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CONSULTATION

From:	General Secretariat of the Council
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 – Presidency compromise text

Delegations will find in the annex the Presidency note (5946/26) in a table format for the submission of written comments **by 16 February 2026 (COB)**.

A consultation will be launched shortly on the Delegates Portal.

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Guidelines to be followed

Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**'* or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**). *Track changes can only be connected once the cursor is placed in editable areas (Drafting or Comments columns).

To make it feasible to consolidate all contributions, the structure of the table must not be changed, so **no rows can be added or deleted.**

New provisions may only be added in any of the **'existing cells'.**

Name of document: please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments on … .docx**

Thank you for your cooperation!

Presidency compromise texts	Comments
General Comments	
Following the meeting of JHA counsellors on 10 February 2026, delegations may submit additional written comments by the deadline indicated in the header.	
A. Identical lines proposed for endorsement at the trilogue. The following lines of Articles 19-39 are identical in the mandates of both co-legislators and have been proposed for endorsement at the next trilogue: 407, 408, 413, 414, 417, 418-421, 427, 429, 430, 436, 437, 443-448, 450, 455, 456, 461, 526, 531, 536-539, 546, 553, 554, 556, 558, 560, 561, 569, 573, 579, 581, 582.	
B. Provisionally agreed lines. Member States are invited to endorse the provisional agreement on the lines listed under point B. The following lines	

Presidency compromise texts	Comments
of Articles 19-39 have been provisionally agreed at technical level, except the parts in brackets: 411a, 412, 415, 425, 431, 435, 440, 451-454, 460, 463, 464, 481, 482, 484, 486-490, 492-499, 500-525, 527-530, 532, 540, 541, 542b, 545, 545b-g, 547, 549-552, 555, 559, 570-572, 574-578, 580, 582a-h, 583, 585, 586, 587.	
C. Lines requiring feedback from delegations. Member States are invited to examine the suggestions and to reply to the questions.	
Article 19. Line 409: Redrafting on the **liability of providers to align with Article 7 of DSA**.	
Articles 20 and 21	
• Lines 410, 411, 412a, 416a, 421a-g, 422: The Presidency suggests avoiding a competing definition of "victims" to the one laid down in the Directive establishing minimum standards on the rights, support and protection of victims of crime. The Presidency asked the European Parliament (EP) to clarify and reconsider the extraterritorial scope of information requests including persons not residing in the EU, the provisions on periodic feedback and the detail list on granting specific information to the requesting persons or their legal representatives. While awaiting an alternative proposal from the EP, the Presidency invites delegations to consider **removing the term "victims" from the title** of Articles 20 and 21 and to provide views about the possibility of **requests for periodic feedback to the Coordinating Authority**.	

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Presidency compromise texts	Comments
• Line 423: Can delegations accept that the **providers' assistance should be provided without undue delay**?	
• Line 424: The Presidency suggests an alternative wording **making clear that the support would be provided by the EU Centre** and that the Coordinating Authorities would just be the intermediary between the requesting person or his/her legal representative and the EU Centre.	
• Line 426: Addition of "**and, if available, any other relevant information**"?	
• Line 428: Reinstate point (a) as proposed by the Commission to **clarify the EU Centre's support to persons requesting** the provider's assistance.	
Article 22	
• Lines 433 and 438: In the Council mandate, the obligation for providers to preserve information for the purposes of complaints and redress procedures is added in line 433, and a legal obligation is added for providers to provide information to the requesting authorities, not just to preserve relevant information (line 438). Can delegations agree adding that such requests to providers should always be "**in accordance with the applicable law**" (line 438)?	

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Presidency compromise texts	Comments
• Line 442: The EP suggests including an **obligation for providers to log all access to the information preserved** in line with this Article. Can delegations accept this addition?	
Article 24. Line 449: Can delegations accept that **legal representatives designated by providers for the purposes of this Regulation** may also be responsible for other purposes, e.g. the implementation of other EU legal instruments?	
Article 25	
• Lines 459 and 466: The deadline for designating competent authorities by Member States of 18 months is not in line with the final provisions of Article 89 in the Council mandate that the Regulation should apply after 24 months. Moreover, it is deemed to be far too long by the EP. According to delegations, **how much time will be needed at a minimum for the designation of the national competent authorities**?	
• Lines 462, 465, 472a and 584b: The Presidency suggests an **alternative wording in line 584b covering these provisions related to prevention** in line with the requirement for Member States to prepare national strategies in Article 39(1b).	
• Line 472: Reinstate the provision proposed by the Commission obliging the **EU Centre to provide assistance to national authorities free of charge and without undue delay**, since the	

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Presidency compromise texts	Comments
Presidency aims to shorten Article 43 with a view to listing only the categories of tasks of the EU Centre. In this context, the Council amendment in Line 621 should be deleted.	
• Line 473: Can delegations agree that the **requirements set out in Articles 26 and 27 apply to Coordinating Authorities and to other competent authorities**? If so, the Presidency intends to clarify that requirement throughout the relevant parts of the text.	
Article 26	
• Line 475: Could delegations support the following wording in line 475? "*Member States shall ensure that the competent authorities that they have designated carry out their tasks under this Regulation in an objective, **impartial** and non-discriminatory manner, 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*."	
• Line 483: Addition of **"integrity" to the requirements for the staff** of the Coordinating or competent authorities.	
Article 32. Lines 533-535: The Council deleted the entire Article 32 on **notifications of known CSAM by the Coordinating Authorities to the providers** to avoid duplications with the Digital Services Act (DSA). However, the EP deems it necessary to include a specific provision in this Regulation since the DSA regulates providers but does not empower	

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authorities and it is going to prepare a compromise proposal for a text in alignment with the DSA. Can delegations in principle accept **restoring Article 32 in alignment with the DSA** and if so, do you have any specific remarks?	
Article 34	
• Lines 542, 542a, 543, 544 and 545a: The Presidency suggests aligning the provisions related to the responses by Coordinating Authorities to complaints. Can delegations accept re-inserting the words "**affecting them**" to delineate the scope of who can be a complainant? Can delegations accept an **obligation for Coordinating Authorities to process complaints without undue delay**? How do you see the **interaction between the Coordinating Authority receiving a complaint and the Coordinating Authority of establishment** to which the complaint is transmitted?	
• Line 542c: The EP would like to insert an anonymous reporting tool. What are your views on inserting such a provision?	
Article 34a (EP only). Line 544a: Addition of an article on **judicial remedy and compensation to users by providers** aligned with the DSA.	
Article 35. Line 557: Can delegations accept **not to include a reference to (competent) authorities here**?	

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Article 36	
• Line 565: Can delegations accept that the Coordinating Authorities receive CSAM from other national authorities "**in a secure manner**"?	
• Line 567: **Reduce the submission period** from the national authorities to the EU Centre for identified CSAM or grooming e.g. **to 6 weeks (standard) and 4 months (particularly complex)**?	
D. Political issues in preparation of the trilogue. Member States are invited to provide their preliminary views on the political issues in preparation of the trilogue.	
1. The role of and interaction between the Competent Authority and the other competent authorities (Articles 25 and 36, lines 457, 458, 467, 485, 562, 563, 565a and numerous references throughout the text). The EP kept the concept of the Commission proposal to provide Coordinating Authorities with a lot of powers while maintaining the possibility to designate several competent authorities. The Presidency understands the Member States' position to give as much flexibility as possible in the designation of the relevant national authorities to take into account the specificities of the various national legal and administrative systems. However, the Presidency sees the need to gather concrete examples from Member States how they envisage the interaction between the Coordinating Authority and other competent authorities to work in their national context and why they consider	

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it necessary for the competent authorities to interact directly with the EU Centre. Moreover, alignment with the DSA should be ensured to the greatest extent possible, while recognising the different character and scope of the authorities designated under that legal instrument. The European Parliament insists in particular that the Coordinating Authorities should be the single point of contact for cooperating with the EU Centre. While the Council position is in agreement with the role of the Coordinating Authorities as national single point of contact in all matters related to the implementation of this Regulation, there are some provisions where the competent authorities would interact directly with the EU Centre, e.g. in Article 36.	
• Can delegations accept the term "Coordinating Authorities **for child sexual abuse issues**"?	
• Can delegations provide concrete examples how they envisage the **interaction between the Coordinating Authority and other competent authorities** to work in their national context?	
• Can delegations agree that the Coordinating Authorities should be the **single point of contact for cooperating with the EU Centre**?	
• Can delegations agree that CSA items used for the generation of indicators should be subject to a higher degree	

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Presidency compromise texts	Comments
of review to ensure reliable results? If yes, can delegations support adding '**subject to judicial validation**' in line 639?	

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