# EU’s contentious Chat Control faces legal challenge from privacy advocates and member states



The European Union is facing intensifying debate as it moves closer to enacting the highly contentious Chat Control legislation, formally known as the Child Sexual Abuse Material (CSAM) scanning mandate. This proposed regulation would compel communication platforms to scan private and encrypted messages for illegal content, a measure aimed at bolstering child protection online. However, it has provoked a strong backlash over concerns that it undermines privacy rights and encryption, potentially enabling mass surveillance.

A notable and vocal opponent is Tuta Mail, a German encrypted email provider renowned for its stringent end-to-end encryption and privacy protections, including quantum-safe encryption measures. The company has openly declared its intention to sue the EU if the mandate is passed, scheduled for a final vote in October 2025 after an EU Council meeting in September. CEO Matthias Pfau has emphasised that Tuta would rather exit the European market than compromise its zero-knowledge encryption architecture by introducing backdoors as required under the proposal. He frames encryption as a fundamental human right protected under the EU Charter of Fundamental Rights, highlighting broader fears that client-side scanning—where messages are inspected before encryption—opens the door to data breaches, hacking, or abuse by authorities.

The legal arguments Tuta intends to use cite violations of EU data protection laws, warning that the mandate contradicts core principles of secure communication. Experts and privacy advocates echo these concerns. Over 500 cryptography scientists and researchers recently signed an open letter condemning the EU's plan as unworkable and dangerous. They warn that the technology required to scan encrypted communications would weaken encryption overall, creating vulnerabilities and potentially enabling a slippery slope toward generalised surveillance beyond the original child protection goals.

The proposed legislation is also generating division among EU member states. Several countries including Germany, Luxembourg, Austria, the Netherlands, Finland, Poland, Belgium, and the Czech Republic have voiced opposition, citing privacy and technical risks. Conversely, 15 countries, among them France, Italy, Spain, and Sweden, remain in favour, reflecting an uneven landscape of political support that complicates the EU’s ability to reach consensus. This fragmentation risks stalling market cohesion and may spur providers like Tuta to relocate operations outside the EU, thereby weakening the European digital ecosystem.

Civil liberties groups have labelled Chat Control as one of the most criticised laws in recent memory, galvanising user-led grassroots campaigns urging representatives to reject the measure. Legal experts predict litigation could significantly delay implementation, analogous to previous European Court of Justice rulings that curtailed blanket data retention practices.

More broadly, the dispute highlights the delicate balance between protecting children online and preserving fundamental digital freedoms. It comes amid heightened scrutiny of technology platforms' data practices globally, including recent examples like X modifying its privacy policies to permit third-party AI training on user content. For privacy-centric providers such as Tuta, the stakes are existential: complying with Chat Control means either undermining encryption or abandoning their core privacy mission.

As the EU prepares for a crucial October vote on the regulation, the outcome promises to be a defining moment for digital privacy in Europe. The debate over Chat Control underscores persistent tensions between security imperatives and individual rights, testing the bloc’s commitment to its own privacy principles in an era of accelerating surveillance challenges.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.webpronews.com/eu-chat-control-faces-backlash-tuta-vows-lawsuit-over-privacy-risks/), [[6]](https://www.computing.co.uk/news/2025/legislation-regulation/eu-moves-closer-to-controversial-chat-control-law), [[4]](https://www.techradar.com/computing/cyber-security/chat-control-the-list-of-countries-opposing-the-law-grows-but-support-remains-strong)
* Paragraph 2 – [[1]](https://www.webpronews.com/eu-chat-control-faces-backlash-tuta-vows-lawsuit-over-privacy-risks/), [[2]](https://www.techradar.com/computing/cyber-security/we-will-not-stand-by-while-the-eu-destroys-encryption-tuta-mail-ready-to-sue-the-eu-over-chat-control), [[5]](https://tuta.com/blog/chat-control-criticism)
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2. <https://www.techradar.com/computing/cyber-security/we-will-not-stand-by-while-the-eu-destroys-encryption-tuta-mail-ready-to-sue-the-eu-over-chat-control> - Tuta Mail, a German encrypted email provider, has declared its readiness to sue the European Union if the controversial 'Chat Control' bill is enacted. The bill proposes mandatory scanning of encrypted communications for child sexual abuse material (CSAM). Critics argue that this threatens end-to-end encryption and infringes upon privacy rights. Tuta Mail's CEO, Matthias Pfau, emphasized their refusal to compromise on encryption, stating they would prefer legal action or leaving the EU over weakening their system. ([techradar.com](https://www.techradar.com/computing/cyber-security/we-will-not-stand-by-while-the-eu-destroys-encryption-tuta-mail-ready-to-sue-the-eu-over-chat-control?utm_source=openai))
3. <https://www.techradar.com/computing/cyber-security/its-just-smoke-and-mirrors-over-500-cryptography-scientists-and-researchers-slam-the-eu-proposal-to-scan-all-your-whatsapp-chats> - Over 500 cryptography experts have signed an open letter criticizing the European Union’s proposed law mandating the scanning of encrypted chats for CSAM. The controversial bill, dubbed 'Chat Control' by critics, would require messaging apps like WhatsApp to scan all user content, including encrypted messages, for CSAM. The latest version, introduced by Denmark, is being reviewed by EU Council members with a final decision expected as early as October 2025. ([techradar.com](https://www.techradar.com/computing/cyber-security/its-just-smoke-and-mirrors-over-500-cryptography-scientists-and-researchers-slam-the-eu-proposal-to-scan-all-your-whatsapp-chats?utm_source=openai))
4. <https://www.techradar.com/computing/cyber-security/chat-control-the-list-of-countries-opposing-the-law-grows-but-support-remains-strong> - As of September 11, 2025, opposition is mounting among EU member states against the controversial 'Chat Control' bill, which mandates the scanning of all digital communications, including encrypted messages, to detect CSAM. Germany and Luxembourg have recently joined Austria, the Netherlands, Finland, Poland, Belgium, and the Czech Republic in rejecting the proposal. Despite this, 15 EU countries, including France, Italy, Spain, and Sweden, still support the measure. The bill’s final draft—developed under the Danish Presidency—is set for a decisive EU Council meeting on September 12, with a final vote expected on October 14, 2025. ([techradar.com](https://www.techradar.com/computing/cyber-security/chat-control-the-list-of-countries-opposing-the-law-grows-but-support-remains-strong?utm_source=openai))
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6. <https://www.computing.co.uk/news/2025/legislation-regulation/eu-moves-closer-to-controversial-chat-control-law> - The European Union is moving closer to enacting the controversial 'Chat Control' law, which would require tech firms to scan encrypted messages for CSAM. Encrypted email provider Tuta Mail has indicated it would pursue legal action against the EU if the proposals are adopted, stating that the legislation would undermine trust in European technology. ([computing.co.uk](https://www.computing.co.uk/news/2025/legislation-regulation/eu-moves-closer-to-controversial-chat-control-law?utm_source=openai))
7. <https://www.computerweekly.com/news/366630597/Chat-Control-EU-to-decide-on-requirement-for-tech-firms-to-scan-encrypted-messages> - The European Union is set to decide on a requirement for tech firms to scan encrypted messages for CSAM under the 'Chat Control' proposal. Encrypted email provider Tuta Mail has stated that it would take legal action against the EU rather than betray its users by introducing backdoors into its encrypted messaging service. ([computerweekly.com](https://www.computerweekly.com/news/366630597/Chat-Control-EU-to-decide-on-requirement-for-tech-firms-to-scan-encrypted-messages?utm_source=openai))