Combating sexual abuse, sexual exploitation of children and child pornography

2010/0064(COD) - 03/06/2010

The Spanish presidency informed justice ministers about the state of play concerning a directive on combating the sexual abuse, sexual exploitation of children and child pornography.

In March 2010, the Commission adopted its proposal on the file. Once adopted, the new rules will replace framework decision 2004/68/JHA. The goal is to further approximate national legislation and to improve international law enforcement and judicial cooperation.

Among the outstanding issues are:

- the definition of child pornography;
- the categorisation of offences;
- instigation, aiding and abetting, and preparatory acts for offences of this kind;
- the criminalisation of intentional access to child pornography by computerised means;
- how to deal with unintended access to web sites;
- the length of sentences;
- the extension of territorial jurisdiction;
- the blocking of websites with child pornography content as a complementary measure to the efforts to eliminate the source content;
- including unreal characters (images, cartoons, etc.) within the concept of child pornography (in this respect, the Commission has noted that the aim is to criminalise images which reproduce reality);
- assessing and offering rehabilitation programmes to the perpetrators of such crimes.