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ENFOPOL 132
JAI 454
CRIMORG 93
IXIM 98
DATAPROTECT 119
CYBER 160
COPEN 134
FREMP 129
TELECOM 165
COMPET 425
MI 339
CONSOM 120
DIGIT 100
CODEC 666

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 16 April 2026 and next steps

1. State of play of the negotiations

The third trilogue on the above referred file took place on 16 April 2026 at the European Parliament. The discussion focused on the providers' risk assessment, mitigation and reporting obligations (Chapter II, Section 1, Articles 3 to 5) and some open issues from the second trilogue including the right to information and assistance (Chapter II, Section 6, Articles 20 and 21), supervision, enforcement and cooperation (Chapter III, Articles 26, 36 and 39) and on the EU Centre (Articles 45 and 64). In addition, an initial discussion on detection was held. A consolidated table showing the state of play of negotiations will be issued.

2. Outcome of the trilogue on 16 April 2026

a) Endorsement of identical and provisionally agreed lines

– *Identical lines*

51, 53, 62, 83, 84, 142, 143, 144, 146, 147, 149, 151, 153, 155, 158, 171, 174.

– *Provisionally agreed lines*

49, 49a, 52, 55, 56, 56a, 57, 57a, 58, 61, 64, 65, 67a, 68, 68a, 69, 70, 70a, 73, 75, 75a, 76a, 79, 80, 82, 82a, 83a, 85a, 85b, 457, 467, 533, 534, 535, 542, 542a, 542c, 544, 563, 564, 565, 566, 568, 584, 584a, 585, 657, 671, 672, 672a, 691a, 709, 728, 732, 738, 740b, 743, 744, 756b, 758m, 758n, 775-805, 818, 833, 836, 847, 848q, 848s-ae, 893, 894, 898.

b) Risk assessment, risk mitigation and reporting

The Presidency and the European Parliament reached a provisional agreement on the following aspects, pending further work at technical level:

- (i) The relevant provisions of Articles 3 to 5 should be adjusted with a view to their **alignment with the Digital Services Act (DSA)** to avoid a duplication of efforts and to ensure legal certainty. In particular, the existing mechanism for risk assessment and mitigation measures applying to very large online platforms (VLOPs) under the DSA should be used. The alignment of the procedures for other hosting services should be pursued with Member States remaining free to choose which authority they will designate as Coordinating Authority under the CSA Regulation. As the Commission is in charge of supervising and enforcing VLOPs under the DSA and Digital Service Coordinators (DSCs) established under the DSA have certain supervisory and enforcement powers concerning other hosting services, a seamless information flow between the Commission and the Coordinating Authorities established under the CSA Regulation and, respectively, the DSCs and Coordinating Authorities, must be ensured.

- (ii) The risk assessment and mitigation **provisions should apply only to certain providers** of hosting services and interpersonal communications services, pending agreement on clear conditions to define what providers should be subject to those obligations.
- (iii) Some **risk mitigation measures should be compulsory for certain providers**, while leaving the choice of the concrete mitigation measures to the providers in principle.
- (iv) **Balanced solutions with regard to age verification** will be explored at technical level, taking into account the ongoing work of the Commission.
- (v) The Council's proposed approach on the **risk reporting** was accepted, while postponing the discussion on risk categorisation that could be considered in the context of detection.

c) Initial discussion on detection

The Presidency and the European Parliament both welcomed the opportunity to start reflecting about possible solutions and admitted that the positions of the co-legislators were very far apart. The only point of convergence seems to be that end-to-end encrypted content should be excluded from detection. Despite the different approaches, the technical teams were mandated to engage in discussions to identify possible solutions in preparation of the fourth trilogue on 11 May 2026.

The Commission presented some ideas on the way forward, with a view to helping the co-legislators bridge their positions. Specifically, the Commission suggested separating the discussions on detection in the public space and in interpersonal communication.

In the public space, hosting services could detect known and new CSAM on their own initiative as a mitigation measure. The detection of grooming was less important in this context. If the mitigation measures would not be sufficient to address the risk of CSAM being present on their platforms, they could be required by the Coordinating Authority to detect in line with specific criteria, which should be set out in the Regulation, but which should not be too burdensome given the limited privacy concerns. In addition, the EU Centre could detect known and new CSAM on its own initiative, including in the dark web.

As regards detection in interpersonal communication, the right balance between the different fundamental rights should be found. The Commission pointed to the fact that both the Council and the European Parliament agreed in principle that scanning for known CSAM should be a possibility for providers. The detection of new CSAM was however also important, given that new CSAM is often linked to ongoing abuse. Since grooming is an important problem and often the start of serious abuse of children, it should also be addressed in a sufficiently targeted and proportionate manner. The Commission suggested that providers could carry out detection proactively and on their own initiative as an optional mitigation measure. Since many providers may not act or in case the mitigation measures are considered insufficient by the Coordinating Authority, detection orders could be issued as a last resort to ensure a level-playing field. Finally, the Commission pleaded against limiting detection to already known suspects as suggested by the European Parliament, given that this does not really add value.

d) Open issues from the second trilogue

(i) Right to information and assistance

The Presidency and the European Parliament provisionally agreed to **extend the right to information and assistance to EU citizens residing outside the Union** in addition to all persons residing in the EU and to accept compromise wording for the possibility to **request periodic provision of information**, if provided annually and in an automated manner (Articles 20 (lines 411, 412a, 416a) and 21 (lines 423, 424)).

(ii) Supervision, enforcement and cooperation

As regards the *requirements for authorities of the Member States* (Article 26, lines 475, 475a, 476-480) and the *identification and submission of online child sexual abuse material to the EU Centre* (Article 36), at the second trilogue the European Parliament showed openness to the Council position as regards competent authorities and adequate judicial oversight (lines 563, 564), on the condition that the Coordinating Authorities would submit the material to the EU Centre (line 562) and that there would be additional safeguards on the ‘requirements for authorities’ under Article 26.

However, no agreement was reached at the third trilogue, as the **European Parliament continued to insist on the functional independence of competent authorities**, which might include law enforcement authorities. The other point not concluded yet refers to the **time given to the national law enforcement authorities to carry out their diligent assessment of reports received from the EU Centre** (Article 36, line 567). The European Parliament insists on keeping the deadline of one month as proposed by the Commission (two months according to Council mandate), while it could accept three months (instead of two in the Commission proposal and six in the Council position) for particularly complex cases.

The Presidency and the European Parliament provisionally agreed on the provision related to the **national strategies to be put in place by Member States** (Article 39, line 584b).

(iii) EU Centre

The Presidency and the European Parliament provisionally agreed that, for the sake of data minimisation and to avoid overburdening the EU Centre, **manifestly unfounded reports should be deleted** altogether (Article 45, lines 646 and 651a).

The European Parliament provisionally agreed to **drop its request for a gender action plan** in Article 64 (line 816a).

3. Questions to delegations

Delegations are invited to examine the outcome of the trilogue under point 2. They are invited to make comments and observations and request clarifications during the meeting of JHA Counsellors on 22 April 2026.

4. Next steps

The Presidency is continuing work on implementing the outcome of the third trilogue, and to consider possible compromise solutions on detection. Once the technical negotiations have progressed sufficiently, the Presidency might seek an adjusted mandate from the Permanent Representatives Committee.

The seventh and eighth interinstitutional meetings (ITMs) are scheduled to take place on 23 April and 4 May 2026. Delegations will be informed about the outcome of these ITMs at the meeting of JHA Counsellors planned to take place on 5 May 2026. The fourth trilogue is scheduled for 11 May 2026.

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