Council of the European Union

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**Interinstitutional File: 2022/0155 (COD)**

**NOTE**

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| 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<br>- State of play of interinstitutional negotiations and Presidency compromise texts |

## 1. Background and objective of the meeting

Delegations are provided with a Presidency note regarding the Proposal for a Regulation laying down rules to prevent and combat child sexual abuse (CSA Regulation) in view of the meeting of JHA counsellors on 27 January 2026.

The interinstitutional negotiations on the CSA Regulation were launched under the Danish Presidency with a first trilogue on 9 December 2025. Technical work has started under the Cyprus Presidency with the first inter-institutional technical meeting (ITM) on 15 January 2026 and the second ITM scheduled on 23 January 2026. The Cyprus Presidency plans to organise the next trilogue on 26 February 2026.

Delegations will be kept informed by the Presidency on the progress made in regular meetings of JHA counsellors with the next ones envisaged to take place on 10 and 24 February 2026.

The Cyprus Presidency intends to devote these meetings to inform about the state of play of interinstitutional negotiations and to discuss possible compromise solutions with due consideration to the principle that "nothing is agreed until everything is agreed".

## 2. State of play of the negotiations

The first two ITMs have been dedicated to provisions related to Chapter IV of the CSA Regulation on the EU Centre. The outcome of the ITM of 15 January covering Articles 40, 41 and 44-56 is included in the version of the four-column table circulated together with this note (WK 913/2026). A revised version of the four-column table with the outcome of the ITM of 23 January will be made available as soon as possible ahead of the meeting of JHA counsellors for information purposes. The Presidency notes that the co-legislators agreed that it would be of added value to reorganise Articles 43 and 57, and the provisions related to the budget (section 6 of Chapter IV) to take into account the different ways of structuring the text chosen by the co-legislators. Article 42 (seat of the EU Centre) is excluded from the negotiations.

Following the ITM on 15 January, delegations are provided with the identical lines, the provisionally agreed lines, lines requiring their feedback, as well as lines concerning political issues to be addressed at the trilogue.

## A. Identical lines proposed for endorsement at the trilogue

The following lines under Chapter IV are identical in the mandates of both co-legislators and have been proposed for endorsement at the next trilogue:

589, 590, 593-596, 631-635, 638, 642, 644, 645, 647-649, 651, 652, 653, 656, 662-666, 668, 669, 675-678, 680, 681, 683, 686, 688, 694, 699-702, 704-715, 717, 718, 720-724, 726, 727, 731, 734, 735-737, 739, 740, 741, 742, 750, 752, 754, 755, 758, 759, 760, 762, 763-766, 769, 770, 773, 774, 781, 783-786, 789-798, 799, 800, 804, 805, 806-808, 810-814, 815, 816, 820-827, 829, 830, 832, 839, 841, 845, 849, 850, 863, 864, 872, 875, 881-883, 886, 887, 889-891, 892, 895-897, 899, 900-902, 903-906, 907-910, 912, 913-918, 919, 920, 921, 923, 924, 926, 927.

## B. Provisionally agreed lines

The following lines have been provisionally agreed at technical level, except the parts in brackets:

592, 630, 660, 673, 682, 691, 692, 693, 719, 725, 740a, 740c.

## C. Lines requiring feedback from delegations

Based on the technical discussions, the Presidency invites delegations to examine the amendments suggested below and to reply to the following questions:

Article 44

- Lines 637, 640, 641: Simplifying the text by going back to the proposal by the Commission, including "**a list** of uniform resource locators".

Article 45

- Line 651a: Should the EU Centre keep some parts of manifestly unfounded reports?

  "**Where the EU Centre considered the report unfounded, all data shall be anonymized and in case of videos or images only a cryptographic hash value from the reported file, the reasons and the date and time of informing the provider in accordance with Article 48(2) shall be stored**".

Article 46

- Line 657: Adding "**which it considered not unfounded as**" and deleting "~~suspected~~" in the provision on Europol's access to the EU Centre's databases.

Article 48

- Line 670: Adding "**and diligently**" on the way the EU Centre should process reports from providers.

Article 49

- Lines 684a, 684b and 686a: Should the EU Centre have the power to conduct searches of publicly accessible content on hosting services for the dissemination of publicly accessible known child sexual abuse material **proactively and on its own initiative** under the conditions proposed by the EP?

Article 50

- Line 695: Including a specific reference to "**hotlines and helplines**" as possible sources of information for the EU Centre on matters related to the prevention and combating of child sexual abuse.

Article 53

- Line 729: **Deleting the provision on the sharing of administrative functions with Europol** as the seat of the EU Centre might not be The Hague.

- Line 730: Making **Memoranda of Understanding** for cooperation with partner agencies or organisations **always publicly accessible**.

Article 54

- Line 732: Should the **EU Centre be obliged to cooperate** with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, and victim support?

Article 54a (EP only)

- Line 733b, 733c, 733d: Should an online **European Child Protection Platform** be established?

Article 56

- Line 747: Adding "**knowledge on victim support, expertise and professional records**" to the requirements of appointing members of the Management Board.

- Line 748: Adding a provision that the term of office for members of the Management Board and their alternates should be **renewed only once**.

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## D. Political issues in preparation of the trilogue

- **Name of the EU Centre (lines 588, 591)**

  While the Council maintained the name "EU Centre to prevent and combat child sexual abuse", as proposed by the Commission, according to the EP the name would be changed into "EU Centre for child protection" which is in view of the Presidency too broad and not appropriately reflecting the scope of activities of the EU Centre. The Presidency suggests finding a compromise and proposes the alternative name "**EU Centre for the Protection of Children from [Online] Child Sexual Abuse**" for consideration of delegations.

- **Executive Board (Article 55, line 738)**

  In line with the Commission proposal and the common approach on decentralised agencies, the EP agrees with the establishment of an Executive Board to perform the tasks set out in Article 62. However, the EP wants the Executive Board to be composed of five (instead of four) members of the Management Board, two representatives of the Commission and, in addition, one independent representative of the EP. The tasks of the Executive Board would be more limited compared to the Commission's proposal. As the Council's position provides for the deletion of the Executive Board with the Management Board taking over all its tasks, the Presidency asks delegations for their views about **possibly establishing an Executive Board with more limited tasks** as suggested by the EP.

- **Composition of the Management Board (Article 56, line 743)**

  There is convergence in the positions of the co-legislators with regard to the composition of the Management Board with voting rights by one representative from each Member State and one representative of the Commission. However, the EP suggests **adding to the Management Board one independent representative designated by the EP with voting rights**, whereas the Council, in line with the Commission's proposal, would grant that representative with an observer status only.

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## 3. Questions to Member States

Member States are invited:

1. to endorse the provisional agreement on the lines listed under point B.
2. to examine the suggestions and to reply to the questions outlined under point C.
3. to provide their preliminary views on the political issues in preparation of the trilogue.

## 4. Next steps

Taking into account the exchange with delegations, the Presidency will continue its work to reach a compromise on Chapter IV in the upcoming ITMs. Further work is planned to be pursued on Chapter III (supervision, enforcement and cooperation) and those parts of Chapter II (obligations of providers) not covering the various orders. Following the trilogue on 26 February 2026, it is planned to start working on the orders including the matter of detection.

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