

Brussels, 7 July 2026
(OR. en)

11501/26

Interinstitutional File:
2022/0155 (COD)

LIMITE

ENFOPOL 250
JAI 948
CRIMORG 146
IXIM 152
DATAPROTECT 229
CYBER 333
COPEN 262
FREMP 234
TELECOM 375
COMPET 917
MI 742
CONSOM 226
DIGIT 193
CODEC 1387

NOTE

From:	Presidency
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse – Outcome of the trilogue on 29 June 2026 and next steps

1. State of play of the negotiations

The fifth trilogue on the above referred file took place on 29 June 2026 at the premises of the European Parliament. The Cyprus Presidency informed delegations about the outcome of that trilogue in an oral presentation at the meeting of JHA counsellors on 30 June 2026. Following informal consultations with the European Parliament at technical level, the Irish Presidency has prepared this note and a consolidated table¹ illustrating the state of play of negotiations.

¹ 9794/2026.

The fifth trilogue brought significant progress by reaching provisional agreement on almost all the provisions of the proposed Regulation with the exception of detection. In particular, the work on the scope of the Regulation, risk assessment and mitigation measures, removal, blocking and delisting orders, and the requirements for national authorities has been concluded. On detection, there is openness from the European Parliament to engage in discussions with the Council based on the Presidency compromise presented in May 2026², and the technical teams were mandated to identify possible landing zones.

2. Outcome of the trilogue on 29 June 2026

a) Scope of the Regulation (Articles 1 and 2, in particular lines 106a and 137)

On the pending issue of **audio communications**, provisional agreement was reached on the Commission's compromise to exclude voice calls from the scope of the Regulation, while voice messages would remain in the scope in general but be excluded from detection. The definition of content data would be aligned with the definition used in the e-evidence Regulation. The concrete implementation of this agreement in the operative part and the recitals is still subject to technical work.

b) Risk assessment, mitigation and reporting, software application stores (Articles 3-6)

Provisional agreement was reached that **only providers targeting children or exposed to the risk of child sexual abuse should be obliged to carry out a risk assessment** (Article 3, line 145a).

While providers would have the choice which mitigation measures they carry out (Article 4, lines 172-180b), **compulsory mitigation measures** would be imposed on providers of services with an identified risk of being used for grooming (Article 4, lines 181 and 181a). The European Parliament dropped their request to impose specific obligations on providers of online games and pornographic platforms, whilst the Presidency accepted not to insist on the risk categorisation.

Regarding **age verification**, co-legislators agreed that this Regulation was not the place to regulate age verification and thus the relevant references would be deleted from the text. This was the conclusion following efforts to find a compromise between the Council's position to make age verification measures mandatory for certain providers without detailed conditions and the European Parliament's position to leave it up to the provider whether to make use of age verification measures subject to detailed criteria.

² 9659/26.

Provisional agreement was reached on the **obligations for providers of software application stores** designated as gatekeepers pursuant to Article 3 of the Digital Services Act (DSA (Article 6, lines 194-201).

Further work will be required to ensure **alignment with the DSA**, in particular with regard to the relevant enforcement provisions in Article 27.

c) Removal orders (Articles 14 and 15)

The Presidency and the European Parliament reached provisional agreement that the procedure for issuing the **removal orders would be aligned with the Terrorist Content Online (TCO) Regulation** as requested by the Council, also with regard to competent authorities as issuing authorities and the possibility for Member States to decide that judicial or independent administrative authorities could be the issuing authorities.

d) Blocking orders (Articles 16, 17 and 18)

The Presidency and the European Parliament provisionally agreed on a **compromise regarding the issuing authorities for blocking orders** (Article 16, lines 358 and 358a):

- “1. *The competent authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or, subject to judicial oversight, an independent administrative authority of that Member State, to issue a blocking order requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users from accessing known child sexual abuse material. The competent authorities shall make use of the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.*
- 1a. *By derogation from paragraph 1, Member States may decide that such orders can be issued by a competent authority of establishment, provided that the orders are subject to ex-post scrutiny by a competent judicial or independent administrative authority of that Member State without undue delay from the date of issuance of the order. This scrutiny is without prejudice to the right to right of redress set out in Article 18 of this Regulation. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.”*

Regarding redress to blocking orders, provisional agreement was reached that users who provided the blocked content and users prevented from accessing blocked content (Article 18, line 396) would have the **right to redress**, and that providers may request a **review of the blocking order** (Article 18, lines 404 and 405).

e) Delisting orders (Articles 18a, 18b and 18c)

The co-legislators reached provisional agreement to establish **delisting orders in line with the Council mandate**, mirroring the provisions on the removal order.

f) Cross-border procedure for removing orders and delisting orders (Articles 14a and 18aa)

The European Parliament agreed to establish **cross-border procedures for removal orders and delisting orders**, respectively, on the basis of the Council mandate.

g) Requirements for competent authorities and deadlines for the assessment of reports and the establishment of authorities

On the **requirements for competent authorities**, a Presidency compromise text was provisionally agreed (Article 26, lines 475 and 475a):

“Member States shall ensure that the Coordinating Authorities and other competent authorities that they have designated, perform their duties and exercise their powers objectively, impartially and in the interests of the effective application of this Regulation. Coordinating and competent authorities shall be subject to proportionate accountability requirements, while fully respecting fundamental rights. Member States shall ensure that those authorities have appropriate technical, financial and human resources to efficiently carry out their tasks.

Coordinating Authorities and other competent authorities shall not seek or take instructions from any other body in relation to the carrying out of their tasks under this Regulation. This shall not prevent supervision in accordance with national law.”

Regarding the pending deadlines, it was agreed to give the national authorities **three months for the assessment of reports received by them from the EU Centre**, and to drop the exception for “particularly complex cases” (Article 36, line 567). It was agreed to link the deadline for the **designation of competent authorities by the Member States** to the discussion on the entry into application of the Regulation (Article 25, line 459).

h) Detection obligations and own-initiative searches

The European Parliament indicated it is ready to discuss the building blocks on detection, as proposed by the Cyprus Presidency in May 2026, conditional to the protection of end-to-end encrypted communication and to the respect for the prohibition of a general monitoring obligation. The Parliament would accept the **coexistence of detection orders and own-initiative searches**, if a targeted approach and necessary safeguards were applied. The Parliament acknowledged the difficulties related to discussing the scope of detection (known, new CSAM and grooming). The technical teams were tasked to work within this framework.

i) Entry into force and application

The provisions on the entry into force and application have not been discussed at the trilogue and will be considered by the Presidency in the ongoing work on the file. This includes the work on review clauses for number-dependent communications services and audio communications, and possible other aspects, and to discuss transitional arrangements until this Regulation will enter into full application.

3. **Composition of the Technology Committee (Article 66 and Recital 74)**

The Presidency took note of the request by Member States to ensure that every Member State will be represented in the Technology Committee and to avoid conflicts of interest of the members to that Committee. Taking into account the European Parliament's plea for not creating a Technology Committee of very large size and the Commission's suggestion not to exclude non-EU citizens from becoming members to the Technology Committee, the Presidency suggests the following redrafting of paragraph 1 of Article 66 (lines 840, 840a and 840c):

“The Technology Committee shall consist of experts on matters related to the technologies relevant for the purposes of this Regulation, appointed by the Management Board in view of their excellence in a particular area and their independence to ensure a complete and varied set of skills and expertise. A call for expressions of interest for the members of Technology Committee shall be published in the Official Journal of the European Union.

In response to that call for expressions of interest, each Member State shall nominate one or more candidates that meet the requirements set out in the paragraph above. The Management Board shall appoint one member from each Member State.

To ensure the required range of expertise, the Management Board may appoint up to five additional members from among the experts who responded to the call for expressions of interest.”

In addition, provisions regarding the avoidance of conflicts of interest and to allow the Management Board to appoint non-Union citizens as members of the Technology Committee, if duly justified to ensure access to relevant expertise in a particular area, have been added to recital 74 (line 85).

4. Launching the procedure for the establishment of the EU Centre for the Protection of Children from Child Sexual Abuse

As announced at the meeting of JHA counsellors on 30 June 2026, the Presidency wants to move ahead with launching the procedure for the establishment of the EU Centre. The first step in such a selection procedure would typically involve an invitation by the Council and the European Parliament to the Commission to prepare the selection criteria and technical specifications that the agency will have to fulfil. On the basis of the criteria and technical specifications agreed by the co-legislators, the Commission would launch a call for applications and subsequently conduct a preliminary assessment of the applications. In parallel, the Council and the European Parliament would discuss and agree on a ‘Common Understanding on the process for selecting the seat’ setting up the procedural aspects of the selection process.

Clarity about the tasks of the EU Centre is a precondition to invite the Commission to prepare the selection criteria and technical specifications including the agency’s resource requirements. As delegations are aware, the European Parliament asked for tasking the EU Centre to conduct proactively own-initiative searches in publicly accessible content on known CSAM (Article 49, line 684a) in addition to carrying out such searches to support victims or upon the request of competent authorities. The option of tasking the EU Centre with own-initiative searches has also been included in the compromise proposal on detection by the Cyprus Presidency from May 2026. While some delegations have welcomed allocating the task of own-initiative searches to the EU Centre, concerns were expressed by some Member States with regard to a possible interference of those activities in the work of law enforcement authorities, the lack of compatibility with the reporting process and the legal basis of the EU Centre as an internal market agency.

The Presidency needs clarity whether there is sufficient support among delegations for own-initiative searches by the EU Centre before being able to proceed with launching the separate interinstitutional procedure for the establishment of the seat of the EU Centre that will be guided by the Permanent Representatives Committee.

5. Invitation to delegations

Delegations are invited to examine the outcome of the fifth trilogue and the four-column table illustrating the state of play of negotiations and provide their views.

Delegations are invited to respond to the following questions:

- 1 Following the appointment of Member State representatives to the Technology Committee, and to ensure a full range of expertise within that committee, can you support the possibility that the Management Board “may” appoint up to five additional technical experts?
- 2 In order to commence the process to select the seat of the EU Centre, clarity and agreement on the tasks of the EU Centre is necessary. The key outstanding task to be agreed is *own-initiative searches in publicly accessible content on known CSAM* (Article 49, line 684a). Given the concerns expressed by some Member States, is there a mechanism, by which, you could support own-initiate searches by the EU Centre?

6. Next steps

The Presidency is continuing work at technical level on implementing the outcome of the fifth trilogue, and to consider possible compromise solutions on detection.

The next interinstitutional technical meetings (ITMs) are planned on 10 and 18 September 2026 in preparation of the sixth trilogue scheduled on 29 September 2026 at the Council premises.

The next meetings of JHA counsellors on the CSA Regulation are tentatively scheduled on 23 July and 14 September 2026.