Basic information

2023/0452(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Amending Interim Regulation on a temporary derogation from certain provisions of the ePrivacy Directive for the purpose of combating online child sexual abuse Amending Regulation 2021/1232 2020/0259(COD) **Subject** 1.20.09 Protection of privacy and data protection 3.30.05 Electronic and mobile communications, personal communications 3.30.25 International information networks and society, internet 4.10.03 Child protection, children's rights	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	SIPPEL Birgit (S&D)	30/11/2023
	Shadow rapporteur ZARZALEJOS Javier (EPP) IN 'T VELD Sophia (Renew) BREYER Patrick (Greens /EFA) TARDINO Annalisa (ID) ERNST Cornelia (The Left)	

Committee for opinion	Rapporteur for opinion	Appointed
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
CULT Culture and Education	The committee decided not to give an opinion.	
FEMM Women's Rights and Gender Equality	The committee decided not to give an opinion.	

Council of the European Union

European Commission	Commission DG	Commissioner
	Migration and Home Affairs	JOHANSSON Ylva

Key events

Date	Event	Reference	Summary
30/11/2023	Legislative proposal published	COM(2023)0777	Summary
15/01/2024	Committee referral announced in Parliament, 1st reading		
31/01/2024	Vote in committee, 1st reading		
31/01/2024	Committee decision to open interinstitutional negotiations with report adopted in committee		
01/02/2024	Committee report tabled for plenary, 1st reading	A9-0021/2024	Summary
05/02/2024	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
07/02/2024	Results of vote in Parliament		
07/02/2024	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72 - vote)		
04/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2024)001124 PE759.687	
10/04/2024	Decision by Parliament, 1st reading	T9-0198/2024	Summary
10/04/2024	Results of vote in Parliament		
29/04/2024	Act adopted by Council after Parliament's 1st reading		
29/04/2024	Final act signed		
14/05/2024	Final act published in Official Journal		

Technical information

Procedure reference	2023/0452(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2021/1232 2020/0259(COD)
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/13795

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE758.054	17/01/2024	
Amendments tabled in committee		PE758.191	23/01/2024	
Committee report tabled for plenary, 1st reading/single reading		A9-0021/2024	01/02/2024	Summary
Text agreed during interinstitutional negotiations		PE759.687	21/02/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0198/2024	10/04/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)001124	21/02/2024	
Draft final act	00052/2024/LEX	29/04/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0777	30/11/2023	Summary
Commission response to text adopted in plenary	SP(2024)377	29/07/2024	
Follow-up document	COM(2025)0740	27/11/2025	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES5560/2023	17/01/2024	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	**Role**	**Committee**	**Date**	**Interest representatives**
SIPPEL Birgit	Rapporteur	LIBE	06/02/2024	Belgian Ministery of Interior
SIPPEL Birgit	Rapporteur	LIBE	17/01/2024	Meta Platforms Ireland Limited and its various subsidiaries

SIPPEL Birgit	Rapporteur	LIBE	16/01/2024	Commissioner for Home Affairs
SIPPEL Birgit	Rapporteur	LIBE	10/01/2024	Microsoft Corporation
SIPPEL Birgit	Rapporteur	LIBE	09/01/2024	Permanent Representation of Belgium
SIPPEL Birgit	Rapporteur	LIBE	09/01/2024	European Commission, DG HOME
SIPPEL Birgit	Rapporteur	LIBE	12/12/2023	Belgian Permanent Representation to the EU

Other Members

Transparency

Name	Date	Interest representatives
LENAERS Jeroen	13/02/2024	Terre des Hommes International Federation
GUSMÃO José	31/01/2024	ANSOL - Associação Nacional para o Software Livre

Final act

Regulation 2024/1307
OJ OJ L 14.05.2024 Summary

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.

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) - 10/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 469 votes to 112, with 37 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council Amending Regulation (EU) 2021/1232 of the European Parliament and of the Council on a temporary derogation from certain provisions of Directive 2002/58/EC for the purpose of combating online child sexual abuse.

The position adopted by the European Parliament at first reading under the ordinary legislative procedure is as follows:

As a reminder, Regulation (EU) 2021/1232 of the European Parliament and of the Council provides for a temporary regime as regards the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse, pending the preparation and adoption of a long-term legal framework addressing the prevention of and combating online child sexual abuse. That Regulation applies until 3 August 2024.

The proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, which the Commission adopted on 11 May 2022, aims to provide the long-term legal framework. However, the interinstitutional negotiations on that proposal have not yet started and it is certain that they will not be concluded on time for the long-term legal framework, including any amendments to Regulation (EU) 2021/1232 that it might contain, to be adopted, enter into force and apply by 4 August 2024.

It is important that online child sexual abuse can be combated effectively and without interruption, pending the conclusion of the interinstitutional negotiations on the proposal for the long-term legal framework.

In view of these particular circumstances, it is intended to amend Regulation (EU) 2021/1232 in order to **extend, exceptionally, its period of application until 3 April 2026**, on the understanding that the co-legislators express their commitment to reaching agreement on the long-term legal framework as soon as possible, with a view to avoiding any further extension of Regulation (EU) 2021/1232 in the future.

Pursuant to Regulation (EU) 2021/1232, in order for the temporary derogation from certain provisions of Directive 2002/58/EC to apply, providers of number-independent interpersonal communications services are required to publish and submit to the competent supervisory authority and to the Commission a report on the processing of personal data under that Regulation. In order to facilitate reporting by providers of number-independent interpersonal communications services, in particular to ensure that their reports are machine readable and easily accessible, a **common reporting format** for those reports should be established.

On the basis of the reports submitted and the statistics provided, the Commission should, by 4 September 2025, prepare a report on the implementation of this Regulation and submit and present it to the European Parliament and to the Council.

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) - 01/02/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Birgit SIPPEL (S&D, DE) on the proposal for a regulation of the European Parliament and of the Council Amending Regulation (EU) 2021/1232 of the European Parliament and of the Council on a temporary derogation from certain provisions of Directive 2002/58/EC for the purpose of combating online child sexual abuse.

As a reminder, 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 committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Limited extension

The European Commission is proposing a limited extension of the period of application of the interim regulation until 3 August 2026, Members consider that the interim regulation should apply until 3 May 2025, after which it will **elapse** permanently.

The amended text stressed that it is important that child sexual abuse online can be effectively combated which demonstrates the need for a permanent framework with a focus on preventive measures. Pending the conclusion of the legislative procedure and the adoption, entry into force and application of the long-term legal framework, a prolongation of Regulation (EU) 2021/1232 is only justified once and for a very limited period.

Template for the reporting

As Regulation 2021/1232 does not provide a template for the reporting, providers shared different types of information which were not necessarily comparable. Members consider it necessary to establish a template to fulfil the obligation for reporting by providers.

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) - 14/05/2024 - Final act

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

LEGISLATIVE ACT: Regulation (EU) 2024/1307 of the European Parliament and of the Council amending Regulation (EU) 2021/1232 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse.

CONTENT: Regulation (EU) 2021/1232 of the European Parliament and of the Council provides for a temporary regime as regards the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse, pending the preparation and adoption of a long-term legal framework addressing the prevention of and combating online child sexual abuse.

In order to ensure that online child sexual abuse can be tackled effectively, this Regulation amends Regulation (EU) 2021/1232 to exceptionally extend its period of application until **3 April 2026**. The extension of the derogation will ensure a transition until new EU legislation, currently under consideration by the Council and the European Parliament, provides a long-term legal framework for the detection of online child sexual abuse.

The prolongation also foresees that, in order to obtain comprehensive reporting and comparable statistics, providers should make the information about the reports of detected online child sexual abuse that they submit to the authorities and the Commission available in a structured format.

On the basis of the reports submitted and the statistics provided, the Commission will, by 4 September 2025, prepare a report on the implementation of this Regulation and submit and present it to the European Parliament and to the Council.

ENTRY INTO FORCE: 15.5.2024.