

Amending Interim Regulation on a temporary derogation from certain provisions of the ePrivacy Directive for the purpose of combating online child sexual abuse

2023/0452(COD) - 30/11/2023 - Legislative proposal

PURPOSE: to extend, by two years, the Interim Regulation allowing providers to continue voluntary detection and reporting of child sexual abuse.

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

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

BACKGROUND: Regulation (EU) 2021/1232 (Interim Regulation) lays down temporary and strictly limited rules derogating from certain obligations laid down in Directive 2002/58/EC (the ePrivacy Directive), with the sole objective of enabling providers of certain number-independent interpersonal communications services to use specific technologies for the processing of personal and other data to the extent strictly necessary to detect online child sexual abuse on their services and report it and to remove online child sexual abuse material from their services.

As explained in the Interim Regulation, it is intended to provide a temporary solution pending the adoption of a long-term legal framework to tackle child sexual abuse at Union level. The Interim Regulation will expire on 3 August 2024.

The inter-institutional negotiations on the proposed long-term Regulation have not concluded and it is uncertain that they will conclude for the long-term Regulation to enter into force and to apply before the Interim Regulation is set to expire. Therefore, it is necessary to introduce through this proposal a **limited time extension to the Interim Regulation**, to enable the continuation of the above voluntary activities during a sufficient period of time to allow the inter-institutional negotiations of the long-term Regulation to conclude. This will ensure that child sexual abuse online can be effectively and lawfully combated without interruptions until the long-term regime created by the proposed Regulation is agreed.

CONTENT: the **sole amendment** to the Interim Regulation brought about by the present Regulation consists of setting out a limited extension of the period of application of the Interim Regulation.

The present Regulation will apply until 3 August 2026.