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# INHOPE Privacy Statement

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# 1 Introduction

The INHOPE Association (hereinafter: INHOPE) was constituted in 1999. The main aims of INHOPE are to combat and prevent (online) child sexual abuse and to coordinate a global network of Internet Hotlines, supporting them with a platform to rapidly exchange reports of illegal child sexual abuse content in order to enable the hotlines to rapidly take down illegal content of child sexual abuse, thus preventing revictimization of children, and to help law enforcement partners to quickly identify and help children who are currently being abused. The platform to provide the exchange of the reports is developed and maintained by ZiuZ Forensics BV, the data processor. This was achieved with funding and support from the European Commission under the Safer Internet Programme.

## 2 Processing Personal data

INHOPE exchanges reports between INHOPE member hotlines and Interpol via a shared database, called ICCAM. Hotlines receive reports from the public, industry, (national) law enforcement agencies and other hotlines. These reports may contain (links to) photos and videos on the publicly accessible part of the internet, on which children younger than 18 years old and (i) commit sexual acts (with minors and/or adults); (ii) pose in a sexual manner; or (iii) are placed in an environment with sexual elements. Specifically, these reports may contain the following (sensitive) personal data of victims and perpetrators of child sexual abuse:

- Identification data (names)
- Personal characteristics (gender, estimation of age)
- Data concerning a natural person's sex life or sexual orientation
- Images / videos of natural persons
- Online identifiers (i.e. IP addresses, URLs, hosting details)
- Data relating to criminal convictions and offences

INHOPE can also be contacted by email for questions or other inquiries. Persons contacting INHOPE or INHOPE members may provide personal information such as:

- Name and address details
- E-mail address
- Phone number
- Organization
- Payment details (when an invoice is sent)
- Curriculum vitae
- Cover letter, letter of recommendation
- Photos / videos of applicants
- Information about training (s)
- Certificate of good conduct

# 3 Purposes of processing

INHOPE processes the data for the following purposes:

- To assist law enforcement agency partners of hotline members and Interpol to combat child sexual abuse material and assist with the identification of perpetrators and victims of child sexual abuse;
- To prevent further child sexual abuse of the victims that are portrayed on child sexual abuse material;
- To prevent continuous revictimization of abused children by having images and / or videos containing child sexual abuse removed from the internet by hosting providers and / or website owners and to prevent (re)distribution of child sexual abuse material, which is a criminal activity;
- To ensure rapid and effective response to child sexual abuse reports around the world by developing consistent, effective and secure mechanisms for exchanging reports between Hotlines internationally;
- To compile statistics and trends relating to the growth, dissemination and removal of child sexual abuse material on the internet;
- For handling correspondence in the context of daily operations;
- For the realization and execution of an agreement concluded with you;
- To send you a newsletter, white paper or download link; and
- To answer questions or reply to other inquiries received by email.

INHOPE processes sensitive personal data, such as data concerning a natural person's sex life or sexual orientation, data revealing race and/or ethnic origin and data relating to criminal convictions and offences, to protect the vital interests of the data subjects according to article 9.2c of the GDPR and article 32.b of the Uitvoeringswet Algemene verordening Gegevensverwerking. Data is processed to help law enforcement identify children who are currently being abused. Sexual abuse can have disastrous consequences for the rest of the lives of the children involved if the situation continues. It is of vital interest of the data subjects that the sexual abuse is discontinued as quickly as possible to prevent further harm. Child sexual abuse material that is (re)uploaded to the Internet also results in continuous revictimization of the children involved. For example, victims may be confronted with the material when using the internet or be extorted (financially or otherwise) with the material to commit further sexual abuse. To prevent revictimization, INHOPE and its members process the data in to get it removed from the internet as quickly as possible.

The processing of personal data such as identification data, personal characteristics and online identifiers is necessary for the performance of a task carried out in the public interest pursued by INHOPE under article 6.1e of the GDPR. This public interest is rooted in EU as well as international law. Article 25.1 of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography and replacing Council Framework Decision 2004/68/JHA states:

“1. Member States shall take the necessary measures to ensure the prompt removal of web pages containing or disseminating child pornography hosted in their territory and to endeavour to obtain the removal of such pages hosted outside of their territory.”

Article 34 of the United Nations Convention on the Rights of the Child (“Convention”) states:

“States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.”

All Member States of the European Union are State Parties to the Convention and therefore have a public interest rooted in public international law in preventing the exploitative use of children in pornographic materials, including online child sexual abuse material.

The interests of the data subject are always sufficiently and adequately guaranteed. Firstly, the interests or fundamental freedoms of victims of child sexual abuse are not infringed. It is in the interest of the victims that are portrayed on child sexual abuse material that this material is removed from the internet and the victim is saved from further sexual abuse. It is in the interest of this category of data subjects that personal data is transmitted to law enforcement agencies, Interpol and other hotlines within the INHOPE network. The processing of data can not be omitted where the interests and fundamental freedoms of the data subjects who are the perpetrators of child sexual abuse are infringed.

In addition, the interests of the perpetrators of child sexual abuse are considered. The processing of data of this category of data subjects meets the requirements of proportionality and subsidiarity and is generally guaranteed by the way in which the following standards from the GDPR have been implemented in practice. INHOPE does not carry out any further investigation into the perpetrator. This is the task of the law enforcement agencies who receive the data.

Furthermore, INHOPE has a legal basis for processing to compile statistics and trends relating to the growth, dissemination and removal of child sexual abuse material on the internet, based on articles 6.1f and 9.2j of the GDPR. Firstly, this research serves a general interest, because INHOPE can, based on the statistics that it receives from all member hotlines, assess the extent of child sexual abuse and indicate priority areas. Statistics and trends like these can help to identify further causes of the child sexual abuse and improve policies in Europe and in countries where member hotlines are based. This is also one of the reasons why the research of INHOPE is funded by the European Commission, among others. The processing of personal data is also necessary for this research and the statistics. INHOPE must know where the child sexual abuse material is hosted and receive reports about that in order to do the research and compile statistics. Thirdly, INHOPE is, based on article 14.5b of the GDPR, unable to inform the data subjects directly about the data that is being processed, as the provision of such information proves impossible and would involve a disproportionate effect. This would render the impossible or would seriously impair the purposes of the processing of data. INHOPE has taken appropriate measures to protect the data subject's rights and freedoms and legitimate interests, and made the information about the processing publicly available. It must be noted that the statistics that are the result of the processing are anonymized and contain no personal data.

INHOPE will only share a newsletter, download link or whitepaper with your prior explicit consent.

Furthermore, INHOPE may process personal data because of a contractual obligation to which you may be a party. INHOPE may also process personal data on the basis of a legal obligation, for example when processing tax data.

INHOPE has a legitimate interest to process personal data to be able to carry out its regular business activities, unless your interests, fundamental rights or fundamental freedoms weigh more heavily. If INHOPE wants to process your personal data for any goal not mentioned above, INHOPE will always ask your explicit permission beforehand.

It is not possible to process less personal data for the purposes mentioned above.

## 4 Transfer of data to 3<sup>rd</sup> parties

INHOPE provides a database to member hotlines in which the members share personal data from child sexual abuse material with other member hotlines and with Interpol. Based on article 45-49 of the GDPR, this data can only be transmitted to an organization which either:

- is subject to the GDPR and is based within the EU;
- signed standard contractual clauses that are adopted by the European Commission; or
- is based in a country of which the European Commission has decided that the country in question ensures an adequate level of protection; or
- can be based on the exception as stated in art. 49.1(d) of the GDPR.

Personal data received from questions or other inquiries that INHOPE receives via its website will only be transferred to third parties after explicit consent for the transmission of the data has been obtained from the data subject.

# 5 Technical security measures

INHOPE has implemented appropriate technical and organizational security measures to protect personal data against deliberate or unlawful loss or against any form of unlawful processing.

# 6 Retention periods

Personal data from reports of child sexual abuse material are retained no longer than is necessary to achieve the purposes and aims of the processing. Images and videos of child sexual abuse material are generally deleted within two months after they have been downloaded into the database. In most cases, personal data will be removed from the internet to which the URLs that are inserted into the database of INHOPE within a few days; these URLs will no longer refer to personal data, or at least, child sexual abuse material. Personal data obtained from email or other inquiries via the website of INHOPE is saved for one year, unless the data needs to be stored longer to comply with national law and regulation or the data is needed for the regular business activities of INHOPE.

# 7 Your rights

You may exercise the following rights by contacting INHOPE if you:

- Want to know whether INHOPE processes or processed your personal data;
- Want to know which personal data we collected from you;
- Want to know for which purposes we have processed your personal data;
- Want to know to which parties we have sent your personal data;
- Want to rectify your personal data;
- Want to remove your personal data;
- Want to transfer your personal data to another party;
- Limit your personal data that is being processed;
- Want to know the origins of your personal data, if this is known.

You will receive a written answer to your request within four weeks after INHOPE has received your request. INHOPE does not inform data subjects who are visible on child sexual abuse material about the data that has been processed. These data subjects are unknown to INHOPE and the material was found on the internet by member hotlines. The provision of such information proves impossible and would involve a disproportionate effect. This would render impossible or would seriously impair the purposes of the processing of data. INHOPE does not have access to child sexual abuse material, only members of INHOPE and Interpol have access to (links to) child sexual material.

We may request additional information from you after you have sent us your request to confirm your identity. Exercising your rights is free, unless the request would take unreasonable effort. In that case, INHOPE reserves the right to request a fair compensation.

You may send your request to the Data Protection Officer of INHOPE at [dpo@inhope.org](mailto:dpo@inhope.org) or to the mailing address that is stated at the end of this document.

## 8 Objection

You have the right to file a complaint at the Data Protection Authority. This can be the Dutch Data Protection Authority (“Autoriteit Persoonsgegevens”) or the Data Protection Authority in the country where you are based. The address of the Dutch Data Protection Authority is:

Autoriteit Persoonsgegevens  
Hoge Nieuwstraat 8  
2514 EL Den Haag

Mailing address:

Autoriteit Persoonsgegevens  
Postbus 93374  
2509 AV Den Haag  
070-8888 500  
[www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl)

## 9 Links to other websites

On the website of INHOPE, links (URLs) can be placed that refer to websites of third parties. INHOPE bears no responsibility for the processing of your data on these websites. If you want to know which data is being processed of you on those websites, please refer to the privacy statements on those websites.

## 10 Adjustments

INHOPE reserves the right to adjust this privacy policy. The most recent version of this policy can be found on <https://inhope.org>, under Privacy policy..

## 11 Contact

You may contact INHOPE if you have a question or complaint. You may send these inquiries to the Data Protection Officer of INHOPE on [DPO@inhope.org](mailto:DPO@inhope.org) or to the mailing address noted on <https://inhope.org>.