

Brussels, 13 January 2026
(OR. en)

15993/25
ADD 1
LIMITE
CRS CRP 42

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

26, 27 and 28 November 2025

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (23.02.2026)

DELETED

Statements to the “I” items set out in doc. 15865/1/25 REV 1

Justice and Home affairs

63. Regulation to prevent and combat child sexual abuse 15318/25
Partial mandate for negotiations with the European Parliament ENFOPOL

Statement by Hungary

“Magyarország mindvégig következetes álláspontot képviselt a gyermekek szexuális bántalmazása elleni rendezettség tárgyalása során, amelynek középpontjában az a meggyőződésünk állt, hogy a gyermekek védelmének elsőbbséget kell élveznie. Emellett az alapelv mellett álltunk ki a magyar elnökség alatt is.

A gyermekek online szexuális zaklatási eseteinek száma világviszonylatban bizonyítottan évről évre drasztikusan nő, ezért támogattuk azt a megközelítést, amely szerint sürgősen cselekednünk kell és mielőbb kompromisszumra kell jutnunk a tárgyalások során.

Állásponunkt szerint a Tanács részleges tárgyalási mandátumára irányuló elnökségi javaslata továbbra sem jelent érdemi előrelépést a gyermekek védelme terén, mert nem teremt olyan mechanizmust, amely képes hatékony választ adni erre a fenyegetésre, ezért a kezdetektől egy sokkal ambiciózusabb mechanizmus bevezetését szorgalmaztuk.

Magyarország abban bízva fogadja el az intézményközi tárgyalások megkezdésére vonatkozó tagállamok minősített többséggel hozott döntését, hogy a jelen rendelet csupán a kezdő lépés a gyermekek védelme szempontjából valóban hatékony megoldás irányába.”

Courtesy translation

“Hungary maintained a consistent position throughout the negotiations on the Regulation preventing sexual abuse of children, based on our conviction that the protection of children must be a priority. We also upheld this principle during the Hungarian Presidency.

The number of cases of online sexual abuse of children is proven to be increasing dramatically year by year worldwide, therefore we supported the approach of urgent action and reaching a compromise in the negotiations as soon as possible.

The Presidency's proposal for a partial negotiating mandate for the Council does not represent significant progress in the field of child protection, as it does not create a mechanism that is capable of responding effectively to this threat. We have therefore asked for a much more ambitious mechanism from the beginning.

Hungary accepts the decision taken by a qualified majority of Member States to commence interinstitutional negotiations, trusting that this Regulation is only the first step towards a truly effective solution for the protection of children.”

Statement by Italy

DELETED

To such end, in recent months Italy has actively endeavoured to attain a not easy synthesis solution between the – shared – need to strengthen the instruments for combating online sexual abuse and the demand of not weakening the ideal and legal pillars that have distinguished the European Union on these issues.

Notwithstanding the efforts made, Italy deems that the text presented by the Presidency as a partial general approach of the Council’s proposal fails to go in the direction indicated.

Whilst appreciating the removal of the mechanism of detection orders – albeit not permanent, having regard to the Regulation review clause as per Art. 85 of the draft – Italy does not deem it reassuring to endorse a solution that authorises providers (i.e., private entities, mostly non-European) to conduct, without proper counterweights, those mass scanning activities that triggered the concerns expressed by several Member States during the negotiations.

Concerns related to the invasive nature of such scanning activities had, on the other hand, also been considered by Parliament and the Council when adopting Regulation (EU) 2021/1232, so much so that a limited time frame was then established – which now the proposal instead aims to stabilise – with a view to more complete and more balanced discipline.

As a further proof of the collaborative spirit of Italy’s reservations, two amending measures are hereby submitted to the Member States’ attention, in line with the items that Italy indicated as crucial at the Coreper meeting on 5 November 2025:

- a) Introduction of mechanisms of ex-ante/ex-post controls by a third-party national authority on the “voluntary activities” of providers, with the aim of verifying, on a case-by-case basis, compliance with the requirements set out in the Regulation and, first and foremost, the principle of proportionality. This review is essential in order to ensure that the Regulation complies with the principles established by the jurisprudence of the Court of Justice of the European Union and the European Court of Human Rights regarding confidentiality and surveillance;
- b) In line with the position of the European Data Protection Board and the European Data Protection Supervisor, limit the range of providers’ “voluntary” detection activities to looking for only “known” material – or, at most, to “new” CSAM material that was nevertheless found

during traditional investigative activities – excluding the possibility of using such a massive scanning to search for completely unknown and “new” material or to sift through chats looking for cases of potential child grooming.

Should the concerns expressed by Italy not be adequately addressed, Italy could not support the partial mandate on the CSA Regulation.”

Statement by the Netherlands

“The Netherlands considers it of utmost importance to combat child sexual abuse material and is committed to contributing to this effort with maximum dedication. The Netherlands therefore fully endorses the objective this Regulation.

The removal of mandatory detection has been a major step forward for the Netherlands' position. The Netherlands is grateful to the presidency for this.

It is important for the Netherlands that, in the fight against the spread of this terrible material, concerns regarding fundamental rights, the digital resilience of the member states, and the privacy of internet service users are also respected.

By making voluntary detection permanent, the periodic reassessment of the balance between the goal of detection and privacy and cybersecurity considerations will disappear.

The Netherlands sees this as a high risk.

Unfortunately, the concerns of the Netherlands have therefore not been sufficiently addressed.

The Netherlands will therefore not support in the adoption of the partial mandate for negotiations with the European parliament.”

DELETED FROM THIS POINT UNTIL THE END OF THE DOCUMENT (page 9)