Council of the European Union

Brussels, 16 February 2026
(OR. en)

6394/26

Interinstitutional File:
2022/0155 (COD)

LIMITE

ENFOPOL 57
JAI 205
CRIMORG 44
IXIM 48
DATAPROTECT 45
CYBER 64
COPEN 46
FREMP 51
TELECOM 69
COMPET 194
MI 131
CONSOM 46
DIGIT 38
CODEC 243

PUBLIC

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 - State of play of interinstitutional negotiations and request for written contributions

1. State of play of the negotiations

At the meeting of JHA counsellors on 27 January 2026, the Presidency informed delegations about the outcome of the first and the second interinstitutional technical meeting (ITM) on the Proposal for a Regulation laying down rules to prevent and combat child sexual abuse (CSA Regulation). These two ITMs were dedicated to provisions related to Chapter IV of the CSA Regulation on the EU Centre, covering Articles 40, 41 and 44-82. Article 42 (seat of the EU Centre) is excluded from the negotiations and Article 43 is going to be redrafted to avoid the duplication of references.

During the meeting of JHA counsellors on 27 January 2026, the Presidency received preliminary feedback from delegations to the proposals outlined in document 5578/26. Subsequently, delegations provided the Presidency with written comments on the proposals outlined in documents 5578/26 and 5789/26.

Taking into account the feedback from delegations, the Presidency reached provisional agreement with the European Parliament on several outstanding lines concerning the EU Centre at the fifth ITM that took place on 13 February 2026. Some issues have been identified as political and will be considered at the second trilogue on 26 February 2026, while other issues have been put on hold as they are linked to detection or other matters that are to be decided in the context of the discussions of other chapters of the draft Regulation.

The outcome of the ITM of 13 February 2026 covering Articles 40, 41 and 44-82 is included in the version of the four-column table issued on 16 February 2026 (WK 2481/2026).

2. Provisionally agreed lines and questions to delegations

Delegations are provided with the provisionally agreed lines and lines requiring their feedback, as well as information about political issues to be addressed at the trilogue.[1]

B. Provisionally agreed lines

The following lines have been provisionally agreed at the ITM on 13 February 2026, except the parts in brackets:

588, 591, 637, 640, 641, 641a, 643, 651a, 656, 657, 659, 670, 671, 672, 691, 691a, 693, 695, 695b, 696 a-d, 697, 716, 719, 729, 730a, 730, 730c, 732, 733, 733a-j, 740a, 744a, 745, 746, 747, 748, 751a-d, 756a, 758g, 758r, 818, 827a, 828, 848d-r, 849, 850a-h, 867c, 868, 869, 870, 870c, 870n, 870o, 873, 874, 879, 885, 893, 894, 898, 902, 928

[1] The identical lines (point A) in Chapter IV have already been outlined completely in 5578/26 and 5789/26.

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 46

- Line 661: Specifying the **data security requirements** for the EU Centre's databases "The EU Centre shall ensure **through all technical means available** that the data contained in the databases referred to in Articles 44 and 45 is stored in a secure manner and that the storage is subject to ~~appropriate~~ **the state of the art** technical and organisational safeguards**, that ensure an effective supervision**."

Article 47

- Line 667: Can you support that the delegated acts relating to the EU Centre's databases would concern the **modalities of the access** to the databases in accordance with the relevant provisions of Article 46?

Article 48

- Line 679: Can you support that the time periods set by law enforcement to the EU Centre are "**proportionate to safeguard the prevention, detection, investigation and prosecution of child sexual abuse offences and protect the rights of the victims in a specific case**"?

Article 50

- Line 696: Adding that the research, surveys and studies carried out or encouraged by the EU Centre should **take into account age, gender, vulnerable groups and national specificities**.

- Line 698: Can you agree to the compromise text proposal on the **EU Centre's communication strategy?**

  "The EU Centre shall develop a communication strategy and promote dialogue and cooperation with relevant stakeholders to raise public awareness of and promote measures to prevent and combat online child sexual abuse. The communication strategy shall include campaigns targeted towards children, families and educators, aiming to improve digital literacy and a safe digital environment for children."

PUBLIC

Articles 53 and 53a

- Lines 727, 728 and 730b: Should cooperation with Europol and with other EU agencies and bodies be mandatory for the EU Centre (‘*shall’* in lines 727, 728 and 730b) or should such cooperation be a possibility (use of ‘*may’* in lines 727, 728 and 730b) **where necessary for the performance of its tasks** under this Regulation? Should the **reference to examples of specific agencies and bodies** included in line 730b be moved to a recital, given that they do not constitute a closed list?

- Line 728: Regarding the mutual access of the EU Centre and Europol to the relevant information and information systems, can you agree to deleting “the fullest possible” in the first sentence and adding the following sentence: “**In this context, any access of personal data shall be granted in accordance with the relevant Union law and only on a case by-case basis, upon submission of an explicit and justified request**”?

Article 57:

- Line 758m: Can you agree to the wording “**ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF) and from the European Public Prosecutor’s Office (EPPO)?”**

Article 64

- Line 819: Can you accept the alignment with the AMLA Regulation of the wording on the protection of the financial interest of the Union?

D. Political issues in preparation of the trilogue

The Presidency endeavours to reach provisional agreement at technical level on as many open issues as possible. A common understanding has been reached on the name of the **EU Centre for the protection of children from child sexual abuse** and of the **Victims Consultative Forum and its scope**.

Still open issues regarding the EU Centre include the **establishment of an Executive Board**, the **composition of the Management Board**, the designation of a **Fundamental Rights Officer,** and **proactive searches of CSAM by the EU Centre**.

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.

The Presidency invites delegations to provide their **written feedback by 20 February 2026**.

4. Next steps

The sixth ITM taking place on 23 February 2026 is planned to focus on Chapter III (supervision, enforcement and cooperation, Articles 25-39) and Section 6 of Chapter II (obligations of providers, Articles 19-24). In addition, outstanding issues related to Chapter IV on the EU Centre might be addressed in preparation of the trilogue on 26 February 2026.

Delegations will be informed about the outcome of that ITM and the preparation for the trilogue at the meeting of JHA counsellors on 24 February 2026.

PUBLIC