AMENDMENTS
545 - 953

Draft report
Javier Zarzalejos
(PE746.811v01-00)

Laying down rules to prevent and combat child sexual abuse

Proposal for a regulation
(COM(2022)0209 – C9-0174/2022 – 2022/0155(COD))
AM_Com_LegReport
Amendment 545
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point b

Text proposed by the Commission

(b) ‘interpersonal communications service’ means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;

Amendment

(b) ‘number independent interpersonal communications services’ as defined in Article 2, point 7, of Directive (EU) 2018/1972;

Or. en

Justification

Horizontal Amendment


Amendment 546
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point b

Text proposed by the Commission

(b) ‘interpersonal communications service’ means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;

Amendment

(b) ‘interpersonal communications service’ means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972;

Or. en
Amendment 547
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point b

Text proposed by the Commission

(b) ‘interpersonal communications service’ means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;

Amendment

(b) ‘number-independent interpersonal communications service’ means a publicly available service as defined in Article 2, point 7, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;

Or. en

Amendment 548
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point b a (new)

Text proposed by the Commission

(ba) ‘number-independent interpersonal communications service within games’ means any service defined in Article 2, point 7 of Directive (EU) 2018/1972 which is part of a game;

Amendment

Or. en

Amendment 549
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 2 – paragraph 1 – point b a (new)
Text proposed by the Commission

Amendment

(ba) ‘number-independent interpersonal communications service’ means a publicly available service as defined in Article 2, point 7, of Directive (EU) 2018/1972;

Or. en

Amendment 550
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point d

Text proposed by the Commission

(d) ‘software application store’ means a service as defined in Article 2, point 12, of Regulation (EU) …/… [on contestable and fair markets in the digital sector (Digital Markets Act)];

Or. en

Amendment 551
René Repasi, Tiemo Wölken
on behalf of the S&D Group

Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point d

Text proposed by the Commission

(d) ‘software application store’ means a service as defined in Article 2, point 12, of Regulation (EU) …/… [on contestable and fair markets in the digital sector (Digital Markets Act)];

Or. en
Amendment 552
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point e

Text proposed by the Commission  Amendment

(e) ‘internet access service’ means a service as defined in Article 2(2), point 2, of Regulation (EU) 2015/2120 of the European Parliament and of the Council\(^{49}\);


Or. en

Amendment 553
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point e

Text proposed by the Commission  Amendment

(e) ‘internet access service’ means a service as defined in Article 2(2), point 2, of Regulation (EU) 2015/2120 of the European Parliament and of the Council

Or. en
Council 49;


Amendment 554
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 2 – paragraph 1 – point e a (new)

\textit{Text proposed by the Commission} \quad \textit{Amendment}
\begin{itemize}
\item \textit{(ea) ‘artificial intelligence system’ means software as defined in Article 3(1) of Regulation (EU) …/… [laying down harmonised rules on artificial intelligence (Artificial Intelligence Act)];}
\end{itemize}

Amendment 555
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Abir Al-Sahlani, Lucia Ŏuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point e a (new)

\textit{Text proposed by the Commission} \quad \textit{Amendment}
\begin{itemize}
\item \textit{(ea) “online search engine” means an intermediary service as defined in Article}\n\end{itemize}
3, point (j), of Regulation (EU) 2022/2065;

Amendment 556
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Lucia Řuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point e b (new)

Text proposed by the Commission

Amendment

(eb) ‘intermediary service’ means a service as defined in Article 3, point (g), of Regulation (EU) 2022/2065;

Amendment 557
Hilde Vautmans, Fabienne Keller, Maite Pagazaurtundúa, Olivier Chastel, Lucia Řuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point e c (new)

Text proposed by the Commission

Amendment

(ec) ‘artificial intelligence system’ (AI system) means software as defined in Article 3(1) of Regulation (EU) .../... on Artificial Intelligence (Artificial Intelligence Act);

Amendment 558
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point f – point ii
Amendment 559
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point f – point ii

Text proposed by the Commission

(ii) an interpersonal communications service;

Amendment

(ii) a publicly available number-independent interpersonal communications service;

Or. en

Amendment 560
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 2 – paragraph 1 – point f – point ii

Text proposed by the Commission

(ii) an interpersonal communications service;

Amendment

(ii) a number-independent interpersonal communications service;

Or. en

Amendment 561
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point f – point ii

Text proposed by the Commission

(ii) *an* interpersonal communications service;

Amendment

(ii) *independent* interpersonal communications *services*;

Or. en

Amendment 562
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iii

Text proposed by the Commission

(iii) *a software applications store*;

Amendment

(iii) *deleted*

Or. en

Amendment 563
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iii

Text proposed by the Commission

(iii) *a software applications store*;

Amendment

(iii) *deleted*

Or. en

Amendment 564
René Repasi, Tiemo Wölken
on behalf of the S&D Group

Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iii
(iii) a software applications store;  deleted

Or. en

Amendment 565
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iii

(iiia) online games;

Or. en

Amendment 566
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iii a (new)

(iv) an internet access service.  deleted

Or. en

Amendment 567
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iv
Amendment 568
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iv a (new)

Text proposed by the Commission  

Amendment

(iva) an artificial intelligence system;

Or. en

Amendment 569
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Abir Al-Sahani, Lucia Žuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iv a (new)

Text proposed by the Commission  

Amendment

(iva) an online search engine;

Or. en

Amendment 570
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Lucia Žuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point f – point iv b (new)

Text proposed by the Commission  

Amendment

(ivb) an artificial intelligence system.

Or. en

Amendment 571
Patrick Breyer
on behalf of the Verts/ALE Group
Proposal for a regulation
Article 2 – paragraph 1 – point h a (new)

Text proposed by the Commission

(ha) ‘hotline’ means an organisation providing a mechanism, other than the reporting channels provided by law enforcement agencies, for receiving anonymous report from the public about alleged child sexual abuse material and online child sexual exploitation, which is officially recognised by the Member State of establishment as expressed in Directive 2011/93/EU and its articles of association mention the mission of combatting child sexual abuse;

Amendment 572
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point h b (new)

Text proposed by the Commission

(hb) ‘help-line’ means an organisation providing services for children in need as recognised by the Member State of establishment in line with Directive 2011/93/EU;

Amendment 573
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point i
(i) ‘child’ means any natural person below the age of 18 years;  

(i) ‘child’ means any natural person below the age of consent as regulated in the respective Member States, but at least below the age of 18 years;  

Or. en

Amendment 574  
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domèneq Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durá Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer  

Proposal for a regulation  
Article 2 – paragraph 1 – point i a (new)  

Text proposed by the Commission

Amendment  

(ii) "adult" means any natural person above the age of 18 years;  

Or. en

Amendment 575  
Vincenzo Sofo, Cristian Terheș, Jadwiga Wiśniewska  

Proposal for a regulation  
Article 2 – paragraph 1 – point j  

Text proposed by the Commission

Amendment  

(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;  

Deleted

Or. en

Justification

The ambiguity that arises from the conceptual confusion between 'child' and 'child user' is problematic especially as it relates to and has relevance for the imposition of age limits for messaging apps.
Amendment 576
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission

Amendment

(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;

Amendment 577
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission

Amendment

(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;

Amendment 578
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission

Amendment

(j) ‘child user’ means a natural person who uses a relevant information
society service and who is a natural
person below the age of 17 years;

Amendment 579
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission
(j) ‘child user’ means a natural person
who uses a relevant information society
service and who is a natural person below
the age of 17 years;

Amendment
(j) ‘child user’ means a natural person
who uses a relevant information society
service and who is a natural person below
the age of consent as regulated in the
respective Member States, but at least
below the age of 17 years;

Amendment 580
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission
(j) ‘child user’ means a natural person
who uses a relevant information society
service and who is a natural person below
the age of 17 years;

Amendment
(j) ‘child user’ means a natural person
who uses a relevant information society
service and who is a child;

Amendment 581
Hilde Vautmans, Abir Al-Sahlaní, Fabienne Keller, Olivier Chastel, Maite
Pagazaurtundúa, Lucia Žuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission
(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;

Amendment
(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 18 years;

Or. en

Amendment 582
Fabienne Keller, Nathalie Loiseau

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission
(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;

Amendment
(j) ‘child user’ means a natural person who uses a relevant information society service and who is a natural person below the age of 18 years;

Or. en

Amendment 583
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durà Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 2 – paragraph 1 – point j a (new)

Text proposed by the Commission
(ja) "adult user" means a natural person who uses a relevant information society service and who is a natural person above the age of 18 years;

Amendment

Or. en
Amendment 584
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point l

Text proposed by the Commission

(l) ‘child sexual abuse material’ means material constituting child pornography or pornographic performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;

Amendment

(l) ‘child sexual abuse material’ means any material that visually depicts a child engaged in real or simulated sexually explicit conduct or any depiction of the sexual organs of a child for primarily sexual purposes or any material that visually depicts any person appearing to be a child engaged in real or simulated sexually explicit conduct or any depiction of the sexual organs of any person appearing to be a child, for primarily sexual purposes; or realistic images of a child engaged in sexually explicit conduct or realistic images of the sexual organs of a child, for primarily sexual purposes; or a live exhibition aimed at an audience, including by means of information and communication technology, of a child engaged in real or simulated sexually explicit conduct; or the depiction of sexual organs of a child for primarily sexual purposes as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;

Or. en

Amendment 585
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point m

Text proposed by the Commission

(m) ‘known child sexual abuse material’ means potential child sexual abuse material detected using the indicators contained in the database of

Amendment

(m) ‘known child sexual abuse material’ means potential child sexual abuse material detected;
indicators referred to in Article 44(1), point (a);

Amendment 586
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point n

Text proposed by the Commission

Amendment

(n) ‘new child sexual abuse material’ deleted
means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);

Or. en

Amendment 587
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point n

Text proposed by the Commission

Amendment

(n) ‘new child sexual abuse material’ deleted
means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);

Or. en

Amendment 588
Cornelia Ernst, Clare Daly
Proposal for a regulation
Article 2 – paragraph 1 – point o

Text proposed by the Commission

(o) ‘solicitation of children’ means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;

Amendment

Proposed by Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy

Proposal for a regulation
Article 2 – paragraph 1 – point p

Text proposed by the Commission

(p) ‘online child sexual abuse’ means the online dissemination of child sexual abuse material and the solicitation of children;

Amendment

(p) ‘online child sexual abuse’ means the online dissemination of child sexual abuse material and the solicitation of children, including the exposure of children to pornographic content online;

Or. en

Amendment 590
Annalisa Tardino

Proposal for a regulation
Article 2 – paragraph 1 – point p

Text proposed by the Commission

(p) ‘online child sexual abuse’ means the online dissemination of child sexual abuse material and the solicitation of children;

Amendment

(p) ‘online child sexual abuse’ means the online dissemination of child sexual abuse material including self-generated material disseminated without consent and the solicitation of children;

Or. en
Amendment 591
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point p

Text proposed by the Commission

(p) ‘online child sexual abuse’ means the online dissemination of child sexual abuse material and the solicitation of children;

Amendment

(p) ‘online child sexual abuse’ means the online dissemination of child sexual abuse material;

Or. en

Amendment 592
Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy

Proposal for a regulation
Article 2 – paragraph 1 – point q

Text proposed by the Commission

(q) ‘child sexual abuse offences’ means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;

Amendment

(q) ‘child sexual abuse offences’ means offences as defined in Articles 3 to 7 of Directive 2011/93/EU, and, for the scope of this regulation, extends the offense referred to in Article 3, paragraph 2 of the same directive, to the witnessing of sexual activities online, even without having to participate;

Or. en

Amendment 593
Lucia Řuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 2 – paragraph 1 – point q a (new)

Text proposed by the Commission

(qa) (q a) ‘victim’ means a person residing in the European Union who
being under 18 suffered child sexual abuse offences. For the purpose of exercising the victim’s rights recognised in this Regulation, parents and guardians, as well as any person who was under 18 at the time the material was made, whose material has been hosted or disseminated in the European Union, are to be considered victims;

Or. en

Amendment 594
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Abir Al-Sahlani, Michal Šimečka, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 2 – paragraph 1 – point q a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(qa) “person suspected of being involved in child sexual abuse” means an identified individual person about whom verifiable adequate evidence exists, which gives rise to the suspicion that that person has committed a child sexual abuse offence, attempted to commit a child sexual abuse offence, or prepared by committing a criminal offence to commit a child sexual abuse offence;</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Amendment 595
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 2 – paragraph 1 – point q a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(qa) ‘child survivor’ means a person as defined in Article 2(1) point (a) of Directive 2011/93/EU who is below 18</td>
<td></td>
</tr>
</tbody>
</table>

PE749.189v02-00 22/200 AM\1284108EN.docx
years of age and suffered child sexual abuse offences;

Or. en

Amendment 596
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Abir Al-Sahlani, Michal Šimečka, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 2 – paragraph 1 – point q b (new)

Text proposed by the Commission

(qb) 'person disqualified from exercising activities involving children' means an identified individual person, who, in line with Article 10 of Directive 2011/93/EU, is temporarily or permanently disqualified from exercising activities involving direct and regular contacts with children;

Or. en

Amendment 597
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 2 – paragraph 1 – point q b (new)

Text proposed by the Commission

(qb) 'survivor' means a person as defined in Article 2(1) point (a) of Directive 2011/93/EU who suffered child sexual abuse offences;

Or. en

Amendment 598
Cornelia Ernst, Clare Daly
Proposal for a regulation
Article 2 – paragraph 1 – point s

Text proposed by the Commission

(s) ‘content data’ means data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal matters (…/… e-evidence Regulation)];

Amendment

deleted

Or. en

Amendment 599
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point s

Text proposed by the Commission

(s) ‘content data’ means data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal matters (…/… e-evidence Regulation)];

Amendment

(s) ‘content data’ means videos and images in a digital format;

Or. en

Amendment 600
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point s

Text proposed by the Commission

(s) ‘content data’ means data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal matters (…/… e-evidence Regulation)];

Amendment

(s) ‘content data’ means videos and images in a digital format;
Regulation (EU) … [on European
Production and Preservation Orders for
electronic evidence in criminal matters
(…/… e-evidence Regulation)];

Amendment 601
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 2 – paragraph 1 – point w

Text proposed by the Commission

(w) ‘main establishment’ means the
head office or registered office of the
provider of relevant information society
services within which the principal
financial functions and operational control
are exercised.

Amendment

(w) ‘main establishment’ means the
office of the provider of relevant
information society services within which
the principal financial functions and
operational control are exercised.

Amendment 602
Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy

Proposal for a regulation
Article 2 – paragraph 1 – point w a (new)

Text proposed by the Commission

(wa) ‘hotline’ means an organisation
providing a mechanism, other than the
reporting channels provided by law
enforcement agencies, for receiving
anonymous complaints from the public
about alleged child sexual abuse material
and online child sexual exploitation,
which meets the following criteria: (a) is
officially recognised by its home Member
State as expressed in the Directive
2011/93/EU of the European Parliament
and of the Council; (b) has the mission of
combatting child sexual abuse material in
its articles of association; and (c) is part of a recognised and well-established international network;

Amendment 603
Lucia Řuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 2 – paragraph 1 – point w a (new)

Text proposed by the Commission

Amendment

(wa) ‘hotline’ means an organisation providing a mechanism, other than the reporting channels provided by law enforcement agencies, for receiving anonymous information from the public about potential child sexual abuse material and online child sexual exploitation, which is officially recognised by its home Member State as expressed in the Directive 2011/93/EU of the European Parliament and of the Council and has the mission of combatting child sexual abuse material in its articles of association;

Or. en

Amendment 604
Annalisa Tardino

Proposal for a regulation
Article 2 – paragraph 1 – point w a (new)

Text proposed by the Commission

Amendment

(wa) 'victim' means a minor who suffered child sexual abuses offences including the non-consensual dissemination of self-generated material. For the purpose of excercising victim's rights listed in this Regulation, legal
representatives shall be considered victims.

Amendment 605
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 2 – paragraph 1 – point w a (new)

Text proposed by the Commission

Amendment

(wa) ‘hotline’ means an organisation officially recognised by a Member State, other than the reporting channels provided by law enforcement authorities, for receiving anonymous complaints from victims and the public about alleged child sexual abuse;

Or. en

Amendment 606
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 2 – paragraph 1 – point w a (new)

Text proposed by the Commission

Amendment

(wa) "online search engine" means an intermediary service as defined in Article 3, point (j), of Regulation (EU) 2022/2065;

Or. en

Amendment 607
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 2 – paragraph 1 – point w b (new)
Text proposed by the Commission

Amendment

(wb) 'hotline' means an organization recognized by its Member State of establishment, which provides either a reporting channel provided by law enforcement authorities, or service for receiving anonymous complaints from victims and the public about alleged child sexual abuse online.

Or. en

Amendment 608
Paul Tang, Alex Agius Saliba, Theresa Bielowski, Tiemo Wölken, Marina Kaljurand

Proposal for a regulation
Article -3 (new)

Text proposed by the Commission

Amendment

Article-3

Protection of fundamental human rights and confidentiality in communications

1. Nothing in this Regulation shall prohibit, weaken or undermine end-to-end encryption, prohibit providers of information society services from providing their services applying end-to-end encryption or be interpreted in that way.

2. Nothing in this Regulation shall undermine the prohibition of general monitoring under Union law or introduce general data retention obligations.

Or. en

Amendment 609
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
1. Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the risk of use of the service for the purpose of online child sexual abuse.

Amendment 610
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. Providers of hosting services and providers of number-independent interpersonal communications services shall identify, analyse and assess, for each such service that they offer, any significant systemic residual serious risks stemming from the functioning and use of their services in the Union that their services are being used to disseminate or exchange child sexual abuse material.

This is without prejudice to the prohibition on general monitoring nor generalised data retention, and should not be understood as an obligation on providers of relevant information society services to break, weaken or undermine end-to-end encryption or to take other steps that compromise the security, integrity and confidentiality of communications.

Or. en
considering its severity and probability. To this end, providers subject to an obligation to conduct a risk assessment under Regulation (EU) 2022/2065 may draw on that risk assessment and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse.

Or. en

Amendment 611
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the risk of use of the service for the purpose of online child sexual abuse.

Amendment

1. Providers of hosting services and providers of publicly available number-independent interpersonal communications services that are exposed to a substantial amount of online child sexual abuse shall identify, analyse and assess, for each such service that they offer, risks stemming from the design, functioning, including algorithmic recommender systems, or use of the service for the purpose of online child sexual abuse.

Or. en

Justification

To align with Terrorist Content Online Regulation 2021/784 and to ensure proportionality. For example, the online customer support chat for a consumer product will likely never be exposed to online child sexual abuse, and a risk assessment would not be helpful.

Amendment 612
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the risk of use of the service for the purpose of online child sexual abuse.

Amendment

1. Providers of hosting services and providers of number independent interpersonal communications services shall carry out a risk assessment of use of the service for the purpose of online child sexual abuse. The risk assessment shall be made public.

Or. en

Amendment 613
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Abir Al-Sahlani, Lucia Ŏriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the risk of use of the service for the purpose of online child sexual abuse.

Amendment

1. Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the risk of use of the service for the purpose of online child sexual abuse, which requires a targeted and tailor-made response;

Or. en

Amendment 614
Rob Rookен

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the

Amendment

1. Providers of hosting services and providers of number independent interpersonal communications services shall identify, analyse and assess, for each
risk of use of the service for the purpose of online child sexual abuse. such service that they offer, any recurrent systemic risk of use of the service for the purpose of online child sexual abuse.

Or. en

Justification

The concept of “risk” is very broad. The assessment of “recurrent systemic risks” increases legal certainty for providers, allowing them to focus on the most problematic risks of misuse of the service.

Amendment 615
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

A hosting service provider or publicly available number-independent interpersonal communication service is exposed to online child sexual abuse where:

Or. en

Amendment 616
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(a) the coordinating authority of the Member State of its main establishment or where its legal representative resides or is established has taken a decision, on the basis of objective factors, such as the provider having received two or more final removal orders in the previous 12
months, finding that the provider is exposed to online child sexual abuse, and notified the decision to the provider; or

Amendment 617
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – point b (new)

Text proposed by the Commission

Amendment

(b) the provider submitted two or more reports of potential online child sexual abuse in the previous 12 months in accordance with Article 12.

Amendment 618
Paul Tang, Alex Agius Saliba, Birgit Sippel, Theresa Bielowski

Proposal for a regulation
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Without prejudice to Regulation (EU) 2022/2065, when conducting the risk assessment, providers of hosting services and providers of interpersonal communications services shall respect and avoid any actual or foreseeable negative effects for the exercise of fundamental rights, in particular the fundamental rights to human dignity, respect for private and family life, the protection of personal data, freedom of expression and information, including the freedom and pluralism of the media, the prohibition of discrimination, the rights of the child and consumer protection, as
enshrined in Articles 1, 7, 8, 11, 21, 24 and 38 of the Charter respectively.

Amendment 619
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 1 b (new)

Text proposed by the Commission
Amendment

1b. Risk assessment obligations shall always be strictly necessary and proportionate, and shall never entail a general monitoring obligation, an obligation to seek knowledge about the content of private communications, nor an obligation for providers to seek knowledge of illegal content.

Amendment 620
René Repasi, Tiemo Wölken on behalf of the S&D Group
Petar Vitanov on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point a

Text proposed by the Commission
Amendment

(a) any previously identified instances of use of its services for the purpose of online child sexual abuse;

(a) the significant, systemic, serious risks and identified instances of use of its services for the purpose of online child sexual abuse;
Amendment 621  
Rob Rooken

Proposal for a regulation  
Article 3 – paragraph 2 – point a

Text proposed by the Commission

(a) any previously identified instances of use of its services for the purpose of online child sexual abuse;

Amendment

(a) recurrent systemic risks and identified instances of use of its services for the purpose of online child sexual abuse;

Or. en

Amendment 622  
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation  
Article 3 – paragraph 2 – point a

Text proposed by the Commission

(a) any previously identified instances of use of its services for the purpose of online child sexual abuse;

Amendment

(a) serious systemic risks and identified instances of use of its services for the purpose of online child sexual abuse;

Or. en

Amendment 623  
Patrick Breyer  
on behalf of the Verts/ALE Group

Proposal for a regulation  
Article 3 – paragraph 2 – point a a (new)

Text proposed by the Commission

(aa) any actual or foreseeable negative effects for the exercise of fundamental rights;

Amendment

Or. en
Justification from DSA

Amendment 624
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 2 – point b – introductory part

Text proposed by the Commission

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:

Amendment

(b) the existence of:

Amendment 625
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 3 – paragraph 2 – point b – introductory part

Text proposed by the Commission

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:

Amendment

(b) the existence and implementation by the provider of a policy and the availability of functionalities to prevent and address online child sexual abuse and risks referred to in paragraph 1, including through the following:

Or. en

Amendment 626
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – point b – introductory part
Text proposed by the Commission

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:

Amendment

(b) the existence and implementation by the provider of a policy and the availability and effectiveness of functionalities to address the risk referred to in paragraph 1, including through the following:

Or. en

Amendment 627
Fabienne Keller, Nathalie Loiseau

Proposal for a regulation
Article 3 – paragraph 2 – point b – introductory part

Text proposed by the Commission

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:

Amendment

(b) the existence and implementation by the provider of a policy and the availability of functionalities to prevent and address the risk referred to in paragraph 1, including through the following:

Or. en

Amendment 628
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Abir Alsahlani, Lucia Šuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 3 – paragraph 2 – point b – introductory part

Text proposed by the Commission

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:

Amendment

(b) the existence and implementation by the provider of a policy and the availability of functionalities to prevent and address the risk referred to in paragraph 1, including through the following:

Or. en
Amendment 629
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 2 – point b – introductory part

**Text proposed by the Commission**

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:

**Amendment**

(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the systemic risks referred to in paragraph 1, including through the following:

Or. en

Amendment 630
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 1

**Text proposed by the Commission**

– prohibitions and restrictions laid down in the terms and conditions;

**Amendment**

deleted

Or. en

Amendment 631
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 1 a (new)

**Text proposed by the Commission**

- the availability to employ appropriate technical measures - such as parental control tools - to prevent underage access and exposure to inappropriate content or services;
Amendment 632  
Cornelia Ernst, Clare Daly  
Proposal for a regulation  
Article 3 – paragraph 2 – point b – indent 2  

Text proposed by the Commission  

Amendment  

- measures taken to enforce such prohibitions and restrictions; deleted  

Or. en

Amendment 633  
Annalisa Tardino  
Proposal for a regulation  
Article 3 – paragraph 2 – point b – indent 2  

Text proposed by the Commission  

Amendment  

- measures taken to enforce such prohibitions and restrictions and the amount of human and financial resources dedicated to identify, analyse and assess the presence of child sexual abuse;  

Or. en

Amendment 634  
Hilde Vautmans, Abir Al-Sahlani, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Lucia Ďuriš Nicholsonová, Nathalie Loiseau  
Proposal for a regulation  
Article 3 – paragraph 2 – point b – indent 2 a (new)  

Text proposed by the Commission  

Amendment  

- implementing functionalities and protocols to prevent and reduce the risk of
online child sexual abuse;
- information and awareness campaigns educating and warning users of the risk of online child sexual abuse;

Amendment 635
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 3

Text proposed by the Commission  
Amendment

– functionalities enabling age verification; deleted

Or. en

Justification

EDPB and EDPS note that there is currently no technological solution that is capable of assessing with certainty the age of a user in an online context, without relying on an official digital identity, which is not available to every European citizen at this stage.

Amendment 636
Paul Tang, Alex Agius Saliba, Birgit Sippel, Theresa Bielowski

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 3

Text proposed by the Commission  
Amendment

– functionalities enabling age verification; deleted

Or. en
Amendment 637
Rob Rooken
Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 3

Text proposed by the Commission

– functionalities enabling age verification;

Amendment

Or. en

Amendment 638
Cornelia Ernst, Clare Daly
Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 3

Text proposed by the Commission

– functionalities enabling age verification;

Amendment

Or. en

Amendment 639
Patrick Breyer
on behalf of the Verts/ALE Group
Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 3

Text proposed by the Commission

– functionalities enabling age verification;

Amendment

– functionalities enabling the effective protection of children online, in line with children’s increasing need for autonomy and increasing rights to access to information and freedom of expression as they grow;

Or. en
Amendment 640  
Loránt Vincze, François-Xavier Bellamy, Miriam Lexmann  
Proposal for a regulation  
Article 3 – paragraph 2 – point b – indent 3  

Text proposed by the Commission  
Amendment

– functionalities enabling age verification;  
– functionalities enabling age verification and subsequent blocking of age-restricted websites and content;  

Or. en

Amendment 641  
Annalisa Tardino  
Proposal for a regulation  
Article 3 – paragraph 2 – point b – indent 3  

Text proposed by the Commission  
Amendment

– functionalities enabling age verification;  
– functionalities enabling age verification and parental control;  

Or. en

Amendment 642  
Cornelia Ernst, Clare Daly  
Proposal for a regulation  
Article 3 – paragraph 2 – point b – indent 4  

Text proposed by the Commission  
Amendment

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;  
– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate; and capacity to meaningfully deal with those reports in a timely manner;  

Or. en
Amendment 643
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4

Text proposed by the Commission

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;

Amendment

– functionalities enabling users to flag or notify online child sexual abuse to the provider through tools that are easily accessible and age-appropriate, including already available anonymous reporting channels as provided by Directive (EU) 2019/1937;

Or. en

Amendment 644
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4

Text proposed by the Commission

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;

Amendment

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily recognisable, accessible and age-appropriate, child- and user-friendly, including anonymous user-reporting channels;

Or. en

Amendment 645
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4
Text proposed by the Commission

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;

Amendment

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily recognisable, accessible, age-appropriate and child- and user friendly, including anonymous reporting channels;

Or. en

Amendment 646
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4

Text proposed by the Commission

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;

Amendment

– functionalities enabling users to flag and report online child sexual abuse to the provider through tools that are easily accessible and age-appropriate with timely response;

Or. en

Amendment 647
Rob Rookoén

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4

Text proposed by the Commission

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;

Amendment

– functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible;

Or. en
Amendment 648
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>systems and mechanisms that provide child- and user-friendly resources to ensure that children can seek help swiftly, including information on how to contact national child protection organisations or national law enforcement.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Amendment 649
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>systems and mechanisms that provide child- and user-friendly resources to ensure that children can seek help swiftly, including information on how to contact national child protection organisations or national law enforcement.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Amendment 650
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Lucia Ŏuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4 a (new)

Text proposed by the Commission

Amendment

- functionalities enabling detection for known child sexual abuse material on upload;

- Functionalities preventing uploads from the dark web;

Or. en

Amendment 651
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Stelios Kypouropoulos, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4 a (new)

Text proposed by the Commission

Amendment

- functionalities enabling age-appropriate parental controls, including with the use of AI;

Or. en

Justification

As proposed by the rapporteur, with the addition of the use of AI.

Amendment 652
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4 a (new)

Text proposed by the Commission

Amendment

- functionalities enabling self-reporting by children, their parents or legal guardians.
Amendment 653
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Stelios Kympouropoulos, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 3 – paragraph 2 – point b – indent 4 b (new)

Text proposed by the Commission

Amendment
- functionalities enabling self-reporting, including with the use of AI;

Or. en

Justification
As proposed by the rapporteur, with the addition of the use of AI.

Amendment 654
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 2 – point c

Text proposed by the Commission

Amendment
(c) the manner in which users use the service and the impact thereof on that risk;

deleted

Or. en

Amendment 655
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point c

Text proposed by the Commission

(c) the manner in which users use the service and the impact thereof on that risk;

Amendment

Amendment 656
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – point c

Text proposed by the Commission

(c) the manner in which users use the service and the impact thereof on that risk;

Justification

This is too vague to be implemented effectively.

Amendment 657
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 2 – point d

Text proposed by the Commission

(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;

Or. en
Amendment 658
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point d

Text proposed by the Commission

(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;

Amendment

(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk.

This is without prejudice to the prohibition on general monitoring nor generalised data retention, and should not be understood as an obligation on providers of relevant information society services to break, weaken or undermine end-to-end encryption or to take other steps that compromise the security, integrity and confidentiality of communications;

Or. en

Amendment 659
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – point d

Text proposed by the Commission

(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;

Amendment

(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, the design of their recommender systems and any other relevant algorithmic systems.
and the impact thereof on that risk;

Or. en

Amendment 660
Lucia Ŏuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 3 – paragraph 2 – point d

Text proposed by the Commission
(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;

Amendment
(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, whether the service is available directly to end users, and the impact thereof on that risk;

Or. en

Amendment 661
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 3 – paragraph 2 – point d

Text proposed by the Commission
(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;

Amendment
(d) the manner in which the provider designed and operates the service, including the business model, governance, type of users targeted, and relevant systems and processes, and the impact thereof on that risk;

Or. en

Amendment 662
Cornelia Ernst, Clare Daly
Article 3 – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) with respect to the risk of deleted
solicitation of children:

(i) the extent to which the service is used or is likely to be used by children;

(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;

(iii) the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:

— enabling users to search for other users and, in particular, for adult users to search for child users;

— enabling users to establish contact with other users directly, in particular through private communications;

— enabling users to share images or videos with other users, in particular through private communications.

Or. en

Amendment 663
René Repasi, Tiemo Wölken on behalf of the S&D Group
Petar Vitanov on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point e – introductory part

Text proposed by the Commission

Amendment

(e) with respect to the risk of rights of solicitation of children:

Or. en
### Amendment 664
Lucia Ďuriš Nicholsonová, Fabienne Keller

**Proposal for a regulation**
**Article 3 – paragraph 2 – point e – point i**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) the extent to which the service is used or is likely to be used by children;</td>
<td>(i) the extent to which the service is used or is likely to be used by children, <em>such as an assessment of public surfaces, behavioral signals, the frequency of user reports of online child sexual abuse, and the results of random sampling of content;</em></td>
</tr>
</tbody>
</table>

Or. en

### Amendment 665
Paul Tang, Alex Agius Saliba

**Proposal for a regulation**
**Article 3 – paragraph 2 – point e – point i**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) the extent to which the service is used or is likely to be used by children;</td>
<td>(i) the extent to which the service is <em>directly targeting</em> children;</td>
</tr>
</tbody>
</table>

Or. en

### Amendment 666
René Repasi, Tiemo Wölken

on behalf of the S&D Group

Petar Vitanov

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Birgit Sippel

**Proposal for a regulation**
**Article 3 – paragraph 2 – point e – point i**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) the extent to which the service is</td>
<td>(i) the extent to which the service is</td>
</tr>
</tbody>
</table>

PE749.189v02-00  52/200  AM\1284108EN.docx
used or is likely to be used by children; directly targeting children

Amendment 667
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 2 – point e – point i

Text proposed by the Commission

(i) the extent to which the service is used or is likely to be used by children;

Amendment

(i) the extent to which the service is targeting child users;

Or. en

Amendment 668
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point e – point ii

Text proposed by the Commission

(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;

Amendment

deleted

Or. en

Amendment 669
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – point e – point ii
(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;

(ii) where the service is used or likely to be used by children, the different age groups or likely age groups of the child users and the relative scale, frequency and nature of previously identified instances of use of its services for the purpose of solicitation of children in relation to those age groups;

Or. en

Amendment 670
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 3 – paragraph 2 – point e – point ii

(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;

(ii) where the service is directly targeting children, the different age groups of the children the service is targeting;

Or. en

Amendment 671
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 2 – point e – point ii

(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;

(ii) where the service is targeting child users, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;

Or. en
Amendment 672
Charlie Weimers, Cristian Terheş, Rob Rooken

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii

Text proposed by the Commission

(iii) the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:

— enabling users to search for other users and, in particular, for adult users to search for child users;

— enabling users to establish contact with other users directly, in particular through private communications;

— enabling users to share images or videos with other users, in particular through private communications.

Amendment

Or. en

Justification

The Commission's proposed text would result in ALL messaging services being covered.

Amendment 673
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – introductory part

Text proposed by the Commission

(iii) the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:

Amendment

(iii) the availability of functionalities creating or reinforcing the significant, systemic, serious risk of rights of children, including the following functionalities:

Or. en
**Amendment 674**  
Paul Tang, Alex Agius Saliba

**Proposal for a regulation**  
Article 3 – paragraph 2 – point e – point iii – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(iii) the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:</td>
<td>(iii) the availability of functionalities creating or reinforcing the <strong>serious systemic</strong> risk of solicitation of children, including the following functionalities:</td>
</tr>
</tbody>
</table>

**Or. en**

**Amendment 675**  
Patrick Breyer  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
Article 3 – paragraph 2 – point e – point iii – indent 1

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to search for other users and, in particular, for adult users to search for child users;</td>
<td>– enabling users to search for other users, <strong>including through search engines external to the service</strong>, and, in particular, for adult users to search for child users;</td>
</tr>
</tbody>
</table>

**Or. en**

**Amendment 676**  
Paul Tang, Alex Agius Saliba

**Proposal for a regulation**  
Article 3 – paragraph 2 – point e – point iii – indent 1

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to search for other users and, in particular, for adult users to search for child users;</td>
<td>– enabling users to search for other users and, in particular, for adult users to search for child users, <strong>in particular on services directly targeting children</strong>;</td>
</tr>
</tbody>
</table>
**Amendment 677**  
René Repasi, Tiemo Wölken  
on behalf of the S&D Group  
Petar Vitanov  
on behalf of the Committee on Civil Liberties, Justice and Home Affairs  
Birgit Sippel

**Proposal for a regulation**  
**Article 3 – paragraph 2 – point e – point iii – indent 1**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to search for other users <em>and, in particular, for adult users to search for child users</em>;</td>
<td>– enabling users to search for other users <em>on services directly targeting children</em>;</td>
</tr>
</tbody>
</table>

**Amendment 678**  
Rob Rookien

**Proposal for a regulation**  
**Article 3 – paragraph 2 – point e – point iii – indent 1**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to search for other users <em>and, in particular, for adult users to search for child users</em>;</td>
<td>– enabling users to search for other users <em>on services directly targeting children</em>;</td>
</tr>
</tbody>
</table>

**Amendment 679**  
Paul Tang, Alex Agius Saliba

**Proposal for a regulation**  
**Article 3 – paragraph 2 – point e – point iii – indent 2**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to establish contact with other users <em>directly, in particular unsolicited</em> contact with other users <em>and</em></td>
<td>– enabling users to establish contact with other users <em>and</em></td>
</tr>
</tbody>
</table>
through private communications; for users to engage and connect with children, in particular on services directly targeting children;

Or. en

Amendment 680
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 2

Text proposed by the Commission

– enabling users to establish contact with other users directly, in particular through private communications;

Amendment

– enabling users to establish contact with other users on services directly targeting child users, in particular through private communications;

Or. en

Amendment 681
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 2

Text proposed by the Commission

– enabling users to establish contact with other users directly, in particular through private communications;

Amendment

– enabling users to initiate unsolicited contact with other users directly, in particular through private communications;

Or. en

Amendment 682
René Repasi, Tiemo Wölken
on behalf of the S&D Group

Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Birgit Sippel
Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 2

Text proposed by the Commission

– enabling users to establish contact with other users directly, *in particular through private communications*;

Amendment

– enabling users to establish *unsolicited* contact with other users directly *on services directly targeting children*.

Amendment 683
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 3

Text proposed by the Commission

– enabling users to share images or videos *with other* users, in particular through private communications.

Amendment

– enabling users to share images or videos *on services directly targeting child* users, in particular through private communications.

Amendment 684
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 3

Text proposed by the Commission

– enabling users to share images or videos with other users, in particular through private communications.

Amendment

– enabling users to share *unsolicited* images or videos with other users, in particular through private communications.
### Amendment 685
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to share images or videos with other users, <strong>in particular through private communications.</strong></td>
<td>– enabling users to share images or videos with other users <strong>on services directly targeting children</strong></td>
</tr>
</tbody>
</table>

Or. en

### Amendment 686
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to share images or videos <strong>with other users, in particular through private communications.</strong></td>
<td>– enabling users to share images or videos, in particular <strong>on services directly targeting children;</strong></td>
</tr>
</tbody>
</table>

Or. en

### Amendment 687
Annalisa Tardino

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii – indent 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– enabling users to share <strong>images or videos</strong> with other users, in particular through private communications.</td>
<td>– enabling users to share <strong>contents</strong> with other users, in particular through private communications.</td>
</tr>
</tbody>
</table>

Or. en
### Amendment 688
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Nathalie Loiseau

Proposal for a regulation  
Article 3 – paragraph 2 – point e – point iii – indent 3 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Enabling users to create usernames that contain a representation about, or imply, the user’s age;</td>
<td></td>
</tr>
<tr>
<td>– Enabling child users to create usernames that contain location information on child users;</td>
<td></td>
</tr>
<tr>
<td>– Enabling users to know or infer the location of child users.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

### Amendment 689
Annalisa Tardino

Proposal for a regulation  
Article 3 – paragraph 2 – point e – point iii – indent 3 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>- The availability for users to search and contact other users based on age or location criteria;</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

### Amendment 690
Annalisa Tardino

Proposal for a regulation  
Article 3 – paragraph 2 – point e – point iii a (new)
(iii) The availability for users to create usernames that imply the user’s age or location.

Amendment 691
Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy

Proposal for a regulation
Article 3 – paragraph 2 – point e – point iii a (new)

Text proposed by the Commission  
Amendment

(iiia) the extent to which children have access to age-restricted content.

Amendment 692
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission  
Amendment

Risk assessment obligations shall never entail a general monitoring obligation, an obligation to seek knowledge about the content of private communications, nor an obligation for providers to seek knowledge of illegal content.

Amendment 693
Hilde Vautmans, Abir Al-Sahlani, Maïté Pagazaurtundúa, Olivier Chastel, Fabienne Keller, Lucia Ďuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 3 – paragraph 2 a (new)
2a. When providers of hosting services and providers of interpersonal communication services put forward age assurance or age verification systems as mitigating measures, they shall meet the following criteria:

(a) Protect the privacy of users and do not disclose data gathered for the purposes of age assurance for any other purpose;

(b) Do not collect data that is not necessary for the purposes of age assurance;

(c) Be proportionate to the risks associated to the product or service that presents a risk of misuse for child sexual abuse;

(d) Provide appropriate remedies and redress mechanisms for users whose age is wrongly identified.

Justification

This AM suggests a wording that makes age verification a safety-by-design tool that has to be carried out by the providers themselves, so as to increase prevention.

Amendment 694
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durá Ferrandis, Evin Incir, Paul Tang, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 3 – paragraph 2 a (new)
following criteria:

a) Protect the privacy of users and do not disclose data gathered for the purposes of age assurance for any other purpose;

b) Do not collect data that is not necessary for the purpose of age assurance;

c) Be proportionate to the risks associated to the product or service that presents a risk of misuse for child sexual abuse;

d) Provide appropriate remedies and redress mechanisms for users whose age is wrongly identified.

Amendment 695
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Karen Melchior

Proposal for a regulation
Article 3 – paragraph 2 a (new)

Text proposed by the Commission

2a. The provider, where applicable, shall assess, in a separate section of its risk assessment, the voluntary use of specific technologies for the processing of personal and other data to the extent strictly necessary to detect, to report and to remove online child sexual abuse material from its services. Such voluntary use of specific technologies shall under no circumstances undermine the integrity and confidentiality of end-to-end encrypted content and communications.

Justification

As proposed by the rapporteur, with the addition that the above mentioned voluntary use of specific technologies under no circumstances shall undermine the integrity and confidentiality of end-to-end encrypted content and communications.
Amendment 696
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 1

Text proposed by the Commission
The provider may request the EU Centre to perform an analysis of representative, anonymized data samples to identify potential online child sexual abuse, to support the risk assessment.

Amendment
The provider may request the EU Centre to support the risk assessment.

Or. en

Amendment 697
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 1

Text proposed by the Commission
The provider may request the EU Centre to perform an analysis of representative, anonymized data samples to identify potential online child sexual abuse, to support the risk assessment.

Amendment
The provider may request the EU Centre to perform an analysis of methodology for risk assessment in order to support the risk assessment.

Or. en

Justification
None of the requirements listed in paragraph 2 would require data samples to be examined. Better support the providers with an analysis of their methodology used for the risk assessments, to improve the results and support SME

Amendment 698
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 1 a (new)
Neither this request nor its subsequent analysis that the EU Centre may perform shall exempt the provider from its obligation to conduct the risk assessment in accordance with paragraphs 1 and 2 of this Article and to comply with other obligations set out in this Regulation.

Amendment 699
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 2

Text proposed by the Commission
The costs incurred by the EU Centre for the performance of such an analysis shall be borne by the requesting provider. However, the EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise, provided the request is reasonably necessary to support the risk assessment.

Amendment
The costs incurred by the EU Centre for the support of the risk assessment shall be borne by the requesting provider. However, the EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise.

Amendment 700
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 2

Text proposed by the Commission
The costs incurred by the EU Centre for the performance of such an analysis shall be borne by the requesting provider. However, the EU Centre shall bear those

Amendment
The costs incurred by the EU Centre for the performance of such an analysis shall be borne by the requesting provider. However, the EU Centre shall bear those
costs where the provider is a micro, small or medium-sized enterprise, provided the request is reasonably necessary to support the risk assessment.

The Centre may reject the request where it is not reasonably necessary to support the risk assessment.

Amendment 701
Maria Grapini

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs and the application of the exemption for micro, small and medium-sized enterprises.

Amendment

deleted

Or. en

Amendment 702
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs and the application of the exemption for micro, small and medium-sized enterprises.

Amendment

deleted

Or. ro
Amendment 703
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 3 a (new)

_text proposed by the Commission_

3a. Risk assessment obligations shall always be strictly necessary and proportionate, and shall never entail a general monitoring obligation, an obligation to seek knowledge about the content of private communications, nor an obligation for providers to seek knowledge of illegal content.

Or. en

Amendment 704
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 4 – subparagraph 1

_text proposed by the Commission_

The provider shall carry out the first risk assessment by [Date of application of this Regulation + 3 months] or, where the provider did not offer the service in the Union by [Date of application of this Regulation], by three months from the date at which the provider started offering the service in the Union.

Amendment

The provider shall carry out the first risk assessment by [Date of application of this Regulation + 6 months] or, where the provider did not offer the service in the Union by [Date of application of this Regulation], by six months from the date at which the provider started offering the service in the Union.

Or. en

Amendment 705
Sven Simon, Christian Doleschal, Niclas Herbst
Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment. However:

(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk assessment at the latest two months before the expiry of the period of application of the detection order;

(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is evidence indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse.

Or. en

Amendment 706
Maria Grapini

Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment. However:

Subsequently, the provider shall update the risk assessment where necessary and at least once every year from the date at which it last carried out or updated the risk assessment. However:

Or. ro
Amendment 707
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 4 – subparagraph 2 – introductory part

Text proposed by the Commission
Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment. However:

Amendment
Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment

Or. en

Amendment 708
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 4 – subparagraph 2 – point a

Text proposed by the Commission
(deleted)
(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk assessment at the latest two months before the expiry of the period of application of the detection order;

Amendment
(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk

Or. en

Amendment 709
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 4 – subparagraph 2 – point a

Text proposed by the Commission
(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk

Amendment
(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk
assessment at the latest two months before the expiry of the period of application of the detection order; assessment at the latest two months after the expiry of the period of application of the detection order;

Or. en

Justification

Only after having implemented the detection order will the provider know the actual state of its risk.

Amendment 710
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 4 – subparagraph 2 – point b

Text proposed by the Commission Amendment

(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is evidence indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse.

Or. en

Amendment 711
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 4 – subparagraph 2 – point b

Text proposed by the Commission Amendment

(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is
evidence indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse.

Amendment 712
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission Amendment

5. The risk assessment shall include an assessment of any potential remaining risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse.

Amendment 713
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission Amendment

5. The risk assessment shall include an assessment of any potential remaining risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse.
Amendment 714
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

Amendment

5. The risk assessment shall include
an assessment of any potential remaining
risk that, after taking the mitigation
measures pursuant to Article 4, the
service is used for the purpose of online
child sexual abuse.

Or. en

Amendment 715
Rob Rooken

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

Amendment

5. The risk assessment shall include
an assessment of any potential remaining
risk that, after taking the mitigation
measures pursuant to Article 4, the
service is used for the purpose of online
child sexual abuse.

Or. en

Amendment 716
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

Amendment

5. The risk assessment shall include

AM\1284108EN.docx

73/200

PE749.189v02-00
an assessment of any potential remaining risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse.

an assessment of any reasonably foreseeable remaining systemic and serious risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse.

Amendment 717
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment

6. The EU Centre in cooperation with European Data Protection Board, the Coordinating Authorities and after having conducted a public consultation, may issue guidelines on carrying out the risk assessment.

Or. en

Amendment 718
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by

Amendment

6. The Commission, in cooperation with Coordinating Authorities, the European Data Protection Board, the Fundamental Rights Agency and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant
those provisions are offered and used.

Amendment 719
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment

6. The Commission, in cooperation with Coordinating Authorities, and the EU Centre, after having consulted the European Data Protection Board and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Or. en

Amendment 720
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the

Amendment

6. The Commission, in cooperation with Coordinating Authorities, European Data Protection Board, Fundamental Rights Agency and the EU Centre and after
application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment 721
Rob Rooken
Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment

6. The Commission, in cooperation with Coordinating Authorities, the European Data Protection Board and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment 722
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Article3a
1. End-to-end encryption is an important tool to guarantee the security, integrity and confidentiality of communications of users, including those of children.

Nothing in this Regulation shall be interpreted as prohibiting providers of relevant information society services from applying end-to-end encryption in their services, or restricting or undermining such end-to-end encryption. Member States shall not impose any obligations on providers of relevant information society services that would result in preventing them from providing end-to-end encrypted services nor shall it permit the use of Client Side Scanning or similar techniques or any other software deployed on users’ terminal equipment for the purposes of detecting and reporting online child sexual abuse.

1a. Member States shall not impose any obligation on encryption providers, on providers of relevant information society services or on any other organisations with regard to any level of the supply chain that would result in the weakening of the security of their networks and services, such as bypassing authentication and accessing encrypted data or creating deliberate weaknesses by providers to allow for access to encrypted data.

2. Nothing in this Regulation shall be understood as undermining the prohibition of general monitoring under EU law.

Or. en

Amendment 723
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel
Proposal for a regulation
Article 4 – title

Text proposed by the Commission

Risk mitigation

Amendment

Risk mitigation and safety by design

Or. en

Amendment 724
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 4 – title

Text proposed by the Commission

Risk mitigation

Amendment

4 Safety-by-design and risk mitigation

Or. en

Amendment 725
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – title

Text proposed by the Commission

Risk mitigation

Specific measures

Or. en

Amendment 726
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation
Article 4 – paragraph -1 (new)

Text proposed by the Commission

Amendment
-1. Providers of hosting services and providers of interpersonal communications services shall have mechanisms in place to allow any individual or entity to notify them of the presence on their service of specific items of information that the individual or entity considers to be online child sexual abuse. This obligation shall not be interpreted as an obligation of general monitoring or generalised data retention.

Such mechanisms shall be easy to access, child-friendly, and shall allow for the submission of notices by electronic means.

[By 6 months after entry into force] the Commission shall adopt a delegated act laying down design requirements for a uniform identifiable notification mechanism as referred to in this Article, including on the design of a uniform, easily recognisable, icon in the user interface.

Providers of hosting services and providers of interpersonal communications services targeting children may implement the design requirements specified in the delegated act referred to in this paragraph.

Or. en

Justification

User reporting is of utmost importance in the fight against online child sexual abuse. By having uniform recognisable reporting mechanism in place across all hosting and interpersonal communication services, we empower both vulnerable users as users who would otherwise ignore the content, to take immediate action. This increases the safety for all users. For hosting and interpersonal communication services directly targeting children, implementation of the design requirements should be obligatory.

Amendment 727
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 1 – introductory part
1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Amendment

1. Providers of hosting services and providers of number-independent interpersonal communications services shall take reasonable mitigation measures, tailored to the systemic risks identified pursuant to Article 3, to minimise that risk. Such measures, where applicable and technically feasible without being detrimental to the technical integrity or operating model of the platform or service, and without being detrimental to the confidentiality of the communications on that service, may include some or all of the following:

Or. en

Amendment 728
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Amendment

1. Providers of hosting services and providers of number-independent interpersonal communications services shall take reasonable mitigation measures, tailored to the significant, systemic, serious risk identified pursuant to Article 3, to minimise that risk. Such targeted measures shall include some or all of the following, where applicable and technically feasible without being detrimental to the technical integrity or operating model of the provider, nor the security, integrity and confidentiality of communications:
Amendment 729
Rob Rooken

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Amendment

1. Providers of hosting services and providers of number independent interpersonal communications services shall take reasonable mitigation measures, tailored to the systemic risks identified pursuant to Article 3, to minimise such risks. Such measures, where applicable and technically feasible without being detrimental to the technical integrity or operating model of the platform or service, and without being detrimental to the confidentiality of the communications on that service, shall include some or all of the following:

Justification

Focus on “systemic” risks. In order for the text to remain future proof, the measures detailed should be recommended rather than imposed on providers.

Amendment 730
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk.

Amendment

1. Providers of hosting services and providers of publicly available number-independent interpersonal communications services that are exposed to substantial amount of child sexual abuse material
Such measures shall include some or all of the following:

shall take *proportionate and effective specific* measures, tailored to the *serious systemic* risk identified pursuant to Article 3. *The decision as to the choice of specific measures shall remain with the hosting service provider.* Such measures shall include some or all of the following:

Or. en

**Justification**

*Choice of measures from Terrorist Content Online Regulation, Article 5(2)*

**Amendment 731**  
Paul Tang, Alex Agius Saliba, Theresa Bielowski

**Proposal for a regulation**  
**Article 4 – paragraph 1 – introductory part**

*Text proposed by the Commission*  
1. Providers of hosting services and providers of interpersonal communications services shall *take* reasonable mitigation measures, tailored to the *risk identified pursuant to Article 3,* to *minimise* that risk. Such measures shall include some or all of the following:

*Amendment*  
1. Providers of hosting services and providers of interpersonal communications services shall *put in place* reasonable, *proportionate and targeted* mitigation measures, tailored to *their services and the serious systemic* risk identified pursuant to Article 3, with the aim of *mitigating* that risk. Such measures *shall never entail a general monitoring obligation or generalised data retention obligation and* shall include some or all of the following:

Or. en

**Amendment 732**  
Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

**Proposal for a regulation**  
**Article 4 – paragraph 1 – introductory part**

*Text proposed by the Commission*  
1. Providers of hosting services and

*Amendment*  
1. Providers of hosting services and
providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Or. en

Amendment 733
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Amendment

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, taking into account the right to private life and personal data protection, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Or. en

Amendment 734
Hilde Vautmans, Abir Al-Sahlani, Maite Pagazaurtundúa, Olivier Chastel, Fabienne Keller, Lucia Ďuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:

Amendment

1. Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to their specific service and the risk identified pursuant to Article 3, to minimise that risk. Such measures
the following: shall include some or all of the following:

Or. en

**Amendment 735**
Lucia Řuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions;

*Amendment*

(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, including the monitoring tools of phrases and indicators on public surfaces, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions, reporting tools that are effective, easily accessible and age appropriate, or the protocols for investigating the reported content and taking appropriate action;

Or. en

**Amendment 736**
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation
Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions;

*Amendment*

(a) testing and adapting, through state of the art appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions, including the speed and quality of
processing notices and reports related to online child sexual abuse and, where appropriate, the expeditious removal of the content notified;

<table>
<thead>
<tr>
<th>Amendment 737</th>
<th>Cornelia Ernst, Clare Daly</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proposal for a regulation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Article 4 – paragraph 1 – point a</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Text proposed by the Commission</strong></td>
<td><strong>Amendment</strong></td>
</tr>
<tr>
<td>(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions;</td>
<td>(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or enforcement of its terms and conditions;</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amendment 738</th>
<th>Patrick Breyer on behalf of the Verts/ALE Group</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proposal for a regulation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Article 4 – paragraph 1 – point a</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Text proposed by the Commission</strong></td>
<td><strong>Amendment</strong></td>
</tr>
<tr>
<td>(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions;</td>
<td>(a) adapting, through appropriate technical and operational measures and staffing, the provider’s content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, <strong>in order to expeditiously remove or disable access to child sexual abuse material,</strong></td>
</tr>
</tbody>
</table>

Or. en
Amendment 739  
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation  
Article 4 – paragraph 1 – point a a (new)

Text proposed by the Commission

(aa) adapting the design, features and functions of their services in order to ensure a high level of privacy, data protection, safety, and security by design and by default, including some or all of the following:

(a) limiting users, by default, to establish direct contact with other users, in particular through private communications;

(b) limiting users, by default, to directly share images or videos on services;

(c) limiting users, by default, to directly share personal contact details with other users, such as phone numbers, home addresses and e-mail addresses, via rules-based matching;

(d) limiting users, by default, to create screenshots or recordings within the service;

(e) limiting users, by default, to directly reforward images and videos to other users where no consent has been given;

(f) allowing parents of a child or a legal representative of a child to make use of meaningful parental controls tools, which protect the confidentiality of communications of the child;

(g) encouraging children, prior to registering for the service, to talk to their parents about how the service works and what parental controls tools are available.

Services taking the measures outlined in this point may allow users to revert such measures on an individual level.
Amendment 740
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 4 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) adapting the design, features and functions of their service in order to ensure the highest level of privacy, safety and security by design and by default, in particular, to protect children;

Or. en

Amendment 741
Hilde Vautmans, Olivier Chastel, Fabienne Keller, Maite Pagazaurtundúa, Abir Al-Sahlani, Lucia Ďuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 4 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) Designing educational and awareness-raising campaigns aimed at informing and alerting users about the risks of online child sexual abuse, including child-appropriate information;

Or. en

Amendment 742
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durà Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 4 – paragraph 1 – point a a (new)
Text proposed by the Commission

(aa) Designing educational and awareness-raising campaigns aimed at informing and alerting users about the risks of online child sexual abuse, including child-appropriate information;

Or. en

Amendment 743
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a a (new)

Text proposed by the Commission

(aa) providing easily accessible and user-friendly mechanisms for users to report or flag to the provider alleged online child sexual abuse;

Or. en

Justification

From Terrorist Content Online Regulation, Art. 5(2)(b)

Amendment 744
Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 4 – paragraph 1 – point a a (new)

Text proposed by the Commission

(aa) providing security by design, as a way to ensuring services that are safe and secure, especially for children;

Or. en
Amendment 745
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a b (new)

Text proposed by the Commission

(ab) providing technical measures and tools that allow users to manage their own privacy, visibility, reachability and safety, and that are set to the most private and secure levels by default;

Or. en

Justification

EDPS-EDPB opinion para 118

Amendment 746
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 4 – paragraph 1 – point a b (new)

Text proposed by the Commission

(ab) employing appropriate age measurements - such as parental control tools, to prevent underage access and exposure to inappropriate content or services;

Or. en

Amendment 747
Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 4 – paragraph 1 – point a b (new)

Text proposed by the Commission


(ab) providing several reporting functions within their services, so that users of the services can report and flag content and material;

Amendment 748
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a c (new)

Text proposed by the Commission

Amendment

(ac) ask for user confirmation before allowing an unknown user to communicate and before displaying their communications;

Amendment 749
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a d (new)

Text proposed by the Commission

Amendment

(ad) optionally or by default ask for user confirmation and offer guidance before displaying or sharing certain content such as nudity where the provider ensures that no indication of the process and the content leaves the user’s device and the user is reassured of this;

Amendment 750
Proposal for a regulation
Article 4 – paragraph 1 – point a e (new)

Text proposed by the Commission

Amendment

(ae) providing tools in a prominent way on their platform that allow users to seek help from their local help-line;

Or. en

Amendment 751
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a f (new)

Text proposed by the Commission

Amendment

(af) informing and reminding users and non-users, such as parents, at point of need on what constitutes online child sexual abuse and what is typical offender behaviour; offering advice on safe behaviour and the consequences of illegal behaviour in a visible, easy to find and easy to understand way;

Or. en

Amendment 752
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a g (new)

Text proposed by the Commission

Amendment

(ag) informing users and non-users about external resources and services in
the user’s region on preventing child sexual abuse, counselling by helplines, victim support and educational resources by hotlines and child protection organisation;

Amendment 753
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a h (new)

Text proposed by the Commission

Amendment

(ah) human moderation of publicly accessible chats, based on random checks, and human moderation of publicly accessible, specific channels at high risk of online child sexual abuse;

Amendment 754
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a i (new)

Text proposed by the Commission

Amendment

(ai) providing readily accessible mechanisms for users to block or mute other users;

Amendment 755
Patrick Breyer
on behalf of the Verts/ALE Group
Proposal for a regulation
Article 4 – paragraph 1 – point a j (new)

Text proposed by the Commission

Amendment

(aj) displaying warnings and advice to users at risk of offending or victimisation where the provider ensures that no indication of the process and the content leaves the user's device and the user is reassured of this;

Or. en

Amendment 756
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a k (new)

Text proposed by the Commission

Amendment

(ak) informing parents on the nature of the service and the functionalities offered as well as on how to report or flag to the provider alleged online child sexual abuse;

Or. en

Amendment 757
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point a l (new)

Text proposed by the Commission

Amendment

(al) any other mechanisms to increase the awareness of online child sexual abuse on its services;
Amendment 758
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 4 – paragraph 1 – point b

Text proposed by the Commission
(b) reinforcing the provider’s internal processes or the internal supervision of the functioning of the service;

Amendment
(b) reinforcing the provider’s internal processes or the internal supervision of the functioning of the service, user testing and feedback collection;

Amendment 759
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission
(ba) Implementing and constantly innovating functionalities and protocols to prevent and reduce the risk of online child sexual abuse, and regularly assessing their effectiveness in light of the latest technological developments and trends in the dissemination and monetization of child sexual abuse material;

Amendment 760
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 4 – paragraph 1 – point b b (new)
(bb) the use of specific technologies on a voluntary basis for the sole purpose of preventing and detecting online child sexual abuse in accordance with Article 4a

Amendment 761
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 1 – point c

(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of interpersonal communication services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 19 of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC].

(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of number-independent interpersonal communication services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 19 of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC].

Amendment 762
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – point c
(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of interpersonal communication services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 19 of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] .

Amendment 763
Paul Tang, Alex Agius Saliba, Birgit Sippel, Theresa Bielowski

Proposal for a regulation
Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of number-independent interpersonal communication services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 19 of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] .

Amendment 764
Alessandra Mussolini

Proposal for a regulation
Article 4 – paragraph 1 – point c – point 1 (new)
Text proposed by the Commission

1) introducing a clear and easily-identifiable icon for the immediate and efficacious reporting of content deemed inappropriate under Article 1 of this Regulation.

Or. it

Amendment 765
Annalisa Tardino

Proposal for a regulation
Article 4 – paragraph 1 – point c a (new)

Text proposed by the Commission

(ca) Setting up specific prevention measures to highlight risks related to the use of their service. Such communication shall be targeted to both minor users through child friendly means and parents.

Or. en

Amendment 766
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 4 – paragraph 1 – point c a (new)

Text proposed by the Commission

(ca) enabling users to flag or notify online child sexual abuse to the provider through tools that are easily accessible and age-appropriate, including already anonymous reporting channels;

Or. en

Amendment 767
Paul Tang, Alex Agius Saliba, Birgit Sippel, Theresa Bielowski

Proposal for a regulation
Article 4 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) reinforcing awareness-raising measures and adapting their online interface for increased user information, including child-appropriate information targeted to the risk identified;

Or. en

Amendment 768
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) adapting the design, features and functions of their services in order to ensure a high level of privacy, safety, and security and data protection by design and by default

Or. en

Amendment 769
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Hélène Fritzon, Estrella Durá Ferrandis, Evin İncir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 4 – paragraph 1 – point c a (new)
(ca) processing metadata, in accordance with Article 4a

Amendment 770
Annalisa Tardino
Proposal for a regulation
Article 4 – paragraph 1 – point c b (new)

Text proposed by the Commission
Amendment

(cb) setting up specific reporting mechanism, child friendly and easily accessible. Such tools should be visible and easily accessible by the user from the direct communication webpage.

Amendment 771
Vincenzo Sofo, Jadwiga Wiśniewska
Proposal for a regulation
Article 4 – paragraph 1 – point c b (new)

Text proposed by the Commission
Amendment

(cb) enabling safe self-reporting capabilities for children, their parents or legal guardians.

Amendment 772
Paul Tang, Alex Agius Saliba, Birgit Sippel, Theresa Bielowski
Proposal for a regulation
Article 4 – paragraph 1 – point c b (new)

Text proposed by the Commission
Amendment
(cb) including clearly visible and identifiable information on the minimum age for using the service;

Or. en

Amendment 773
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation
Article 4 – paragraph 1 – point c c (new)

Text proposed by the Commission

Amendment

(cc) initiating targeted measures to protect the rights of the child and tools aimed at helping users to indicate child sexual abuse material and helping children to signal abuse or obtain support;

Or. en

Amendment 774
Annalisa Tardino

Proposal for a regulation
Article 4 – paragraph 1 – point c c (new)

Text proposed by the Commission

Amendment

(cc) Setting up mechanisms to raise awareness among adult users to warn about potential violations of this Regulation.

Or. en

Amendment 775
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Lucia Žuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 4 – paragraph 1 a (new)

Text proposed by the Commission

1a. Providers of hosting services and providers of interpersonal communications services shall continue the voluntary use of specific technologies, as mitigation measures, for the processing of personal and other data to the extent strictly necessary to detect, report and remove online child sexual abuse on their services and to mitigate the risk of misuse of their services for the purpose of online child sexual abuse, including for the purpose of the solicitation of children, pursuant to the risk assessment conducted or updated in accordance with Article 3 and prior authorization from the Coordinating Authority;

Amendment 776
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Helène Fritzon, Estrella Durá Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 4 – paragraph 1 a (new)

Text proposed by the Commission

1a. Providers of hosting services and providers of interpersonal communications services shall continue the voluntary use of specific technologies, as mitigation measures, for the processing of personal and other data to the extent strictly necessary to detect, report and remove online child sexual abuse on their services and to mitigate the risk of misuse of their services for the purpose of online child sexual abuse, including for the purpose of the solicitation of children, pursuant to the risk assessment conducted or updated in accordance with Article 3
and prior authorization from the Coordinating Authority;

Amendment 777
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation
Article 4 – paragraph 1 a (new)

Text proposed by the Commission

1a. Providers of hosting services and providers of interpersonal communications services directly targeting children shall implement the design requirements as specified in the delegated act referred to in paragraph -1 and shall take all mitigation measures as outlined in paragraph 1, point (aa), of this Article to minimise this risk.

Such services shall allow users to revert mitigation measures on an individual level.

Amendment

1a. Risk mitigation obligations shall always be strictly necessary and proportionate, and shall never entail a general monitoring obligation, an obligation to seek knowledge about the content of private communications, contrary to Article 5 of the ePrivacy Directive, nor an obligation for providers
to seek knowledge of illegal content.

Amendment 779
Hilde Vautmans, Olivier Chastel, Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Coordinating Authority shall decide whether to proceed according to paragraph 1a no later than three months from the provider’s request.

Amendment 780
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durá Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Coordinating Authority shall decide whether to proceed according to paragraph 1a no later than three months from the provider’s request.

Amendment 781
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 2 – introductory part
Text proposed by the Commission

2. The mitigation measures shall be:

Amendment

Text proposed by the Commission

2. The specific measures shall meet all of the following requirements:

Or. en

Amendment 782
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) effective in mitigating the identified risk;

Amendment

Text proposed by the Commission

(a) they shall be effective and proportionate in mitigating the identified serious risk;

Or. en

Amendment 783
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) effective in mitigating the identified risk;

Amendment

Text proposed by the Commission

(a) effective in mitigating the identified significant, systemic, and serious risk;

Or. en

Amendment 784
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) effective in mitigating the identified risk;

Amendment

(a) effective in mitigating the identified serious systemic risk;

Or. en

Amendment 785
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as the provider’s financial and technological capabilities and the number of users;

Amendment

(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk, ensuring that the interference with the fundamental right to privacy and the other rights laid down in the Charter is limited to what is strictly necessary as well as the provider’s financial and technological capabilities and the number of users

Or. en

Amendment 786
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as

Amendment

(b) targeted and proportionate in relation to that risk
well as the provider’s financial and technological capabilities and the number of users;

Amendment 787
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as the provider’s financial and technological capabilities and the number of users;

Amendment

(b) they shall be targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk, any impact on the functionality of the service as well as the provider’s financial strength, and technical and operational capabilities, the number of users, and the amount of content they provide;

Amendment 788
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as the provider’s financial and technological capabilities and the number of users;

Amendment

(b) targeted and proportionate in relation to that serious systemic risk, taking into account, in particular, the seriousness of the risk as well as the provider’s financial and technological limitations and the number of users;
Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission
(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as the provider’s financial and technological capabilities and the number of users;

Amendment
(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as financial capabilities and the number of users;

Or. ro

Proposal for a regulation
Article 4 – paragraph 2 – point c

Text proposed by the Commission
(c) applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

Amendment
(c) applied in a diligent and non-discriminatory manner, with full assessment, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected and in particular of the rights to privacy, data protection and freedom of expression, and for the protection of the integrity and security of platforms and services, including those that are end-to-end encrypted;

Or. en

Proposal for a regulation
Article 4 – paragraph 2 – point c
(c) applied in a diligent and non-discriminatory manner, **having due regard**, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

(c) applied in a diligent and non-discriminatory manner, **with full assessment**, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected **and in particular, that they respect rights to privacy, data protection and freedom of expression and protect the integrity and security of platforms and services, including those that are end-to-end encrypted**;

Or. en

**Amendment 792**
Paul Tang, Alex Agius Saliba

Proposal for a regulation  
**Article 4 – paragraph 2 – point c**

(c) applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

(c) applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected, **in particular the rights to privacy, protection of data and freedom of expression**.

Or. en

**Amendment 793**
René Repasi, Tiemo Wölken  
on behalf of the S&D Group
Petar Vitanov  
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 2 – point c

Text proposed by the Commission

(c) applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

Amendment

(c) applied in a diligent and non-discriminatory manner, having due regard with full respect, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

Or. en

Amendment 794
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 2 – point c

Text proposed by the Commission

(c) applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

Amendment

(c) they shall be applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;

Or. en

Amendment 795
Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 4 – paragraph 2 – point c a (new)

Text proposed by the Commission

(ca) done in a way that does not compromise end-to-end encryption;

Amendment

Or. en
Proposal for a regulation
Article 4 – paragraph 2 – point d

Amendment 796
Cornelia Ernst, Clare Daly

Text proposed by the Commission
(d) introduced, reviewed, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), within three months from the date referred to therein.

Amendment
(d) introduced, reviewed, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), as soon as possible and in any case within six months from the date referred to therein.

Or. en

Amendment 797
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 2 – point d

Text proposed by the Commission
(d) introduced, reviewed, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), within three months from the date referred to therein.

Amendment
(d) they shall be introduced, reviewed, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), within three months from the date referred to therein.

Or. en

Amendment 798
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 2 – point d a (new)

Text proposed by the Commission
(da) they shall respect the principles of
data protection by design and by default, as well as of data minimisation.

Amendment 799
Lucia Ŏuriš Nicholsonová

Proposal for a regulation
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. If the risk assessment conducted or updated in accordance with Article 3 identifies that there is a risk of use of the service being used to disseminate, store or make available verified child sexual abuse material, reasonable mitigation measures may include voluntary measures to detect and remove such material in accordance with Article 4, (a).

Or. en

Amendment 800
Patrick Breyer
on behalf of the Verts/ALE Group
Rob Rooken, Paul Tang, Karen Melchior, Cristian Terheş

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation
measures.

Justification

There is no need for interpersonal communications services to verify the user's age because all specific (mitigation) measures can and should be applied to all users. Age verification and the needed to present an ID or a face means a user cannot trust to be anonymous when setting up e-mail or messenger accounts or chatting anonymously, making them identifiable and risking data leaks. This inhibits e.g. anonymous media communications with sources who risk prosecution (e.g. whistleblowers). Also age verification would collect children’s personal data and expose them to likely leaks and abuse, including for child grooming. Only last year, personal data of 500 mio. Facebook users was exposed online.

Amendment 801
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment 802
Charlie Weimers, Cristian Terheş, Rob Rooken

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

Or. en
3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Justification

The Commission's proposed text would lead to age limits for messaging apps. Age verification would make anonymous communication for law-abiding citizens impossible.

Amendment 803
René Repasi, Tiemo Wölken on behalf of the S&D Group
Petar Vitanov on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Or. en
Amendment 804
Hilde Vautmans, Olivier Chastel, Maïte Pagazaurtundúa, Abir Al-Sahlani, Fabienne Keller, Lucia Ŏuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary and proportionate age verification and age assessment measures to reliably differentiate between child users and adult users on their services, enabling them to take the mitigation measures and protect child users.

Age assurance or age verification systems as mitigation measure shall be implemented only if they meet the criteria set in Article 3, paragraph 2a of this Regulation.

Or. en

Amendment 805
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Ìstúriz White, Milan Brglez, Heléne Fritzon, Estrella Durá Ferrandis, Evin Incir, Paul Tang, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children,

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children,
shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

shall take the necessary age verification and age assessment measures to reliably differentiate between child and adult users on their services, enabling them to take the mitigation measures. Age assurances or age verification systems as mitigation measures shall be implemented only if they meet the criteria set in Article 3, paragraph 2a of this Regulation.

Or. en

Amendment 806
Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures and to put in place effective measures to block the access of children to websites that fall under an age-restriction applicable under national law.

Or. en

Amendment 807
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Michal Šimečka, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 4 – paragraph 3
Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take reasonable and proportionate mitigation measures.

Or. en

Amendment 808
Fabienne Keller

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age assurance and age assessment measures to reliably differentiate between child users and adult users on their services, enabling them to take the mitigation measures and protect child users.

Or. en

Amendment 809
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 4 – paragraph 3
3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary safety-by-design measures, including those mentioned in Article 4 paragraph 1 a.

Amendment 810
Rob Rooken

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Providers of interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.

Amendment

3. Providers of number independent interpersonal communications services that have identified, pursuant to the risk assessment conducted or updated in accordance with Article 3, a systemic risk of use of their services for the purpose of the solicitation of children, may take proportionnate measures to identify child users on their services or to give the child user the opportunity to consensually identify themselves.

Amendment 811
Patrick Breyer on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 3 a (new)
Text proposed by the Commission

Amendment

3a. Any requirement to take specific measures shall be without prejudice to Article 8 of Regulation (EU) 2022/2065 [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] and shall entail neither a general obligation for hosting services providers to monitor the information which they transmit or store, nor a general obligation actively to seek facts or circumstances indicating illegal activity. Any requirement to take specific measures shall not include an obligation to use ex-ante control measures based on automated tools or upload-filtering of information, to interfere with the secrecy of communications or to restrict the possibility to use a service anonymously.

Or. en

Amendment 812
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Risk mitigation measures shall always be strictly necessary and proportionate, and shall never entail a general monitoring obligation, an obligation to seek knowledge about the content of private communications, contrary to Article 5 of the ePrivacy Directive, nor an obligation for providers to seek knowledge of illegal content.

Or. en

Amendment 813
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Nothing in this regulation shall be construed as prohibiting, restricting, circumventing or undermining the provision or the use of encrypted services.

Or. en

Amendment 814
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. Providers of hosting services and providers of interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.

Or. en

Amendment 815
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. Where appropriate, providers of hosting services and providers of number-
services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.

**independent** interpersonal communications services shall clearly describe in their terms of service the mitigation measures that they have taken. That description shall not include information that is likely to reduce the effectiveness of the mitigation measures.

---

**Amendment 816**  
René Repasi, Tiemo Wölken  
on behalf of the S&D Group  
Petar Vitanov  
on behalf of the Committee on Civil Liberties, Justice and Home Affairs  
Birgit Sippel

**Proposal for a regulation**  
**Article 4 – paragraph 4**

**Text proposed by the Commission**

4. Providers of hosting services and providers of interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.

**Amendment**

4. Providers of hosting services and providers of **number-independent** interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.

---

**Amendment 817**  
Rob Rooken

**Proposal for a regulation**  
**Article 4 – paragraph 4**

**Text proposed by the Commission**

4. Providers of hosting services and providers of interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.

**Amendment**

4. Providers of hosting services and providers of **number independent** interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.
measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.

Amendment 818
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

Amendment

5. The Commission, in cooperation with Coordinating Authorities, European Data Protection Board, Fundamental Rights Agency and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

The European Data Protection Board shall also issue guidelines regarding the compliance with the General Data Protection Regulation of existing and future technologies that are used for the detection of child sexual abuse material in encrypted and non-encrypted environments. Data Protection authorities shall be in charge of the supervision of the application of those guidelines. With respect to any specific technology used for the purpose set out in Article 7, a mandatory prior data protection impact assessment as referred to in Article 35 of Regulation (EU) 2016/679 and a mandatory prior consultation procedure
as referred to in Article 36 of that Regulation must be conducted. The competent authorities shall assess any technologies in use or that shall be used to detect child sexual abuse material in light of Regulation (EU) 2016/679 and Directive 2002/58/EC.

The European Commission, along with the European Data Protection Board, Fundamental Rights Agency shall issue guidelines on how providers may implement age verification and age assessment measures with full respect for the Charter of Fundamental Rights and the General Data Protection Regulation.

Or. en

Amendment 819
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

Amendment

5. The Commission, in cooperation with Coordinating Authorities, the EU Centre, the European Data Protection Board and the Fundamental Rights Agency, and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

The European Commission, along with the European Data Protection Board and the Fundamental Rights Agency shall issue guidelines on how providers may implement age verification and age assessment measures, in particular based on selective disclosure of attributes, with full respect for the Charter of Fundamental Rights and Regulation (EU)
Amendment 820
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

Amendment

5. The EU Centre in cooperation with the Coordinating Authorities and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4.

Or. en

Amendment 821
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

Amendment

5. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 and 2, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.

Or. en
Amendment 822
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 5 a (new)

Text proposed by the Commission

5a. The European Data Protection Board (EDPB) shall issue guidelines regarding the compliance with the General Data Protection Regulation of existing and future technologies that are used for the detection of child sexual abuse material in encrypted and non-encrypted environments. Data Protection Authorities shall be in charge of the supervision of the application of the EDPB guidelines and they shall assess any technologies currently used or that will be used to scan the content of communications with the aim of detecting CSAM or any other type of content in light of the Regulation (EU) 2016/679 (General Data Protection Regulation) and the Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications).

Or. en

Amendment 823
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 4 – paragraph 5 a (new)

Text proposed by the Commission

5a. Prior to the deployment of any specific technology pursuant to this
Article, a mandatory prior data protection impact assessment as referred to in Article 35 of Regulation (EU) 2016/679 and a mandatory prior consultation procedure as referred to in Article 36 of that Regulation must be conducted.

Or. en

Amendment 824
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 4 – paragraph 5 b (new)

Text proposed by the Commission

Amendment

5b. Where the mitigating measures by a provider in accordance with Paragraph 1 prove to be ineffective or insufficient, the Coordinating Authority shall have the power to order the provider to comply with this Article, including by ordering the provider to take specific mitigating measures in accordance with this Article.

Or. en

Amendment 825
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article4a

Additional requirements for voluntary detection and removal of verified child sexual abuse material

1. Providers of hosting services and providers of interpersonal communications services who take measures under Article 4(2) to voluntary
detect and remove child sexual abuse material shall:

a) do so in compliance with Regulation (EU) 2016/679 (General Data Protection Regulation) and applicable national law concerning the processing of personal data relating to criminal offences or alleged criminal offences;

b) ensure that the processing of personal data is limited to what is strictly necessary for the purpose of prevention, detection and reporting of child sexual abuse online and removal of child sexual abuse material and, unless child sexual abuse online has been detected and confirmed as such, is erased immediately;

c) implement internal procedures to ensure that new child sexual abuse material, or solicitation of children, is not reported to relevant authorities without prior human confirmation;

d) consider any such processing of content or traffic data commenced after the date of this Regulation shall be considered high risk to the rights and freedoms of natural persons for the purposes of Articles 35 and 36 of Regulation (EU) 2016/679 and complete a prior data protection impact assessment and consult with their relevant supervisory authority.

2. The provider has identified evidence of a significant risk of the service being used for the purposes of online child sexual abuse in the risk assessment conducted or updated in accordance with Article 3, and that is likely, despite any mitigation measures that the provider may have taken or will take, that the service is used, to an appreciable extent for the dissemination of child sexual abuse material.

3. The provider has implemented additional and appropriate technological and operational controls, safeguards and measures aimed at detecting online child
sexual abuse and usage of technologies in accordance with Article 10 and with regard to the principle of data protection by design and by default laid down in Article 25 of Regulation (EU) 2016/679.

4. The provider shall draft and submit to the Coordinating Authority and the EU Centre an implementation plan setting out the measures it envisages taking to voluntarily detect child sexual abuse material, including detailed information regarding the envisaged technologies and safeguards and where applicable, attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.

5. The provider shall annually publish and submit to the competent supervisory authority and to the Commission a report on the processing of personal data under this Regulation, including on the type and volumes of data processed, number of cases identified, measures applied to select and improve key indicators, effectiveness of the different technologies deployed, the retention policy and the data protection safeguards applied.

Or. en

Justification

This proposed amendment should be considered as a preliminary version intended to initiate a thorough and thoughtful discussion how to include, but also improve voluntary detection and allow providers to continue with their voluntary efforts.

Amendment 826
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durá Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 4 a (new)
Article 4a

Legal basis for the risk mitigation through metadata processing

1. On the basis of the risk assessment submitted and, where applicable, further information, the Coordinating Authority of establishment shall have the power to authorise or require a provider of hosting services or a provider of interpersonal communications services to process metadata to the extent strictly necessary and proportionate to mitigate the risk of misuse of their services for the purpose of online child sexual abuse, as a mitigation measure in accordance with Article 4.

When assessing whether to request the processing of metadata, the Coordinating Authority shall take into account any interference with the rights to privacy and data protection of the users of the service that such a processing entails and determine whether, in that case, the processing of metadata would be effective in mitigating the risk of use of the service for the purpose of child sexual abuse, and that it is strictly necessary and proportionate.

2. If they process metadata as a risk mitigation measure, providers shall inform their users of such processing in their terms and conditions, including information on the possibility to submit complaints to the competent DPA concerning the relevant processing, in accordance with Regulation (EU) 2016/679, and on the avenues for judicial redress.

Or. en

Amendment 827
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a

Specific measures for platforms primarily used for the dissemination of pornographic content

Where an online platform is primarily used for the dissemination of user generated pornographic content, the platform shall take the necessary technical and organisational measures to ensure

a. user-friendly reporting mechanisms to report alleged child sexual abuse material;

b. adequate professional human content moderation to rapidly process notices of alleged child sexual abuse material;

c. automatic mechanisms and interface design elements to inform users about external resources in the user’s region on preventing child sexual abuse, counselling by specialist helplines, victim support and educational resources by hotlines and child protection organisations;

d. automatic detection of searches for child sexual abuse material, warning and advice alerts displayed to users doing such searches, and flagging of the search and the user for human moderation;

Or. en

Amendment 828
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 b (new)

Text proposed by the Commission

Amendment

Article 4b
Specific measures for number-independent interpersonal communications service within games

Providers of online games that operate number-independent interpersonal communications service within their games, and which are exposed to a substantial amount of online child sexual abuse, shall take all of the following specific measures in addition to the requirements referred to Article 4:

1. prevent users from initiating unsolicited contact with other users;
2. facilitate user-friendly reporting of alleged child sexual abuse material;
3. provide technical measures and tools that allow users to manage their own privacy, visibility, reachability and safety and that are set to the most private and secure levels by default;
4. provide tools in a prominent way on their platform that allow users and potential victims to seek help from their local help-line.

Or. en

Amendment 829
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 5

Text proposed by the Commission

Amendment

Article 5 deleted

Risk reporting

1. Providers of hosting services and providers of interpersonal
communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

(a) the process and the results of the risk assessment conducted or updated pursuant to Article 3, including the assessment of any potential remaining risk referred to in Article 3(5);

(b) any mitigation measures taken pursuant to Article 4.

2. Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been carried out or updated and the mitigation measures have been taken in accordance with the requirements of Articles 3 and 4.

3. Where necessary for that assessment, that Coordinating Authority may require further information from the provider, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than two weeks.

The time period referred to in the first subparagraph shall be suspended until that additional information is provided.

4. Without prejudice to Articles 7 and 27 to 29, where the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall require the provider to re-conduct or update the risk assessment or to introduce, review, discontinue or expand, as applicable, the mitigation measures, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than one month.

5. Providers shall, when transmitting the report to the Coordinating Authority of
establishment in accordance with paragraph 1, transmit the report also to the EU Centre.

6. Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the assessment referred to in Article 6(2). Where necessary, they may remove confidential information from the reports.

Amendment 830
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – title

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk reporting</td>
<td>Risk reporting and oversight</td>
</tr>
</tbody>
</table>

Amendment 831
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Providers of hosting services and providers of interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:</td>
<td>1. Providers of hosting services and providers of number-independent interpersonal communications services to which Article 3 applies shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:</td>
</tr>
</tbody>
</table>
Amendment 832
Rob Rooken

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

Amendment

1. Providers of hosting services and providers of number independent interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

Or. en

Amendment 833
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

Amendment

1. Providers of hosting services and providers of number-independent interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

Or. en

Amendment 834
Maria Grapini
Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services and providers of interpersonal communications services shall transmit, by **three months** from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

Amendment

1. Providers of hosting services and providers of interpersonal communications services shall transmit, by **one month** from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:

Or. ro

Amendment 835
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) the process and the results of the risk assessment conducted or updated pursuant to Article 3, **including the assessment of any potential remaining risk referred to in Article 3(5);**

Amendment

(a) the process and the results of the risk assessment conducted or updated pursuant to Article 3;

Or. en

Amendment 836
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) the process and the results of the risk assessment conducted or updated

Amendment

(a) the process and the results of the risk assessment conducted or updated
pursuant to Article 3, *including the assessment of any potential remaining risk referred to in Article 3(5)*;

**Amendment 837**
*Patrick Breyer on behalf of the Verts/ALE Group*

**Proposal for a regulation**
**Article 5 – paragraph 1 – point a**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) <em>the process and</em> the results of the risk assessment conducted or updated pursuant to Article 3, including the assessment of any <em>potential</em> remaining risk referred to in Article 3(5);</td>
<td>(a) the results of the risk assessment conducted or updated pursuant to Article 3, including the assessment of any <em>reasonably foreseeable</em> remaining <em>systemic serious</em> risk referred to in Article 3(5);</td>
</tr>
</tbody>
</table>

**Amendment 838**
*Hilde Vautmans, Maite Pagazaurtundúa, Olivier Chastel, Fabienne Keller, Lucia Řuriš Nicholsonová, Nathalie Loiseau*

**Proposal for a regulation**
**Article 5 – paragraph 1 – point b**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) any mitigation measures taken pursuant to Article 4.</td>
<td>(b) any mitigation measures taken <em>and those that require prior authorization</em> pursuant to Article 4.</td>
</tr>
</tbody>
</table>

**Justification**

*Art. 4 par. 1a*

**Amendment 839**
**Proposal for a regulation**

**Article 5 – paragraph 1 – point b**

Text proposed by the Commission

(b) any **mitigation** measures taken pursuant to **Article 4**.

**Amendment**

(b) any **specific** measures taken pursuant to **Articles 4, 4a and 4b**.

**Or. en**

---

**Amendment 840**

Patrick Breyer

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 5 – paragraph 2**

Text proposed by the Commission

2. Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been carried out or updated and the **mitigation** measures have been taken in accordance with the requirements of Articles 3 and 4.

**Amendment**

2. Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been carried out or updated and the **specific** measures and **implementation plans** have been taken in accordance with the requirements of Articles 3 and 4.

**Or. en**

---

**Amendment 841**

Maria Grapini

**Proposal for a regulation**

**Article 5 – paragraph 2**

Text proposed by the Commission

2. Within **three months** after receiving the report, the Coordinating Authority of

**Amendment**

2. Within **one month** after receiving the report, the Coordinating Authority of

PE749.189v02-00 136/200 AM\1284108EN.docx
Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been carried out or updated and the mitigation measures have been taken in accordance with the requirements of Articles 3 and 4.

Amendment 842
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 3 – subparagraph 1

 Text proposed by the Commission
Where necessary for that assessment, that Coordinating Authority may require further information from the provider, **within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than two weeks.**

Amendment
Where necessary for that assessment, that Coordinating Authority may require further information from the provider, **to be provided without undue delay,**

Or. en

Amendment 843
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 3 – subparagraph 2

 Text proposed by the Commission
The time period referred to in the first subparagraph shall be suspended until that additional information is provided.

Amendment
**deleted**

Or. en
Amendment 844
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. Without prejudice to Articles 7 and 27 to 29, where the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall require the provider to re-conduct or update the risk assessment or to introduce, review, discontinue or expand, as applicable, the mitigation measures, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than one month.

Amendment

4. Without prejudice to Articles 7 and 27 to 29, where the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall require the provider to make specific updates to the risk assessment or to take the necessary measures so as to ensure that Articles 3 and 4 are complied with, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than one month. The provider may choose the type of specific measures to take.

Or. en

Justification

To align with Terrorist Content Online Regulation, the choice of measures shall be with the provider.

Amendment 845
Lucia Řuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 5 – paragraph 4 – point a (new)

Text proposed by the Commission

(a) Where the Coordinating Authority considers that the mitigation measures taken do not comply with Article 4, it shall address a decision to the provider requiring it to take the necessary measures so as to ensure that Article 4 is complied with.

Amendment

(a) Where the Coordinating Authority considers that the mitigation measures taken do not comply with Article 4, it shall address a decision to the provider requiring it to take the necessary measures so as to ensure that Article 4 is complied with.

Or. en
Amendment 846
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The provider may, at any time, request the competent Coordinating authority to review and, where appropriate, amend or revoke a decision as referred to in paragraph 4. The authority shall, within three months of receipt of the request, adopt a reasoned decision on the request based on objective factors and notify the provider of that decision.

Amendment 847
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

Amendment

6. Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the assessment referred to in Article 6(2). Where necessary, they may remove confidential information from the reports.
Amendment 848
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

6. Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the assessment referred to in Article 6(2). Where necessary, they may remove confidential information from the reports.

Text proposed by the Commission

Amendment

Or. en

Amendment 849
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

6. Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the assessment referred to in Article 6(2). Where necessary, they may remove confidential information from the reports.

Text proposed by the Commission

Amendment

Or. en

Amendment 850
Maria Grapini

Proposal for a regulation
Article 5 – paragraph 6 – subparagraph 1 (new)

Text proposed by the Commission

Amendment
Service providers, the EU Centre and all European and national authorities managing the personal data of children or adults are required to comply with the GDPR.

Amendment 851
Charlie Weimers, Cristian Terheş, Rob Rooken

Proposal for a regulation
Article 6

Text proposed by the Commission  Amendment

Article 6 deleted

Obligations for software application stores

1. Providers of software application stores shall:

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated
3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Justification

The Commission's proposed text would lead to age limits for messaging apps. Age verification would make anonymous communication for law-abiding citizens impossible.

Amendment 852
Patrick Breyer
on behalf of the Verts/ALE Group
Rob Rooken, Paul Tang, Karen Melchior, Cristian Terheş

Proposal for a regulation
Article 6

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 6 deleted</td>
<td></td>
</tr>
</tbody>
</table>

Obligations for software application stores

1. Providers of software application stores shall:

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each
service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.

3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Or. en

Justification

The proposed Article conflicts with the Digital Services Act and would mean that adolescents under 18 would no longer be able to use commonplace apps with communications functions
including Messenger, social media, games or video conferencing apps - not even to keep in touch with their parents. Also age verification would collect children’s personal data and expose them to likely leaks and abuse, increasing the risk of child grooming. Only last year, personal data of 500 mio. Facebook users was exposed online.

Amendment 853
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 6

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 6 deleted</td>
<td></td>
</tr>
</tbody>
</table>

Obligations for software application stores

1. Providers of software application stores shall:

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.

3. Providers of software application stores shall make publicly available information
describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Justification

app stores are
not best placed to comply with
these obligations due to their
technical and legal constraints

Amendment 854
Cristian Terheş

Proposal for a regulation
Article 6

Text proposed by the Commission

Amendment

Article 6 deleted

Obligations for software application stores

1. Providers of software application stores shall:

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software
applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.

3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment 855
Cornelia Ernst, Clare Daly
Proposal for a regulation

Article 6

Text proposed by the Commission

Amendment

Article 6 deleted

Obligations for software application stores

1. Providers of software application stores shall:

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.

3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a
public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment 856
Rob Rooken

Proposal for a regulation
Article 6

Text proposed by the Commission

Amendment

Article 6 deleted

Obligations for software application stores

1. Providers of software application stores shall:

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information,
including the results of the risk assessment conducted or updated pursuant to Article 3.

3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Justification

These provisions are in contradiction to the Digital Services Act.

Amendment 857
René Repasi, Tiemo Wölken on behalf of the S&D Group
Petar Vitanov on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 6

Text proposed by the Commission     Amendment

Article 6    deleted

Obligations for software application stores

1. Providers of software application stores shall:
(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).

2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.

3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.
Amendment 858
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of software application stores shall:

Amendment

1. Providers of software application stores considered as gatekeepers under the Digital Markets Act (EU) 2022/1925 shall:

Or. en

Amendment 859
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 1 – point a

Text proposed by the Commission

(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;

Amendment

(a) indicate, based on the information provided by the applications developers, if applications contain features that could pose a risk to children;

Or. en

Amendment 860
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the

Amendment

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the
solicitation of children; exploiting children or where the developer of the software application has informed the software application store that its terms of use do not allow child users, the software application has an appropriate age rating model in place, or the developer of the software application has requested the software application store not to allow child users to download its software applications.

Amendment 861
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the purpose of the solicitation of children;

Amendment

(b) inform the software application provider concerned and the EU Centre about the software applications in relation to which they have identified a significant risk of use of the purpose of the solicitation of children;

Or. en

Amendment 862
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the

Amendment

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the
service concerned for the purpose of the solicitation of children; service concerned for the purpose of the solicitation of children or where:

Justification

As proposed by the rapporteur, providing for more effective and stringent obligations for software application stores.

Amendment 863
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

Amendment

(b) indicate, based on the information provided by the applications developers, if measures have been taken by the application to mitigate risks for children, and which measures have been taken;

Or. en

Amendment 864
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 6 – paragraph 1 – point b – point i (new)

Text proposed by the Commission

i) the developer of the software application has decided and informed the software application store that its terms and conditions of use do not permit child users,

Amendment

Or. en
Justification

As proposed by the rapporteur, providing for more effective and stringent obligations for software application stores.

Amendment 865
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 6 – paragraph 1 – point b – point ii (new)

Text proposed by the Commission

Amendment

ii) the software application has an appropriate age rating model in place, or

Or. en

Justification

As proposed by the rapporteur, providing for more effective and stringent obligations for software application stores.

Amendment 866
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 6 – paragraph 1 – point b – point iii (new)

Text proposed by the Commission

Amendment

iii) the developer of the software application has requested the software application store not to allow child users to download its software applications.

Or. en

Justification

As proposed by the rapporteur, providing for more effective and stringent obligations for software application stores.
Amendment 867
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 1 – point c

Text proposed by the Commission

\textbf{(c)} take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point \((b)\).

Amendment

\textbf{deleted}

Or. en

Amendment 868
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Michal Šimečka, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 6 – paragraph 1 – point c

Text proposed by the Commission

\textbf{(c)} take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point \((b)\).

Amendment

\textbf{deleted}

Or. en

Amendment 869
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 1 – point c a (new)

Text proposed by the Commission

\textbf{(ca)} indicate, based on the information provided by the applications developers, the minimum age for using an
application, as set out in the terms and conditions of the provider of the application;

Amendment 870
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Abir Al-Sahlani, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment 1a. Providers of software applications who have been informed that in relation to their software applications a significant risk of use of the service concerned for the purpose of the solicitation of children has been identified, shall take reasonable and proportionate mitigation measures.

Or. en

Amendment 871
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

Amendment 2. In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.

Or. en

Amendment 872
3. Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description shall not include information that may reduce the effectiveness of the assessment of those measures.

Amendment 873
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 6 – paragraph 4

4. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.

Amendment 874
Carles Puigdemont i Casamajó

Proposal for a regulation
Article 6a (new)

Text proposed by the Commission

Amendment

Article 6a

Encrypted services and metadata processing

1. Nothing in this Regulation shall be interpreted as prohibiting or weakening end-to-end encryption.

2. On the basis of the risk assessment submitted and, where applicable, further information, the Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to authorise a provider of hosting services or a provider of interpersonal communications services to process metadata to the extent strictly necessary and proportionate to mitigate the risk of misuse of their services for the purpose of online child sexual abuse.

When assessing whether to request the processing of metadata, the Coordinating Authority shall take into account any interference with the rights to privacy and data protection of the users of the service that such a processing entails and determine whether, in that case, the processing of metadata would be effective in mitigating the risk of use of the service for the purpose of child sexual abuse, and that it is strictly necessary and proportionate.

3. Without prejudice to Regulation (EU) 2016/679, providers shall inform the users of such processing in their terms and conditions, including information on the possibility to submit complaints to the competent data processing authorities concerning the relevant processing and on the avenues for judicial redress.
Amendment 875
Sara Skyttedal, David Lega, Andrey Kovatchev, Tomáš Zdechovský, Stefan Berger, Christian Doleschal, Helmut Geuking, Ivan Štefanec, Peter Pollák, Johan Nissinen, Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari, Karen Melchior, Lukas Mandl, Rob Rooker

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

End-to-end encrypted services

Nothing in this Regulation shall be interpreted as prohibiting or compromising the integrity and confidentiality of end-to-end encrypted content and communications. As compromising the integrity of end-to-end encrypted content and communications shall be understood the processing of any data that would compromise or put at risk the integrity and confidentiality of the content and communications in the end-to-end encryption. Nothing in this regulation shall thus be interpreted as justifying client-side scanning with side-channel leaks or other measures by which the provider of a hosting service or a provider of interpersonal communications services provides third party actors access to the end-to-end encrypted content.

Or. en

Justification

While the distinction between end-to-end encrypted and non-end-to-end encrypted content and communications, as introduced by the rapporteur in LIBE AM 106, is welcome, stronger wording on the fundamental importance of the integrity and confidentiality of end-to-end encrypted content and communications is needed. This is the case in particular with regards to the instances of client-side scanning with side-channel leaks, that is an example of a practice that, while not necessarily 'weakening' the end-to-end encryption, still puts the integrity and confidentiality of the end-to-end encrypted content and communications at risk.
Amendment 876
Sven Simon, Christian Doleschal, Niclas Herbst, Sara Skyttedal, Jessica Polfjärd, Tomas Tobé, Arba Kokalari

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

End-to-end encrypted services

Nothing in this Regulation shall be interpreted as prohibiting, weakening or compromising the integrity and confidentiality of end-to-end encrypted content and communications. Nothing in this regulation shall thus be interpreted as justifying client-side scanning with side-channel leaks or other measures by which the provider of a hosting service or a provider of interpersonal communication services provides third party actors access to end-to-end encrypted content. No provider of a hosting service or provider of interpersonal communication services shall be compelled to enable or create access to communications by means of bypassing user authentication or encryption under the scope of this regulation.

Or. en

Amendment 877
Charlie Weimers, Cristian Terheş, Rob Rooken

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Encrypted services and metadata processing
1. Nothing in this Regulation shall be interpreted as prohibiting or weakening end-to-end encryption.

Amendment 878
Charlie Weimers, Cristian Terheş

Proposal for a regulation
Article 6 b (new)

Text proposed by the Commission

Amendment

Article 6b
Software application stores

1. Providers of software application stores shall:
   
   (a) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;

Amendment 879
Rob Rooken

Proposal for a regulation
Article 7

Text proposed by the Commission

Amendment

[...] deleted

Amendment 880
Cristian Terheş
Proposal for a regulation
Article 7

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 881
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 7

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 882
Sven Simon, Christian Doleschal, Niclas Herbst, Jessica Polfjärd, Tomas Tobé, Arba Kokalari

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Amendment

Issuance of detection orders

Issuance of targeted detection orders

Or. en

Amendment 883
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Amendment

Issuance of detection orders

Issuance of detection warrants
Amendment 884
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Amendment

7 Issuance of detection orders

7 Issuance of detection warrants

Justification

The word "order" in connection with Detection orders must always be replaced with "warrants".

Amendment 885
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.

deleted
Amendment 886
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.

Amendment

1. A competent judicial authority may issue, following a request by the Coordinating Authority of the Member State that designated the judicial authority, a detection warrant requiring a provider of hosting services or a provider of number-independent interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect child sexual abuse material related to specific terminal equipment or a specific user account, where there is a reasonable suspicion such content is stored on that terminal equipment or in that user account.

Justification

This amendment should be interpreted as changing the wording "detection orders" throughout this Article and throughout this Regulation to "detection warrants". Detection warrants target specific devices or specific user accounts of an individual suspect against which there is a reasonable suspicion of possessing “known child sexual abuse material”. Those warrants can only be issued by competent judicial authorities.

Amendment 887
René Repasi, Tiemo Wölken
on behalf of the S&D Group

Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.

Amendment

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it to consider whether to issue a detection warrant order requiring a provider of hosting services or a provider of number-independent interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect child sexual abuse material linked to specific terminal equipments or specific user accounts where there is reasonable suspicion that such content is in that user account or on that terminal equipment.

Or. en

Justification

Any detection warrant must be targeted and should only be initiated when there is reasonable suspicion.

Amendment 888
Sven Simon, Christian Doleschal, Niclas Herbst, Jessica Polfjärd, Tomas Tobé, Arba Kokalari

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect individual cases of online child...
to take the measures specified in Article 10 to detect online child sexual abuse on a specific service. The scope of a targeted detection order shall be limited to individual users or groups of users for whom there is evidence suggesting that their conduct might have a link with child sexual abuse offences.

Justification

In line with the jurisprudence of the ECJ detection orders that would be general and indiscriminate would likely violate the principle of proportionality. Hence, detection orders shall be limited to individual cases where there is probable cause for offences. (cf. par. 66 of the opinion of the Council's Legal Service (Doc. 8787/23)).

Amendment 889
Patrick Breyer
on behalf of the Verts/ALE Group
Rob Rooker, Paul Tang, Karen Melchior, Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.

Amendment

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it to issue a detection order requiring a provider of hosting services or a provider of publicly available number-independent interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect child sexual abuse material in images or videos contained in the uploads or communications of one or more specific users of that service, where there is reasonable suspicion of child sexual abuse offences committed by these users.
Justification

Allowing for automated searches of all private messages sent through a service or part of a service would constitute untargeted mass surveillance of the private communications of millions of persons who are not even remotely connected to child sexual exploitation, would violate fundamental rights and result in the annulment of the entire detection regime in court, failing to better protect children. Indiscriminately searching hosted data would violate the prohibition of general monitoring. Intercepting the communications and uploads of suspects with a court order and using technology to filter images and videos for potential CSAM is justified. There is no sufficiently reliable, transparent and independently verified automated technology to search for child solicitation.

Amendment 890
Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Abir Al-Sahlani, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service. (As proposed by the Commission)

Amendment

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service in the online activities of persons suspected of being involved in child sexual abuse and persons disqualified from exercising activities involving children. (Amendment proposed by Moritz Körner, Sophia in 't Veld, Yana Toom, Morten Petersen, Abir Al-Sahlani, Jan-Christoph Oetjen, Svenja Hahn, Karen Melchior)

Justification

According to opinion 8787/23 of the Council’s legal service, if the Council were to decide to maintain interpersonal communications within the scope of the regime of the detection order, the regime should be targeted in such a way that it applies to persons in respect of whom there are reasonable grounds to believe that they are in some way involved in, committing or have committed a child sexual abuse offence, or have a connection, at least indirectly, with the commission of sexual abuse offences.
Amendment 891
Charlie Weimers, Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.

Amendment

1. The Coordinating Authority of establishment shall have the power to request a court of law of a Member State issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take measures to detect online child sexual abuse where there is probable cause to suspect illegal activity.

Or. en

Justification

Clarifies that a court of law must issue the detection order.

Amendment 892
Maite Pagazaurtundúa, Moritz Körner

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State

Amendment

1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a
1. The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a targeted detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.
hosting services or a provider of
interpersonal communications services
under the jurisdiction of that Member State
to take the measures specified in Article 10
to detect online child sexual abuse on a
specific service.

hosting services or a provider of
interpersonal communications services
under the jurisdiction of that Member State
to take the measures specified in Article 10
to detect and prevent online child sexual
abuse on a specific service.

Or. en

Amendment 895
Hilde Vautmans, Olivier Chastel, Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 1 a (new)

1a. The Coordinating Authority of
establishment shall have the power to
authorise the provider the voluntary use
of specific technologies for the processing
of personal data and other data to the
extent strictly necessary to detect, report
and remove online child sexual abuse on
their services and to mitigate the risk of
misuse of their services for the purpose of
online child sexual abuse, following a risk
assessment performed by the provider
pursuant to Article 3 of this Regulation. It
shall have the power to define the terms of
authorisation for the provider to take
measures specified in Article 10 to detect
online child sexual abuse on a specific
service.

Or. en

Amendment 896
Rob Rooker

Proposal for a regulation
Article 7 – paragraph 1 a (new)
1a. Detection orders shall only target providers of hosting services or providers of number independent interpersonal communications services that fail to comply with the requirements outlined in articles 3, 4 and 5 of this Regulation. They shall only be issued once all the measures in the abovementioned articles have been exhausted and target providers that can reasonably be expected to have the technical and operational ability to act.

Or. en

Justification

Detection orders can be extremely invasive for users’ privacy and fundamental rights, such as the protection of their personal sphere. This amendment aims to balance it by ensuring that said order comes as a last resort measure and is not imposed by default on a provider. Only providers that fail to comply with the requirements in articles 3, 4 and 5 can be targeted, and only those that have the ability to act shall be expected to do so.

Amendment 897
Patrick Breyer
on behalf of the Verts/ALE Group
Rob Rooker, Paul Tang, Karen Melchior, Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

1a. Interpersonal communications to which end to end encryption is, has been or will be applied, shall not be subject to the measures specified in Article 10.

Or. en

Justification

To explicitly exclude client-side scanning and disclosing of private communications on personal devices before the intended end to end encryption is applied, or after receiving end to end encrypted message. This serves to protect the confidentiality and integrity of personal devices which should work for their owner, not against them.
Amendment 898
Tomas Tobé, Jessica Polfjärd, Jörgen Warborn, Arba Kokalari

Proposal for a regulation
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Such a detection order shall as far as possible be restricted and specified, not calling for mass detection through the whole services.

Or. en

Amendment 899
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. The Coordinating Authority of establishment shall, before requesting the issuance of a detection order, carry out the investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.

To that end, it may, where appropriate, require the provider to submit the necessary information, additional to the report and the further information referred to in Article 5(1) and (3), respectively, within a reasonable time period set by that Coordinating Authority, or request the EU Centre, another public authority or relevant experts or entities to provide the necessary additional information.

Or. en
Amendment 900  
Sven Simon, Christian Doleschal, Niclas Herbst

Proposal for a regulation  
Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Coordinating Authority of establishment shall, before requesting the issuance of a detection order, carry out the investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.

Amendment

The request of the Coordinating Authority of establishment for a targeted detection order shall include any evidence suggesting individual or collective conduct that establishes a link with child sexual abuse offences, in particular previous offences.

Amendment 901  
René Repasi, Tiemo Wölken  
on behalf of the S&D Group  
Petar Vitanov  
on behalf of the Committee on Civil Liberties, Justice and Home Affairs  
Birgit Sippel

Proposal for a regulation  
Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Coordinating Authority of establishment shall, before requesting the issuance of a detection order, carry out the investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.

Amendment

The Coordinating Authority of establishment shall, before requesting the issuance of a detection warrant, carry out the investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.

Amendment 902  
Patrick Breyer  
on behalf of the Verts/ALE Group

Proposal for a regulation  
Article 7 – paragraph 2 – subparagraph 1
The Coordinating Authority of establishment shall, before requesting the issuance of a detection order, carry out the investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.

The Coordinating Authority of establishment shall, before requesting the issuance of a detection order, carry out the assessments necessary to determine whether the conditions of paragraph 4 have been met.

Amendment 903
Sven Simon, Christian Doleschal, Niclas Herbst

Proposal for a regulation
Article 7 – paragraph 2 – subparagraph 2

To that end, it may, where appropriate, require the provider to submit the necessary information, additional to the report and the further information referred to in Article 5(1) and (3), respectively, within a reasonable time period set by that Coordinating Authority, or request the EU Centre, another public authority or relevant experts or entities to provide the necessary additional information.

To that end, it may, where appropriate, require the provider to submit evidence within a reasonable time period set by that Coordinating Authority, or request the EU Centre, another public authority or relevant experts or entities to provide the necessary additional information.

Amendment 904
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 2 – subparagraph 2

To that end, it may, where appropriate, require the provider to submit the necessary information, additional to the

To that end, it may, where appropriate, require the provider to submit the necessary information, additional to the
report and the further information referred
to in Article 5(1) and (3), respectively,
within a reasonable time period set by that
Coordinating Authority, or request the EU
Centre, another public authority or relevant
experts or entities to provide the necessary
additional information.

Amendment 905
Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The grounds for issuing the order
shall outweight the negative consequences
for the rights and legitimate interests of all
the parties concerned, having regard in
particular to the need to endure a fair
balance between the fundamental rights
of those parties. The order shall be a
measure of last resort and shall be issued
on the basis of a case-by-case analysis.

Amendment 906
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

Amendment
deleted

Amendment 907
Sven Simon, Christian Doleschal, Niclas Herbst

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission Amendment

[...] deleted

Or. en

Amendment 908
Patrick Breyer on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission Amendment

Where the Coordinating Authority of establishment takes the preliminary view that the conditions of paragraph 4 have been met, it shall:

Where the Coordinating Authority of establishment takes the view that the conditions of paragraph 4 have been met, it shall:

Or. en

Amendment 909
René Repasi, Tiemo Wölken on behalf of the S&D Group
Petar Vitanov on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission Amendment

(a) establish a draft request for the issuance of a detection order, specifying the main elements of the content of the detection order it intends to request and the reasons for requesting it;

(a) establish a draft request to the competent judicial authority of the Member State that designated it for the issuance of a detection warrant, specifying the main elements of the content of the detection warrant it intends to request and
(a) establish a draft request for the issuance of a detection order, specifying the main elements of the content of the detection order it intends to request and the reasons for requesting it;
Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) establish a draft request for the issuance of a detection order, specifying the main elements of the content of the detection order it intends to request and the reasons for requesting it;

Amendment

(a) establish a draft request for the issuance of a detection order, specifying targeted suspects and or activities, the main elements of the content of the detection order it intends to request and the reasons for requesting it;

Or. en

Amendment 913
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) submit the draft request to the provider and the EU Centre;

Amendment

(b) submit the draft request to the provider and the EU Centre;

Or. en

Amendment 914
Tiemo Wölken, René Repasi
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) submit the draft request to the provider and the EU Centre;

Amendment

(b) submit the draft request to the supervisory authorities designated pursuant to Chapter VI, Section 1, of Regulation (EU) 2016/678 and request it to perform its tasks within the competence pursuant to Chapter VI, Section 2 of
Regulation (EU) 2016/678 and provide its opinion on the draft request, within a reasonable time period set by that Coordinating Authority;

Amendment 915
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission Amendment

(c) afford the provider an opportunity deleted
to comment on the draft request, within a reasonable time period set by that Coordinating Authority;

Amendment 916
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission Amendment

(c) afford the provider an opportunity deleted
to comment on the draft request, within a reasonable time period set by that Coordinating Authority;

Amendment 917
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) afford the provider an opportunity to comment on the draft request, within a reasonable time period set by that Coordinating Authority;

Or. en

Amendment 918
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) invite the EU Centre to provide its opinion on the draft request, within a time period of four weeks from the date of receiving the draft request.

Or. en

Amendment 919
René Repasi, Tiemo Wölken
on behalf of the S&D Group

Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) invite the EU Centre to provide its opinion on the draft request, within a time period of four weeks from the date of receiving the draft request.
Amendment 920
Maria Grapini

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point d

*Text proposed by the Commission*  
(d) invite the EU Centre to provide its opinion on the draft request, within a time period of *four* weeks from the date of receiving the draft request.

*Amendment*  
(d) invite the EU Centre to provide its opinion on the draft request, within a time period of *two* weeks from the date of receiving the draft request.

Amendment 921
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 1 – point d a (new)

*Text proposed by the Commission*  
(da) Request the supervisory authorities designated pursuant to Chapter VI, Section 1, of Regulation (EU) 2016/678 to perform their tasks within the competence pursuant to Chapter VI, Section 2 of Regulation (EU) 2016/678 and provide their opinion on the draft request, within a reasonable time period set by that Coordinating Authority;

*Amendment*  
(da) Request the supervisory authorities designated pursuant to Chapter VI, Section 1, of Regulation (EU) 2016/678 to perform their tasks within the competence pursuant to Chapter VI, Section 2 of Regulation (EU) 2016/678 and provide their opinion on the draft request, within a reasonable time period set by that Coordinating Authority;

Amendment 922
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2
Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:

(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in response to the prior consultation;

(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.
Amendment 923
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:

(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in
response to the prior consultation;
(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.

Amendment 924
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:</td>
<td>Where, having regard to the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have been met, it shall request the judicial validation of the detection order from the competent judicial authority responsible for the issuing of such orders pursuant to paragraph 4. Upon receipt of judicial validation of the order, the Coordinating Authority shall submit the order, adjusted where appropriate, to the provider. Prior to requesting the judicial validation of the detection order, the Coordinating Authority shall request the provider to do all of the following within a reasonable time period:</td>
</tr>
</tbody>
</table>
Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:

Amendment

Where, having regard to the comments of the provider and the opinion of the EU Centre, and in particular taking into account the assessment of the EU Centre’s Technical Committee as referred to in Article 66(6)(a NEW), that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:

Or. en

Amendment 926
Tiemo Wölken, René Repasi
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:

Amendment

Where, having regard to the comments of the competent supervisory authorities designated pursuant to Chapter VI, Section 1, of Regulation (EU) 2016/678 to, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate and shall:
Amendment 927
Cristian Terheș

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

Amendment

deleted

Or. en

Amendment 928
Javier Moreno Sánchez, Juan Fernando López Aguilar, Domènec Ruiz Devesa, Pietro Bartolo, Hilde Vautmans, Antonio López-Istúriz White, Milan Brglez, Heléne Fritzon, Estrella Durá Ferrandis, Evin Incir, Carina Ohlsson, Caterina Chinnici, Cyrus Engerer

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

Amendment

the implementation plan shall explicitly set out the specific measures that the provider intends to take to counter act potential security risk that might be linked to the execution of the detection order on its services. The provider may consult the EU Centre, and in particular its Technology Committee, to obtain support in identifying appropriate measures in this respect;
Amendment 929
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission
(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

Amendment
(a) draft an implementation plan setting out the specific person or persons the authority intends to investigate, the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

Or. en

Amendment 930
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission
(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;

Amendment
(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection warrant, including detailed information regarding the envisaged technologies and safeguards;

Or. en

Amendment 931
Cristian Terheş
Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

Amendment

deleted

Amendment 932
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

Amendment

request

(b) request a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;
Amendment 933
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

Amendment

(b) where the draft implementation plan concerns an intended detection order concerning the reasonable suspicion that the dissemination of child sexual abuse material is conducted by one or more specific users, and where other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

Or. en

Amendment 934
Karolin Braunsberger-Reinhold

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

Amendment

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment, a child rights impact assessment of child sexual abuse risks and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679,
plan; respectively, in relation to the measures set out in the implementation plan;

**Amendment 935**
Hilde Vautmans, Fabienne Keller, Olivier Chastel, Lucia Ďuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point b

**Text proposed by the Commission**

(b) where the draft implementation plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

**Amendment**

(b) where the draft implementation plan concerns an intended detection order concerning **new child sexual abuse material and** the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;

**Amendment 936**
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point c

**Text proposed by the Commission**

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of
the data protection authority provided in response to the prior consultation;

Amendment 937
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in response to the prior consultation;

Amendment

(c) adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in response to the prior consultation;

Amendment 938
Karolin Braunsberger-Reinhold

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in response to the prior consultation; child rights impact assessment of child sexual abuse risks

Amendment

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment, child rights impact assessment of child sexual abuse risks and in order to take into...
response to the prior consultation; account the opinion of the data protection authority provided in response to the prior consultation;

Amendment 939
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in response to the prior consultation;

Amendment

(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary, in view of the outcome of the data protection impact assessment and in order to take utmost account of the opinion of the data protection authority provided in response to the prior consultation;

Amendment 940
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point d

Text proposed by the Commission

(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.

Amendment

deleted

Or. en
Amendment 941
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point d

Text proposed by the Commission

(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.

Amendment

(d) submit to that competent judicial authority of the Member State that designated it the implementation plan, attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.

Or. en

Amendment 942
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 2 – point d

Text proposed by the Commission

(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.

Amendment

(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying how the implementation plan has been adjusted to take full account of the outcome of the data protection impact assessment and of that opinion.

Or. en
Amendment 943
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted where appropriate, to the competent judicial authority or independent administrative authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.

Or. en

Amendment 944
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted where appropriate, to the competent judicial authority or independent administrative authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.
Amendment 945
Tiemo Wölken, René Repasi
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 3

**Text proposed by the Commission**

Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted where appropriate, to the competent judicial authority or independent administrative authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.

**Amendment**

Where, having regard to the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted where appropriate, to the competent judicial authority. It shall attach the implementation plan and the opinion of the data protection authority to that request.

Amendment 946
Charlie Weimers, Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 3 – subparagraph 3

**Text proposed by the Commission**

Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted

**Amendment**

Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted
where appropriate, to the competent judicial authority or independent administrative authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.

where appropriate, to *a court of law*. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.

Or. en

*Justification*

Clarifies that a court of law of a Member State issues the detection order.

**Amendment 947**

Patrick Breyer

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 7 – paragraph 3 – subparagraph 3**

*Text proposed by the Commission*  
Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority *continues to be of* the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted where appropriate, to the competent judicial authority or independent administrative authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.

*Amendment*

Where, having regard to the implementation plan of the provider and *having utmost regard to* the opinion of the data protection authority, that Coordinating Authority *is the view that the conditions of paragraph 4 have met, it shall submit the request for the *validation and* issuance of the detection, adjusted where appropriate, to the competent judicial authority *e*. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.

Or. en

**Amendment 948**

Cristian Terheş

**Proposal for a regulation**

**Article 7 – paragraph 4**
4. The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:

(a) there is evidence of a significant risk of the service being used for the purpose of online child sexual abuse, within the meaning of paragraphs 5, 6 and 7, as applicable;

(b) the reasons for issuing the detection order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties.

When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and circumstances of the case at hand, in particular:

(a) the risk assessment conducted or updated and any mitigation measures taken by the provider pursuant to Articles 3 and 4, including any mitigation measures introduced, reviewed, discontinued or expanded pursuant to Article 5(4) where applicable;

(b) any additional information obtained pursuant to paragraph 2 or any other relevant information available to it, in particular regarding the use, design and operation of the service, regarding the provider’s financial and technological capabilities and size and regarding the potential consequences of the measures to be taken to execute the detection order for all other parties affected;

(c) the views and the implementation plan of the provider submitted in accordance with paragraph 3;
(d) the opinions of the EU Centre and of the data protection authority submitted in accordance with paragraph 3.

As regards the second subparagraph, point (d), where that Coordinating Authority substantially deviates from the opinion of the EU Centre, it shall inform the EU Centre and the Commission thereof, specifying the points at which it deviated and the main reasons for the deviation.

Amendment 949
Cristian Terheş

Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:

(a) there is evidence of a significant risk of the service being used for the purpose of online child sexual abuse, within the meaning of paragraphs 5, 6 and 7, as applicable;

(b) the reasons for issuing the detection order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties.
Amendment 950
Sven Simon, Christian Doleschal, Niclas Herbst

Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission
The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:

Amendment
The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority shall issue the detection order where it considers that the following conditions are met:

Or. en

Amendment 951
Maite Pagazaurtundúa, Moritz Körner

Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission
The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:

Amendment
The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority shall issue the detection order where it considers that the following conditions are met:

Or. en

Amendment 952
René Repasi, Tiemo Wölken
on behalf of the S&D Group
Petar Vitanov
on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Birgit Sippel

Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1 – introductory part
The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:

Amendment
The Coordinating Authority of establishment shall request the issuance of the detection warrant, and the competent judicial authority shall issue the detection warrant where it considers that the following conditions are met:

Or. en

Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission
The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:

Amendment
The Coordinating Authority of establishment shall request the issuance of the targeted detection order, and the competent judicial authority shall issue the targeted detection order in accordance with the applicable legal standard for evidence in criminal law.

Or. en