



2024/0035(COD)

20.1.2025

AMENDMENTS

36 - 312

Draft opinion

Helène Fritzon

(PE766.976v01-00)

Combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast)

Proposal for a directive

(COM(2024)0060 – C9-0028/2024 – 2024/0035(COD))

Amendment 36
Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) Sexual abuse and sexual exploitation of children, including child sexual abuse material, constitute serious violations of fundamental rights, in particular of the rights of children to the protection and care necessary for their well-being, as provided for by the 1989 United Nations Convention on the Rights of the Child and by the Charter of Fundamental Rights of the European Union².

² OJ C 364, 18.12.2000, p. 1.

Amendment

(2) Sexual abuse and sexual exploitation of children, including child sexual abuse material, ***which takes on new dimensions with the accelerated development of new methods springing from new technologies, including AI***, constitute serious violations of fundamental rights, in particular of the rights of children to the protection and care necessary for their well-being, as provided for by the 1989 United Nations Convention on the Rights of the Child and by the Charter of Fundamental Rights of the European Union².

² OJ C 364, 18.12.2000, p. 1.

Or. ro

Justification

New technologies, and especially artificial intelligence, are taking on new dimensions every day and those who are active in the field of child sexual abuse are among the first to use all the new tools. As such, it is absolutely necessary to take these developments into account, including in the field of sexual abuse of children, especially in relation to the online environment.

Amendment 37
Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2 a) In Europe, one in five children are estimated to be a victim of some form of sexual violence, and between 70% and 85% of child victims know their abuser;^{1a}

Ensuring the best interests of the child must remain the foremost priority when implementing measures designed to shield children in accordance with the Convention on the Rights of the Child, the Charter of Fundamental Rights of the European Union, and the European Convention on Human Rights;

1a EPRS, PE 757.611;

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/757611/EPRS_BRI\(2024\)757611_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/757611/EPRS_BRI(2024)757611_EN.pdf)

Or. en

Amendment 38

Diana Iovanovici Șoșoacă

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) In accordance with Article 6(1) of the Treaty on European Union, the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union, in which Article 24(2) provides that in all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration. Moreover, the EU Strategy for a more effective fight against child sexual abuse³ gives a clear priority to stepping up the fight against the sexual abuse and sexual exploitation of children and child sexual abuse material, including through actions aimed at ensuring the continued effectiveness of existing Union legislation, ***if needed through its updating***. This is also supported by the EU Strategy on the rights of the child in its objective to fight violence against children and ensure child-friendly justice .

Amendment

(3) In accordance with Article 6(1) of the Treaty on European Union, the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union, in which Article 24(2) provides that in all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration. Moreover, the EU Strategy for a more effective fight against child sexual abuse³ gives a clear priority to stepping up the fight against the sexual abuse and sexual exploitation of children and child sexual abuse material, including through actions aimed at ensuring the continued effectiveness of existing Union legislation, ***which must be regularly updated***. This is also supported by the EU Strategy on the rights of the child in its objective to fight violence against children and ensure child-friendly justice.

Justification

New technologies are making it easier for those active in the field of child sexual abuse and who are thus seeking to escape the pursuit of the competent institutions to find new applications. For this reason, the EU Strategy for a more effective fight against child sexual abuse also needs to be regularly updated, together with existing legislation, precisely to enable those who seek new ways of operating to be identified and punished.

Amendment 39

Diana Iovanovici Șoșoacă

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Serious criminal offences such as the sexual exploitation of children and sexual abuse material require a comprehensive approach covering the prosecution of offenders, the protection of child victims, and prevention of the phenomenon, including its recent and foreseeable evolutions and trends, increasingly involving the use of online technologies. For that purpose, the current legal framework needs to be updated, in order to ensure it remains effective. The child's best interests must be a primary consideration when carrying out any measures to combat these offences in accordance with the Charter of Fundamental Rights of the European Union and the United Nations Convention on the Rights of the Child.

Amendment

(7) Serious criminal offences such as the sexual exploitation of children and ***the dissemination of*** sexual abuse material require a comprehensive approach covering the prosecution of offenders, ***together with the establishment of appropriate criminal penalties***, the protection of child victims, and prevention of the phenomenon, including its recent and foreseeable evolutions and trends, increasingly involving the use of online technologies, ***with a focus on implementing age-appropriate education programmes for potential child victims***. For that purpose, the current legal framework needs to be updated, in order to ensure it remains effective. The child's best interests must be a primary consideration when carrying out any measures to combat these offences in accordance with the Charter of Fundamental Rights of the European Union and the United Nations Convention on the Rights of the Child.

Justification

It is important for the European Union to find, in agreement with the Member States, the most appropriate methods for punishing offenders who abuse children, including by disseminating illegally created material. It is also important for the European Union to develop the best education programmes to enable children of all ages to understand the dangers of using the Internet and social media without being aware of the risks.

Amendment 40

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) (9 a) This Directive should address the need to combat unreported child sexual abuse and exploitation, which represents the majority of cases. The starting point must be the recognition that violence against children may be violence against women in some cases and often occurs in intimate and family settings, making it difficult to identify and report, and is further exacerbated by the spread of these crimes through new technologies. This highlights the need for legislation that protects, supports, and provides comprehensive redress for victims and survivors, regardless of the existence of criminal proceedings. An adequate institutional framework is essential to guarantee children's rights. In this regard, the Directive must provide a legal framework to establish harmonised mechanisms in the phases of prevention, identification, protection, reporting and reparation to ensure a comprehensive and effective response to these offences.

Or. en

Amendment 41

Giusi Princi

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. **The** inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Amendment

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. ***The ease with which artificial intelligence (AI) can now be used to generate such material has heightened the urgency of addressing this issue. AI image-generators, trained on datasets that may have contained child sexual abuse imagery, are likely to have enabled the production of ‘new’ child sexual abuse material. The ability to create such content with minimal technical expertise has led to a scenario where child sexual abuse material can potentially be produced on an industrial scale. Moreover,*** the ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. ***To ensure the regulation of generative AI technologies that could create harmful content, including child sexual abuse material, strict oversight mechanisms should be taken into account, including safety protocols implemented at both developer and deployer levels. The*** inclusion of an explicit reference to ‘reproductions and representations’ should

ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Or. en

Amendment 42
Eleonora Meleti

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Amendment

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. ***Emerging technologies like Artificial intelligence (AI), Virtual Reality (VR), Extended Reality (XR), including the Metaverse, are often being misused for child sexual offences in social media, networking, and online gaming contexts. These technologies increase risks such as solicitation, grooming, exposure to harmful content, and sexual exploitation or sexual abuse of children.*** In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing

definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Or. en

Amendment 43

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence

Amendment

(11) ***Child sexual abuse disproportionately affects girls. Reports indicate that nine out of 10 victims are young girls. In contrast, men account for the overwhelming majority of perpetrators.*** Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ ***and IA*** images and videos depicting child sexual abuse is expected to grow exponentially in the coming years, ***and it affects women and girls more.*** In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit

future-proof way.

reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Or. en

Amendment 44
Jadwiga Wiśniewska

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Amendment

(11) ***Child sexual abuse disproportionately affects girls, where most of the child sexual abuse imagery showed girls only^{1a} ; 83% of victims of child sexual abuse material depicted are aged 3-13^{1b}*** Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the

definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

^{1a} <https://www.iwf.org.uk/annual-report-2023/trends-and-data/analysis-by-sex/>

^{1b}

<https://inhope.org/media/pages/articles/annual-reports/6a4f5f6bd2-1719393584/inhope-annual-report-2023.pdf>

Or. en

Amendment 45
Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to

Amendment

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years, **and therefore also the methods for disseminating these images and videos**. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not

‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Or. ro

Justification

It is imperative that Member States adapt their legislation in this area as quickly as possible in order to take action through financial and criminal penalties against offenders who seek to abuse children, regardless of the methods used.

Amendment 46 **Verena Mertens**

Proposal for a directive **Recital 11**

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition.

Amendment

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ **and AI-generated** images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered

The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

Or. en

Amendment 47
Rosa Estaràs Ferragut

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of *offender-side* prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence

Amendment

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of prevention *of commission of abuse* as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-

future-proof way.

neutral and hence future-proof way.

Or. en

Amendment 48
Giusi Princi

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) A risk-based regulatory approach, as foreseen by the AI Act, has the potential to address the misuse of generative AI to produce child sexual abuse material by establishing enforceable liability obligations and implementing safeguards such as transparency measures, risk assessment processes, and watermarking of generated content. However, the success of this approach relies on the effective implementation of these regulations, the development of common standards, and the capacity to adapt to emerging risks. Another complementary approach that should be considered involves the establishment of principle-based frameworks that guide the ethical development and deployment of AI technologies, emphasizing core principles, such as human rights and gender equality, and aiming to ensure that AI technologies are developed and used in ways that promote societal well-being while mitigating potential harms.

Or. en

Amendment 49
Rosa Estaràs Ferragut

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) (11b) Children with disabilities are particularly vulnerable to sexual abuse and exploitation, particularly forced abortions, forced sterilizations, and sexual violence. The EU as party to the CRPD, it is also bound by the CRPD's obligations on the protection of children with disabilities from child sexual abuse and exploitation. Moreover, sexual abuse and exploitation may lead to a disability in children which can affect their normal development in life.

Or. en

Amendment 50

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

**Proposal for a directive
Recital 11 a (new)**

Text proposed by the Commission

Amendment

(11 a) Facilitate cross-border collaboration to track and combat AI-driven infringement effectively with no delay and efficiently.

Or. en

Amendment 51

Giusi Princi

**Proposal for a directive
Recital 11 b (new)**

Text proposed by the Commission

Amendment

(11 b) Children are increasingly connected from a young age, and girls are particularly vulnerable to encountering and being subjected to cyber violence. Studies show that one in 10 women has

experienced some form of gender-based cyber violence since the age of 15, with 58% of girls reporting having faced online harassment. The digital sphere presents disproportionate risks for girls and women, who are especially impacted by gender-based cyber violence. Online sexual violence, including sexual harassment, abuse, and grooming, has reached unprecedented levels, disproportionately affecting girls and young women. Women and girls are more likely to be the targets of cyber violence on digital platforms, experiencing significant physical, sexual, and psychological distress as well as financial difficulties as a result. Child sexual abuse is largely an expression of gender-based violence targeting girls and young women. Therefore, it is crucial to integrate a gender perspective into all measures designed to prevent and combat online child sexual abuse and the interception of online solicitation of children, while also addressing the root causes of gender-based violence. However, there is limited provision in digital platforms' standards and trust and safety policies for keeping users safe from gender-related cyber violence online, despite the high incidence of this phenomenon. Existing standards often lack references to relevant human rights acts or recent legislative advances in combating gender-based and cyber violence. Digital platforms face significant challenges in addressing acts and behaviors of cyber violence, and greater collaboration across platforms is essential. Such collaboration could enable cross-platform reporting and the harmonization of diverse definitions of cyber violence, ensuring a more coherent and effective response. However, the lack of disaggregated data by sex in incident reporting, response, and follow-up practices hinders a comprehensive understanding of the true scale of cyber violence against women and girls. Additionally, more transparency is needed

regarding moderation and follow-up practices to ensure accountability. This lack of a gender-sensitive approach in reporting, recording, and responding to cyber violence renders much of the phenomenon against women and girls invisible. To effectively combat these issues, a gender-sensitive framework must be prioritized, ensuring digital platforms incorporate robust measures to protect vulnerable users while addressing the systemic and disproportionate risks faced by girls and women.

Or. en

Amendment 52
Rosa Estaràs Ferragut

Proposal for a directive
Recital 11 b (new)

Text proposed by the Commission

Amendment

(11 b) Artificial intelligence creation of exploitative imagery of girls enhances the vulnerability and threats on women and girls in the real world.

Or. en

Amendment 53
Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 12

Text proposed by the Commission

Amendment

(12) To prevent offences involving the sexual abuse of children, the definition of child sexual abuse material should include so-called ‘paedophile manuals’. Paedophile manuals provide advice on how to find, groom and abuse children and avoid being identified and prosecuted. By lowering

(12) To prevent offences involving the sexual abuse of children, the definition of child sexual abuse material should include so-called ‘paedophile manuals’. Paedophile manuals provide advice on how to find, groom and abuse children and avoid being identified and prosecuted. By lowering

barriers and providing the necessary know-how, they contribute to inciting offenders and support the commission of sexual abuse. Their online dissemination has already led certain Member States to amend their criminal law and explicitly criminalise possession and distribution of such manuals. The lack of harmonisation creates an uneven level of protection across the EU.

barriers and providing the necessary know-how, they contribute to inciting offenders and support the commission of sexual abuse. Their online dissemination has already led certain Member States to amend their criminal law and explicitly criminalise possession and distribution of such manuals. The lack of harmonisation creates an uneven level of protection across the EU ***and, as such, this calls for closer cooperation at the European level in order to identify and punish people who create and distribute such material, especially across borders, as well as education programmes aimed at both young people and parents or legal guardians, in order to prevent situations of sexual abuse against children.***

Or. ro

Justification

It is important to understand that offenders seeking to create and disseminate such material are constantly trying to avoid being traced by the institutions authorised to intervene, and are constantly moving from one country to another, precisely so that the places where/from which they are operating cannot be identified.

Amendment 54 **Alice Kuhnke**

Proposal for a directive **Recital 12**

Text proposed by the Commission

(12) To prevent offences involving the sexual abuse of children, ***the definition of child sexual abuse material should include*** so-called ‘paedophile manuals’. Paedophile manuals provide advice on how to find, groom and abuse children and avoid being identified and prosecuted. By lowering barriers and providing the necessary know-how, they contribute to inciting offenders and support the commission of sexual abuse. Their online dissemination has already led certain Member States to

Amendment

(12) To prevent offences involving the sexual abuse of children, ***this directive should also include*** child sexual abuse ***instruction manuals***, so-called ‘paedophile manuals’. Paedophile manuals provide advice on how to find, groom and abuse children and avoid being identified and prosecuted. ***With their explicit and specific focus on committing child sexual abuse without being discovered, such instruction manuals can be clearly distinguished from general advice on, inter alia,***

amend their criminal law and explicitly criminalise possession and distribution of such manuals. The lack of harmonisation creates an uneven level of protection across the EU.

privacy, anonymity online and avoiding surveillance, which should not be criminalised. By lowering barriers and providing the necessary know-how, they contribute to inciting offenders and support the commission of sexual abuse. Their online dissemination has already led certain Member States to amend their criminal law and explicitly criminalise possession and distribution of such manuals. The lack of harmonisation creates an uneven level of protection across the EU.

Or. en

Justification

To clarify the definition of child sexual abuse instruction manuals and to explain that general advice on privacy, anonymity online and how to avoid surveillance should continue to be regarded as perfectly legitimate and legal, in line with the Charter.

Amendment 55 **Verena Mertens**

Proposal for a directive **Recital 12**

Text proposed by the Commission

(12) To prevent offences involving the sexual abuse of children, the definition of child sexual abuse material should include so-called '***paedophile*** manuals'. ***Paedophile*** manuals provide advice on how to find, groom and abuse children and avoid being identified and prosecuted. By lowering barriers and providing the necessary know-how, they contribute to inciting offenders and support the commission of sexual abuse. Their online dissemination has already led certain Member States to amend their criminal law and explicitly criminalise possession and distribution of such manuals. The lack of harmonisation creates an uneven level of protection across the EU.

Amendment

(12) To prevent offences involving the sexual abuse of children, the definition of child sexual abuse material should include so-called '***instruction*** manuals ***on how to sexually abuse children***'. ***Instruction*** manuals ***on how to sexually abuse children*** provide advice on how to find, groom and abuse children and avoid being identified and prosecuted. By lowering barriers and providing the necessary know-how, they contribute to inciting offenders and support the commission of sexual abuse. Their online dissemination has already led certain Member States to amend their criminal law and explicitly criminalise possession and distribution of such manuals. The lack of harmonisation creates an uneven level of protection across

the EU.

Or. en

Amendment 56
Eleonora Meleti

Proposal for a directive
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) Regardless of whether abuse is physical or non physical, it means a serious sexual violation for the vulnerable child. The consequences for the child are also the same regardless of whether the abuse takes place or not, resulting in post-traumatic stress and poor mental health.

Or. en

Amendment 57
Mathilde Androuët, Catherine Griset

Proposal for a directive
Recital 15

Text proposed by the Commission

Amendment

(15) ***Serious forms of*** sexual abuse and sexual exploitation of children should be subject to effective, proportionate and dissuasive penalties. This includes, in particular, various forms of sexual abuse and sexual exploitation of children which are facilitated by the use of information and communication technology, such as the online solicitation of children for sexual purposes via social networking websites and chat rooms. The definition of child sexual abuse material should also be clarified and brought closer to that contained in international instruments. More broadly, the terminology used in this Directive should be brought into line with

(15) Sexual abuse and sexual exploitation of children should be subject to effective, proportionate and dissuasive penalties. This includes, in particular, various forms of sexual abuse and sexual exploitation of children which are facilitated by the use of information and communication technology, such as the online solicitation of children for sexual purposes via social networking websites and chat rooms. The definition of child sexual abuse material should also be clarified and brought closer to that contained in international instruments. More broadly, the terminology used in this Directive should be brought into line with

recognised international standards such as the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse adopted by the Interagency Working Group in Luxembourg on 28 January 2016.

recognised international standards such as the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse adopted by the Interagency Working Group in Luxembourg on 28 January 2016.

Or. fr

Amendment 58
Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 18

Text proposed by the Commission

(18) This Directive should oblige Member States to provide for criminal penalties in their national legislation in respect of the provisions of Union law on combating sexual abuse **and** sexual exploitation of children and child sexual abuse material. This Directive should not create **any** obligations regarding the application of such penalties, or any other available system of law enforcement, in individual cases.

Amendment

(18) This Directive should oblige Member States to provide, **as soon as possible**, for criminal penalties in their national legislation in respect of the provisions of Union law on combating sexual abuse **and** sexual exploitation of children and child sexual abuse material. This Directive should not create **any** obligations regarding the application of such penalties, or any other available system of law enforcement, in individual cases.

Or. ro

Justification

It is imperative to adapt legislation and introduce penalties for child abuse offenders – regardless of how they abuse children – as quickly as possible and to have criminal and financial penalties in place.

Amendment 59
Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 19

Text proposed by the Commission

Amendment

(19) Especially for those cases where the offences referred to in this Directive are committed with the purpose of financial gain, Member States are invited to consider providing for the possibility to impose financial penalties in addition to imprisonment.

(19) Especially for those cases where the offences referred to in this Directive are committed with the purpose of financial gain, Member States are invited to consider providing for the possibility to *also* impose *substantial* financial penalties in addition to imprisonment.

Or. ro

Justification

It is imperative that Member States adapt their legislation in this area as quickly as possible in order to take action through financial and criminal penalties against offenders who seek to abuse children, regardless of the methods used.

Amendment 60

Mathilde Androuët, Catherine Griset

Proposal for a directive

Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) As child sexual abuse is a particularly serious and intolerable crime, Member States should be able to deport foreign offenders to their countries of origin.

Or. fr

Amendment 61

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Recital 22

Text proposed by the Commission

Amendment

(22) Solicitation of children for sexual purposes is a threat with specific characteristics in the context of the Internet, as the latter provides unprecedented anonymity to users because they are able to conceal their real identity

(22) Solicitation of children for sexual purposes is a threat with specific characteristics in the context of the Internet, as the latter provides unprecedented anonymity to users because they are able to conceal their real identity

and personal characteristics, such as their age. In the last decade, the use of information and communication technologies has provided offenders with increasingly easy access to children, where the contact often starts with the offender luring the child, for example by pretending to be a peer or with other deceitful or flattering conduct, into compromising situations. This increased access to children has led to the rapid growth of phenomena such as ‘sextortion’ (i.e. the conduct of threatening to share intimate material depicting the victim to obtain money, child sexual abuse material or any other benefit), affecting children both below and above the age of sexual consent. There has been a surge in recent years of financially motivated sextortion by organised crime groups that target in particular teenage boys, which have led to multiple cases of those children taking their lives. It is therefore essential that all these phenomena are appropriately covered in Member States’ law. At the same time, Member States acknowledge the importance of also combating the solicitation of a child outside the context of the Internet, in particular where such solicitation is not carried out by using information and communication technology. Member States are encouraged to criminalise the conduct where the solicitation of a child to meet the offender for sexual purposes takes place in the presence or proximity of the child, for instance in the form of a particular preparatory offence, attempt to commit the offences referred to in this Directive or as a particular form of sexual abuse. Whichever legal solution is chosen to criminalise ‘off-line grooming’, Member States should ensure that they prosecute the perpetrators of such offences.

and personal characteristics, such as their age. ***Online grooming predominantly affects girls, with a significant number of cases involving adolescents aged 13 to 17***^{1a} ***however, studies have shown that sexual coercion extortion mainly affects boys***^{1b} In the last decade, the use of information and communication technologies has provided offenders with increasingly easy access to children, where the contact often starts with the offender luring the child, for example by pretending to be a peer or with other deceitful or flattering conduct, into compromising situations. This increased access to children has led to the rapid growth of phenomena such as ‘sextortion’ (i.e. the conduct of threatening to share intimate material depicting the victim to obtain money, child sexual abuse material or any other benefit), affecting children both below and above the age of sexual consent. There has been a surge in recent years of financially motivated sextortion by organised crime groups that target in particular teenage boys, which have led to multiple cases of those children taking their lives. It is therefore essential that all these phenomena are appropriately covered in Member States’ law. At the same time, Member States acknowledge the importance of also combating the solicitation of a child outside the context of the Internet, in particular where such solicitation is not carried out by using information and communication technology. Member States are encouraged to criminalise the conduct where the solicitation of a child to meet the offender for sexual purposes takes place in the presence or proximity of the child, for instance in the form of a particular preparatory offence, attempt to commit the offences referred to in this Directive or as a particular form of sexual abuse. Whichever legal solution is chosen to criminalise ‘off-line grooming’, Member States should ensure that they prosecute the perpetrators of such offences.

^{1a} https://inhope.org/EN/articles/the-impact-of-online-grooming?utm_source=chatgpt.com

^{1b} <https://www.iwf.org.uk/annual-report-2023/trends-and-data/sexually-coerced-extortion/>

Or. en

Amendment 62 Verena Mertens

Proposal for a directive Recital 22

Text proposed by the Commission

(22) Solicitation of children for sexual purposes is a threat with specific characteristics in the context of the Internet, as the latter provides unprecedented anonymity to users because they are able to conceal their real identity and personal characteristics, such as their age. In the last decade, the use of information and communication technologies has provided offenders with increasingly easy access to children, where the contact often starts with the offender luring the child, for example by pretending to be a peer or with other deceitful or flattering conduct, into compromising situations. This increased access to children has led to the rapid growth of phenomena such as ‘*sextortion*’ (i.e. the conduct of threatening to share intimate material depicting the victim to obtain money, child sexual abuse material or any other benefit), affecting children both below and above the age of sexual consent. There has been a surge in recent years of financially motivated *sextortion* by organised crime groups that target in particular teenage boys, which have led to multiple cases of those children taking their lives. It is therefore essential that all

Amendment

(22) Solicitation of children for sexual purposes is a threat with specific characteristics in the context of the Internet, as the latter provides unprecedented anonymity to users because they are able to conceal their real identity and personal characteristics, such as their age. In the last decade, the use of information and communication technologies has provided offenders with increasingly easy access to children, where the contact often starts with the offender luring the child, for example by pretending to be a peer or with other deceitful or flattering conduct, into compromising situations. This increased access to children has led to the rapid growth of phenomena such as ‘*sexual extortion*’ (i.e. the conduct of threatening to share intimate material depicting the victim to obtain money, child sexual abuse material or any other benefit), affecting children both below and above the age of sexual consent. There has been a surge in recent years of financially motivated *sexual extortion* by organised crime groups that target in particular teenage boys, which have led to multiple cases of those children taking their lives. It is therefore essential that all

these phenomena are appropriately covered in Member *States*' law. At the same time, Member States acknowledge the importance of also combating the solicitation of a child outside the context of the Internet, in particular where such solicitation is not carried out by using information and communication technology. Member States are encouraged to criminalise the conduct where the solicitation of a child to meet the offender for sexual purposes takes place in the presence or proximity of the child, for instance in the form of a particular preparatory offence, attempt to commit the offences referred to in this Directive or as a particular form of sexual abuse. Whichever legal solution is chosen to criminalise 'off-line grooming', Member States should ensure that they prosecute the perpetrators of such offences.

these phenomena are appropriately covered in Member *States*' law. At the same time, Member States acknowledge the importance of also combating the solicitation of a child outside the context of the Internet, in particular where such solicitation is not carried out by using information and communication technology. Member States are encouraged to criminalise the conduct where the solicitation of a child to meet the offender for sexual purposes takes place in the presence or proximity of the child, for instance in the form of a particular preparatory offence, attempt to commit the offences referred to in this Directive or as a particular form of sexual abuse. Whichever legal solution is chosen to criminalise 'off-line grooming', Member States should ensure that they prosecute the perpetrators of such offences.

Or. en

Amendment 63
Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 23

Text proposed by the Commission

(23) In light of recent technological developments and, in particular, of the development of augmented, extended and virtual reality settings, the criminalisation of the solicitation of children should not be limited to voice, text or mail conversations, but also include contacts or exchanges in augmented, extended or virtual reality settings, as well as large-scale solicitation of children through the use of chat-bots trained for that purpose, as this phenomenon is itself expected to increase in light of the foreseeable evolution of artificial intelligence applications. Therefore "by means of information and communication technology" should be

Amendment

(23) In light of recent ***and rapid*** technological developments, ***which are taking place at a much faster pace than punitive responses against instigators of sexual abuse*** and, in particular, of the development of augmented, extended and virtual reality settings, the criminalisation of the solicitation of children should not be limited to voice, text or mail conversations, but also include contacts or exchanges in augmented, extended or virtual reality settings, as well as large-scale solicitation of children through the use of chat-bots trained for that purpose, as this phenomenon is itself expected to increase in light of the foreseeable evolution of

understood in a sufficiently broad way to cover all those technological developments.

artificial intelligence applications. Therefore “by means of information and communication technology” should be understood in a sufficiently broad way to cover all those technological developments.

Or. ro

Justification

The ramifications of information and communication technology are ever growing, with new applications emerging each year. This means there is also a need for appropriate and effective measures to be adopted quickly in order to punish offenders.

Amendment 64

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 24

Text proposed by the Commission

(24) This Directive does not govern Member States’ policies with regard to consensual sexual activities in which children may be involved and which can be regarded as the normal discovery of sexuality in the course of human development, taking account of the different cultural and legal traditions and of new forms of establishing and maintaining relations among children and adolescents, including through information and communication technologies. Member States which avail themselves of the possibilities referred to in this Directive do so in the exercise of their competences.

More particularly, Member States ***should be able to*** exempt from criminalisation consensual sexual activities involving exclusively children above the age of sexual consent, as well as consensual sexual activities involving peers. The amendments to that Article are intended to clarify the scope of the derogation, in light of the fact that some Member States appear to have interpreted its original wording too

Amendment

(24) This Directive does not govern Member States’ policies with regard to consensual sexual activities in which children may be involved and which can be regarded as the normal discovery of sexuality in the course of human development, taking account of the different cultural and legal traditions and of new forms of establishing and maintaining relations among children and adolescents, including through information and communication technologies. Member States which avail themselves of the possibilities referred to in this Directive do so in the exercise of their competences.

However, in accordance with the recommendations of the United Nations on the Committee on the Rights of the Child and the Lanzarote Committee, Member States ***shall*** exempt from criminalisation consensual sexual activities involving exclusively children above the age of sexual consent, as well as consensual sexual activities involving peers. The amendments to that Article are

broadly (e.g. by exempting from criminalisation consensual activities between minors above the age of consent and adults of any age, considered to be ‘peers’ despite a significant age difference).

intended to clarify the scope of the derogation, in light of the fact that some Member States appear to have interpreted its original wording too broadly (e.g. by exempting from criminalisation consensual activities between minors above the age of consent and adults of any age, considered to be ‘peers’ despite a significant age difference). ***The provisions related to age of consent should not be interpreted in limiting in any manner the criminalisation of child sexual abuse and exploitation of children who have reached and are above the age of consent as no child can consent to their sexual abuse and therefore to sexual violence.***

Or. en

Amendment 65
Mathilde Androuët, Catherine Griset

Proposal for a directive
Recital 24

Text proposed by the Commission

(24) This Directive does not govern Member States’ policies with regard to consensual sexual activities in which children may be involved and which can be regarded as the normal discovery of sexuality in the course of human development, taking account of the different cultural and legal traditions and of new forms of establishing and maintaining relations among children and adolescents, including through information and communication technologies. Member States which avail themselves of the possibilities referred to in this Directive do so in the exercise of their competences. More particularly, Member States should be able to exempt from criminalisation consensual sexual activities involving exclusively children above the age of sexual consent, as well as consensual sexual activities involving peers. The

Amendment

(24) This Directive does not govern Member States’ policies with regard to consensual sexual activities in which children ***who have reached the age of sexual consent*** may be involved and which can be regarded as the normal discovery of sexuality in the course of human development, taking account of the different cultural and legal traditions and of new forms of establishing and maintaining relations among children and adolescents, including through information and communication technologies. Member States which avail themselves of the possibilities referred to in this Directive do so in the exercise of their competences. More particularly, Member States should be able to exempt from criminalisation consensual sexual activities involving exclusively children above the age of sexual consent, as well as consensual

amendments to that Article are intended to clarify the scope of the derogation, in light of the fact that some Member States appear to have interpreted its original wording too broadly (e.g. by exempting from criminalisation consensual activities between minors above the age of consent and adults of any age, considered to be ‘peers’ despite a significant age difference).

sexual activities involving peers. The amendments to that Article are intended to clarify the scope of the derogation, in light of the fact that some Member States appear to have interpreted its original wording too broadly (e.g. by exempting from criminalisation consensual activities between minors above the age of consent and adults of any age, considered to be ‘peers’ despite a significant age difference).

Or. fr

Amendment 66

Mathilde Androuët, Catherine Griset, Margarita de la Pisa Carrión

Proposal for a directive

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) Member States must pay particular attention to ensuring that sex education, in school or out-of-school settings, is not misused in order to promote the sexual abuse of children by exposing them to words or images of a sexual nature without taking into account their level of psychological maturity and their incapacity to consent to such exposure.

Or. fr

Amendment 67

Rosa Estaràs Ferragut

Proposal for a directive

Recital 26

Text proposed by the Commission

Amendment

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs

and alcohol.

and alcohol. *It is important to consider the special situations of persons disabilities or in situations of vulnerability when giving voluntary consent.*

Or. en

Amendment 68

Jadwiga Wiśniewska

Proposal for a directive

Recital 26

Text proposed by the Commission

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs and alcohol.

Amendment

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs and alcohol, *as well as intimidation and freeze.*

Or. en

Amendment 69

Mathilde Androuët, Catherine Griset

Proposal for a directive

Recital 26

Text proposed by the Commission

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs and alcohol.

Amendment

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity *relating to the age of a child or* caused by the influence of drugs and alcohol.

Or. fr

Amendment 70

Diana Iovanovici Șoșoacă

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) As an instrument of approximation of criminal law, this Directive provides for levels of penalties which should apply without prejudice to the specific criminal policies of the Member States concerning child offenders.

Amendment

(29) As an instrument of approximation of criminal law ***and of a potential EU-wide harmonisation of applicable penalties***, this Directive provides for levels of penalties which should apply without prejudice to the specific criminal policies of the Member States concerning child offenders, ***especially when such actions extend beyond the borders of the state where the persons suspected of these kinds of activities are resident.***

Or. ro

Justification

It is important to understand that offenders who want to create and disseminate such material are constantly trying to avoid being traced by the institutions authorised to intervene, and are constantly moving from one country to another, precisely so that the places where/from which they are operating cannot be identified. Cross-border crimes are the most common and rapid legislative harmonisation is needed in this area to punish offenders.

Amendment 71
Eleonora Meleti

Proposal for a directive
Recital 31

Text proposed by the Commission

(31) Victims of sexual abuse and sexual exploitation of children are often unable to report the crime for several decades after its commission due to the shame, guilt and self-blame, which can be related, among others, to the social and cultural stigma that still surround sexual abuse, the secrecy in which the abuse takes place, threatening or blaming conduct by the perpetrator, and/or trauma. Perpetrators of sexual abuse and sexual exploitation of children, unlike perpetrators of other violent crimes, tend to remain active until old age, continuing to

Amendment

(31) Victims of sexual abuse and sexual exploitation of children are often unable to report the crime for several decades after its commission due to the shame, guilt and self-blame, which can be related, among others, to the social and cultural stigma that still surround sexual abuse, the secrecy in which the abuse takes place, threatening or blaming conduct by the perpetrator, and/or trauma. Perpetrators of sexual abuse and sexual exploitation of children, unlike perpetrators of other violent crimes, tend to remain active until old age, continuing to

pose a threat to children. In light of this, effective investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, as well as appropriate victims' assistance and support, can only be provided if statutes of limitations allow victims to report the crime for a significantly extended period of time.

pose a threat to children. In light of this, effective investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, as well as appropriate victims' assistance and support, can only be provided if statutes of limitations allow victims to report the crime for a significantly extended period of time. ***Member states should implement measures to safeguard children's well-being, mental health, and recovery from post-traumatic stress by prohibiting media from disclosing details of judicial cases involving child victims of sexual abuse. Children should be protected from public overexposure, as such disclosures could profile, target, or retraumatize the victims.***

Or. en

Amendment 72

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) Victims of sexual abuse and sexual exploitation of children are often unable to report the crime for several decades after its commission due to the shame, guilt and self-blame, which can be related, among others, to the social and cultural stigma that still surround sexual abuse, the secrecy in which the abuse takes place, threatening or blaming conduct by the perpetrator, and/or trauma. Perpetrators of sexual abuse and sexual exploitation of children, unlike perpetrators of other violent crimes, tend to remain active until old age, continuing to pose a threat to children. In light of this, effective investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, as well as appropriate victims' assistance and support, can only be provided if statutes of limitations allow victims to report the

Amendment

(31) Victims of sexual abuse and sexual exploitation of children, ***particulary girls***, are often unable to report the crime for several decades after its commission due to the shame, guilt and self-blame, which can be related, among others, to the social and cultural stigma that still surround sexual abuse, the secrecy in which the abuse takes place, threatening or blaming conduct by the perpetrator, and/or trauma. ***In addition, most cases of sexual abuse against children come from family members or people within the inner circle of the child, with the consequences this has for the prolonged duration of the abuse, the above-mentioned stigma and the ease with which perpetrators can access the child.*** Perpetrators of sexual abuse and sexual exploitation of children, unlike perpetrators of other violent crimes, tend to

crime for a significantly extended period of time.

remain active until old age, continuing to pose a threat to children. In light of this, effective investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, as well as appropriate victims' assistance and support, can only be provided if statutes of limitations allow victims to report the crime for a significantly extended period of time.

Or. en

Amendment 73

Mathilde Androuët, Catherine Griset

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) Victims of sexual abuse and sexual exploitation of children are often unable to report the crime for several decades after its commission due to the shame, guilt and self-blame, which can be related, among others, to the social and cultural stigma that still surround sexual abuse, the secrecy in which the abuse takes place, threatening or blaming conduct by the perpetrator, and/or trauma. Perpetrators of sexual abuse and sexual exploitation of children, unlike perpetrators of other violent crimes, tend to remain active until old age, continuing to pose a threat to children. In light of this, effective investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, as well as appropriate victims' assistance and support, can only be provided if statutes of limitations allow victims to report the crime for a significantly extended period of time.

Amendment

(31) Victims of sexual abuse and sexual exploitation of children are often unable to report the crime for several decades after its commission due to the shame, guilt and self-blame, which can be related, among others, to the social and cultural stigma that still surround sexual abuse, the secrecy in which the abuse takes place, threatening or blaming conduct by the perpetrator, and/or trauma. ***This phenomenon of underreporting particularly affects young children and boys.*** Perpetrators of sexual abuse and sexual exploitation of children, unlike perpetrators of other violent crimes, tend to remain active until old age, continuing to pose a threat to children. In light of this, effective investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, as well as appropriate victims' assistance and support, can only be provided if statutes of limitations allow victims to report the crime for a significantly extended period of time.

Or. fr

Amendment 74

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Recital 33

Text proposed by the Commission

(33) Some forms of online child sexual abuse, such as the live streaming of abuse of children, often committed physically by persons present in third countries at the request of paying perpetrators in the EU, create particular investigative challenges, as the streamed abuse does not usually leave images or recorded traces behind. Cooperation with financial services defined in Article 2, point (b), of Directive 2002/65/EC of the European Parliament and of the Council¹⁵ and other relevant service providers can be crucial to overcome challenges in investigating and prosecuting such offences. Hence, to ensure effective investigation and prosecution, Member States should consider providing frameworks for close cooperation between financial services and other relevant service providers such as providers of live streaming services. This would reduce impunity and ensure that all of the offences covered by this Directive can be investigated effectively, using targeted and appropriate tools and resources.

¹⁵ Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services

Amendment

(33) Some forms of online child sexual abuse, such as the live streaming of abuse of children, often committed physically by persons present in third countries at the request of paying perpetrators in the EU, create particular investigative challenges, as the streamed abuse does not usually leave images or recorded traces behind. Cooperation with financial services defined in Article 2, point (b), of Directive 2002/65/EC of the European Parliament and of the Council¹⁵ and other relevant service providers can be crucial to overcome challenges in investigating and prosecuting such offences. Hence, to ensure effective investigation and prosecution, Member States should consider providing frameworks for close cooperation between financial services and other relevant service providers such as providers of live streaming services. This would reduce impunity and ensure that all of the offences covered by this Directive can be investigated effectively, using targeted and appropriate tools and resources ***ensuring the swift conclusion of the procerures schould include immediate blocking and removing harmful content promptly and granting access to necessary material for law enforcement to effectively pursue and prosecute offenders. This approach safeguards victims while holding perpetrators accountable.***

¹⁵ Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services

and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16, ELI: <http://data.europa.eu/eli/dir/2002/65/oj>).

and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16, ELI: <http://data.europa.eu/eli/dir/2002/65/oj>).

Or. en

Amendment 75

Diana Iovanovici Șoșoacă

Proposal for a directive

Recital 33

Text proposed by the Commission

(33) Some forms of online child sexual abuse, such as the live streaming of abuse of children, often committed physically by persons present in third countries at the request of paying perpetrators in the EU, create particular investigative challenges, as the streamed abuse does not usually leave images or recorded traces behind. Cooperation with financial services defined in Article 2, point (b), of Directive 2002/65/EC of the European Parliament and of the Council¹⁵ and other relevant service providers can be crucial to overcome challenges in investigating and prosecuting such offences. Hence, to ensure effective investigation and prosecution, Member States should consider providing frameworks for close cooperation between financial services and other relevant service providers such as providers of live streaming services. This would reduce impunity and ensure that all of the offences covered by this Directive can be investigated effectively, using targeted and appropriate tools and resources.

¹⁵ Directive 2002/65/EC of the European Parliament and of the Council of 23

Amendment

(33) Some forms of online child sexual abuse, such as the live streaming of abuse of children, often committed physically by persons present in third countries at the request of paying perpetrators in the EU, create particular investigative challenges, as the streamed abuse does not usually leave images or recorded traces behind. Cooperation with financial services defined in Article 2, point (b), of Directive 2002/65/EC of the European Parliament and of the Council¹⁵ and other relevant service providers can be crucial to overcome challenges in investigating and prosecuting such offences, ***especially when these are cross-border actions, from non-EU states and/or committed by non-EU nationals though non-EU companies.*** Hence, to ensure effective investigation and prosecution, Member States should consider providing frameworks for close cooperation between financial services and other relevant service providers such as providers of live streaming services. This would reduce impunity and ensure that all of the offences covered by this Directive can be investigated effectively, using targeted and appropriate tools and resources.

¹⁵ Directive 2002/65/EC of the European Parliament and of the Council of

September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16, ELI: <http://data.europa.eu/eli/dir/2002/65/oj>).

23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16, ELI: <http://data.europa.eu/eli/dir/2002/65/oj>).

Or. ro

Justification

In many cases, offenders seeking to create and disseminate such material are constantly moving from one country to another, precisely so that the places where/from which they are operating cannot be identified. Cross-border cooperation between the institutions competent in this field is therefore crucial.

Amendment 76 **Verena Mertens**

Proposal for a directive **Recital 34**

Text proposed by the Commission

(34) Member States should encourage any person who has knowledge or suspicion of the sexual abuse or sexual exploitation of a child to report to the competent services. In particular, Member States should make available information to children about the possibility to report the abuse, including to helplines. It is the responsibility of each Member State to determine the competent authorities to which such suspicions may be reported. Those competent authorities should not be limited to child protection services or relevant social services. The requirement of suspicion ‘in good faith’ should be aimed at preventing the provision being invoked to authorise the denunciation of purely imaginary or untrue facts carried out with malicious intent.

Amendment

(34) Member States should encourage any person who has knowledge or suspicion of the sexual abuse or sexual exploitation of a child to report to the competent services. In particular, Member States should make available information to children about the possibility to report the abuse, including to helplines **or online**. It is the responsibility of each Member State to determine the competent authorities to which such suspicions may be reported. Those competent authorities should not be limited to child protection services or relevant social services. The requirement of suspicion ‘in good faith’ should be aimed at preventing the provision being invoked to authorise the denunciation of purely imaginary or untrue facts carried out with malicious intent.

Or. en

Amendment 77

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 35 a (new)

Text proposed by the Commission

Amendment

(35 a) Member States should guarantee comprehensive care for children as a subjective right, ensuring that victim and survivor reparations programs, with gender perspective, are effective and accessible. In this regard, and recognising the Barnahus model as a positive reference, Member States should commit to its financial sustainability to guarantee universality and non-discrimination in children's access to their rights. This means that the care, support, protection, and reparations provided to children must be integrated and respect their status as full rights-holders. Only through such approaches can real and lasting protection of their rights be ensured, addressing their needs within a framework of justice that is adapted and sensitive to their overall development.

Or. en

Amendment 78

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 36

Text proposed by the Commission

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests.

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests.

The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce

The child best interest should be interpreted by ensuring children protection and safeguarding from further harm, providing tailored and adapted support and protection of children rights throughout the entire judicial process and beyond, mainstreaming the gender perspective throughout the process, including the contacts with social, healthcare, educational and pysical services The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate ***and tailored*** psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of

the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. en

Amendment 79

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. ***To prevent secondary victimisation, law enforcement and related professionals must promote and adopt gender-sensitive approaches that avoid perpetuating harm or gender bias during investigations and interactions with victims.*** The “Barnahus” model of providing a child-friendly environment staffed with specialists from

to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and

all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child

understandable to the child.

victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. en

Justification

necessary to take a gender-sensitive approach to prevent secondary victimisation

Amendment 80

Mathilde Androuët, Catherine Griset, Margarita de la Pisa Carrión

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires ***deep involvement on the part of a child's parents or legal representatives, in so far as they are not concerned by an investigation, but also*** a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts

examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. fr

Amendment 81

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation, ***and should be conducted in a child and gender sensitive way***. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a

out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice ***which identifies gender specific needs of children***. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. en

Amendment 82

Alice Kuhnke

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs ***in a trauma-, gender-, disability- and child-sensitive manner***. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the

child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences *will help* to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying

child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly, *gender- and trauma sensitive* justice. A good understanding of children and how they behave when faced with traumatic

out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

experiences *is essential* to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. en

Justification

To highlight the fact that each child is different and that it is necessary to ensure a holistic approach to the assessment of each child's needs

Amendment 83 **Eleonora Meleti**

Proposal for a directive **Recital 36**

Text proposed by the Commission

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child

protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit retraumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age, *gender* and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. en

Amendment 84

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 37

Text proposed by the Commission

(37) Member States should provide tailored and comprehensive short- and long-term assistance to child victims. Any harm caused by the sexual abuse and sexual exploitation of a child is significant and should be addressed as soon as possible after the first contact of the victim with the authorities. Immediate assistance to victims before and during criminal investigations and proceedings is essential to limit the long-term trauma linked to the abuse suffered. To facilitate the swift provision of assistance, including the identification of the relevant support services, Member States should issue guidelines and protocols for healthcare, education and social service professionals, including the staff at helplines. Because of the nature of the harm caused by sexual abuse and sexual exploitation, such assistance should continue for as long as necessary for the child's physical and psychological recovery and may last into adulthood if necessary. Assistance and advice should be considered to be extended to parents, carers or guardians of the child victims where they are not involved as suspects in relation to the offence concerned, in order to help them to assist child victims throughout the proceedings.

Amendment

(37) Member States should provide tailored and comprehensive short- and long-term assistance, ***with gender perspective, to child victims and survivors, regardless the existence of a complaint or criminal prosecution.*** Any harm caused by the sexual abuse and sexual exploitation of a child is significant and should be addressed as soon as possible after the first contact of the victim with the authorities. Immediate assistance to victims before and during criminal investigations and proceedings is essential to limit the long-term trauma linked to the abuse suffered. To facilitate the swift provision of assistance, including the identification of the relevant support services, Member States should issue guidelines and protocols for healthcare, education and social service professionals ***and volunteers,*** including the staff at helplines, ***taking always into account the specific needs of the child.*** Because of the nature of the harm caused by sexual abuse and sexual exploitation, such assistance should continue for as long as necessary for the child's physical and psychological recovery and may last into adulthood if necessary. Assistance and advice should be considered to be extended to parents, carers or guardians of the child victims where they are not involved as suspects in relation to the offence concerned, in order to help them to assist child victims throughout the proceedings. ***Member States should take the necessary measures to respect children's right to be heard. Child protection in this regard must be linked to family law and gender-based violence law, and their right to reparations and non-repetition, especially in environments where abuse has***

occurred such as the family. In cases of sexual abuse against children within the family, the perpetrator often retains rights within the environment of the abused child, which is not the case in the healthcare or school sectors. That is, when family law conflicts with the child's right to a life free from sexual violence, the latter must take precedence. The majority of caregivers are women, whom States must support in their efforts to protect and seek justice and reparation for the sexual violence suffered by the children in their care, with particular attention to assaults committed within the family. This is especially relevant in the case of protective mothers who act with the sole purpose of protecting a child and preventing further harm and abuses in suspected cases of child sexual abuse. Carers shall be excluded from criminal persecution and be protected against civil claims directly related to protective actions. Primary carers shall not face criminal charges for any protective actions taken in good faith to prevent or respond to suspected child sexual abuse, including but not limited to reporting suspected abuse to law enforcement or child protective services, taking temporary steps to limit or restrict contact between the child and the alleged abuser, seeking emergency custody modifications or other legal interventions to protect the child. In cases against the protective carers, the burden of proof shall lie with the claimant to demonstrate that the carer's actions were taken for reasons other than child protection.

Or. en

Amendment 85
Eleonora Meleti

Proposal for a directive
Recital 37

Text proposed by the Commission

(37) Member States should provide tailored and comprehensive short- and long-term assistance to child victims. Any harm caused by the sexual abuse and sexual exploitation of a child is significant and should be addressed as soon as possible after the first contact of the victim with the authorities. Immediate assistance to victims before and during criminal investigations and proceedings is essential to limit the long-term trauma linked to the abuse suffered. To facilitate the swift provision of assistance, including the identification of the relevant support services, Member States should issue guidelines and protocols for healthcare, education and social service professionals, including the staff at helplines . Because of the nature of the harm caused by sexual abuse and sexual exploitation, such assistance should continue for as long as necessary for the child's physical and psychological recovery and may last into adulthood if necessary. Assistance and advice should be considered to be extended to parents , carers or guardians of the child victims where they are not involved as suspects in relation to the offence concerned, in order to help them to assist child victims throughout the proceedings.

Amendment

(37) Member States should provide tailored, ***adapted to the specific characteristics and needs of each child*** and comprehensive short- and long-term assistance to child victims. Any harm caused by the sexual abuse and sexual exploitation of a child is significant and should be addressed as soon as possible after the first contact of the victim with the authorities. Immediate assistance to victims before and during criminal investigations and proceedings is essential to limit the long-term trauma linked to the abuse suffered. To facilitate the swift provision of assistance, including the identification of the relevant support services, Member States should issue guidelines and protocols for healthcare, education and social service professionals, including the staff at helplines . Because of the nature of the harm caused by sexual abuse and sexual exploitation, such assistance should continue for as long as necessary for the child's physical and psychological recovery and may last into adulthood if necessary. Assistance and advice should be considered to be extended to parents , carers or guardians of the child victims where they are not involved as suspects in relation to the offence concerned, in order to help them to assist child victims throughout the proceedings.

Or. en

Amendment 86

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 38

Text proposed by the Commission

(38) The trauma arising from sexual abuse and sexual exploitation of children often lasts well into adulthood, entailing

Amendment

(38) ***Child sexual abuse and child exploitation as forms of sexual violence, and sometimes could involve gender-***

long-term effects which often prevent victims from reporting the offence and from seeking assistance and support for years or even decades. Therefore, Member States should provide tailored and comprehensive short- and long-term assistance not only to child victims, but also to adult survivors of child sexual abuse and sexual exploitation.

based violence. have profound and lasting impacts on victims and survivors, affecting their mental health, personal development, and future well-being The trauma arising from sexual abuse and sexual exploitation of children often lasts well into adulthood, entailing long-term effects which often prevent victims from reporting the offence and from seeking assistance and support for years or even decades. Therefore, Member States should provide tailored and comprehensive short- and long-term assistance not only to child victims, but also to adult survivors of child sexual abuse and sexual exploitation.

Or. en

Amendment 87
Eleonora Meleti

Proposal for a directive
Recital 38

Text proposed by the Commission

(38) The trauma arising from sexual abuse and sexual exploitation of children often lasts well into adulthood, entailing long-term effects which often prevent victims from reporting the offence and from seeking assistance and support for years or even decades. Therefore, Member States should provide tailored and comprehensive short- and long-term assistance not only to child victims, but also to adult survivors of child sexual abuse and sexual exploitation.

Amendment

(38) The trauma arising from sexual abuse and sexual exploitation of children often lasts well into adulthood, entailing long-term effects which often prevent victims from reporting the offence and from seeking assistance and support for years or even decades. ***Data shows that there are more girl victims, while boys tend to less report the offences.*** Therefore, Member States should provide tailored, ***adapted to the specific characteristics and needs of each child*** and comprehensive short- and long-term assistance not only to child victims, but also to adult survivors of child sexual abuse and sexual exploitation.

Or. en

Amendment 88
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive
Recital 39 a (new)

Text proposed by the Commission

Amendment

(39 a) Prevention of child sexual abuse is of paramount importance to protect children. Member States shall take protective measures to safeguard children's physical, emotional, and psychological well-being and safeguard the fundamental rights of children to grow up in a safe environment, free from exploitation, violence and harm. Protective measures must encompass prevention, detection, intervention, support and reparation, ensuring that all aspects of a child's safety are addressed. Preventing child sexual abuse requires collaborative efforts across sectors, including education, healthcare, judicial systems, and community services. Furthermore, empowering primary carers, particularly mothers who often serve as frontline protectors, is essential to detecting and interrupting abusive situations.

Or. en

Amendment 89
Eleonora Meleti

Proposal for a directive
Recital 40

Text proposed by the Commission

Amendment

(40) The EU Centre to prevent and combat child sexual abuse ('EU Centre'), established by Regulation [.../.../EU laying down rules to prevent and combat child sexual abuse]¹⁶, should support Member States' prevention and assistance to victims' efforts and obligations under this Directive. It should facilitate the exchange of best practices in the Union and

(40) The EU Centre to prevent and combat child sexual abuse ('EU Centre'), established by Regulation [.../.../EU laying down rules to prevent and combat child sexual abuse]¹⁶, should support Member States' prevention and assistance to victims' efforts and obligations under this Directive. It should facilitate the exchange of best practices in the Union and

beyond. The EU Centre should encourage dialogue between all relevant stakeholders to help the development of state-of-the-art prevention programmes. Moreover, by cooperating with Member States and contributing to the standardisation of data collection concerning child sexual abuse and sexual exploitation throughout the Union, the EU Centre should be an asset in supporting evidence-based policy on both prevention and assistance to victims. Member States should establish national authorities or equivalent entities as they consider most appropriate according to their internal organisation, taking into account the need for a minimal structure with identified tasks, capable of carrying out assessments of trends in child sexual abuse, of gathering statistics, of measuring the results of actions to prevent and combat child sexual abuse, and of regularly reporting on such trends, statistics and results. Such national authorities should serve as a national contact point and should take an integrative multistakeholder approach in their work. In addition, Member States should establish the necessary mechanisms at national level to ensure effective coordination and cooperation in the development and implementation of measures to prevent and combat child sexual abuse and child sexual exploitation, both online and offline, among all relevant public and private actors, as well as facilitate cooperation with the EU Centre and the Commission.

¹⁶ COM (2022) 209 of 11.5.2022.

beyond. The EU Centre should encourage dialogue between all relevant stakeholders to help the development of state-of-the-art prevention programmes *and support Member States in developing information and awareness raising campaigns*. Moreover, by cooperating with Member States and contributing to the standardisation of data collection concerning child sexual abuse and sexual exploitation throughout the Union, the EU Centre should be an asset in supporting evidence-based policy on both prevention and assistance to victims. Member States should establish national authorities or equivalent entities as they consider most appropriate according to their internal organisation, taking into account the need for a minimal structure with identified tasks, capable of carrying out assessments of trends in child sexual abuse, of gathering statistics, of measuring the results of actions to prevent and combat child sexual abuse, and of regularly reporting on such trends, statistics and results. Such national authorities should serve as a national contact point and should take an integrative multistakeholder approach in their work. In addition, Member States should establish the necessary mechanisms at national level to ensure effective coordination and cooperation in the development and implementation of measures to prevent and combat child sexual abuse and child sexual exploitation, both online and offline, among all relevant public and private actors, as well as facilitate cooperation with the EU Centre and the Commission.

¹⁶ COM (2022) 209 of 11.5.2022.

Or. en

Amendment 90
Diana Iovanovici Şoşoacă

Proposal for a directive
Recital 41

Text proposed by the Commission

(41) Member States may choose to appoint existing bodies or entities, such as national Coordinating Authorities already designated in accordance with Regulation [.../.../EU Proposed CSA regulation], as national authorities or equivalent mechanisms under this Directive, to the extent that this is compatible with the need to ensure that the tasks attributed to them under this Directive are performed effectively and in full.

Amendment

(41) Member States may choose to appoint existing bodies or entities, such as national Coordinating Authorities already designated in accordance with Regulation [.../.../EU Proposed CSA regulation], as national authorities or equivalent mechanisms under this Directive, to the extent that this is compatible with the need to ensure that the tasks attributed to them under this Directive are performed effectively and in full, ***and to set up a system for cooperating with other EU Member States and the European Commission to monitor cases of abuse and to systematically adapt measures for combating this phenomenon based on how it evolves and on the methods used by paedophiles.***

Or. ro

Justification

It is important to understand that offenders seeking to create and disseminate such material are constantly trying to avoid being traced by the institutions authorised to intervene, and are constantly moving from one country to another, precisely so that the places where/from which they are operating cannot be identified. Closer cooperation is therefore needed between Member States and the European Commission in order to regularly adapt measures for punishing offenders.

Amendment 91
Verena Mertens

Proposal for a directive
Recital 43

Text proposed by the Commission

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of

Amendment

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of

sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand, and tailored to the specific needs of children of different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care. Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes, ***including gender sensitive, age appropriate comprehensive sexuality education***. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand, and tailored to the specific needs of children of different age groups, including pre-school children. ***Recent figures show that CSA victims are becoming younger and younger, with 92% of victims aged between 3 and 13. It is therefore important that this training is introduced at school, for both children and teachers, as early as possible. Considering the victims' young age, similar training must be introduced to the general public (adults). Training on how to recognise CSA material online and what to do when you come across it should be included as well.*** Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care. Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

Amendment 92**Alice Kuhnke****Proposal for a directive****Recital 43***Text proposed by the Commission*

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand, and tailored to the specific needs of children of different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care. Where not already in place, **the establishment of** dedicated help-lines or hotlines should be

Amendment

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand, and tailored to the specific needs of children of different age groups **and abilities**, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. **Furthermore, member states should ensure the provision of comprehensive, age appropriate sexuality and relationships education, based on the principles of gender equality, non-discrimination and fundamental rights and should address, in**

considered.

particular, the central role of consent in sexual relationships, and to emphasise that consent can only be given voluntarily as a result of the person's free will.

Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care . Where not already in place, dedicated help-lines or hotlines should be ***established***.

Or. en

Justification

To ensure that children with disabilities are explicitly provided for in the development of awareness materials

Amendment 93

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Recital 43

Text proposed by the Commission

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand , and tailored to the specific needs of children of different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of

Amendment

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, ***including the practice of child marriage, which is a human rights violation and a harmful practice that primarily affects women and girls***, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand , and tailored to the specific needs of children of

child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care . Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care . Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

Or. en

Amendment 94
Eleonora Meleti

Proposal for a directive
Recital 43

Text proposed by the Commission

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and

Amendment

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents and carers and society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and

sufficiently easy to understand , and tailored to the specific needs of children of different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care . Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

sufficiently easy to understand , and tailored to the specific needs of children of different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse ***(including through the new digital threats raised by AI, VR, violent content, grooming)***, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care . Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

Or. en

Amendment 95
Rosa Estaràs Ferragut

Proposal for a directive
Recital 43 a (new)

Text proposed by the Commission

Amendment

(43 a) Clear information and education policies should aim the general public in order to prevent online violence.

Or. en

Amendment 96
Rosa Estaràs Ferragut

Proposal for a directive

Recital 43 b (new)

Text proposed by the Commission

Amendment

(43 b) All data collection by Member States on child sexual abuse and exploitation shall be disaggregated on the basis of the sex of the children.

Or. en

Amendment 97

Alice Kuhnke

Proposal for a directive

Recital 46

Text proposed by the Commission

Amendment

(46) Professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained to identify and deal with such victims. To ensure child-friendly justice throughout the investigation and prosecution of child sexual abuse and sexual exploitation cases, that training should be ***promoted*** for members of the following categories when they are likely to come into contact with child victims: police officers, public prosecutors, lawyers, members of the judiciary and court officials, child and health care personnel, professionals in the education sector, including in early childhood education and care, social services, providers of victim support and restorative justice services, but could also involve other groups of persons who are likely to encounter child victims of sexual abuse and sexual exploitation in their work.

(46) Professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained to identify and deal with such victims ***and to treat them in a trauma-, gender- and child sensitive manner. Furthermore, appropriate training regarding different trauma responses, including an understanding of freezing – a trauma response common in rape and sexual abuse that renders the victim unable to move and causes them to be tense, still and silent, should be mandatory.*** To ensure child-friendly justice throughout the investigation and prosecution of child sexual abuse and sexual exploitation cases, that training should be ***mandatory*** for members of the following categories when they are likely to come into contact with child victims: police officers, public prosecutors, lawyers, members of the judiciary and court officials, child and health care personnel, professionals in the education sector, including in early childhood education and care, social services, providers of victim support and restorative justice services, but could also involve other groups of persons who are likely to encounter child victims of

sexual abuse and sexual exploitation in their work.

Or. en

Justification

To ensure that the concept of freezing is adequately defined and understood by Member States

Amendment 98

Diana Iovanovici Șoșoacă

Proposal for a directive

Recital 46

Text proposed by the Commission

(46) Professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained to identify and deal with such victims. To ensure child-friendly justice throughout the investigation and prosecution of child sexual abuse and sexual exploitation cases, that training should be promoted for members of the following categories when they are likely to come into contact with child victims: police officers, public prosecutors, lawyers, members of the judiciary and court officials, child and health care personnel, professionals in the education sector, including in early childhood education and care, social services, providers of victim support and restorative justice services, but could also involve other groups of persons who are likely to encounter child victims of sexual abuse and sexual exploitation in their work.

Amendment

(46) Professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained ***on a regular basis*** to identify and deal with such victims, ***while also taking into account the evolution of the methods used to lure victims***. To ensure child-friendly justice throughout the investigation and prosecution of child sexual abuse and sexual exploitation cases, that ***regular*** training should be promoted for members of the following categories when they are likely to come into contact with child victims: police officers, public prosecutors, lawyers, members of the judiciary and court officials, child and health care personnel, professionals in the education sector, including in early childhood education and care, social services, providers of victim support and restorative justice services, but could also involve other groups of persons who are likely to encounter child victims of sexual abuse and sexual exploitation in their work, ***such as non-governmental organisations active in the field of children's rights***.

Or. ro

Justification

The ramifications of information and communication technology are ever growing, with new applications emerging each year. These applications are rapidly adopted by those who actively want to abuse children, which is why the training offered to those fighting offenders needs to be constantly adapted.

Amendment 99

Diana Iovanovici Șoșoacă

Proposal for a directive

Recital 47

Text proposed by the Commission

(47) In order to prevent the sexual abuse and sexual exploitation of children, intervention programmes or measures targeting sex offenders should be proposed to them. Those intervention programmes or measures should meet a broad, flexible approach focusing on the medical and psycho-social aspects and have a non-obligatory character. Those intervention programmes or measures are without prejudice to intervention programmes or measures imposed by the competent judicial authorities.

Amendment

(47) In order to prevent the sexual abuse and sexual exploitation of children, intervention programmes or measures targeting sex offenders ***or persons who it is suspected could commit such offences if they were to operate in a propitious environment for these types of offences, as well as a ban on their activities when they are in a propitious environment such as schools, high schools and other child education structures***, should be proposed to them. Those intervention programmes or measures should meet a broad, flexible approach focusing on the medical and psycho-social aspects and have a non-obligatory character. Those intervention programmes or measures are without prejudice to intervention programmes or measures imposed by the competent judicial authorities.

Or. ro

Justification

A major danger that should not be overlooked is that, in many cases, those who groom children for unlawful sexual activities have easy access to them or are in contact with them in educational, social and other environments. It is therefore essential to identify these people and to prevent them from moving on to other areas, regions or countries to find other locations that they can use as bases from which to operate.

Amendment 100

Proposal for a directive

Recital 50

Text proposed by the Commission

(50) Where the danger posed by the offenders and the possible risks of repetition of the offences make it appropriate, convicted offenders should be temporarily or permanently prevented from exercising at least professional activities involving direct and regular contacts with children or within organisations that work for children or organisations acting in the public interest on the fight against child sexual abuse . Employers when recruiting for a post involving direct and regular contact with children should request information on existing convictions for sexual offences against children entered in the criminal record, or of existing disqualifications. For the purposes of this Directive, the term ‘employers’ should also cover persons running an organisation that is active in volunteer work related to the supervision or care of children involving direct and regular contact with children , including community settings such as schools, hospitals, social care services, sports clubs or religious communities . The way such information is delivered, such as for example access via the person concerned, and the precise content of the information, the meaning of organised voluntary activities and direct and regular contact with children should be laid down in accordance with national law. However, the information transmitted from one competent authority to another should at least contain all relevant records stored by any Member State in their national criminal records registers, and all relevant records that can be easily obtained from third countries, such as information that can be obtained from the United Kingdom through the channel established in accordance with Title IX of Part Three of the Trade and Cooperation Agreement

Amendment

(50) Where the danger posed by the offenders and the possible risks of repetition of the offences make it appropriate, convicted offenders should be temporarily or permanently prevented from exercising at least professional activities involving direct and regular contacts with children or within organisations that work for children or organisations acting in the public interest on the fight against child sexual abuse . Employers when recruiting for a post involving direct and regular contact with children should request information on existing convictions for sexual offences against children entered in the criminal record, or of existing disqualifications. For the purposes of this Directive, the term ‘employers’ should also cover persons running an organisation that is active in volunteer work related to the supervision or care of children involving direct and regular contact with children , including community settings such as schools, hospitals, social care services, sports *or arts* clubs or religious communities. The way such information is delivered, such as for example access via the person concerned, and the precise content of the information, the meaning of organised voluntary activities and direct and regular contact with children should be laid down in accordance with national law. However, the information transmitted from one competent authority to another should at least contain all relevant records stored by any Member State in their national criminal records registers, and all relevant records that can be easily obtained from third countries, such as information that can be obtained from the United Kingdom through the channel established in accordance with Title IX of Part Three of the Trade and Cooperation Agreement

between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part¹⁹.

¹⁹ OJ L 149, 30.4.2021, p. 10, ELI: [http://data.europa.eu/eli/agree_internation/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj)[http://data.europa.eu/eli/agree_internation/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj).

between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part¹⁹.

¹⁹ OJ L 149, 30.4.2021, p. 10, ELI: [http://data.europa.eu/eli/agree_internation/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj)[http://data.europa.eu/eli/agree_internation/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_internation/2021/689(1)/oj).

Or. fr

Amendment 101 **Diana Iovanovici Șoșoacă**

Proposal for a directive **Recital 51**

Text proposed by the Commission

(51) In the area of child sexual abuse, the phenomenon of offenders that regain access to children after a conviction or disqualification by moving to another jurisdiction is particularly widespread and worrisome. It is therefore crucial to take all necessary measures to prevent it. With due regard to the different legal traditions of the Member States, this Directive takes into account the fact that access to criminal records is allowed only either by the competent authorities or by the person concerned. This Directive does not establish an obligation to modify the national systems governing criminal records or the means of access to those records.

Amendment

(51) In the area of child sexual abuse, the phenomenon of offenders that regain access to children after a conviction or disqualification by moving to another jurisdiction **from another EU or non-EU state** is particularly widespread and worrisome. It is therefore crucial to take all necessary measures to prevent it. With due regard to the different legal traditions of the Member States, this Directive takes into account the fact that access to criminal records is allowed only either by the competent authorities or by the person concerned. This Directive does not establish an obligation to modify the national systems governing criminal records or the means of access to those records.

Or. ro

Justification

It is important to understand that offenders seeking to create and disseminate such material are constantly trying to avoid being traced by the institutions authorised to intervene, and are

constantly moving from one country to another, precisely so that the places where/from which they are operating cannot be identified. Closer cooperation is therefore needed between Member States and the European Commission in order to regularly adapt measures for punishing offenders.

Amendment 102

Diana Iovanovici Șoșoacă

Proposal for a directive

Recital 53 a (new)

Text proposed by the Commission

Amendment

(53a) To prevent and minimise recidivism, a system for cooperating with Europol and Interpol should be set up in order to corroborate existing information on offenders who are third-country nationals or nationals of EU countries, to facilitate access to information that is relevant for employers seeking to recruit staff for a position involving direct and regular contact with children, with the creation even of an offender registry and the potential monitoring of any changes in professional activity.

Or. ro

Justification

In order to prevent offenders who create and disseminate such material from constantly – and sometimes very quickly – changing their location, whether it be a city, region or even country, in order to find new victims, Member States should work as closely as possible with Europol, Interpol and other competent institutions and an offender registry should even be set up so that employers can be informed about people who are known to have been involved in such activities, thus preventing such individuals from being recruited into positions where they would be in constant contact with children.

Amendment 103

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Recital 54

Text proposed by the Commission

Amendment

(54) Member States should take the necessary measures to create mechanisms for data collection at the national, local or regional levels and in collaboration with civil society, for the purpose of observing and evaluating the phenomenon of sexual abuse and sexual exploitation of children , building also on the broader data collection obligations set in the Directive [.../...] [Victims rights Directive, Recast], and Regulation (EU) [Regulation to prevent and combat child sexual abuse] . In order to be able to properly evaluate the results of actions to combat sexual abuse and sexual exploitation of children and child sexual abuse material , the Union should continue to develop its work on methodologies and data collection methods to produce comparable statistics. The EU Centre, as a central knowledge hub on child sexual abuse in the Union, should play a key role in this respect.

(54) *It is essential to collect data, disaggregated by sex or gender, age group (child/adult) of the victim and of the offender, relationship between the victim and the offender and type of offence, whether the victim had a disability, and the context in which the offence took place, as well as in relation to intersecting forms of discrimination and other relevant sociodemographic characteristics, and evaluate them in order to implement effective prevention and to combat child sexual abuse and exploitation. These elements are key to improving the detection, response and prevention of these offences* Member States should take the necessary measures to create mechanisms for *such* data collection at the national, local or regional levels and in collaboration with civil society, for the purpose of observing and evaluating the phenomenon of sexual abuse and sexual exploitation of children , building also on the broader data collection obligations set in the Directive [.../...] [Victims rights Directive, Recast], and Regulation (EU) [Regulation to prevent and combat child sexual abuse] . In order to be able to properly evaluate the results of actions to combat sexual abuse and sexual exploitation of children and child sexual abuse material , the Union should continue to develop its work on methodologies and data collection methods to produce comparable statistics. *The collection of this data should take into account situations of children that are particularly vulnerable, such as children in situation of migration, specially girls, or those under the care of public authorities.* The EU Centre, as a central knowledge hub on child sexual abuse in the Union, should play a key role in this respect.

Or. en

Amendment 104

Proposal for a directive

Recital 56

Text proposed by the Commission

(56) Child sexual abuse material is a specific type of content which cannot be construed as the expression of an opinion. To combat it, it is necessary to reduce the circulation of child sexual abuse material by making it more difficult for offenders to upload such content onto the publicly accessible web. Action is therefore necessary to remove the content and apprehend those guilty of making, distributing or downloading child sexual abuse material . With a view to supporting the Union's efforts to combat child sexual abuse material , Member States should use their best endeavours to cooperate with third countries in seeking to secure the removal of such content from servers within their territory.

Amendment

(56) Child sexual abuse material is a specific type of content which cannot be construed as the expression of an opinion. To combat it, it is necessary to reduce the circulation of child sexual abuse material by making it more difficult for offenders to upload such content onto the publicly accessible web. Action is therefore necessary to remove the content and apprehend those guilty of making, distributing or downloading child sexual abuse material . ***Notes the growing trend of self-generated child sexual abuse, where a child is persuaded, coerced or tricked by a perpetrator into carrying out acts via a webcam or handheld device.*** With a view to supporting the Union's efforts to combat child sexual abuse material , Member States should use their best endeavours to cooperate with third countries in seeking to secure the removal of such content from servers within their territory.

Or. en

Amendment 105

Mathilde Androuët, Catherine Griset

Proposal for a directive

Recital 56

Text proposed by the Commission

(56) Child sexual abuse material is a specific type of content which cannot be construed as the expression of an opinion. To combat it, it is necessary to reduce the circulation of child sexual abuse material by making it more difficult for offenders to upload such content onto the publicly

Amendment

(56) Child sexual abuse material is a specific type of content which cannot be construed as ***an artistic work or*** the expression of an opinion. To combat it, it is necessary to reduce the circulation of child sexual abuse material by making it more difficult for offenders to upload such

accessible web. Action is therefore necessary to remove the content and apprehend those guilty of making, distributing or downloading child sexual abuse material . With a view to supporting the Union's efforts to combat child sexual abuse material , Member States should use their best endeavours to cooperate with third countries in seeking to secure the removal of such content from servers within their territory.

content onto the publicly accessible web. Action is therefore necessary to remove the content and apprehend those guilty of making, distributing or downloading child sexual abuse material. With a view to supporting the Union's efforts to combat child sexual abuse material, Member States should use their best endeavours to cooperate with third countries in seeking to secure the removal of such content from servers within their territory.

Or. fr

Amendment 106

Veronika Cifrová Ostrihoňová, Lucia Yar, Billy Kelleher, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive Recital 64 a (new)

Text proposed by the Commission

Amendment

(64 a) Child sexual abuse and exploitation has a strong gender component, which disproportionately affects girls online, therefore qualifying as an extreme form of gender-based violence;

Or. en

Justification

important to consider the gender component of child sexual abuse

Amendment 107

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive Recital 64 b (new)

Text proposed by the Commission

Amendment

(64 b) It is crucial to integrate gender

perspective into all measures designated to prevent and combat online child sexual abuse, while also addressing the root causes of gender-based violence;

Or. en

Justification

important to consider gender perspective when combating child sexual abuse

Amendment 108

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 c (new)

Text proposed by the Commission

Amendment

(64 c) 3 in 5 girls have experienced at least one online sexual harm and LGBTIQ+ children face higher risks of experiencing online sexual harm;

Or. en

Justification

based on studies girls and lgbtiq+ children experience more online sexual abuse

Amendment 109

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 d (new)

Text proposed by the Commission

Amendment

(64 d) Girls are disproportionately more exposed to sexually motivated sextortion and child sexual abuse materials depicting girls increasingly becomes a currency in itself, traded amongst offenders, thereby showing the underlying power dynamics and social inequalities

that perpetuate these abuses;

Or. en

Justification

sextortion targets mainly girls

Amendment 110

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 e (new)

Text proposed by the Commission

Amendment

(64 e) Non-consensual image distribution overwhelmingly depicts young girls, exposing them to enormous trauma, which can also lead to episodes of self-harm;

Or. en

Justification

sexual abuse leads to trauma which can escalate in self-harm

Amendment 111

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 f (new)

Text proposed by the Commission

Amendment

(64 f) The use of emerging technologies, such the AI, deepfakes or other nudifying tools, leads to creation and dissemination of untruthful child sexual abuse material, while often disproportionately targeting girls;

Or. en

Justification

the use of AI leads to more child sexual being spread, often putting girls in more risk

Amendment 112

Veronika Cifrová Ostrihoňová, Lucia Yar, Billy Kelleher, Abir Al-Sahlani, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 g (new)

Text proposed by the Commission

Amendment

(64 g) Violence, abuse and neglect in institutions are prevalent. Children in orphanages are particularly at risk of violence, including verbal abuse, beatings and physical torture, sexual abuse including rape, and psychological harm including isolation, harassment and humiliating discipline;

Or. en

Justification

child sexual abuse is often prevalent in institutions, such as orphanages

Amendment 113

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 h (new)

Text proposed by the Commission

Amendment

(64 h) Education programs should be put in place by Member States based on the practices of parents, carers and family members to prevent sharing of nudes and semi-nudes of children via online application, or social media;

Or. en

Justification

there is a need for clear education programs in order to tackle child sexual abuse

Amendment 114

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 i (new)

Text proposed by the Commission

Amendment

(64 i) Grooming is an exacerbated risk for children with vulnerabilities, such as the one facing mental health issues, low self-esteem, struggles their gender identity, or for children, who are bullied, isolated in school, and also the ones with family issues, or with experiences with prior abuse, including domestic violence or sexual abuse;

Or. en

Justification

children with certain vulnerabilities are more at risk when it comes to experiencing grooming

Amendment 115

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Recital 64 j (new)

Text proposed by the Commission

Amendment

(64 j) In order to effectively prevent online and offline child sexual abuse, especially for girls, Member States should establish and implement effective intervention measures aimed at preventing sexual abuse against children; children need to be educated in a child-friendly and child-sensitive way, regarding the possible risks of sexual

abuse to develop their understanding on what constitutes a healthy relationship at an early age, through an age-appropriate and comprehensive sexuality and relationships education, teaching children about consent from the earliest age possible and ensuring children's ability to verbalise their experiences after experiencing abuse. Member States should also strengthen digital literacy and tailor digital education in schools with the aim of equipping children with the necessary tools for navigating the online space in a safe manner. Guaranteeing these educational measures in all schools helps children, their families, teachers, and social services, to identify and report abuse;

Or. en

Justification

education measures need to be taken in order to combat online and offline child sexual abuse

Amendment 116

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

This Directive establishes minimum rules concerning the definition of criminal offences and sanctions in the area of sexual abuse and sexual exploitation of children, child sexual abuse material and solicitation of children for sexual purposes. It also introduces provisions to strengthen the prevention of those criminal offences and the protection of the victims thereof.

Amendment

This Directive establishes minimum rules concerning the definition of criminal offences and sanctions in the area of sexual abuse and sexual exploitation of children, child sexual abuse material and solicitation of children for sexual purposes, ***as forms of sexual violence and including by means of information and communication technology***. It also introduces provisions to strengthen the prevention of those criminal offences and the protection of the victims thereof.

Or. en

Amendment 117

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) ‘survivor’ means a person who has experienced sexual violence as a child, irrespective of their legal status and their recognition as a victim of a crime by a legal system.

Or. en

Amendment 118

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) ‘sexual violence against children’ means any sexual act in which a person takes advantage of their power imbalance over a child to manipulate them and obtain sexual gratification. Sexual violence against children could also constitute gender-based violence and it’s sometimes used as a form of violence against women with the purpose of attacking the mother of the victim.

Or. en

Amendment 119

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) ‘consent of a child above the age of sexual consent’ refers to a freely given, specific, informed, and unambiguous expression of the child’s agreement to engage in a sexual act, taking into account the surrounding circumstances and resulting from the child’s own voluntary decision;

Or. en

Justification

clarification of consent of a child above the age of sexual consent

Amendment 120

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 2 – paragraph 1 – point 3 – point a

Text proposed by the Commission

Amendment

(a) any material that visually depicts a child engaged in ***real or simulated*** sexually explicit conduct;

(a) any material ***or representation*** that visually depicts a child, ***or any part of the child’s body***, engaged in sexually explicit conduct ***that is real, or generated and simulated by artificial intelligence or created through any other computerised means***;

Or. en

Amendment 121

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 2 – paragraph 1 – point 3 – point a

Text proposed by the Commission

Amendment

(a) any material that visually depicts a child engaged in real or simulated sexually

(a) any material that visually depicts a child engaged in real or simulated sexually explicit conduct; ***including material***

explicit conduct;

created using artificial intelligence, deepfake technologies, or augmented, extended, or virtual reality settings;

Or. en

Amendment 122

Alice Kuhnke

Proposal for a directive

Article 2 – paragraph 1 – point 3 – point b

Text proposed by the Commission

Amendment

(b) depiction of the sexual organs of a child for primarily sexual purposes;

(b) depiction of the sexual organs, ***genital or anal area*** of a child for primarily sexual purposes;

Or. en

Justification

To provide clarity on the sexual organs of children

Amendment 123

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 2 – paragraph 1 – point 3 – point d

Text proposed by the Commission

Amendment

(d) realistic images , reproductions or representations of a child engaged in sexually explicit conduct or of the sexual organs of a child, for primarily sexual purposes;

(d) realistic images, ***including those generated by artificial intelligence or created through any other computerised means***, reproductions or representations of a child engaged in sexually explicit conduct, or of the sexual organs of a child, for primarily sexual purposes;

Or. en

Amendment 124

Alice Kuhnke

Proposal for a directive
Article 2 – paragraph 1 – point 3 – point d

Text proposed by the Commission

(d) realistic images , reproductions or representations of a child engaged in sexually explicit conduct or of the sexual organs of a child, for primarily sexual purposes;

Amendment

(d) realistic images , reproductions or representations of a child, ***regardless of any additional, unrealistic elements depicted in addition to the child,*** engaged in sexually explicit conduct or of the sexual organs of a child, for primarily sexual purposes;

Or. en

Amendment 125
Alice Kuhnke

Proposal for a directive
Article 2 – paragraph 1 – point 3 – point d a (new)

Text proposed by the Commission

Amendment

(d a) material that sexualises a child and that is intended for sexual purposes, without having the genital or anal area of a child in focus or depicting a child engaged in real or simulated sexually explicit conduct.

Or. en

Justification

To ensure that any material that sexualises children is criminalised

Amendment 126
Alice Kuhnke

Proposal for a directive
Article 2 – paragraph 1 – point 3 – point e

Text proposed by the Commission

Amendment

(e) any material, regardless of its form, intended to provide advice,

deleted

guidance or instructions on how to commit child sexual abuse or sexual exploitation or child solicitation;

Or. en

Justification

moved to article 5a new

Amendment 127

Verena Mertens

Proposal for a directive

Article 2 – paragraph 1 – point 3 – point e

Text proposed by the Commission

(e) any material, regardless of its form, intended to provide advice, guidance or instructions on how to commit child sexual abuse or sexual exploitation or child solicitation;

Amendment

(e) ***'instruction manual on how to sexually abuse children' means*** any material, regardless of its form, intended to provide advice, guidance or instructions on how to commit child sexual abuse or sexual exploitation or child solicitation;

Or. en

Amendment 128

Alice Kuhnke

Proposal for a directive

Article 2 – paragraph 1 – point 3 – point e – point 1 (new)

Text proposed by the Commission

Amendment

1) *'Child abuse instruction manual' means any material, regardless of its form, intended to provide advice, guidance or instructions on how to commit child sexual abuse or sexual exploitation or child solicitation;*

Or. en

Justification

in line with the creation of Article 5a new

Amendment 129

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘child exploitation *in prostitution*’ means the use of a child for sexual activities where money or any other form of remuneration or consideration is given or promised as payment in exchange for the child engaging in sexual activities, regardless of whether that payment, promise or consideration is made to the child or to a third party;

Amendment

(4) ‘child *sexual* exploitation’ means the use of a child for sexual activities where money or any other form of remuneration. *gain, advantage, benefit* or consideration is given or promised as payment in exchange for the child engaging in sexual activities, regardless of whether that *remuneration, gain, advantage* payment, promise or consideration is made to the child or to a third party; *child sexual exploitation could also constitute GBV and it’s sometimes used as a form of violence against women with the purpose of attacking the mother of the victim.*

Or. en

Amendment 130

Verena Mertens

Proposal for a directive

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘child exploitation in prostitution’ means the use of a child for sexual activities where money or any other form of remuneration or consideration is given or promised as payment in exchange for the child engaging in sexual activities, regardless of whether that payment, promise or consideration is made to the child or to a third party;

Amendment

(4) ‘child *sexual* exploitation in prostitution’ means the use of a child for sexual activities where money or any other form of remuneration, *profit, advantage, benefit* or consideration is given or promised as payment in exchange for the child engaging in sexual activities, regardless of whether that payment, promise, *profit, advantage, benefit* or consideration is made to the child or to a

third party;

Or. en

Amendment 131

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 2 – paragraph 1 – point 5 b (new)

Text proposed by the Commission

Amendment

(5 b) ‘sexual extortion of children’ means the conduct of threatening to share intimate material depicting the child victim to obtain money, child sexual abuse material or any other benefit under the threat of sharing the material beyond the consent of the depicted person; sexual extortion of children could involve gender-based violence;

Or. en

Amendment 132

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 2 – paragraph 1 – point 5 c (new)

Text proposed by the Commission

Amendment

(5 c) ‘conversion therapy’ means any treatment aimed at changing a person’s sexual orientation or gender identity

Or. en

Amendment 133

Alice Kuhnke

Proposal for a directive

Article 2 – paragraph 1 – point 8

Text proposed by the Commission

Amendment

(8) ‘peers’ means persons who are close in age and degree of psychological and physical development *or* maturity.

(8) ‘peers’ means persons who are close in age and degree of psychological and physical development **and** maturity.

Or. en

Amendment 134

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 2 – paragraph 1 – point 8 a (new)

Text proposed by the Commission

Amendment

(8 a) “information and communication technologies” means all technological tools and resources used to digitally store, create, share or exchange information, including smart phones, computers, social networking and other media applications and services;

Or. en

Justification

Term used throughout the text without a definition integrated under Article 2.

Amendment 135

Veronika Cifrová Ostrihoňová, Billy Kelleher, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 2 – paragraph 1 – point 8 a (new)

Text proposed by the Commission

Amendment

(8 a) 'sextortion' means coercing or forcing a child to share intimate material, depicting the child under the threat of sharing the material beyond the consent of the depicted person; including financial sextortion;

Justification

explanation of sextortion

Amendment 136

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 2 – paragraph 1 – point 8 b (new)

Text proposed by the Commission

Amendment

(8 b) ‘hosting’ means providing of a hosting service as defined in Article 3, point (g)(iii), of Regulation (EU) 2022/2065;

Or. en

Justification

Term used in the text proposed by the Commission as well as in amendments, without a definition integrated under Article 2.

Amendment 137

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

‘conversion therapy’ means any treatment aimed at changing a person’s sexual orientation or gender identity;

Or. en

Justification

explanation of conversion therapy

Amendment 138

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 2 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

'grooming' means the process of establishing or building a relationship with a child either in person or through the use of the internet or other digital technologies to facilitate either online or in-person sexual contact, with a higher risk of targeting girls;

Or. en

Justification

explanation of grooming

Amendment 139

Alice Kuhnke

Proposal for a directive

Article 3 – title

Text proposed by the Commission

Amendment

Offences concerning sexual abuse

Offences concerning **child** sexual abuse

Or. en

Justification

Clarification of the provision

Amendment 140

Jadwiga Wiśniewska

Proposal for a directive

Article 3 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall take the necessary measures to ensure that the conduct referred to in paragraphs 2 to 8 is punishable.

1. Member States shall take the necessary measures to ensure that the conduct referred to in paragraphs 2 to 8 is punishable, ***including when committed by means of information and communication technology, according to the principle, anything that is prohibited online should also be prohibited offline.***

Or. en

Amendment 141
Alice Kuhnke

Proposal for a directive
Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that the conduct referred to in paragraphs 2 to 8 is punishable.

Amendment

1. Member States shall take the necessary measures to ensure that the conduct referred to in paragraphs 2 to 8 is punishable ***regardless of whether committed physically or through the use of information and communication technologies.***

Or. en

Justification

To clarify the applicability of the directive irrespective of the means of abuse

Amendment 142
Verena Mertens

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

3. Causing, for sexual purposes, a child ***who has not reached the age of sexual consent*** to witness sexual abuse, even without having to participate, shall be punishable by a maximum term of

Amendment

3. Causing, for sexual purposes, a child to witness sexual abuse, even without having to participate, shall be punishable by a maximum term of imprisonment of at least 2 years.

imprisonment of at least 2 years.

Or. en

Amendment 143

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 3 – paragraph 4

Text proposed by the Commission

4. Engaging in sexual activities with a child who has not reached the age of sexual consent or causing the child to engage in sexual activities with another person shall be punishable by a maximum term of imprisonment of at least 8 years.

Amendment

4. Engaging in sexual activities with a child who has not reached the age of sexual consent or causing the child to engage in sexual activities with another person ***or themselves or an object*** shall be punishable by a maximum term of imprisonment of at least 8 years.

Or. en

Amendment 144

Alice Kuhnke

Proposal for a directive

Article 3 – paragraph 5 – point a

Text proposed by the Commission

(a) abuse is made of a recognised position of trust, authority or influence over the child, shall be punishable by a maximum term of imprisonment of at least 10 years ***if the child has not reached the age of sexual consent, and of at least 6 years of imprisonment, if the child is over that age;*** or

Amendment

(a) abuse is made of a recognised position of trust, authority or influence over the child, shall be punishable by a maximum term of imprisonment of at least 10 years; or

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 145

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 3 – paragraph 5 – point b

Text proposed by the Commission

(b) abuse is made of a particularly vulnerable situation of the child, in particular because of a mental or physical disability or a situation of dependence, shall be punishable by a maximum term of imprisonment of at least 10 years if the child has not reached the age of sexual consent, and of at least 6 years of imprisonment if the child is over that age; or

Amendment

(b) abuse is made of a particularly vulnerable situation of the child, in particular because of a mental or physical disability, ***such as but not limited to a state of unconsciousness, intoxication, freezing, illness, sleep, fear or bodily injury***, or a situation of dependence, shall be punishable by a maximum term of imprisonment of at least 10 years if the child has not reached the age of sexual consent, and of at least 6 years of imprisonment if the child is over that age; or

Or. en

Justification

clarification of a vulnerable situation

Amendment 146

Alice Kuhnke

Proposal for a directive

Article 3 – paragraph 5 – point b

Text proposed by the Commission

(b) abuse is made of a particularly vulnerable situation of the child, in particular because of a mental or physical disability or a situation of dependence, shall be punishable by a maximum term of imprisonment of at least 10 years ***if the child has not reached the age of sexual consent, and of at least 6 years of imprisonment if the child is over that age;***

Amendment

(b) abuse is made of a particularly vulnerable situation of the child, in particular because of a mental or physical disability or a situation of dependence, ***living in an institutionalized environment or a child deprived of liberty***, shall be punishable by a maximum term of imprisonment of at least 10 years; or

or

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 147
Alice Kuhnke

Proposal for a directive
Article 3 – paragraph 5 – point c

Text proposed by the Commission

(c) use is made of coercion, force or threats shall be punishable by a maximum term of imprisonment of at least 12 years ***if the child has not reached the age of sexual consent, and of at least 7 years of imprisonment if the child is over that age.***

Amendment

(c) use is made of coercion, force, ***extorsion*** or threats shall be punishable by a maximum term of imprisonment of at least 12 years.

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 148
Alice Kuhnke

Proposal for a directive
Article 3 – paragraph 6

Text proposed by the Commission

6. Coercing, forcing or threatening a child into sexual activities with a third party shall be punishable by a maximum term of imprisonment of at least 12 years ***if the child has not reached the age of sexual consent, and of at least 7 years of imprisonment if the child is over that age.***

Amendment

6. Coercing, forcing or threatening a child into sexual activities with a third party shall be punishable by a maximum term of imprisonment of at least 12 years

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 149

Alice Kuhnke

Proposal for a directive**Article 3 – paragraph 7 – introductory part***Text proposed by the Commission*

7. The following intentional conduct shall be punishable by a maximum term of imprisonment of at least 12 years:

Amendment

7. The following intentional conduct, ***either online or offline***, shall be punishable by a maximum term of imprisonment of at least 12 years:

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 150

Jadwiga Wiśniewska

Proposal for a directive**Article 3 – paragraph 7 – point b***Text proposed by the Commission*

(b) causing a child below the age of sexual consent to engage with another person in any act of vaginal, anal or oral penetration of a sexual nature, with any bodily part or object.

Amendment

(b) causing a child below the age of sexual consent to engage with another person in any act, ***which involve physical contact*** of vaginal, anal or oral penetration of a sexual nature, with any bodily part or object, ***or non-contact activities like self-penetration and can happen online or offline.***

Or. en

Amendment 151

Alice Kuhnke

Proposal for a directive

Article 3 – paragraph 7 – point b a (new)

Text proposed by the Commission

Amendment

(b a) causing a child below the age of sexual consent to engage themselves, in any act of vaginal, anal or oral penetration of a sexual nature, with any bodily part or object;

Or. en

Justification

To ensure that all forms of child sexual abuse are adequately covered

Amendment 152

Alice Kuhnke

Proposal for a directive

Article 3 – paragraph 8

Text proposed by the Commission

Amendment

8. Where the child is above the age of sexual consent and does not consent to the act, the conduct referred to in paragraph 7 shall be punishable by a maximum term of imprisonment of at least **10** years.

8. Where the child is above the age of sexual consent and does not consent to the act, the conduct referred to in paragraph 7 shall be punishable by a maximum term of imprisonment of at least **12** years.

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 153

Eleonora Meleti

Proposal for a directive

Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury;

Amendment

(a) ***when assessing whether participation is voluntary or not, particular consideration is given to whether voluntariness was expressed by word or deed or in another way,*** a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury;

Or. en

Amendment 154

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury;

Amendment

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury ***or an otherwise particularly vulnerable situation;***

Or. en

Amendment 155
Jadwiga Wiśniewska

Proposal for a directive
Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury;

Amendment

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness, **action by the perpetrator by surprise** or bodily injury;

Or. en

Amendment 156
Alice Kuhnke

Proposal for a directive
Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury;

Amendment

(a) a non-consensual act is understood as an act which is performed without the child's **explicit** consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of **fear**, unconsciousness, intoxication, **chemical submission**, freezing, illness or bodily injury;

Or. en

Justification

to ensure a more comprehensive definition of a non-consensual act

Amendment 157

Rosa Estaràs Ferragut

Proposal for a directive

Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury;

Amendment

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury **or disability**;

Or. en

Amendment 158

Mathilde Androuët, Catherine Griset

Proposal for a directive

Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication,

Amendment

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's **age or** physical or mental condition such as a state of unconsciousness,

freezing, illness or bodily injury;

intoxication, freezing, illness or bodily injury;

Or. fr

Amendment 159

Alice Kuhnke

Proposal for a directive

Article 3 – paragraph 9 – point a a (new)

Text proposed by the Commission

Amendment

(a a) Consent shall be given voluntarily as the result of free will and it shall be assessed in the context of the surrounding circumstances.

Or. en

Justification

to ensure a comprehensive and harmonised definition of consent

Amendment 160

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 3 – paragraph 9 – point c

Text proposed by the Commission

Amendment

(c) the absence of consent cannot be refuted exclusively by the child's silence, verbal or physical non-resistance or past sexual conduct.

(c) the absence of consent cannot be refuted exclusively by the child's silence, verbal or physical non-resistance or past sexual conduct ***or existing or past relationship with the offender;***

Or. en

Amendment 161

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Causing or recruiting a child to participate in child sexual abuse performances, or profiting from or otherwise exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of at least 5 years ***if the child has not reached the age of sexual consent and of at least 2 years of imprisonment if the child is over that age.***

Amendment

2. Causing or recruiting a child to participate in child sexual abuse performances, or profiting from or otherwise exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of at least 5 years.

Or. en

Amendment 162

Alice Kuhnke

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Causing or recruiting a child to participate in child sexual abuse performances, or profiting from or otherwise exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of at least 5 years ***if the child has not reached the age of sexual consent and of at least 2 years of imprisonment if the child is over that age.***

Amendment

2. Causing or recruiting a child to participate in child sexual abuse performances, or profiting from or otherwise exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of at least 5 years

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 163

Alice Kuhnke

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. Coercing or forcing a child to participate in child sexual abuse performances, or threatening a child for such purposes shall be punishable by a maximum term of imprisonment of at least 8 years ***if the child has not reached the age of sexual consent, and of at least 5 years of imprisonment if the child is over that age.***

Amendment

3. Coercing or forcing a child to participate in child sexual abuse performances, or threatening a child for such purposes shall be punishable by a maximum term of imprisonment of at least 8 years

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 164
Alice Kuhnke

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. Knowingly attending child sexual abuse performances involving the participation of a child shall be punishable by a maximum term of imprisonment of at least 2 years ***if the child has not reached the age of sexual consent, and of at least 1 year of imprisonment if the child is over that age.***

Amendment

4. Knowingly attending child sexual abuse performances involving the participation of a child shall be punishable by a maximum term of imprisonment of at least 2 years

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 165

Alice Kuhnke

**Proposal for a directive
Article 4 – paragraph 5**

Text proposed by the Commission

5. Causing or recruiting a child to participate in exploitation in prostitution, or profiting from or otherwise exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of at least 8 years ***if the child has not reached the age of sexual consent, and of at least 5 years of imprisonment if the child is over that age.***

Amendment

5. Causing or recruiting a child to participate in exploitation in prostitution, or profiting from or otherwise exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of at least 8 years

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

**Amendment 166
Alice Kuhnke**

**Proposal for a directive
Article 4 – paragraph 6**

Text proposed by the Commission

6. Coercing or forcing a child into exploitation in prostitution, or threatening a child for such purposes shall be punishable by a maximum term of imprisonment of at least 10 years ***if the child has not reached the age of sexual consent, and of at least 5 years of imprisonment if the child is over that age.***

Amendment

6. Coercing or forcing a child into exploitation in prostitution, or threatening a child for such purposes shall be punishable by a maximum term of imprisonment of at least 10 years

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 167

Alice Kuhnke

Proposal for a directive

Article 4 – paragraph 7

Text proposed by the Commission

7. Engaging in sexual activities with a child, where recourse is made to exploitation in prostitution shall be punishable by a maximum term of imprisonment of at least 8 years ***if the child has not reached the age of sexual consent, and of at least 4 years of imprisonment if the child is over that age.***

Amendment

7. Engaging in sexual activities with a child, where recourse is made to exploitation in prostitution shall be punishable by a maximum term of imprisonment of at least 8 years

Or. en

Justification

To eliminate discrimination between children of different ages and to ensure that age is an aggravating circumstance rather than a mitigating factor.

Amendment 168

Veronika Cifrová Ostrihoňová, Billy Kelleher, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 4 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7 a. Coercing or forcing a child to share intimate material depicting the child under the threat of sharing the material beyond the consent of the depicted person shall be punishable by a maximum term of imprisonment of at least 8 years if the child has not reached the age of sexual consent and of at least 5 years of imprisonment if the child is over that age.

Or. en

Justification

punishing sexual abuse in the context of sextortion

Amendment 169

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 4 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7 a. Coercing or compelling a child to share intimate material featuring the child, in order to obtain money, child sexual abuse material, or any other benefit under the threat of sharing the material without the depicted person's consent, shall be punishable by a maximum prison term of no less than 8 years.

Or. en

Amendment 170

Alice Kuhnke

Proposal for a directive

Article 4 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7 a. Coercing or forcing a child to share intimate material depicting the child to obtain money, child sexual abuse material or any other benefit under the threat of sharing the material beyond the consent of the depicted person shall be punishable by a maximum term of imprisonment of at least 8 years.

Or. en

Amendment 171

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 4 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

7 b. Coercing or forcing a child to engage in sexual activities within the context of a conversion therapy practice shall be punishable by a maximum term of imprisonment of at least 8 years if the child has not reached the age of sexual consent and of at least 5 years of imprisonment if the child is over that age.

Or. en

Justification

punishing sexual abuse in the context of conversion therapies

Amendment 172

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 4 – paragraph 7 c (new)

Text proposed by the Commission

Amendment

7 c. Grooming a child with the aim of engaging with them in sexual activities shall be punishable by a maximum term of imprisonment of at least 8 years if the child has not reached the age of sexual consent and of at least 5 years of imprisonment if the child is over that age.

Or. en

Justification

punishing sexual abuse in the context of grooming

Amendment 173

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 5 – paragraph 3

Text proposed by the Commission

3. Knowingly obtaining access, by means of information and communication technology, to child sexual abuse material shall be punishable by a maximum term of imprisonment of at least 1 year.

Amendment

3. Knowingly obtaining access, by means of information and communication technology, to child sexual abuse material shall be punishable by a maximum term of imprisonment of at least 1 year. ***This includes accessing material through anonymized networks, such as the dark web, or using tools designed to obscure activity.***

Or. en

Amendment 174

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 5 – paragraph 4

Text proposed by the Commission

4. Distribution, dissemination or transmission of child sexual abuse material shall be punishable by a maximum term of imprisonment of at least 2 years.

Amendment

4. Distribution, dissemination or transmission of child sexual abuse material ***by any means*** shall be punishable by a maximum term of imprisonment of at least 2 years.

Or. en

Justification

Addition to cover any means of distribution, dissemination or transmission of child sexual abuse material, regardless whether online or offline.

Amendment 175

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 5 – paragraph 5

Text proposed by the Commission

5. Offering, supplying or making available child sexual abuse material shall

Amendment

5. ***Hosting***, offering, supplying or making available child sexual abuse

be punishable by a maximum term of imprisonment of at least 2 years.

material **by any means** shall be punishable by a maximum term of imprisonment of at least 2 years.

Or. en

Justification

Addition to explicitly cover hosting of child sexual abuse material, especially with regards to the fact that the EU is the largest host of child sexual abuse material.

Amendment 176

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

**Proposal for a directive
Article 5 – paragraph 6**

Text proposed by the Commission

6. Production of child sexual abuse material shall be punishable by a maximum term of imprisonment of at least 3 years.

Amendment

6. Production of child sexual abuse material shall be punishable by a maximum term of imprisonment of at least 3 years.
This provision shall include materials created using AI, deepfake technologies, or virtual reality tools.

Or. en

Amendment 177

Diana Iovanovici Șoșoacă

**Proposal for a directive
Article 5 – paragraph 6**

Text proposed by the Commission

6. Production of child sexual abuse material shall be punishable by a maximum term of imprisonment of at least 3 years.

Amendment

6. Production of child sexual abuse material, ***especially for the purpose of disseminating and selling it in exchange for money***, shall be punishable by a maximum term of imprisonment of at least 3 years.

Or. ro

Justification

It is important to bear in mind that in most cases the production of material of a sexual nature involving children is intended to be disseminated and sold in exchange for money.

Amendment 178

Diana Iovanovici Șoșoacă

Proposal for a directive

Article 5 – paragraph 8 – point d

Text proposed by the Commission

d. carry out searches on publicly accessible material on hosting services to detect the dissemination of child sexual abuse material, using the reports of suspected child sexual abuse material referred to in letter (a) or on a request of a victim.

Amendment

d. carry out searches on publicly accessible material on hosting services to detect the dissemination of child sexual abuse material, using the reports of suspected child sexual abuse material referred to in letter (a) or on a request of a victim, ***with a focus on the hidden part of the Internet, known as the dark web.***

Or. ro

Justification

The hidden part of the Internet, known as the dark web, sometimes contains large volumes of this kind of material, precisely to make it harder to identify its content and its creators and disseminators.

Amendment 179

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 5 – paragraph 9

Text proposed by the Commission

9. It shall be within the discretion of Member States to decide whether this Article applies to cases involving child sexual abuse material as referred to in Article 2 , point (3)(c) , where the person appearing to be a child was in fact 18 years of age or older at the time of depiction.

Amendment

9. It shall be within the discretion of Member States to decide whether this Article applies to cases involving child sexual abuse material as referred to in Article 2 , point (3)(c) , where the person appearing to be a child was in fact 18 years of age or older at the time of depiction.
Member States are encouraged to provide

explicit criteria for assessing such cases, including clear definitions of “realistic depictions” and the use of technological tools to identify manipulated or synthetic materials.

Or. en

Amendment 180
Alice Kuhnke

Proposal for a directive
Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Offences concerning child sexual abuse instruction manuals

- 1. Member States shall take the necessary measures to ensure that the intentional conduct, when committed without right, referred to in paragraphs 2 to 4 is punishable;***
- 2. Distribution or dissemination of child sexual abuse instruction manuals shall be punishable by a maximum term of imprisonment of at least 2 years;***
- 3. Offering, supplying or making available child sexual abuse instruction manuals shall be punishable by a maximum term of imprisonment of at least 2 years;***
- 4. Production of child sexual abuse instruction manuals shall be punishable by a maximum term of imprisonment of at least 3 years;***
- 5. Paragraphs 7 and 8 of Article 5 shall apply to child sexual abuse instruction manuals, mutatis mutandi***

Or. en

Justification

As explained above

Amendment 181

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 6 – paragraph 1 – point a

Text proposed by the Commission

(a) proposing , by means of information and communication technology, to meet a child either online or in person , for the purpose of committing any of the offences referred to in Article 3(4) , (5), (6) **and (7)** and Article 5(6), where that proposal was followed by material acts leading to such a meeting, shall be punishable by a maximum term of imprisonment of at least 1 year;

Amendment

(a) proposing , by means of information and communication technology, to meet a child either online or in person , for the purpose of committing any of the offences referred to in Article 3(4) , (5), (6), **(7), (8), Article 4(2), (3), (5), (6)** and Article 5(6), where that proposal was followed by material acts leading to such a meeting, shall be punishable by a maximum term of imprisonment of at least 1 year;

Or. en

Amendment 182

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 6 – paragraph 1 – point a

Text proposed by the Commission

(a) proposing , by means of information and communication technology, to meet a child either online or in person , for the purpose of committing any of the offences referred to in Article 3(4) , (5), (6) and (7) and Article 5(6), where that proposal was followed by material acts leading to such a meeting, shall be punishable by a maximum term of imprisonment of at least **1** year;

Amendment

(a) proposing , by means of information and communication technology, to meet a child either online or in person , for the purpose of committing any of the offences referred to in Article 3(4) , (5), (6) and (7) and Article 5(6), where that proposal was followed by material acts leading to such a meeting, shall be punishable by a maximum term of imprisonment of at least **2** year;

Or. en

Amendment 183

Jadwiga Wiśniewska

Proposal for a directive

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **2** years where use is made of coercion, force or threats.

Amendment

(b) The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **3** years where use is made of coercion, force, ***particular cruelty*** or threats.

Or. en

Amendment 184

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **2** years where use is made of coercion, force ***or*** threats.

Amendment

(b) The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **2** years where use is made of coercion, force, threats ***or grooming***.

Or. en

Justification

adding grooming

Amendment 185

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 6 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall take the necessary measures to ensure that an attempt, by means of information and communication technology, to commit the offences provided for in Article 5(2) and (3) by an adult soliciting a child to provide child sexual abuse material is punishable by a maximum term of imprisonment of at least 6 months .

Amendment

Member States shall take the necessary measures to ensure that an attempt, by means of information and communication technology, ***including the use of chatbots or AI-generated communications designed to engage children***, to commit the offences provided for in Article 5(2) and (3) by an adult soliciting a child to provide child sexual abuse material is punishable by a maximum term of imprisonment of at least 6 months .

Or. en

Amendment 186

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 6 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall take the necessary measures to ensure that an attempt, by means of information and communication technology, to commit the offences provided for in Article 5(2) ***and (3)*** by an adult soliciting a child to provide child sexual abuse material is punishable by a maximum term of imprisonment of at least 6 months .

Amendment

Member States shall take the necessary measures to ensure that an attempt, by means of information and communication technology, to commit the offences provided for in Article 5(2), ***(3) and (6)*** by an adult soliciting a child to provide child sexual abuse material is punishable by a maximum term of imprisonment of at least 6 months .

Or. en

Justification

Addition necessary to extend the scope to cover the instances of attempts to commit the crimes under Article 5(3) and (6), namely knowingly obtaining access to child sexual abuse material and the production of such material.

Amendment 187

Jadwiga Wiśniewska

Proposal for a directive

Article 6 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **1** year where use is made of coercion, force or threats.

Amendment

The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **2** year where use is made of coercion, force, **particular cruelty** or threats.

Or. en

Amendment 188

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 6 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that law enforcement authorities promptly investigate attempts of solicitation of children for sexual purposes. Member States shall ensure that child victims of such solicitation attempts are effectively referred to relevant support services for assistance and protection, with gender perspective.

Or. en

Amendment 189

Jadwiga Wiśniewska

Proposal for a directive

Article 6 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **1** year where use is made of coercion, force or threats.

The conduct referred to in the first subparagraph shall be punishable by a maximum term of imprisonment of at least **1** year where use is made of coercion, force, **particular cruelty** or threats.

Amendment 190

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 7 – title

Text proposed by the Commission

Amendment

Solicitation *of* sexual abuse

Solicitation *or inciting someone to commit child* sexual abuse *and exploitation*

Amendment 191

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall take the necessary measures to ensure that intentionally promising or giving any person money, or other form of remuneration or consideration, to cause them to commit any of the offences listed in Article 3(4), (5),(6), (7), and (8), Article 4(2) **and (3)** and Article 5(6) is punishable by a maximum term of imprisonment of at least 3 years.

Member States shall take the necessary measures to ensure that intentionally promising or giving any person money, or other form of remuneration or consideration, to cause them to commit any of the offences listed in Article 3(4), (5),(6), (7), and (8), Article 4(2), **(3), (5), (6), (7)** and Article 5(6) is punishable by a maximum term of imprisonment of at least 3 years.

Amendment 192

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 10 – paragraph 1

Text proposed by the Commission

Amendment

1. ***It shall be within the discretion of***

1. Member States ***shall ensure that to***

Member States to decide whether Article **3(2) and (4)** apply to consensual sexual activities between peers, in so far as the acts did not involve any abuse.

decide whether Article **3 (2), (4) and (7)** apply to consensual sexual activities between peers, in so far as the acts did not involve any abuse **or any other act constitutive of sexual violence**.

Or. en

Amendment 193

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Member States should ensure that peers should not be criminalised for consensual and non-exploitative sexual activity, provided that there is no element of coercion, abuse of trust or dependency between the peers.

Or. en

Amendment 194

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. It shall be within the discretion of Member States to decide whether Article 4(4) applies to a performance that takes place in the context of a consensual relationship where the child has reached the age of sexual consent or between peers, in so far as the acts did not involve any abuse **or** exploitation and no money or other form of remuneration or consideration is given as payment in exchange for the performance.

2. It shall be within the discretion of Member States to decide whether Article 4(4) applies to a performance that takes place in the context of a consensual relationship where the child has reached the age of sexual consent or between peers, in so far as the acts did not involve any abuse, exploitation, **coercion, force, threats or intimidation** and no money or other form of remuneration or consideration is given as payment in exchange for the performance.

Justification

Addition necessary to cover other types of unacceptable conduct that should be taken into account when considering the non-application of Article 4(4) to the performance described in this paragraph.

Amendment 195

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

**Proposal for a directive
Article 10 – paragraph 2**

Text proposed by the Commission

2. ***It shall be within the discretion of*** Member States to decide whether Article 4(4) ***applies*** to a performance that takes place in the context of a consensual relationship where the child has reached the age of sexual consent or between peers , in so far as the acts did not involve any abuse or exploitation and no money or other form of remuneration or consideration is given as payment in exchange for the performance.

Amendment

2. Member States to decide whether Article 4(4) ***does not apply*** to a performance that takes place in the context of a consensual relationship where the child has reached the age of sexual consent or between peers , in so far as the acts did not involve any abuse or exploitation and no money or other form of remuneration or consideration is given as payment in exchange for the performance.

Or. en

Amendment 196

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

**Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2**

Text proposed by the Commission

where that material is produced and possessed with the consent of the children involved and only for the private use of the persons involved, in so far as the acts did not involve any abuse.

Amendment

where that material is produced and possessed with the consent of the children involved and only for the private use of the persons involved, in so far as the acts did not involve any abuse, ***exploitation, coercion, force, threats or intimidation.***

Or. en

Justification

Addition necessary to cover other types of unacceptable conduct that should be taken into account when considering the non-application of Article 5(2), (3), (4), and (6) to the material described in this paragraph.

Amendment 197

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 10 – paragraph 5 – subparagraph 1

Text proposed by the Commission

For the purpose of paragraphs 1 to 4, a child above the age of sexual consent can be considered as having consented to an activity only where the consent was given voluntarily, as result of the child's free will assessed in the context of the surrounding circumstances.

Amendment

For the purpose of paragraphs 1 to 4, a child above the age of sexual consent can be considered as having consented to an activity only where the consent was given voluntarily, as result of the child's free will assessed in the context of the surrounding circumstances. ***A child above the age of sexual consent cannot be considered to have consented when the child was unable to form a free will due to the presence of the circumstances described in Article 3(5) or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness or bodily injury.***

Or. en

Amendment 198

Mathilde Androuët, Catherine Griset

Proposal for a directive

Article 10 – paragraph 5 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

A child who has not reached the age of sexual consent cannot consent to sexual activity.

Or. fr

Amendment 199

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 10 – paragraph 6

Text proposed by the Commission

6. Consensual sharing of one’s intimate images or videos cannot be interpreted as consent to any further sharing or dissemination of that same image *or video*.

Amendment

6. Consensual sharing of one’s intimate images or videos *or similar material* cannot be interpreted as consent to any further sharing or dissemination of that same image , *videos or similar material, including in a manipulated or altered version. Member States shall take criminalise the further sharing or dissemination of these materials, always with gender perspective.*

Or. en

Amendment 200

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 10 – paragraph 6

Text proposed by the Commission

6. Consensual sharing of one’s intimate images *or* videos cannot be interpreted as consent to any further sharing or dissemination of that same image *or* video.

Amendment

6. Consensual *production and* sharing of one’s intimate images, videos *or similar material* cannot be interpreted as consent to any further sharing or dissemination of that same image, video *or similar material*.

Or. en

Amendment 201

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 11 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the offence was committed against a child in a particularly vulnerable situation, such as a child with a mental or physical disability, in a situation of dependence or in a state of physical or mental incapacity;

(a) the offence was committed against a child in a particularly vulnerable situation, such as a ***young child, a child with a mental or physical disability, a child who is seen as not conforming to conventional norms relating to sexual orientation, gender identity and expression or sex characteristics, a child in alternative care, children in situation of migration both unaccompanied or accompanied, or a child with a mental or physical condition*** or in a situation of dependence or in a state of physical or mental incapacity;

Or. en

Amendment 202
Rosa Estaràs Ferragut

Proposal for a directive
Article 11 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the offence resulted in a disability of the child;

Or. en

Amendment 203
Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive
Article 11 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) the offence involved serious violence or caused serious harm to the child ;

(g) the offence involved serious violence or caused serious ***physical or psychological*** harm to the child ;

Or. en

Justification

Explicitly covering also psychological harm in order to reduce the risk of interpretation linked only to physical harm.

Amendment 204

Jadwiga Wiśniewska

Proposal for a directive

Article 11 – paragraph 1 – point g

Text proposed by the Commission

(g) the offence involved serious violence or caused serious harm to the child ;

Amendment

(g) the offence involved serious violence, ***exceptional cruelty*** or caused serious harm to the child ;

Or. en

Amendment 205

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 11 – paragraph 1 – point h

Text proposed by the Commission

(h) the offence was committed repeatedly;

Amendment

(h) the offence was committed repeatedly; , ***and or continuously over a period of time;***

Or. en

Amendment 206

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 11 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(j a) the offence was committed exploiting one or more than one grounds protected under Article 21 of the Charter of Fundamental Rights of the European

Union and resulted in either a direct or an indirect discrimination, prohibited under EU law

Or. en

Amendment 207

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 11 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(j a) the offence was committed against a child on the grounds of its sexual orientation, gender identity and expression or sex characteristics;

Or. en

Justification

considering the gender aspect of offences

Amendment 208

Alice Kuhnke

Proposal for a directive

Article 11 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(j a) the offender has by means of force or coercion impelled one or several other persons to partake in the offence

Or. en

Amendment 209

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive
Article 11 – paragraph 1 – point j b (new)

Text proposed by the Commission

Amendment

(j b) the offence was committed due to a motive based on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or other belief, political opinion, membership of a national minority, property, birth, disability, age or sexual orientation as per Article 21 of the Charter of Fundamental Rights of the European Union and resulted in either a direct or an indirect discrimination;

Or. en

Justification

considering different discriminatory aspects of offences

Amendment 210
Alice Kuhnke

Proposal for a directive
Article 11 – paragraph 1 – point j b (new)

Text proposed by the Commission

Amendment

(j b) the offence was committed due to a motive based on one or more grounds protected under Article 21 of the Charter of Fundamental Rights and resulted in either a direct or an indirect discrimination, prohibited under EU law

Or. en

Amendment 211
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive
Article 11 – paragraph 1 – point j b (new)

Text proposed by the Commission

Amendment

(j b) the offence was committed within the context of a conversion therapy practice;

Or. en

Amendment 212

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 11 – paragraph 1 – point j c (new)

Text proposed by the Commission

Amendment

(j c) the offence was committed within the context of a conversion therapy practice;

Or. en

Justification

considering offences made within conversion therapy

Amendment 213

Diana Iovanovici Șoșoacă

Proposal for a directive

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to avoid the risk of repetition of offences, Member States shall take the necessary measures to ensure that a natural person who has been convicted of any of the offences referred to in Articles 3 to 9 may be temporarily or permanently prevented from exercising at least professional activities involving direct and regular contacts with children.

1. In order to avoid the risk of repetition of offences, Member States shall take the necessary measures to ensure that a natural person who has been convicted of any of the offences referred to in Articles 3 to 9 may be temporarily or permanently prevented from exercising at least professional activities involving direct and regular contacts with children, ***and that any change in activity that would lead to or facilitate direct and regular contact***

with children is monitored.

Or. ro

Justification

It is a well-known fact that offenders who create and disseminate such material are constantly – and sometimes very quickly – changing their location, whether it be a city, region or even country, in order to find new victims. It is therefore necessary for Member States to work closely with Europol, Interpol and other competent institutions and for an offender registry to even be set up to prevent such individuals from being recruited again into a position where they would be in constant contact with children.

Amendment 214

Alice Kuhnke

Proposal for a directive

Article 12 – paragraph 1

Text proposed by the Commission

1. In order to avoid the risk of repetition of offences, Member States shall take the necessary measures to ensure that a natural person who has been convicted of any of the offences referred to in Articles 3 to 9 may be temporarily or permanently prevented from exercising at least professional activities involving direct and regular contacts with children.

Amendment

1. In order to avoid the risk of repetition of offences, Member States shall take the necessary measures to ensure that a natural person who has been convicted of any of the offences referred to in Articles 3 to 9 may be temporarily or permanently prevented from exercising at least professional **and organised voluntary** activities involving direct and regular contacts with children.

Or. en

Amendment 215

Verena Mertens

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall take the necessary measures to enable the prosecution of any of the offences referred to in Article 3, Article 4(2), (3), (5), (6) and (7) , of any

Amendment

Member States shall take the necessary measures to enable the prosecution of any of the offences referred to in Article 3, Article 4(2), (3), (5), (6) and (7), of any

serious offences referred to in Article 5(6) when child sexual abuse material as referred to in Article 2 , points (3)(a) and (b) has been used, and of any of the offences referred to in Articles 7 and 8 , for a sufficient period of time after the victim has reached the age of **majority and which is commensurate with the gravity of the offence concerned.**

offences referred to in Article 5(6) when child sexual abuse material as referred to in Article 2 , points (3)(a) and (b) has been used, and of any of the offences referred to in Articles 7 and 8, for a sufficient period of time **to guarantee the right of every victim to access justice at least until** after the victim has reached the age of **53 years old.**

Or. en

Amendment 216

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – introductory part

Text proposed by the Commission

This period of time referred to in the first subparagraph shall be:

Amendment

This period of time referred to in the first subparagraph shall be **least 40 years from the date the victim has reached the age of majority.**

The period of time referred to in the second subparagraph shall be interrupted by any act initiating the judicial proceedings or any subsequent proceedings for offences listed in paragraph 2 first subparagraph conducted against the same offender.

If the offender commits another offence listed in paragraph 2 first subparagraph before the expiry of the limitation period, the limitation period of the initial offence is prolonged until the the date on which the limitation period for the new offence expires.

Or. en

Amendment 217

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) *at least 20 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years of imprisonment;* *deleted*

Or. en

Amendment 218

Verena Mertens

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) at least **20** years from the date the victim has reached the age of majority *for the offences punishable under this Directive by a maximum penalty of at least 3 years of imprisonment;*

(a) at least **35** years from the date the victim has reached the age of majority;

Or. en

Amendment 219

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) at least **20** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least **3** years of imprisonment;

(a) at least **35** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least **5** years of imprisonment;

Or. en

Justification

strengthening protection of victims

Amendment 220

Verena Mertens

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) at least 25 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years of imprisonment; *deleted*

Or. en

Amendment 221

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) at least 25 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years of imprisonment; *deleted*

Or. en

Amendment 222

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) at least 25 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years of imprisonment;

(b) at least 35 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years of imprisonment;

Or. en

Justification

strengthening protection of victims

Amendment 223

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) at least 30 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years of imprisonment. ***deleted***

Or. en

Amendment 224

Verena Mertens

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) at least 30 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years of imprisonment. ***deleted***

Or. en

Amendment 225

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive Article 16 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that persons, units or services investigating and prosecuting the offences referred to in Articles 3 to 9 have sufficient staff, expertise and effective investigative tools to effectively investigate and prosecute such crimes, including those committed through the use of information and communication technology, in accordance with the applicable rules of Union and national law. Where appropriate, these tools shall include special investigative tools, such as those which are used in countering organised crime or other serious crime cases, like the possibility to conduct undercover investigations.

Amendment

4. Member States shall ensure that persons, units or services investigating and prosecuting the offences referred to in Articles 3 to 9 have sufficient staff, expertise and effective investigative tools to effectively investigate and prosecute such crimes, including those committed through the use of information and communication technology, in accordance with the applicable rules of Union and national law. Where appropriate, these tools shall include ***psychological forensic experts, and, where appropriate*** special investigative tools, such as those which are used in countering organised crime or other serious crime cases, like the possibility to conduct undercover investigations.

Or. en

Amendment 226

Verena Mertens

Proposal for a directive Article 16 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that persons, units or services investigating and prosecuting the offences referred to in Articles 3 to ***9 have*** sufficient staff, expertise and effective investigative tools to effectively investigate and prosecute such crimes, including those committed through the use of information and communication technology, in accordance with the applicable rules of Union and national law. Where appropriate, these tools shall include special investigative

Amendment

4. Member States shall ensure that persons, units or services investigating and prosecuting the offences referred to in Articles 3 to ***9 have*** sufficient staff, expertise and effective investigative tools to effectively investigate and prosecute such crimes, including those committed through the use of information and communication technology, in accordance with the applicable rules of Union and national law. Where appropriate, these tools shall include special investigative

tools, such as those which are used in countering organised crime or other serious crime cases, like the possibility to conduct undercover investigations.

tools, such as those which are used in countering organised crime or other serious crime cases, like the possibility to conduct undercover investigations.

Or. en

Amendment 227

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 17 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall ensure the existence of accessible, visible, clear, user-friendly and gender sensitive reporting mechanisms in accordance with the Barnahus quality standards. Member States shall ensure that these reporting mechanisms are adequately resourced, including in terms of funding and staffing.

Or. en

Amendment 228

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 17 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall ensure that all professionals and volunteers working in close contact with children are informed and trained on how to prevent, identify and report child sexual abuse and exploitation, following the best interests of the child.

Or. en

Justification

information on preventing child sexual abuse should be given to all interested in working with children

Amendment 229

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 18 – paragraph 1

Text proposed by the Commission

1. In addition to the rights of victims when making a complaint under Article 5 of Directive 2012/29/EU, and Article 5a under Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes], Member States shall ensure that victims can report the offences referred to in Articles 3 to 9 of this Directive to the competent authorities in an easy and accessible manner. This shall include the possibility of reporting those criminal offences, and submitting evidence where feasible, by means of easily accessible and user-friendly information and communication technologies.

Amendment

1. In addition to the rights of victims when making a complaint under Article 5 of Directive 2012/29/EU, and Article 5a under Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes], Member States shall ensure that victims can report ***through diversified mechanisms and not limiting it to the criminal proceedings***, the offences referred to in Articles 3 to 9 of this Directive to the competent authorities in an easy and accessible manner. This shall include the possibility of reporting those criminal offences, and submitting evidence where feasible, by means of easily accessible and user-friendly information and communication technologies.

Or. en

Amendment 230

Verena Mertens

Proposal for a directive

Article 18 – paragraph 1

Text proposed by the Commission

1. In addition to the rights of victims when making a complaint under Article 5 of Directive 2012/29/EU, and Article 5a under Directive (EU) .../... [proposed

Amendment

1. In addition to the rights of victims when making a complaint under Article 5 of Directive 2012/29/EU, and Article 5a under Directive (EU) .../... [proposed

Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes], Member States shall ensure that victims can report the offences referred to in Articles 3 to 9 of this Directive to the competent authorities in **an** easy and accessible manner. This shall include the possibility of reporting those criminal offences, and submitting evidence where feasible, by means of easily accessible and user-friendly information and communication technologies.

Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes], Member States shall ensure that victims can report the offences referred to in Articles 3 to 9 of this Directive to the competent authorities in **a gender sensitive**, easy and accessible manner. This shall include the possibility of reporting those criminal offences, and submitting evidence where feasible, by means of easily accessible and user-friendly information and communication technologies.

Or. en

Amendment 231
Mathilde Androuët, Catherine Griset

Proposal for a directive
Article 18 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that the reporting procedures referred to in paragraph 1 are safe, confidential and designed in a child-friendly manner and language, in accordance with their age and maturity. Member States shall ensure reporting is not conditional upon parental consent.

Amendment

2. Member States shall ensure that the reporting procedures referred to in paragraph 1 are safe, confidential and designed in a child-friendly manner and language, in accordance with their age and maturity. Member States shall ensure reporting is not conditional upon parental consent. ***They shall tackle the phenomenon of underreporting, which particularly affects young children and boys, by adapting their practices.***

Or. fr

Amendment 232
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive
Article 18 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that the reporting procedures referred to in paragraph 1 are safe, confidential and designed in a child-friendly manner and language, in accordance with their age and maturity. Member States shall ensure reporting is not conditional upon parental consent.

Amendment

2. Member States shall ensure that the reporting procedures referred to in paragraph 1 are ***accessible, diversified, safe, confidential, available in official and widely spoken languages*** and designed in a child-friendly manner and language, in accordance with their age and maturity, ***specific needs and conditions and with gender perspective***. Member States shall ensure reporting is not conditional upon parental consent.

Or. en

Amendment 233

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall set age and need-appropriate multidisciplinary interagency structures for responding to child sexual abuse, including when committed by means of information and communication technology. Member States should also encourage and support, including financially, other reporting mechanisms, notably:

(a) the development of dedicated helplines and hotlines, including but not only under the number 116 000 for missing children,

(b) the appointment of well-being officers by online platforms, specifically trained to receive, assess and report suspicion of child sexual abuse and exploitation.

Member States shall ensure that these reporting systems are fully integrated into national child protection systems.

Or. en

Amendment 234

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 18 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. Member States shall ensure that reporting mechanisms are adequately resourced, including in terms of funding and staffing.

Or. en

Amendment 235

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 18 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2 c. Member States shall ensure that primary carers, specifically mothers acting in the child's best interest to prevent harm, shall not face criminal charges or civil liabilities for any protective actions taken in good faith to prevent or respond to suspected child sexual abuse. Protective actions shall not be grounds for civil lawsuits, including but not limited to defamation, alienation, or custody interference, provided these actions were taken with the reasonable belief that they were necessary for the child's safety.

Or. en

Amendment 236

Alice Kuhnke

Proposal for a directive

Article 20 – paragraph 1

Text proposed by the Commission

1. Child victims of the offences referred to in Articles 3 to 9 shall be provided assistance, support and protection in accordance with Articles 21 and 22 , taking into account the best interests of the child.

Amendment

1. Child victims of the offences referred to in Articles 3 to 9 shall be provided assistance, support and protection in accordance with Articles 21 and 22 , taking into account ***possible intersectional discrimination and*** the best interests of the child.

Or. en

Amendment 237

Alice Kuhnke

Proposal for a directive

Article 20 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall provide for child victims of sexual abuse or exploitation to have timely access to free, comprehensive healthcare services, including sexual and reproductive healthcare, including safe and legal abortion

Or. en

Justification

to ensure access for comprehensive sexual and reproductive healthcare for child abuse victims

Amendment 238

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 21 – title

Text proposed by the Commission

Amendment

Assistance and support to victims

Assistance and support to victims ***and survivors***

Amendment 239

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive**Article 21 – paragraph 1***Text proposed by the Commission*

1. Member States shall take the necessary measures to ensure that assistance and specialised and appropriate support are provided to victims ***before***, during and for ***an appropriate period of time*** after the conclusion of criminal proceedings in order to enable them to exercise the rights set out in Directive 2012/29/EU , Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes] and in this Directive. Member States shall notably ensure that victims of offences referred to in Articles 3 to 9 have access to targeted and integrated support services for children in accordance with Article 9a of Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes]. Member States shall, in particular, take the necessary steps to ensure protection for children who report cases of abuse within their family.

Amendment

1. Member States shall take the necessary measures to ensure that assistance and specialised and appropriate support are provided to victims ***and survivors as soon as a report is made both (a) without the existence of a criminal proceeding and, (b) if it is the case***, during ***criminal proceedings*** and for ***as long as needed*** after the conclusion of criminal proceedings ***and on an opt-out basis*** in order to enable them to exercise the rights set out in Directive 2012/29/EU , Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes] and in this Directive. Member States shall notably ensure that victims ***and adult survivors*** of offences referred to in Articles 3 to 9 have access to targeted and integrated support services for children in accordance with Article 9a of Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes]. Member States shall, in particular, take the necessary steps to ensure protection ***and specific support*** for children who report cases of abuse within their family, ***paying special attention to the fact that these cases could also involve gender-based violence***.

Amendment 240

Proposal for a directive
Article 21 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that assistance and specialised and appropriate support are provided to victims before, during and for an appropriate period of time after the conclusion of criminal proceedings in order to enable them to exercise the rights set out in Directive 2012/29/EU , Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes] and in this Directive. Member States shall notably ensure that victims of offences referred to in Articles 3 to 9 have access to targeted and integrated support services for children in accordance with Article 9a of Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes]. Member States shall, in particular, take the necessary steps to ensure protection for children who report cases of abuse within their family.

Amendment

1. Member States shall take the necessary measures to ensure that assistance and specialised and appropriate support are provided to victims before, during and for an appropriate period of time after the conclusion of criminal proceedings, ***including gender-sensitive services addressing the specific needs of girls and women***, in order to enable them to exercise the rights set out in Directive 2012/29/EU , Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes] and in this Directive. Member States shall notably ensure that victims of offences referred to in Articles 3 to 9 have access to targeted and integrated support services for children in accordance with Article 9a of Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crimes]. Member States shall, in particular, take the necessary steps to ensure protection for children who report cases of abuse within their family.

Or. en

Amendment 241

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive
Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care,

Amendment

2. Victims ***and survivors*** shall be provided with ***comprehensive, specialist***,

emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

coordinated, ***need and*** age-appropriate ***traum-informed, gender-sensitive*** medical care, ***including access to sexual and reproductive healthcare services***, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse, ***including when committed by means of information and communication technology***.

Or. en

Amendment 242
Verena Mertens

Proposal for a directive
Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Amendment

2. Victims shall be provided with ***comprehensive, specialist***, coordinated, age-appropriate, ***gender sensitive and trauma-informed*** medical care, emotional, psychosocial, psychological, ***legal*** and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse, ***including when committed using information and communication technology***.

Or. en

Amendment 243
Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive
Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological ***and*** educational support, as well as any

Amendment

2. Victims shall be provided with coordinated, age-appropriate medical care, ***including sexual and reproductive healthcare services***, emotional,

other appropriate support tailored in particular to situations of sexual abuse.

psychosocial, psychological, educational **and administrative** support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Or. en

Amendment 244

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Amendment

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse, **with special attention to the long-term recovery of child victims.**

Or. en

Amendment 245

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Amendment

2. Victims shall be provided with coordinated, age-appropriate, **gender-sensitive, trauma-informed** medical care, emotional, psychosocial, psychological and educational support **and assistance**, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Or. en

Justification

strengthening appropriate protection of victims

Amendment 246

Alice Kuhnke

Proposal for a directive

Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Amendment

2. Victims shall be provided with coordinated, age-appropriate, **gender-, trauma- and disability sensitive** medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Or. en

Justification

to take into account possible intersectional discrimination

Amendment 247

Alice Kuhnke

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Member States shall establish age-appropriate multidisciplinary interagency structures for responding to child sexual abuse and exploitation in line with Barnahus' model standards, ensuring gender-, trauma- & disability- sensitivities are considered when in contact with victims, and that such centres are staffed by adequately trained professionals

Or. en

Amendment 248

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 21 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall, in particular, take specific actions to assist and support victims and survivors who are particularly vulnerable, including due to mental or physical disabilities in accordance with article 26(c) of Directive (EU).../... [proposed Directive amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crimes]of the proposed Recast Victims’ Rights Directive (2023/0250).

Or. en

Amendment 249

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 21 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Victims shall upon their request and on opt-out basis receive information regarding any instances of child sexual abuse material depicting them that is or has been disseminated in the EU.

Or. en

Justification

strengthening appropriate protection of victims

Amendment 250

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

**Proposal for a directive
Article 21 – paragraph 2 b (new)**

Text proposed by the Commission

Amendment

2 b. Member States shall guarantee that victims of sexual violence have timely access to comprehensive healthcare services, including sexual and reproductive healthcare, emergency contraception, screening and post-exposure prophylaxis for sexually transmitted infections and safe and legal abortion.

Or. en

Amendment 251

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

**Proposal for a directive
Article 21 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3 a. Families of victims of sexual abuse shall be provided with tailored, age-appropriate, gender-sensitive, trauma-informed and accessible information, support and assistance.

Or. en

Justification

strengthening appropriate protection of victims' families

Amendment 252

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

**Proposal for a directive
Article 21 – paragraph 4**

Text proposed by the Commission

4. Victims of offences punishable under this Directive shall have access to the referral centres established under Article 28 of Directive [...]/.../EU Proposed violence against women Directive]²⁶ .

²⁶ COM(2022) 105 of 08.03.2022.

Amendment

4. Victims of offences punishable under this Directive shall have access to the referral centres established under Article 28 of Directive [...]/.../EU Proposed violence against women Directive]²⁶ . ***These centres shall also provide gender-sensitive services for women and girls who are victims of exploitation or abuse.***

²⁶ COM(2022) 105 of 08.03.2022.

Or. en

Amendment 253

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 21 – paragraph 9 – point c a (new)

Text proposed by the Commission

Amendment

(c a) (c a) ensuring that collected information includes best practices on addressing the specific needs of girls and women as victims of sexual abuse and exploitation;

Or. en

Amendment 254

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 21 – paragraph 10

Text proposed by the Commission

Amendment

10. Member States, supported by the EU Centre once established, shall issue guidelines for healthcare, education and social service professionals on providing

10. Member States, supported by the EU Centre once established, shall issue guidelines for healthcare, education and social service professionals on providing

appropriate support to victims of child sexual abuse or exploitation, including on referring victims to the relevant support services and clarifying roles and responsibilities. Such guidelines shall also indicate how to address the specific needs of victims.

appropriate support to victims of child sexual abuse or exploitation, including on referring victims to the relevant support services and clarifying roles and responsibilities. Such guidelines shall also indicate how to address the specific needs of victims. ***Such guidelines should serve as a basic example, but the efforts of Member States should not be limited to them alone. It is essential that these guidelines are designed and implemented in close cooperation with regional and local administrations, as well as with non-governmental organisations and experts. The entire process should be led, guided, and directed by the best interests of the child as a full rights-holder. In this way, a truly comprehensive and effective approach to protecting minors from abuse and exploitation will be ensured.***

The guidelines for healthcare, education and social service professionals should include protocols aimed at protecting children who may be victims of sexual violence. Such protocols should be based on key principles to prioritise the safety of the victim, namely: (a) Best interests of the child. Every decision must focus on safeguarding the child's well-being and safety above all other interests. (b) Confidentiality. It is crucial to protect the privacy of the child to avoid re-victimization and stigmatisation. Information should only be shared with authorised professionals. (c) No re-victimisation. Avoid repeating questions and examinations, as this can cause additional trauma. Communication and proceedings should be tailored and limited to what is necessary. (d) Universality and non-discrimination. All children should have equal access to protection, regardless of gender, ethnicity, disability, or other factors. (e) Gender approach. The protocol should take into account gender differences and how they may affect the experience of abuse and the support process.

Amendment 255

Verena Mertens

Proposal for a directive

Article 22 – title

Text proposed by the Commission

Protection of **child victims** in criminal investigations and proceedings

Amendment

Protection of **children** in criminal investigations and proceedings

Or. en

Amendment 256

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – title

Text proposed by the Commission

Protection of **child victims in criminal** investigations and proceedings

Amendment

Protection of **children in** investigations and proceedings

Or. en

Amendment 257

Diana Iovanovici Șoșoacă

Proposal for a directive

Article 22 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that in criminal investigations and proceedings, in accordance with the role of victims in the relevant justice system, competent authorities appoint a special representative for the child victim where, under national law, the holders of parental responsibility are precluded from representing the child

Amendment

1. Member States shall take the necessary measures to ensure that in criminal investigations and proceedings, in accordance with the role of victims in the relevant justice system, competent authorities appoint a special representative for the child victim where, under national law, the holders of parental responsibility are precluded from representing the child

as a result of a conflict of interest between them and the child victim, or where the child is unaccompanied or separated from the family.

as a result of a conflict of interest between them and the child victim, or where the child is unaccompanied or separated from the family ***or is orphaned after losing one or both parents.***

Or. ro

Justification

It is important for all children to be protected in the context of court proceedings, especially those who lack parental support because they are orphans.

Amendment 258

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that ***in*** criminal investigations and proceedings, in accordance with the role of victims in the relevant justice system, competent authorities appoint a special representative for the child victim where, under national law, the holders of parental responsibility are precluded from representing the child as a result of a conflict of interest between them and the child victim, or where the child is unaccompanied or separated from the family.

Amendment

1. Member States shall take the necessary measures to ensure that ***both in criminal and no*** criminal investigations and proceedings, in accordance with the role of victims in the relevant justice system, competent authorities appoint a special representative for the child victim where, under national law, the holders of parental responsibility are precluded from representing the child as a result of a conflict of interest between them and the child victim, or where the child is unaccompanied or separated from the family.

Or. en

Amendment 259

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Member States shall ensure that any investigations and proceedings involving children are conducted in accordance with the principles of child-friendly justice and gender perspective. All authorities involved in the proceedings should be trained in child friendly justice and protection and social services

Or. en

Amendment 260

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. Member States shall ensure that where child victims participate in criminal proceedings, they receive, without delay, appropriate support and protection throughout all stages of the criminal investigations and proceedings, taking due account of the child's views, needs, specific vulnerabilities and concerns

Or. en

Amendment 261

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1 c. Member States shall ensure that child victims receive need and age-appropriate information about their rights and the processes to be followed in accordance with Article 4 of Directive 2012/29/EU and Directive (EU) .../... [proposed Directive amending Directive 2012/29 establishing minimum standards

on the rights, support and protection of victims of crimes].

Or. en

Amendment 262

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – paragraph 1 d (new)

Text proposed by the Commission

Amendment

1 d. Member States shall ensure that both criminal and non-criminal investigations and proceedings do not lead to a process of re-victimization of the child

Or. en

Amendment 263

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 22 – paragraph 1 e (new)

Text proposed by the Commission

Amendment

1 e. Member States shall take the necessary measures to ensure that children are heard and listened to with full guarantees and without age restrictions, ensuring, in any case, that this process is universally accessible in all administrative, judicial, or other proceedings related to the accreditation of violence and the reparation of victims. Member States shall take the necessary measures to prevent theoretical approaches or unscientific criteria that presume interference or adult manipulation, such as the so-called parental alienation syndrome, from being considered.

Amendment 264

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 22 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that child victims have, without delay, access to legal counselling and, in accordance with the role of victims in the relevant justice system, to legal representation, including for the purpose of claiming compensation. Legal counselling and legal representation shall be free of charge **where the victim does not have sufficient financial resources**.

Amendment

2. Member States shall ensure that child victims have, without delay, access to legal counselling and, in accordance with the role of victims in the relevant justice system, to legal representation, including for the purpose of claiming compensation. Legal counselling and legal representation shall be free of charge.

Or. en

Justification

Amendment in line with the Parliament position on the Victim`s Right Directive, Article 13.

Amendment 265

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 22 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(f a) culturally and linguistically appropriate measures are taken to ensure the child victim can effectively communicate their testimony, including access to interpreters where necessary;

Or. en

Amendment 266

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

**Proposal for a directive
Article 22 – paragraph 3 – point g**

Text proposed by the Commission

(g) medical examinations of the child victim for the purposes of the criminal proceedings are as limited as possible and are carried out by professionals trained for this purpose.

Amendment

(g) medical examinations of the child victim for the purposes of the criminal proceedings are as limited as possible and are carried out by professionals trained for this purpose, ***using gender-sensitive and trauma-informed approaches.***

Or. en

**Amendment 267
Verena Mertens**

**Proposal for a directive
Article 22 – paragraph 3 – point g**

Text proposed by the Commission

(g) medical examinations of the child victim for the purposes of the criminal proceedings are as limited as possible and are carried out by professionals trained for this purpose.

Amendment

(g) medical examinations of the child victim for the purposes of the criminal proceedings are as limited as possible and are carried out by professionals trained for this purpose ***in a child and gender sensitive way.***

Or. en

**Amendment 268
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau**

**Proposal for a directive
Article 22 – paragraph 4**

Text proposed by the Commission

4. Member States shall take the necessary measures to ensure that in criminal investigations of any of the offences referred to in Articles 3 to 9 all

Amendment

4. Member States shall take the necessary measures to ensure that in criminal investigations of any of the offences referred to in Articles 3 to 9 all

interviews with the child victim or, where appropriate, with a child witness, may be audio-visually recorded and that such audio-visually recorded interviews may be used as evidence in criminal court proceedings, in accordance with the rules under their national law.

interviews with the child victim or, where appropriate, with a child witness, may be audio-visually recorded, ***with informed consent of the child victim and parent/legal guardian, when that parent/legal guardian is not involved in the crime committed or in a investigation for gender-based violence***, and that such audio-visually recorded interviews may be used as evidence in criminal court proceedings, in accordance with the rules under their national law.

Or. en

Amendment 269

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 22 – paragraph 5 – point b a (new)

Text proposed by the Commission

Amendment

(b a) measures to avoid visual contact between victims and offenders, including during the giving of evidence, by appropriate means including the use of communication technology, are introduced;

Or. en

Justification

Amendment in line with the Victim`s Rights Directive, Article 23(3).

Amendment 270

Diana Iovanovici Șoșoacă

Proposal for a directive

Article 22 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall take the necessary measures to ensure that, where

7. Member States shall take the necessary measures to ensure that, where

the participation of a child is necessary in criminal court proceedings relating to any of the offences referred to in Articles 3 to 9, the court takes into account the child's age and maturity in the relevant court proceedings.

the participation of a child is necessary in criminal court proceedings relating to any of the offences referred to in Articles 3 to 9, the court takes into account the child's age and maturity in the relevant court proceedings ***and limits access to the relevant proceeding to the number of people who are strictly necessary, in order to protect the child in question.***

Or. ro

Justification

Criminal court proceedings are events that affect everyone emotionally, especially children. There are situations in which children come into contact with a great number of strangers and this affects them mentally and emotionally. It is therefore necessary to limit access to the relevant proceedings to the number of people who are strictly necessary.

Amendment 271
Eleonora Meleti

Proposal for a directive
Article 22 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7 a. Member States shall take necessary measures to ensure adequately protection of the victims' identity and personal details from undue public or media disclosure.

Or. en

Amendment 272
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive
Article 23 – title

Text proposed by the Commission

Amendment

Victim's right to compensation

Victim's ***and survivor's*** right to compensation

Amendment 273

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 23 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that victims of offences referred to in Articles 3 to 9 of this Directive have a right to compensation for any damage suffered. Member States shall ensure that compensation can be requested from perpetrators of any of the offences referred to in Articles 3 to 9 from legal persons liable for such offences under Articles 13 and 14 and, where appropriate, from national compensation schemes established for the benefits of victims of crime.

Amendment

1. Member States shall ensure that victims **and survivors** of offences referred to in Articles 3 to 9 of this Directive have a right to compensation for any damage suffered. Member States shall ensure that compensation can be requested from perpetrators of any of the offences referred to in Articles 3 to 9 from legal persons liable for such offences under Articles 13 and 14 and, where appropriate, from national compensation schemes established for the benefits of victims of crime.

Amendment 274

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 23 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Member States shall ensure that the right to reparation or mitigation of its effects is not fulfilled solely through the right to compensation, but rather through comprehensive reparation beyond economic means. Economic compensation as the only form of reparation shall not serve as a mitigating factor for the penalty.

Amendment 275

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 23 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall ensure that their competent authorities pay directly to the victim the adjudicated compensation without undue delay. The competent authorities shall be subrogated to the right of the victim in relation to the offender for the amount of the adjudicated compensation.

Or. en

Justification

Amendment in line with the proposed recast of the Victim`s Right Directive, article 16(2).

Amendment 276

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 23 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The period referred to in the first subparagraph shall be:

3. The period referred to in the first subparagraph shall be **at least 40 years from the date the victim has reached the age of majority.**

Or. en

Amendment 277

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 23 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) at least 20 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years; *deleted*

Or. en

Amendment 278

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 23 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) at least 20 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years;

(a) at least 25 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years;

Or. en

Amendment 279

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 23 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) at least 25 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years; *deleted*

Or. en

Amendment 280

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 23 – paragraph 3 – point b

Text proposed by the Commission

(b) at least **25** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years;

Amendment

(b) at least **30** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years;

Or. en

Amendment 281

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 23 – paragraph 3 – point c

Text proposed by the Commission

(c) at least 30 years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years.

Amendment

deleted

Or. en

Amendment 282

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 23 – paragraph 3 – point c

Text proposed by the Commission

(c) at least **30** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years.

Amendment

(c) at least **35** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years.

Or. en

Amendment 283

Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive

Article 28 – paragraph 1

Text proposed by the Commission

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures, such as education and training, information and awareness raising campaigns on the lifelong consequences of child sexual abuse and exploitation, its illegal nature, and the possibility for persons who fear that they might commit related offences to have access to dedicated and effective intervention programmes or measures .

Amendment

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures, such as education and training, information and awareness raising campaigns on the lifelong consequences of child sexual abuse and exploitation, its illegal nature, and the possibility for persons who fear that they might commit related offences to have access to dedicated and effective intervention programmes or measures, ***including psychological support and monitoring, while ensuring confidentiality and anonymity.***

Or. en

Amendment 284

Verena Mertens

Proposal for a directive

Article 28 – paragraph 1

Text proposed by the Commission

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures, such as education and training, information and awareness raising campaigns on the lifelong consequences of child sexual abuse and exploitation, its illegal nature, and the possibility for persons who fear that they might commit related offences to have access to dedicated and effective intervention programmes or measures .

Amendment

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures, such as education and training ***including gender sensitive, age appropriate, comprehensive sexuality education,*** information and awareness raising campaigns on the lifelong consequences of child sexual abuse and exploitation, its illegal nature, and the possibility for persons who fear that they might commit related offences to have access to dedicated

and effective intervention programmes or measures .

Or. en

Amendment 285

Diana Iovanovici Șoșoacă

Proposal for a directive

Article 28 – paragraph 1

Text proposed by the Commission

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures, such as education and training, information and awareness raising campaigns on the lifelong consequences of child sexual abuse and exploitation, its illegal nature, and the possibility for persons who fear that they might commit related offences to have access to dedicated and effective intervention programmes or measures .

Amendment

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures, such as education and training, information and awareness raising campaigns ***aimed at children of different age categories and their families***, on the lifelong consequences of child sexual abuse and exploitation, its illegal nature, and the possibility for persons who fear that they might commit related offences to have access to dedicated and effective intervention programmes or measures .

Or. ro

Justification

Once again, education has an important role to play in preventing the involvement of children in illegal sexual activities and education programmes are essential for all children to understand the risks associated with inappropriate use of the Internet, but also for their parents who are sometimes not exactly au fait with the use of the Internet and social media.

Amendment 286

Alice Kuhnke

Proposal for a directive

Article 28 – paragraph 2

Text proposed by the Commission

2. Member States shall take

Amendment

2. Member States shall take

appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation.

appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, ***including the provision of comprehensive, age appropriate sexuality and relationships education, based on the principles of gender equality, non-discrimination and fundamental rights and should address, in particular, the central role of consent in sexual relationships, and to emphasise that consent can only be given voluntarily as a result of the person's free will***, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation.

Or. en

Amendment 287

Mathilde Androuët, Catherine Griset, Margarita de la Pisa Carrión

Proposal for a directive

Article 28 – paragraph 2

Text proposed by the Commission

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation.

Amendment

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, where appropriate in cooperation with relevant civil society organisations, ***such as family associations***, and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation. ***Where these preventive activities take place in school or out-of-school settings, they shall ensure that the parents or legal representatives of the child are involved.***

Amendment 288**Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau****Proposal for a directive****Article 28 – paragraph 2***Text proposed by the Commission*

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness **and reducing** the risk of children, becoming victims of sexual abuse or sexual exploitation.

Amendment

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, **material, age-appropriate sexual education programs for children, always with gender perspective** and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness **supporting children to recognise sexual violence, understand their rights and therefore reduce** the risk of children, becoming victims of sexual abuse or sexual exploitation.

Amendment 289**Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak****Proposal for a directive****Article 28 – paragraph 2***Text proposed by the Commission*

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising

Amendment

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material **for parents, educators and minors**, where appropriate in cooperation with relevant civil society organisations

awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation.

and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation.

Or. en

Amendment 290

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 28 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall ensure the right to sexual education and safe online and offline practices, as well as the proper use of the internet and new technologies, as a requisite to identify situations of sexual violence, including abuse and sexual exploitation.

Or. en

Amendment 291

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 28 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall **promote** regular training , including in child friendly justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual exploitation.

3. Member States shall **ensure** regular training **is provided**, including in child friendly justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual exploitation. **Such training shall be**

human-rights based, victim centred and gender, disability and child sensitive.

Or. en

Justification

Amendment to align the provision with the level of commitment achieved under the Violence against women and domestic violence directive (Article 36(3) as regards the training of judges and prosecutors.

Amendment 292

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 28 – paragraph 3

Text proposed by the Commission

3. Member States shall ***promote*** regular training , including in child friendly justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual exploitation.

Amendment

3. Member States shall ***ensure*** regular ***and specialised*** training , including in child friendly justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, ***child care, helathcare professionals***, teachers and educators, family court judges and front-line police officers, aimed at enabling them to ***detect early signs of abuse***, identify and deal with child victims and potential child victims of sexual abuse or sexual exploitation.

Or. en

Amendment 293

Alice Kuhnke

Proposal for a directive

Article 28 – paragraph 3

Text proposed by the Commission

3. Member States shall ***promote*** regular training , including in child friendly

Amendment

3. Member States shall ***facilitate*** regular training , including in child friendly

justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual exploitation.

justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual exploitation.

Or. en

Amendment 294
Diana Iovanovici Șoșoacă

Proposal for a directive
Article 28 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Member States shall take appropriate measures to enhance the prevention of child sexual abuse in community settings, including schools, hospitals, social care services, sports clubs or religious communities.

Amendment

Member States shall take appropriate measures to enhance the prevention of child sexual abuse in community settings, including schools, hospitals, social care services, sports clubs or religious communities, ***focusing on children from rural areas, care establishments, orphanages or isolated areas, who may be more easily drawn in to such situations.***

Or. ro

Justification

Once again, education has an important role to play in preventing the involvement of children in illegal sexual activities and education programmes are essential for all children to understand the dangers of inappropriate use of the Internet and social media, focusing on children from rural areas, orphanages or isolated areas, who are easier for offenders to groom.

Amendment 295
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 28 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Member States shall take appropriate measures to **enhance** the prevention of child sexual abuse in community settings, including schools, hospitals, social care services, sports clubs or religious communities.

Amendment

Member States shall take appropriate measures to **ensure** the prevention of child sexual abuse in **all** community settings **and organisations whose staff and volunteers work in close contact with children**, including schools, hospitals, **daycare centres**, social care services, sports clubs or religious communities.

Or. en

Amendment 296

Mathilde Androuët, Catherine Griset

Proposal for a directive

Article 28 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Member States shall take appropriate measures to enhance the prevention of child sexual abuse in community settings, including schools, hospitals, social care services, sports clubs or religious communities.

Amendment

Member States shall take appropriate measures to enhance the prevention of child sexual abuse in community settings, including schools, hospitals, social care services, sports **and arts** clubs or religious communities.

Or. fr

Amendment 297

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 28 – paragraph 4 – subparagraph 2 – point a

Text proposed by the Commission

(a) dedicated training and awareness raising activities for staff working in **such settings**;

Amendment

(a) dedicated training and awareness raising activities for staff **and volunteers** working in **close contact with children, including on how to prevent, identify and provide an age appropriate, gender-sensitive and trauma-informed response**

to child sexual abuse and exploitation ;

Or. en

Amendment 298
Diana Iovanovici Șoșoacă

Proposal for a directive
Article 28 – paragraph 4 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) dedicated training and awareness raising activities for staff working in such settings;

(a) dedicated *medium- and long-term* training and awareness raising activities for staff working in such settings;

Or. ro

Justification

Training programmes like these are necessary in order to keep up with developments in new technologies and thus in the methods used by offenders.

Amendment 299
Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive
Article 28 – paragraph 4 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) implementing technological solutions in online environments frequently accessed by children to proactively monitor and block harmful content, with safeguards to ensure data privacy and security.

Or. en

Amendment 300
Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive
Article 28 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Prevention measures shall devote particular attention to the need to protect children who are particularly vulnerable, including children with mental or physical disabilities.

Amendment

Prevention measures shall devote particular attention to the need to protect children who are particularly vulnerable, including children with mental or physical disabilities. ***children in contexts of migration, both unaccompanied or accompanied, or children who do not conform to conventional norms relating to sexual orientation, gender identity and expression or sex characteristics.***

Or. en

Amendment 301
Alice Kuhnke

Proposal for a directive
Article 28 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Prevention measures shall devote particular attention to the need to protect children who are particularly vulnerable, including children with mental or physical disabilities.

Amendment

Prevention measures shall devote particular attention to the need to protect children who are particularly vulnerable, including children ***from racial and ethnic minorities, LGBTIQ+ children, children living in poverty and children*** with mental or physical disabilities.

Or. en

Justification

To take into account possible intersectional elements to enhance the protection of vulnerable children

Amendment 302
Verena Mertens

Proposal for a directive
Article 28 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Prevention measures shall devote particular attention to the need to protect children who are particularly vulnerable, including children with mental or physical disabilities.

Amendment

Prevention measures shall devote particular attention to the need to protect children who are particularly vulnerable, including children with mental or physical disabilities ***or a vulnerable state of health.***

Or. en

Amendment 303

Irene Montero, Kathleen Funchion, Carolina Morace, Emma Fourreau

Proposal for a directive

Article 28 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(c a) to facilitate the swift provision of assistance, including the identification of the relevant support services, issue guidelines for front-line professionals on how to identify and deal with child victims and potential child victims of sexual violence, regardless of criminal proceedings, to ensure the protection and safeguarding of the child's best interests, taking always into account the specific needs of the child.

Or. en

Amendment 304

Eleonora Meleti

Proposal for a directive

Article 28 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(c a) supporting them in the development of information and awareness raising campaigns.

Or. en

Amendment 305
Mathilde Androuët, Catherine Griset

Proposal for a directive
Article 28 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Member States shall ensure that no promotion of child sexual abuse in art and advertising is tolerated.

Or. fr

Amendment 306
Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive
Article 29 – paragraph 1

Text proposed by the Commission

Amendment

1. Without prejudice to intervention programmes or measures imposed by the competent judicial authorities under national law, Member States shall take the necessary measures to ensure that dedicated and effective intervention programmes or measures are made available to prevent and minimise the risks of repeated offences of a sexual nature against children. Such programmes or measures shall be accessible at any time during the criminal proceedings, and shall be available both inside and outside prison, in accordance with national law.

1. Without prejudice to intervention programmes or measures imposed by the competent judicial authorities under national law, Member States shall take the necessary measures to ensure that dedicated and effective intervention programmes or measures are made available to prevent and minimise the risks of repeated offences of a sexual nature against children. Such programmes or measures shall be accessible at any time during the criminal proceedings, and shall be available both inside and outside prison, in accordance with national law. **Member States shall encourage participation of offenders in these programmes.**

Or. en

Justification

Addition necessary to ensure that such intervention programmes are not only available, but also that the participation of offenders in them is encouraged.

Amendment 307
Diana Iovanovici Șoșoacă

Proposal for a directive
Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. To prevent and minimise recidivism, a system for EU Member States and non-EU states alike to cooperate with Europol and Interpol should be set up in order to corroborate existing information on offenders who are EU or third-country nationals, to facilitate access to information that is relevant for employers seeking to recruit staff for a position involving direct and regular contact with children, with the creation even of an offender registry and the potential monitoring of any changes in professional activity and possibly their residence in another state.

Or. ro

Justification

In order to prevent offenders who create and disseminate such material from constantly – and sometimes very quickly – changing their location, whether it be a city, region or even country, in order to find new victims, Member States should work as closely as possible with Europol, Interpol and other competent institutions and an offender registry should even be set up so that employers can be informed about people who are known to have been involved in such activities, thus preventing such individuals from being recruited into positions where they would be in constant contact with children.

Amendment 308
Ewa Kopacz, Elżbieta Katarzyna Łukacijewska, Mirosława Nykiel, Jagna Marczulajtis-Walczak

Proposal for a directive
Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. To enhance the effectiveness of measures under this Article, Member

States shall require online platforms, including social media platforms, to implement automated detection and reporting systems for child sexual abuse material. These systems must adhere to strict data protection regulations, prioritize the principles of necessity and proportionality, and incorporate mechanisms for human oversight to minimize errors and ensure accountability.

Or. en

Amendment 309

Veronika Cifrová Ostrihoňová, Billy Kelleher, Lucia Yar, Abir Al-Sahlani, Valérie Devaux, Raquel García Hermida-Van Der Walle

Proposal for a directive

Article 31 – paragraph 2 – introductory part

Text proposed by the Commission

2. The statistics shall include the following data disaggregated by sex, age of the victim and of the offender, relationship between the victim and the offender and type of offence:

Amendment

2. The statistics shall include the following data disaggregated by sex, **gender**, age of the victim and of the offender, relationship between the victim and the offender and type of offence **and aggravating circumstances**:

Or. en

Justification

clarification of statistics

Amendment 310

Mathilde Androuët, Catherine Griset

Proposal for a directive

Article 31 – paragraph 2 – introductory part

Text proposed by the Commission

2. The statistics shall include the following data disaggregated by sex, age of

Amendment

2. The statistics shall include the following data disaggregated by sex, age,

the victim and of the offender, relationship between the victim and the offender and type of offence:

nationality of the victim and of the offender, relationship between the victim and the offender and type of offence:

Or. fr

Amendment 311

Alice Kuhnke

Proposal for a directive

Article 31 – paragraph 2 – introductory part

Text proposed by the Commission

2. The statistics shall include the following data disaggregated by sex, age of the victim and of the offender, relationship between the victim and the offender and type of offence:

Amendment

2. The statistics shall include the following data disaggregated by **at least** sex, age of the victim and of the offender, relationship between the victim and the offender and type of offence:

Or. en

Amendment 312

Lucia Yar, Veronika Cifrová Ostrihoňová, Abir Al-Sahlani

Proposal for a directive

Article 31 – paragraph 2 – point b

Text proposed by the Commission

(b) the annual number of persons prosecuted for and convicted of the offences referred to in Articles 3 to 9, obtained from national administrative sources;

Amendment

(b) the annual number **of offences reported**, of persons prosecuted for and convicted of the offences referred to in Articles 3 to 9, obtained from national administrative sources;

Or. en