


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2024/0035(COD) Awaiting committee decision
Combating the sexual abuse and sexual exploitation of children and child sexual abuse material. Recast	
Subject 3.30.25 International information networks and society, internet 4.10.03 Child protection, children's rights 7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling 7.40.04 Judicial cooperation in criminal matters	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs	EPP LENAERS Jeroen Shadow rapporteur S&D KALJURAND Marina PfE VARAUT Alexandre ECR KANKO Assita Renew VAUTMANS Hilde Greens/EFA BRICMONT Saskia The Left SERRA SÁNCHEZ Isabel	24/09/2024
	Former committee responsible LIBE Civil Liberties, Justice and Home Affairs	 LENAERS Jeroen	15/03/2024
	Committee for opinion CULT Culture and Education	Rapporteur for opinion	Appointed
	FEMM Women's Rights and Gender Equality (Associated committee)		
	Former committee for opinion FEMM Women's Rights and Gender Equality (Associated committee)		
	CULT Culture and Education		
	Committee for opinion on the recast technique	Rapporteur for opinion	Appointed

Council of the European Union European Commission	JURI Legal Affairs	
	Former committee for opinion on the recast technique	
	JURI Legal Affairs	
	Commission DG Migration and Home Affairs	Commissioner JOHANSSON Ylva

Key events			
06/02/2024	Legislative proposal published	COM(2024)0060	Summary
25/04/2024	Committee referral announced in Parliament, 1st reading		
25/04/2024	Referral to associated committees announced in Parliament		

Technical information	
Procedure reference	2024/0035(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the EU TFEU 083-p1-a1; Rules of Procedure EP 57_o; Rules of Procedure EP 113; Treaty on the Functioning of the EU TFEU 082-p2
Stage reached in procedure	Awaiting committee decision
Committee dossier	LIBE/10/00339

Documentation gateway					
Legislative proposal		COM(2024)0060	06/02/2024	EC	Summary
Document attached to the procedure		SEC(2024)0057	07/02/2024	EC	
Document attached to the procedure		SWD(2024)0032	07/02/2024	EC	
Document attached to the procedure		SWD(2024)0033	07/02/2024	EC	
Document attached to the procedure		SWD(2024)0034	07/02/2024	EC	
Committee draft report		PE761.022	16/04/2024	EP	
Economic and Social Committee: opinion, report		CES0873/2024	10/07/2024	ESC	

Additional information		
Research document	Briefing	23/07/2024

Combating the sexual abuse and sexual exploitation of children and child sexual abuse material. Recast

PURPOSE: to revise the current directive on child sexual abuse and sexual exploitation.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in 2020, the Commission presented an EU Strategy for a more effective fight against child sexual abuse. This Strategy set out eight initiatives aiming to ensure full implementation and, where needed, further development of the legal framework to combat child sexual abuse and exploitation.

The Strategy recognised the need to assess whether the current EU criminal law framework, namely Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, is fit for purpose considering the societal and technological changes over the past decade.

In 2022, the Commission conducted an evaluation to assess the implementation of the Directive, assessing possible legislative gaps, best practices and priority actions at EU level. The study raised concerns related to the exponential growth of online sharing of child sexual abuse material and to the increased possibilities for perpetrators to hide their identity (and conceal their illegal activities), most notably online, thereby escaping investigation and prosecution.

The Commission concluded that a renewed legislative framework is needed at EU level to address the latest developments and to strengthen the prevention and protection of victims.

CONTENT: the proposed directive improves the clarity of the legal landscape for fighting child sexual abuse across Member States.

Overall, the targeted amendments to the Directive are aimed at improving Member State capacity to fight the crime efficiently, in relation to threats and trends that have emerged and evolved in recent years and with new technological developments. New rules applicable to Member States are expected to improve cross-border cooperation, both in terms of investigations and prosecutions, and for victim assistance and support.

The main aspects of the proposal are as follows:

Expanding the definition of criminal offences related to child sexual abuse across Member States: these new offences include livestreaming of child sexual abuse and the possession and exchange of paedophile handbooks. The new rules also update the definitions of the crime to include child sexual abuse material in deep fakes or AI-generated material.

Strengthening prosecution, prevention and support: underreporting of child sexual abuse still constitutes a major challenge in the efforts to stop child sexual abuse and prevent further sexual abuse from taking place. The proposal will set a longer time period during which victims can report the sexual abuse they suffered and seek action against the offender. The new rules will also grant victims a right to financial compensation, to address the long-term harms that child sexual abuse causes. In addition, Member States are required to put in place a coordination mechanism to make best use of available programmes on prevention and assistance to victims.

Stepping up prevention: Member States are also asked to step up investment in awareness raising especially for online risks to ensure that the internet is safer and better for children and young people.

In addition, new requirements will ensure recruiters for activities involving close contact with children and for organisations working against child sexual abuse must request the criminal records of the candidates.

There will also be mandatory reporting of an offence at least by professionals working in close contact with children to address a major challenge in the efforts to stop child sexual abuse.

Transparency				
VAUTMANS Hilde	Shadow rapporteur	LIBE	14/10/2024	Eurochild AISBL
VAUTMANS Hilde	Shadow rapporteur	LIBE	14/10/2024	Stichting ECPAT International
VAUTMANS Hilde	Shadow rapporteur	LIBE	14/10/2024	Thorn
LENAERS Jeroen	Rapporteur	LIBE	10/10/2024	Eurochild AISBL
BRICMONT Saskia	Shadow rapporteur	LIBE	02/10/2024	Child Focus
KALJURAND Marina	Shadow rapporteur	LIBE	27/09/2024	The Netherlands' Authority for the Prevention of Online Terrorist Content and Child Sexual Abuse Material
LENAERS Jeroen	Rapporteur	LIBE	26/09/2024	Permanent Representative of the Netherlands
BRICMONT Saskia	Shadow rapporteur	LIBE	17/09/2024	Proton AG
BRICMONT Saskia	Shadow rapporteur	LIBE	13/09/2024	Council of Bars and Law Societies of Europe Save the Children Europe

				Stichting ECPAT International Terre des Hommes International Federation Victim Support Europe Edri fairtrial ? IT Political Association Missing children Europe
LENAERS Jeroen	Rapporteur	LIBE	16/04/2024	European Child Sexual Abuse Legislation Advocacy Group (ECLAG)
	Member	08/10/2024	FiCom ry	
SIPPEL Birgit	Member	01/10/2024	Permanent Representation of Germany to the EU	