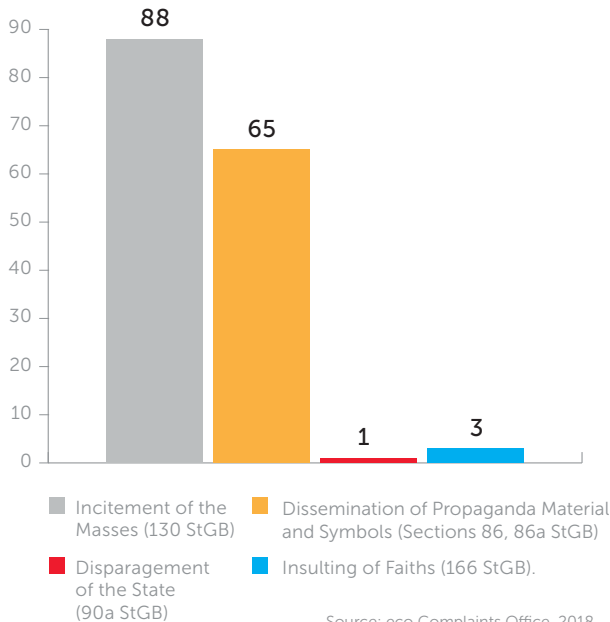
2.4 Cases of "Hate Speech" in detail

In 2017, approximately 4% of justified complaints (157 cases) could be categorized within the area of "racism" (in the broad sense): incitement of the masses (Section 130 StGB), dissemination of propaganda material of unconstitutional organizations (Section 86 StGB), use of symbols of unconstitutional organizations (Section 86a StGB), disparagement of the State (Section 90a StGB), insulting of faiths (Section 166 StGB). The cases reported

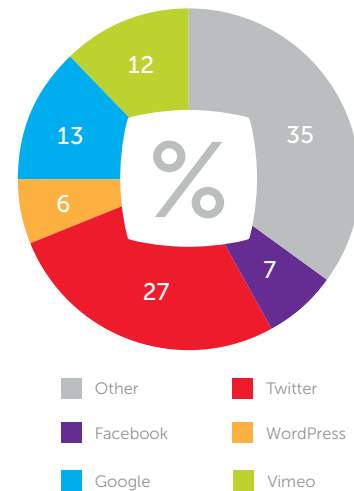
to us concerned a wide range of services. More than half of the complaints were attributed to the area of incitement of the masses.

As in the previous year, fewer than half of the cases (48%) were clear violations, while in the other cases an intensive legal assessment was required.

Racism/Hate Speech in Detail (2017)



Distribution of Racism Complaints by Service (2017)

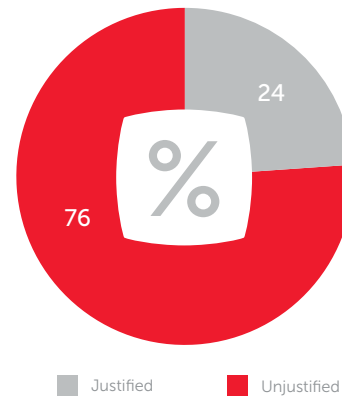


Source: eco Complaints Office, 2018

The comparatively low proportion of justified complaints in this offense sector is striking. This makes it clear that complainants in this area are sensitized to possible legal infringements. At the same time, it is also clear that the legal hurdles for actual violations are high, especially as a result of freedom of expression.

This again serves to prove how important a thorough and – as a result – time-consuming assessment of the content is, so that freedom of expression can be ensured within the framework of existing law, and that permissible statements are not simply deleted as undesirable.

Ratio of Unjustified to Justified Racism Complaints (2017)



Source: eco Complaints Office, 2018

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“At eco, I have experienced a working environment created by people for people, a model showing how work must be organized in order that the deletion of illegal content involving hate and violence can be conducted in a way that is tolerable to all parties.”



Renate Künast
Member of the German Parliament
(Bündnis 90/Die Grünen – The Greens)

2.4.1 Overview of the reaction times for web-based racist content

In total, there was a significant increase in the success rate for cases of racism in 2017. In 83% of cases, the reported content was taken offline, in comparison to "only" 63% in 2016. In this respect, it should be emphasized that only around 5% of the cases of reported content were hosted in Germany.

In contrast to child sexual abuse material, incitement of the masses and other racist content is not equally prohibited around the world. Despite this, in around three quarters of cases, success (=redress) could be achieved through informing the hosting provider, who then took measures on the basis of prevailing law or the company T&Cs.

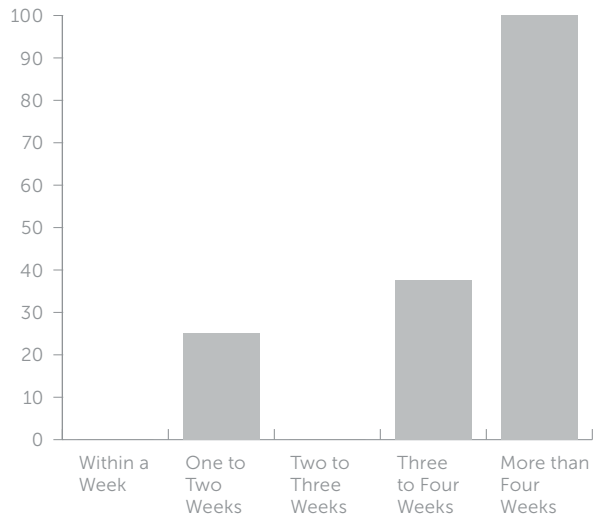
For the year 2017, longer take-down times were recorded. One reason for this stemmed from the fact that, in several cases, host providers received late notification due to investigations by law enforcement agencies. We naturally respect the prioritization of the investigations. It took

an average of 32.11 days (including weekends and public holidays) from the time the complaint was reported to the eco Complaints Office until the content in question was no longer available.

The relatively long take-down times in comparison to child sexual abuse material are, among other things, also due to the fact that the eco Complaints Office must take account of a longer waiting period between the report being made to the police and to the ISP (72 hours instead of 6 hours).

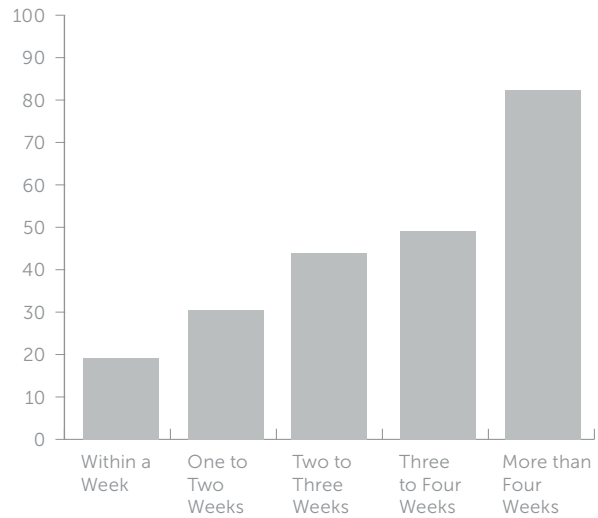
In addition, the legal assessment is not always a simple matter – complex cases require a thorough and therefore also a more time-consuming legal examination. Different legal situations in different countries can also lead to a more time-consuming examination and greater need for clarification and consideration, and can thus have an influence on the take-down times.

**Success Rates for Racism Complaints 2017
(German Cases)**



Source: eco Complaints Office, 2018

**Success Rates for Racism Complaints 2017
(All Cases)**



Source: eco Complaints Office, 2018

2.5 Processing of complaints of spam

The eco Complaints Office also follows a self-regulatory approach when it comes to the processing of complaints about the impermissible sending of marketing emails and newsletters. The senders of such emails are informed of the legal requirements for permissible email marketing – with a request for compliance. If required, the addressing of the provider used for the sending of emails can be signaled, and the provider can take further measures, e.g. in the case of spam being sent via a botnet or by senders who do not immediately respond appropriately.

In the case of complaints about the sending of marketing emails and newsletters that pertain to one of the senders participating in the whitelisting project, the Certified Senders Alliance (CSA), there is more intensive processing of the complaint. With the agreement of the complainant about the forwarding of his/her data, a comprehensive consideration of the facts takes place (in particular regarding data collection), and in the case of non-compliance with the CSA regulations, measures will be taken to ensure compliant sending in future.

3. Our Network

Nationally and internationally connected: Together for a safe Internet

The Internet knows no state borders – for the complaints offices to work effectively, it is therefore important to be connected worldwide.

3.1 INHOPE

Given that effectively fighting illegal Internet content can only be achieved through international cooperation, eight organizations, including eco, with support from the European Commission's Safer Internet Action Plan, founded INHOPE (International Association of Internet Hotlines) in November 1999. INHOPE is the international umbrella association of Internet hotlines which operate worldwide and accept complaints about illegal online content, with a particular focus on images of the sexual abuse of minors.

In the network, which now consists of more than 45 hotlines in over 40 countries, national hotlines can forward complaints concerning content hosted in another country to the responsible INHOPE partner. In this way, complaints can be investigated in the respective country of origin. The cooperation with the law enforcement agencies also delivers advantages in terms of prosecution. Complaints about illegal online content which is not hosted in Germany are therefore forwarded by eco to the INHOPE member responsible in the particular case involved.

“With every passing year our industry strengthens its engagement in fighting against illegal content online. From our stewardship of hotlines in Europe, within the framework of the INHOPE network which collects and shares public reports of child sexual abuse images worldwide, to our constant involvement in public-private partnership initiatives, our aim is to help disrupt the misuse of Internet services by criminals so all may enjoy a safe online experience.”



Nicolas D'Arcy
Chair of EuroISPA's
Safer Internet committee

This process has proven its worth: The majority of countries in which images of the sexual abuse and the sexual exploitation of minors are hosted have a hotline that is a member of INHOPE. The network is growing constantly and takes in new hotlines every year. The rapid and secure exchange of information over borders has already led to the breaking up of numerous child pornography rings.

INHOPE itself is not a hotline, but supports the cooperation of the member hotlines in the individual countries. The umbrella organization, among other things, sets minimum

standards for the processing of complaints and the exchange of complaints within the INHOPE network and offers regular training for the staff of hotlines.



3.2 German Safer Internet Centre (saferinternet.de)

Since 2004, the eco Complaints Office and the German Association for Voluntary Self-Regulation of Digital Media service providers (FSM e.V.) jointly operate the portal www.internet-beschwerdestelle.de, in order to offer Internet users a joint point of contact for reports of illegal Internet content, as well as providing further information and links to further advice. Since 2008, it has been part of the German



Stefanie Fächner
Consultant
klicksafe

// We have been working together with the complaints office partners in the Safer Internet Centre for many years, and we truly and greatly appreciate the work of eco. While klicksafe provides information on the subject of 'safe Internet', the eco Complaints Office offers Internet users the opportunity to report illegal or suspicious online content. Through joint actions – for example, the Safer Internet Day or the 'European Day Against the Sexual Exploitation and Abuse of Children' – we communicate our concerns to the outside world and sensitize the public to the responsible use of the Internet. //

Safer Internet Centre (saferinternet.de) – together with klicksafe, jugendschutz.net and "Nummer gegen Kummer". The German Safer Internet Centre is co-funded by the European Union as part of the "Connecting Europe Facility".



3.3 fragFINN.de

FragFINN e.V., of which eco is also a founding member, offers a protected surfing space for children, based on a so-called whitelist for Internet sites suitable for children.

This whitelist has been developed by fragFINN and is regularly checked by experienced media pedagogues. In the portal "fragFinn.de", children have access, among other things, to a search engine which simplifies access for them to Internet sites which are designed to be suitable for children. eco supports fragFINN among other things in its corporate criteria and was also actively involved in the November 2017 celebration of fragFINN's 10th anniversary.

fragFINN.de

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// The cooperation between fragFINN and eco, a founding member of our organization, has been ongoing for more than ten years now. We greatly appreciate the Association's commitment within the organization as well as its various working groups and the constructive exchange of ideas. For us, eco is a competent and reliable partner for legal and technical questions in the field of youth media protection. //



Anke Meinders
Managing Director
fragFINN e.V.

3.4 Network “No Grey Areas on the Internet”

In November 2014, the German Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth launched the network “No grey areas on the Internet” against the abuse and sexual exploitation of children. The network works to fight against images of children and young people in sexual poses and to have this prohibited internationally. In the focus of the network is a competence center which sheds light on the grey zones in sexual exploitation in the Internet.

paths and strategies of dissemination, especially with regard to Usenet. This work and the comprehensive processing of reports of images of minors in sexually explicit poses in the Internet, along with the recording of statistics and analysis, is funded by the German Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth.

The eco Complaints Office actively supports the work of the network. The year 2017 saw a continued exchange of experiences with the competence center in dealing with complaints concerning images of minors in sexually explicit poses. In addition, research and analysis was conducted into

3.5 Cooperation with law enforcement agencies

In 2017, the eco Complaints Office intensified its long-standing and positive cooperation with the law enforcement agencies.

Particularly in the area of combatting images of the sexual abuse of children, close and effective cooperation with the German Federal Criminal Police Office (BKA) has existed for many years, with this also reflected in the German Federal Government’s report on the success in deleting Child Pornographic web content. This report has been published by the Federal Government since 2013 and shows that the principle of “take-down instead of blocking” and the cooperation of the complaints offices, the BKA, and the

Federal Review Board for Media Harmful to Minors (BPjM) are very effective means for combatting illegal Internet content.

Aside from the regular exchange of information in the area of combatting images of the sexual abuse of children, the collaboration with the BKA has included a written cooperation agreement between the complaint offices (eco, FSM, jugendschutz.net), the BKA, and the BPjM for around ten years. A renewed cooperation agreement between the partners was signed in 2017.

In the area of state security offenses, cooperation meetings were held with the North Rhine-Westphalia Criminal

Police Office and the Cologne Police Headquarters. The collaborative work with the eco Complaints Office at state level is part of a cooperation agreement between eco, Networker NRW, and the North Rhine-Westphalia Criminal Police Office, which was signed in September 2017.

The eco Complaints Office is also active at the local level – one example is "SUSII" (Safe-and-Secure-on-the-Internet), a safety and security project that eco established together with the Cologne Police Headquarters in 2016. SUSII is a free and non-commercial Internet safety and security

portal, targeted at citizens (of Cologne), as well as small and medium-sized enterprises (SMEs). In 2017, "SUSII Leverkusen" and "SUSII Rhein Erft", two additional portals with a local character, were launched in cooperation with the respective police authorities and other local partners.

***“The successful fight against the sexual abuse of children and juveniles requires the trustful and effective interaction of various institutions and cooperation partners. An important building block in this effort is reducing images of abuse on the World Wide Web. Although the Internet might not forget anything, in order to protect victims, we must nevertheless make every effort to trace the relevant images and have them deleted immediately. Those who take part in the dissemination or production in any way whatsoever must be rigorously prosecuted in strict accordance with criminal law.*”**

***“Task sharing’ is the key to success here. Working together with the eco Association, a very successful cooperation base has been established for the German Federal Criminal Police Office in recent years, a foundation without which we will not and cannot function in the future. ”*”**

German Federal Criminal Police Office (SO 43)

4. Online Youth Protection for Companies

Extra benefits for member companies

- **Legal expertise**

The eco Complaints Office offers eco member companies continual support, e.g. through initial legal assessments of complaints. This allows unjustified complaints to be filtered out so that providers do not have to deal with them.

- **Politically active**

We use our extensive know-how and experience in our political lobby work at both national and international levels. With our Complaints Office work on an international level, we are always very much in tune with political and policy developments. We observe processes and debates and recognize – and can react to – new impulses immediately.

- **Network of experts and committee work on national and international levels**

The eco Complaints Office as your voice: Years of successful cooperation with law enforcement agencies and other complaints offices, as well as the active support of national and international committees and initiatives, make the eco Complaints Office the ideal mediator between the industry and state bodies.

- **Sustainable offers in the field of youth media protection**

In addition to the full legal qualifications of our staff, who assess online content and any measures to be taken, member companies can profit from 20 years of expertise in the field of youth media protection.

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Sabine Frank
Head of Regulations,
Consumer and Youth
Protection
Google Germany GmbH

// The eco Complaints Office is not only an important contact point for consumers on the Internet, but also an essential partner for us. The regular exchange and activity of the Complaints Office as a 'trusted flagger' in our YouTube service makes a valuable contribution to our common effort to deal appropriately with inappropriate content on the Internet. We look forward to continuing this cooperation in the future. //

eco Youth Protection Officer Service

Since 2016, the eco Complaints Office has offered eco members and external companies the service of an external Youth Protection Officer. In accordance with Section 7 JMStV, commercial providers of generally accessible telemedia that contain content that is developmentally-impairing or youth-endangering, as well as providers of search engines, are obliged to appoint a Youth Protection Officer. This Officer has three functions: provision of advice to providers, acting as contact person for users, and serving as the point of contact for official oversight. In order to support you in the implementation of this obligation, eco offers the possibility of appointing an external Youth Protection Officer. If you are interested in availing of or finding out more about this service, please send a short email to: jugendschutzbeauftragte@eco.de.

Youth Media Protection Expert Lunch

Summer 2016 saw the establishment of the "Youth Media Protection Expert Lunch", a new offer and event format. The format comprises of an open forum targeted exclusively at association members who are active in the area of youth media protection, with the aims of enhancing exchange of ideas and experiences, gathering information, and allowing dialog to be initiated with other members. The meetings take place two to three times per year, with their focus being on the following topics: the application of the German Interstate Treaty on the Protection of Minors (JMStV) and the corresponding regulations in the German Criminal Code (StGB); legal developments in youth media protection in its broadest sense; "digital trends"; and the activities of the eco Complaints Office.

// Whether as a complaints office or when it comes to new legislative challenges – the cooperation with eco Association is constructive, informative, and open. And also the events, such as the newly introduced 'Youth Media Protection Expert Lunch' are an asset for the members – thank you very much indeed! //



Alexandra Merkl
Legal Counsel/Youth Protection Officer
1&t1 SE

5. Events, Representation, and Political Work 2017

The eco Complaints Office was once more “on location” in 2017 to report on its work, challenges and successes, and also to discuss current and future trends. Here is a selection of our activities in 2017:

- **Expert discussion: Sexual transgressions and violence via digital media (17.01.2017)**

On 17 January 2017, an expert meeting on sexual transgressions and violence via digital media took place in Berlin. Johannes-Wilhelm Rörig, the Independent Commissioner for Child Sexual Abuse (UBSKM) hosted the meeting, with participants including representatives of the German Internet complaints offices (eco, FSM, jugendschutz.net), the Federal Criminal Police Office, the Federal Review Board for Media Harmful to Minors, as well as therapists, social workers, and employees of the University Hospital Hamburg-Eppendorf.

eco was able to bring its positions and experience to bear particularly in the workshop “Combatting and Prevention”. The workshop pivoted around the question of how the scope of coverage could be extended: This involved discussing an extension of the existing reporting options (e.g. direct reporting options for content appealing to minors, forwarding/reporting of content by ISPs to the Federal Criminal Police Office and/or hotlines). eco drew attention to the well-functioning cooperation between complaint offices, the Federal Criminal Police Office, and providers, and advised against jeopardizing the established structures. A debate also took place on what needs to be changed in the organization of the police and the judiciary, and whether

tougher criminal regulations and more investigative powers for police officers are needed.

The emerging consensus was that all actors need more resources and that (co-)financing by the state is essential. In conclusion, Rörig stressed the need for a digital agenda for child and youth protection – which should also be a high priority in the government program during the next legislative term – and that awareness raising in the area of sexual abuse is of particular importance.

- **Review 2016: Presentation of the eco Complaints Office’s first Annual Report (07.03.2017)**

On 7 March 2017, in the eco Capital Office, the eco Complaints Office presented its first independent annual report at a Policy Breakfast, where it reported to the assembled guests – who included representatives from business, politics, and the press – in detail on the work of the Complaints Office in 2016. State Secretary Gerd Billen (Federal Ministry of Justice and Consumer Protection) delivered a welcome address on the publication of the annual report in the eco Capital Office and thanked the employees of the eco Complaints Office for their transparent and comprehensible work.

As the report showed, the year 2016 had proven to be an eventful and challenging year for the eco Complaints Office. On the one hand, the total number of complaints increased by 11.59% compared with the previous year. On the other hand, the handling of reports on illegal Internet content featured

as a recurrent theme, not least due to the debate on "Hate Speech". The accompanying press work on the publication of the Annual Report subsequently generated a broad and sustained media response.

■ **Youth Media Protection Expert Lunch
(26.06.2017/16.11.2017)**

Summer 2016 saw the establishment of the "Youth Media Protection Expert Lunch", a new offer and event format. The format comprises of an open forum targeted exclusively at association members who are active in the area of youth media protection, with the aim of enhancing exchange of ideas and experiences, gathering information, and allowing dialog to be initiated with other members.

At the kick-off lunch in Cologne on 26 June 2017, the experts of the eco member companies assembled for the first time. The main topics were the presentation of the eco Complaints Office's work, the topical discussion on

the Network Enforcement Act (NetzDG), and an exchange of views on the content of future meetings.

The second in-person meeting of the Youth Media Protection Expert Lunch took place on 16 November 2017, also in Cologne. Once again, it focused largely on the NetzDG and the communication of the European Commission on the handling of illegal content. The latest developments and practical challenges were discussed. Additional topics included the current status of the European Parliament's "INI Report" on the implementation of the Directive on Combatting the Sexual Abuse and Sexual Exploitation of Children and Child Pornography (CSAM) and the extension of the Federal Review Board for Media Harmful to Minors to include the area of "Further Development of Child and Youth Media Protection, Prevention, Public Relations".

Three meetings are planned for 2018.

// Illegal content spreads on the Internet in next to no time. For us, it is important that a responsible approach to dealing with these contents be established. I therefore welcome the fact that the eco Complaints Office is successfully continuing its diligent work and transparently documenting it in its Annual Report. //



Saskia Esken
Member of the German Parliament
(SPD – Social Democrats)

▪ **11th International Conference: “Keeping Children and Young People Safe Online” (19/20.09.2017)**

For the eleventh time, the German and Polish Safer Internet Centers organized the joint conference “Keeping Children and Young People Safe Online”, which again took place in Warsaw, this time on 19 and 20 September 2017.

In lectures, workshops, and debates, around 600 participants from the fields of education, politics, business, law enforcement, and youth protection were informed about current developments in the areas of youth media protection and Internet security. During the conference, Kira Pleschka, eco Complaints Office Consultant, also delivered a talk on

“Sexting: Implications, Legal Consequences and How to Dissuade Children”. In doing so, she represented an important main topic of the conference, where the particular focal topics for 2017 were: Sexting/pornography, cyber bullying, fake news, positive content, and the “Internet of toys”.

▪ **Notice & Action: eco Complaints Office active at national and EU levels**

The eco Complaints Office was also intensively involved in 2017 in the numerous activities undertaken by the Federal Government and the European Commission to deal with illegal content. Among other activities, the eco Complaints Office took part in surveys of the European Commission on Notice & Action, participated in a round-table of the Federal Ministry for Economic Affairs on the same topic at the beginning of September, and was actively involved in a European Commission workshop on Notice & Action in November.

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Dr. Christiane Conrad
Youth Protection Officer
EWE TEL GmbH

// The eco expert formats not only provide companies’ Youth Protection Officers with valuable up-to-date information, but also provide an excellent opportunity for professional exchange. //

Throughout, the eco Complaints Office constantly represented the interests of its members and used the numerous opportunities to make it clear once again that self-regulatory activities work and that there can be no "one-size-fits-all" solution.

- **INI Report on the Directive on Combatting the Sexual Abuse and Sexual Exploitation of Children and Child Pornography (CSAM)**

eco sought dialog with various Members of the European Parliament concerning the preparation of the "INI Report" of the European Parliament (EP) on the implementation of the Directive on Combatting the Sexual Abuse and Sexual Exploitation of Children and Child Pornography (CSAM), which in a number of places deals with the handling of reports on images of the sexual abuse of minors on the Internet and, as such, with the work of the national complaints offices in the EU Member States.

Reciprocally, Anna-Maria Corazza Bildt, Nathalie Griesbeck, Jean Lambert, Angelika Niebler, and Sabine Verheyen, MEPs, among others, were presented with the working approach and successes of the eco Complaints Office in combatting images of abuse. In so doing, we also discussed best practices and emphasized the importance of "take-down instead of blocking", as well as the urgent need for EU funding for national complaints offices.

The INI Report was strongly promoted in 2017 in the draft reports of the European Parliament's leading and consultative committees, and was finally adopted and published by the European Parliament in December 2017.

/// I have campaigned for operators of social networks under the Network Enforcement Act (NetzDG) to be able to resolve the decision on illegal content on their platforms within the framework of regulated self-regulation. I see the eco Complaints Office as a successful blueprint for deciding on deletions transparently and independently. Unfortunately, this option has not been sufficiently adopted by the obligated providers. ///



Thomas Jarzombek
Member of the German Parliament
(CDU – Christian Democrats)

What can you do?

Every report counts in the fight against illegal content! In 2017, the eco Complaints Office was responsible for child pornographic websites hosted in Germany being taken down within 2.28 days (including weekends and public holidays). If you come across content online that you believe is illegal, don't hesitate: Report it to the eco Complaints Office – simply and anonymously.

<https://international.eco.de/internet-complaints-office.html>

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