

25 June 2026

Feedback of

Association for Competitive Technology
(Transparency Reg. # 72029513877-54)
Square de Meeûs 35,
1000 Brussels, Belgium

to the

European Commission

regarding the

Action plan on the protection of children against
crime

I. Introduction

The Association for Competitive Technology (hereafter ‘ACT’) welcomes the opportunity to submit comments to the European Commission’s consultation on the Action plan on the protection of children against crime.

ACT is a policy trade association for the **small business technology developer community**. Our members are entrepreneurs, innovators, and independent developers within the global app ecosystem that engage with verticals across every industry. We work with and for our members to promote a policy environment that rewards and inspires innovation while providing resources that help them raise capital, create jobs, and continue to build incredible technology. Today, the ecosystem ACT represents is valued at approximately €95.7 billion and is responsible for more than 1.4 million jobs in the European Union (EU).¹

II. Action plan on the protection of children against crime

ACT and its members share the Commission's commitment to ensuring that children are safe in digital environments. We strongly support the development of a coherent, comprehensive EU action plan on the protection of children against crime, and we commend the Commission's effort to take a whole-of-society, child-centred approach to this critical challenge. We write to urge the Commission to ensure that the action plan is designed in a way that is effective, proportionate, and mindful of its impact on smaller players in the technology ecosystem. Effective child protection and a competitive, innovative European digital economy are not competing goals, they are mutually reinforcing, but only if regulation is calibrated correctly.

ACT members operate across the technology value chain, including as app developers distributing products via major app store platforms. The action plan will need to engage carefully with the question of how responsibility is allocated across the supply chain. The Digital Services Act (DSA) already establishes a tiered liability and due diligence framework for online intermediaries, including app stores and very large online platforms (VLOPs). Any new obligations introduced through or arising from the action plan, particularly those relating to age assurance, content moderation, or reporting of illegal content, must be clearly integrated with the existing framework to avoid overlapping, contradictory, or disproportionate compliance burdens. We therefore urge the Commission to clarify which actors in the distribution chain bear primary responsibility for child safety compliance, reinforcing that responsibility appropriately falls on actors with the actual

¹ See [220912_ACT-App-EU-Report.pdf](#).

knowledge of demonstrated harms related to intended or reasonably expected uses and who have the ability to take action to address those demonstrated harms.

The Call for Evidence identifies technology-facilitated child sexual abuse, online grooming, and cyberbullying as major and growing concerns. ACT shares these concerns deeply and supports robust enforcement of existing legal obligations. However, we caution against approaches that could undermine end-to-end encryption, impose indiscriminate scanning of private communications, or create strict liability regimes incompatible with existing frameworks. Strong encryption is itself a vital safeguard for children, shielding them (and every other user) from fraud, stalking, identity theft, and exploitation, so measures that weaken it would compromise the security of the very people the action plan seeks to protect. Before introducing new obligations, the Commission should assess whether existing instruments are being fully implemented and enforced by Member States. Evidence suggests that gaps in protection often stem from under-resourcing of enforcement, fragmented cooperation between competent authorities, and slow judicial processes rather than an absence of legal obligations per se. We therefore recommend that the action plan prioritise strengthening enforcement capacity of national authorities and coordinating bodies, improving information exchange between law enforcement agencies and online platforms through structured and lawful reporting channels, and adequately resourcing Europol's Internet Referral Unit and Eurojust's operational support for cross-border cases.

Any measures proposed in the action plan should be technology-neutral, rights-respecting, and subject to independent oversight. Proposals that would require platforms to scan all private communications for illegal content raise serious concerns under the EU Charter of Fundamental Rights, particularly Articles 7 (privacy) and 8 (data protection), as well as the principle of proportionality enshrined in Article 52. We urge the Commission to work with industry, civil society, and independent experts to identify solutions that protect children without compromising the privacy and security of all digital communications.

As the expert group on safer internet for children continues to work on its recommendations, ACT cautions against a model that places sole or primary responsibility on age assurance at the platform level. Child safety is not a problem that any single actor in the technology value chain can solve alone, and mandating platform-level gatekeeping risks creating significant privacy and security harms with no guarantee of effectiveness. Responsibility for age assurance must be understood as distributed across the entire digital ecosystem: device manufacturers, operating systems, app stores, developers, and parents all have a role to play. SMEs and startup developers, in particular, already build their products with their intended audience in mind, tailoring functionality, content, and safety features to the consumers they are designed to serve. Imposing a one-fits-all, platform-

level age verification obligation would penalise these responsible actors while doing little to address the root causes of harm.

ACT's membership is composed of small and medium-sized enterprises (SMEs), the very companies driving much of Europe's digital innovation. We are acutely aware that well-intentioned regulatory requirements can have an outsized impact on smaller actors who lack the compliance infrastructure of large platforms. The action plan should adopt a risk-based and size-proportionate approach to any new obligations it introduces or recommends.

We therefore call on the Commission to:

- Include explicit carve-outs or simplified compliance pathways for micro-enterprises and SMEs below defined thresholds;
- Develop guidance documents and regulatory sandboxes that allow smaller developers to test child safety tools without fear of disproportionate liability;
- Support industry-wide toolkits and shared technical standards that allow SMEs to meet child safety requirements without building bespoke systems.

Small technology companies are often at the forefront of developing innovative child safety tools, from AI-assisted content moderation to parental control applications and digital literacy platforms. The action plan should recognise this contribution and create conditions for SMEs to continue investing in this space, including through access to EU funding mechanisms such as Horizon Europe and the Digital Europe Programme, recognition of voluntary industry standards as contributing to compliance, and the establishment of public-private cooperation platforms that meaningfully include SME representatives alongside large industry players, Commission services, Europol, and civil society.

Finally, ACT strongly supports the Commission's commitment to monitoring individual initiatives within the action plan. We recommend that monitoring frameworks be built around clear, measurable indicators linked to actual child safety outcomes rather than procedural proxies, that they include regular review cycles with input from industry and civil society, and that sunset clauses or mandatory review provisions be included for any new obligations introduced, to ensure they remain proportionate as the technological and regulatory landscape evolves.

ACT and its members are committed partners in the effort to protect children from crime, online and offline. We believe the EU action plan has the potential to make a meaningful and lasting difference, provided it is grounded in evidence, coherent with existing legislation, and sensitive to the full range of actors, including the startups and SMEs that are the backbone of Europe's digital economy. We remain available to engage further with DG HOME and other relevant services during the preparation of the action plan and look forward to continued dialogue throughout the consultation process.

Sincerely,



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