

# Addapedia Editorial Analysis 24th June 2024

## EU's Chat Control Law

(The Hindu, 24/06/24)

### What is EU Chat Control Law?

The EU chat control law, more formally known as the proposed regulation on preventing and combating child sexual abuse online, is a controversial piece of legislation under consideration in the European Union.

1. **Purpose:** The law aims to combat the spread of **child sexual abuse material (CSAM)** online and prevent the grooming of children.
2. **Main provisions:**
  - Require online platforms to detect, report, and remove CSAM
  - Implement age verification systems
  - Monitor private communications for potential grooming activities

### What are the concerns of those against the EU's proposed 'chat control' law?

- **Breaking end-to-end encryption:** Scanning encrypted messages requires opening risky backdoors that can be exploited by third parties, compromising privacy and security.
- **Potential for misuse:** Scanning for one type of content opens the door for bulk surveillance. Thus, technology could be misused by authoritarian governments to target dissidents or for mass surveillance.
- **False positives:** Innocent photos and videos could be wrongfully flagged as Child Sexual Abuse Material (CSAM).
- **Threat to leave EU:** Tech companies like WhatsApp and Signal have threatened to leave the EU if the law is passed, as it would undermine their commitment to end-to-end encryption and their privacy controls.
- **Global implications:** Concerns have been raised about the potential for similar restrictive laws to be adopted in other countries, that can undermine the incentive for tech companies to innovate & operate.
- **Internal Divisions:** France, Germany and Poland have particularly refused to accept a clause that allows for mass scanning of private messages by breaking end-to-end encryption. On the other hand, Spain and Ireland have supported the proposal.

## What is the status of the EU's chat control law?

- **Revised proposal:** A new draft is set to be reviewed on June 30, focusing on shared photos, videos, and URLs instead of text messages and audio.
- **User consent:** A potential compromise involves obtaining user consent before scanning shared material, but critics argue this is not a real choice as users may be blocked from sending or receiving media if they refuse.
- **E-Privacy Directive against CSAM:** The European Commission previously allowed certain providers to scan messages for CSAM under a temporary derogation (expires in Aug 2024), but plans for further extensions have been stalled

## Role of Opposition in Indian Democracy

(The Hindu, 24/06/24)

"The opposition can have its say, the government will have its way," reflects a prevalent perception about the power dynamics in Indian parliamentary democracy.

### Through what channels can opposition can have its say?

- **Parliamentary Debates and Question Hour.** Ex: Opposition's criticism of the farm laws in 2020 and Land Acquisition Act of 2015
- **No-Confidence Motions** can force the government to defend its actions. (Ex: No-confidence motion against the Nehru government in 1963 in the aftermath of China war)
- **Committee Participation** where they can scrutinize bills, policies, and budgetary allocations. (Ex: Opposition's role in the Joint Parliamentary Committee on the 2G spectrum scam)
- **Media and Public Platforms** to voice their dissent and mobilize public opinion. (Ex: Opposition's use of social media during the anti-CAA protests)

### How is it that the govt will have its way?

- **Majority in Parliament** to often push through its legislative agenda, even with opposition dissent. (Ex: Passage of the Aadhar Money bill despite opposition)
- **Control of Executive Machinery** giving it significant power to implement policies. (Ex: Use of government agencies to investigate opposition leaders using PMLA)
- **Party Discipline:** Party whips ensure that members of the ruling party vote along party lines, limiting the impact of dissenting voices within the government. (Ex: Anti-defection law curbing dissent within parties)
- **Media Management:** The government can influence the media narrative through various means, including advertising and access to information, making it difficult for the opposition to gain public support.

### What is the role of Opposition in Democracy?

- Holding the **government accountable**, preventing the abuse of power, and ensuring transparency. (Ex: Opposition's role in exposing the **Bofors scandal**)
- The opposition can propose **alternative policy solutions** (Ex: Congress proposal of NYAY which is basic Universal Income scheme, Rationalisation of GST slabs)
- The opposition represents the **interests of those who did not vote** for the ruling party, ensuring their concerns are heard and addressed. (Ex: Opposition raising issues of marginalized communities ex: Transgender rights)
- The opposition safeguards **fundamental rights and freedoms**, ensuring that the government does not overstep its constitutional boundaries. (Ex: reversal of Emergency era rules when opposition came to power in 1977)

### **How can we strengthen opposition's hand in Democracy?**

- Implementing reforms like state funding of elections and **proportional representation** can level the playing field can strengthen voice of opposition.
- Strengthening **Parliamentary Committees** with greater autonomy and resources can enhance their ability to scrutinize government actions and policies.
- **Educating citizens** about the importance of the opposition's role in democracy can foster greater public support and engagement with the opposition's agenda.

*Can you answer the following question?*

*Critically analyze the statement, "the opposition can have its say, the government will have its way," in the context of India's parliamentary democracy. In this context, discuss the role of the opposition in ensuring accountability and upholding democratic values.*