

Question for written answer E-002788/2023
to the Commission
Rule 138
Jordi Cañas (Renew)

Subject: Illegal use of artificial intelligence to create deepfakes depicting sexual content of minors

AI¹ applications enabling the creation of deepfakes have recently been brought to the market. One of these, called ClothOff², is advertised as a free app that can 'undress girls for free' and 'undress anyone free of charge'³ based on a photograph. This app, which does not ask the age of the user or of the photographed person, has been used by minors in Almendralejo (Badajoz) to undress, using AI, around 30 girls. This constitutes a gross violation of the girls' right to privacy and reputation, a matter made all the more serious given that they are minors.

The app's terms and conditions do not mention the word 'consent' at any point, nor is the creation of illegal pornographic material regarded as a violation of its terms – only the transmission, storage or distribution thereof are listed as such. What is more, the app's terms and conditions hold the user responsible for his or her use of the app, despite the fact that at no point do they promote the lawful use thereof.

In light of these facts:

1. Has the Commission already contacted the platform's representative in Europe, as set out in the DSA⁴?
2. Is the Commission certain that the Spanish regulator has started the process of implementing the regulation?
3. What does the Commission intend to do to prevent and take action against such situations, and how will it address them more rapidly?

Submitted: 22.9.2023

¹ Artificial Intelligence

² https://www.elconfidencial.com/tecnologia/2023-09-19/clothoff-app-desnudos-ia-policia_3737728/

³ <https://clothoff.io/en>

⁴ https://ec.europa.eu/commission/presscorner/detail/en/statement_22_4327