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**LIMITE**

**ENFOPOL 236  
JAI 861  
CRIMORG 139  
IXIM 140  
DATAPROTECT 212  
CYBER 308  
COPEN 239  
FREMP 221  
TELECOM 336  
COMPET 810  
MI 680  
CONSOM 209  
DIGIT 176  
CODEC 1269**

**NOTE**

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From:	Presidency
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse - State of play of interinstitutional negotiations and Presidency compromise texts

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**1. State of play of the negotiations**

The 11<sup>th</sup> ITM on 19 June 2026 was dedicated to some open issues in Chapter I on general provisions covering Articles 1 to 2, the provisions of Chapter II on risk assessment, risk mitigation and risk reporting covering Articles 3 to 6 and open issues regarding reporting, removal, blocking and delisting obligations covering Articles 12 to 18c, some issues related to enforcement in Chapter III covering Article 27, and some open issues on Chapter IV regarding the EU Centre covering Articles 43 and 66.

The outcome of the ITM is reflected in the four-column table issued as WK 9107/26.

Background concerning the compromise wording on Articles 3-6:

The compromise text concerning Articles 3 to 6 which was discussed at the ITM on 19 June and is put to Member States for their comments and endorsement seeks to implement the agreement that the co-legislators reached at the third political trilogue on 16 April, while taking into account relevant regulatory standards (and burdens) to which the different types of providers are already subject to.

The provisional **agreement at trilogue** included the following elements:

- **Articles 3 to 5** should be adjusted with a view to making them **consistent with the Digital Services Act (DSA)**, so as to avoid a duplication of efforts and ensure legal certainty. In particular, **very large online platforms (VLOPs)** as designated pursuant to Article 33 DSA should make **use of the existing mechanism for risk assessment and mitigation measures under the DSA** for the purpose of assessing and mitigating the risks of their service being used for online child sexual abuse.
- **Coordinating Authorities should supervise and enforce the relevant procedures and obligations under the CSA Regulation for providers of interpersonal communications services and for providers of hosting services that are not designated as VLOPs** under the DSA, with Member States remaining free to choose which national authority they designate as Coordinating Authority. Digital Service Coordinators (DSCs) would continue to supervise providers of hosting services for their compliance with Article 28 DSA. Member States should also be able to appoint Digital Service Coordinators as Coordinating Authorities, should they so wish. A seamless information flow between the Commission services, the Coordinating authorities and the DSCs should be ensured.
- Some **mitigation measures should be compulsory for certain providers**, while leaving the choice of the concrete measures to the providers concerned.
- Balanced solutions with regard to age verification will be explored at technical level, taking into account the ongoing work of the Commission.
- The **Council's proposed text on the risk reporting was accepted**, while postponing the discussion on risk categorisation that could be considered in the context of detection.

The **desired aim of the compromise** wording is for the CSA Regulation to **capture all types of providers whose services may be at risk** of being used for online child sexual abuse, regardless of their size or whether they are already subject to obligations under the DSA, to **avoid discriminatory treatment** of different types of providers. In this way, it would be ensured that the **CSA Regulation provides a stand-alone framework** for the protection of children from online child sexual abuse online, without being dependent on other instruments that may be modified in the future. The issue of *mandatory v. optional age verification* for interpersonal communications services that have identified a risk of solicitation and the associated requirements for age verification measures remain political at this stage.

To explain the consistency of the obligations of certain providers under Articles 3 to 6 of the CSA Regulation with their obligations under the DSA, additional wording has been added in recitals 15 and 15a<sup>1</sup>.

## **2. Provisionally agreed lines and request for feedback from delegations**

*Following the ITM on 19 June 2026, delegations are provided with the provisionally agreed lines and lines requiring their feedback.*

### **A. Provisionally agreed lines**

The following lines of Articles 1,2, 16-18, 43, 66 and related recitals were provisionally agreed during the ITM of 19 June 2026:

25a, 40b, 44, 94, 95, 115a, 129, 130, 130a, 134, 141b, 141d, 141e, 145, 145b-e, 148, 150 - 150b, 151a - 154a, 155a, 157, 159 - 164, 168 - 170b, 172, 173, 173a, 174 - 180b, 181a, 181c-181g, 182, 183, 183a, 184 – 187d, 189 – 190, 191b - 192, 310, 369, 381, 384, 400, 599-629c, 840b.

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<sup>1</sup> This point will be discussed with the Parliament during the ITM on 25 June. Another Article should be added concerning the enforcement vis-à-vis VLOPs.

## **B. Lines requiring feedback from the delegations**

Based on the technical discussions, the Presidency invites delegations to consider the provisional outcome of the interinstitutional negotiations and to examine the Presidency compromise texts and Parliament proposals.

### Recitals 15 and 15a

- Lines 26 and 26a: Can delegations agree to the wording in these recitals concerning the interaction between the obligations under the CSA Regulation and the DSA?

### Article 3

- Line 145a: Can delegations agree to oblige the following types of providers to assess the risk of their service being used for online child sexual abuse:
  - (a) providers hosting services targeting children and providers of number-independent interpersonal communications services targeting children;
  - (b) providers of hosting services and of number-independent interpersonal communications services that are exposed to the risk of online child sexual abuse.

### Article 4

- Line 181: Since the EP mandate included a list of mandatory mitigation measures for providers of services ‘directly targeting children’, the EP insists to subject providers of hosting services targeting children to the same risk mitigation obligations as providers of interpersonal communications that have identified a risk of solicitation of children and to make the specific measures that are mentioned mandatory. Can delegations agree with this approach?
- Line 188: Can delegations agree to the compromise wording, which does not include a requirement for Coordinating Authorities to evaluate the remaining risk?
- Lines 188a-188o: Can delegations agree to deleting the risk categorisation provisions, given that detection orders on a generalised basis (to which the risk categorisation was connected) are neither part of the mandates of the co-legislators nor of the compromise proposal on detection put forward by the Presidency (this also concerns line 166 in Article 3)?

## Article 6

- Lines 195-201: Can delegations agree to limit the obligations under the CSA Regulation to software application stores acting as gatekeepers as designated under the Digital Markets Act and with the compromise text suggested for Article 6?

## Article 27

- Lines 499a-k: Can delegations agree to delete the provisions for additional enforcement measures in case of a significant remaining risk?

## Article 39

- Line 584b: Can delegations agree to the wording regarding close cooperation between the Commission, Coordinating authorities and Digital Service Coordinators?

## Article 66

- As specified in Article 57 (line 453), the Management Board of the EU Centre has to adopt rules for the prevention and management of conflicts of interest in respect of its members, including the members of the Technology Committee. To emphasise the importance to prevent conflict of interest of experts appointed to the Technology Committee, the Presidency proposes to include wording to this effect in the corresponding recital 74 in line 85 as follows:

“In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for detection, the EU Centre should have a Technology Committee composed of experts with advisory function, ***who should declare absence of any conflict of interest prior to their appointment and be subject to appropriate conditions preventing any conflict of interest after leaving their role.*** The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection ***and prevention*** of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards, ***data protection*** and safeguards in detection technology.”

### 3. Questions to Member States

Member States are invited:

1. to endorse the provisional agreement on the lines listed under point A.
2. to examine the positions and suggestions outlined under point B.

The Presidency invites delegations to provide their **comments by 25 June 2026 at noon.**

### 4. Next steps

The 12<sup>th</sup> ITM on 25 June 2026 is planned to reach compromises at technical level on the issues laid down in this note in preparation of the trilogue on 29 June 2026.

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