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28.7.2023

AMENDMENTS

1719 - 1909

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))

Amendment 1719

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 51 – title

Text proposed by the Commission

Amendment

Processing activities and ***data protection***

Processing activities and ***principles of processing***

Or. en

Amendment 1720

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 51 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) providing the opinions on intended detection orders referred to in Article 7(3); ***deleted***

Or. en

Amendment 1721

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 51 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2); ***deleted***

Amendment 1722
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 51 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2); **deleted**

Amendment 1723
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 51 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3); **deleted**

Amendment 1724
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 51 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);

deleted

Or. en

Amendment 1725
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 51 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) cooperating with Coordinating Authorities in accordance with Articles 20 and 21 on tasks related to *victims*' rights to information and assistance;

(d) cooperating with Coordinating Authorities in accordance with Articles 20 and 21 on tasks related to *survivors*' rights to information and assistance;

Or. en

Amendment 1726
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 51 – paragraph 2 – point h

Text proposed by the Commission

Amendment

(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;

deleted

Or. en

Amendment 1727
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 51 – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) create, maintain and operate the databases of indicators referred to in Article 44;

deleted

Or. en

Amendment 1728

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 51 – paragraph 2 – point k

Text proposed by the Commission

Amendment

(k) providing and monitoring access to the *databases of indicators and* of reports in accordance with Article 46;

(k) providing and monitoring access to the *database* of reports in accordance with Article 46;

Or. en

Amendment 1729

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 51 – paragraph 2 – point m

Text proposed by the Commission

Amendment

(m) assessing and processing reports of potential *online* child sexual abuse in accordance with Article 48;

(m) assessing and processing reports of potential child sexual abuse in accordance with Article 48;

Or. en

Amendment 1730

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 51 – paragraph 2 – point n

Text proposed by the Commission

Amendment

(n) cooperating with Europol and partner organisations in accordance with Articles 53 and 54, including on tasks related to the identification of victims;

deleted

Or. en

Amendment 1731

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 51 – paragraph 2 – point n

Text proposed by the Commission

Amendment

(n) cooperating with Europol and partner organisations in accordance with Articles 53 and 54, including on tasks related to the identification of *victims*;

(n) cooperating with Europol and partner organisations in accordance with Articles 53 and 54, including on tasks related to the identification of *survivors*;

Or. en

Amendment 1732

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 51 – paragraph 3

Text proposed by the Commission

Amendment

3. The EU Centre shall store the personal data referred to in paragraph 2 only where and for as long as strictly necessary for the applicable purposes listed in paragraph 2.

deleted

Amendment 1733
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 51 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

- 3a. Personal data referred to in paragraph 2 shall be processed under the following principles. They shall be**
- (a) processed lawfully and fairly ('lawfulness and fairness');**
 - (b) collected for specified, explicit and legitimate purposes and not processed in a manner that is incompatible with those purposes ('purpose limitation');**
 - (c) adequate, relevant, and not excessive in relation to the purposes for which they are processed ('data minimisation');**
 - (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');**
 - (e) kept in a form which permits identification of data subjects for no longer than is strictly necessary for the purposes for which the personal data are processed ('storage limitation').**

Amendment 1734
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 51 – paragraph 4

Text proposed by the Commission

Amendment

4. ***It shall ensure that the personal data is stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary.***

deleted

Or. en

Amendment 1735

René Repasi, Tiemo Wölken

on behalf of the S&D Group

Paul Tang, Petar Vitanov

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

Birgit Sippel

Proposal for a regulation

Article 51 – paragraph 4

Text proposed by the Commission

Amendment

4. It shall ensure that the personal data is stored in *a* secure ***manner*** and that the storage is subject to ***appropriate*** technical and organisational safeguards. Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary.

4. It shall ensure that the personal data is stored in ***an encrypted or protected in a similarly secure way*** and that the storage is subject to ***highest state of the art***, technical and organisational safeguards. ***Security requirements for data security pursuant to Article 88 of Regulation (EU) 2018/1725, Article 32 of Regulation 767/2008, Article 16 of Regulation 1987/2006, Article 16 of Regulation 2018/1862 and Article 34 of Regulation 603/2013 shall apply accordingly.*** Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high

level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary.

Or. en

Justification

Placeholder AM to include more safeguards and highest cybersecurity measures.

Amendment 1736

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 51 a (new)

Text proposed by the Commission

Amendment

Article 51a

Data protection and security

1. The EU Centre shall adopt the necessary measures, including a security plan and a disaster recovery plan for its IT Systems, databases and the Communication Infrastructure in order to:

(a) physically protect data, including by making contingency plans for the protection of critical infrastructure;

(b) deny unauthorised persons access to data-processing facilities used for processing personal data (facilities access control);

(c) prevent the unauthorised reading, copying, modification or removal of data media (data media control);

(d) prevent the unauthorised input of data and the unauthorised inspection, modification or deletion of stored personal data (storage control);

(e) prevent the use of automated data-processing systems by unauthorised persons using data communication equipment (user control);

(f) prevent the unauthorised processing of data in the databases and any unauthorised modification or erasure of data processed in the databases (control of data entry);

(g) ensure that persons authorised to use an automated data-processing system have access only to the data covered by their access authorisation by means of individual and unique user identifiers and confidential access modes only (data access control);

(h) create profiles describing the functions and responsibilities of all persons who are authorised to access the data or the data processing facilities and make those profiles and any other relevant information for supervisory purposes available to the European Data Protection Supervisor without delay upon its request (personnel profiles);

(i) ensure that it is possible to verify and establish to which bodies personal data may be transmitted using data communication equipment (communication control);

(j) ensure that it is subsequently possible to verify and establish which personal data have been input into automated data-processing systems, when and by whom (input control);

(k) prevent the unauthorised reading, copying, modification or deletion of personal data during the transmission of personal data or during the transport of data media, in particular by means of appropriate encryption techniques (transport control);

(l) monitor the effectiveness of the security measures referred to in this paragraph and take the necessary organisational measures related to

internal monitoring to ensure compliance with this Regulation (self-auditing) and to automatically detect within 24 hours any relevant events arising from the application of measures listed in points (b) to (k) that might indicate the occurrence of a security incident;

(m) ensure that, in the event of interrupted operations, installed systems can be restored to normal operation (recovery);

(n) ensure that the databases performs their functions correctly, that faults are reported (reliability) and that personal data stored in the databases cannot be corrupted by means of the system malfunctioning (integrity); and

(o) ensure the security of its technical sites.

2. The EU Centre shall take measures equivalent to those referred to in paragraph 1 as regards security in respect of the processing and exchange of supplementary information through the Communication Infrastructure.

Or. en

Amendment 1737
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 52 – paragraph 2

Text proposed by the Commission

2. Contact officers shall assist in the exchange of information between the EU Centre and the Coordinating Authorities that designated them. *Where the EU Centre receives reports submitted in accordance with Article 12 concerning the potential dissemination of new child sexual abuse material or the potential solicitation of children, the contact*

Amendment

2. Contact officers shall assist in the exchange of information between the EU Centre and the Coordinating Authorities that designated them.

officers designated by the competent Member State shall facilitate the process to determine the illegality of the material or conversation, in accordance with Article 36(1).

Or. en

Amendment 1738

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 53 – paragraph 1

Text proposed by the Commission

1. Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall ***cooperate with*** Europol.

Amendment

1. Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall ***seek advice from*** Europol.

Or. en

Amendment 1739

Fabienne Keller, Nathalie Loiseau

Proposal for a regulation

Article 53 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Europol and the EU Centre shall cooperate with the NCMEC center in the fight against child sexual abuse material. This cooperation may consist of sharing their databases of known child sexual abuse materials.

Or. en

Amendment 1740

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 53 – paragraph 2

Text proposed by the Commission

Amendment

2. *Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.* **deleted**

Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating to personnel management, information technology (IT) and budget implementation.

Or. en

Justification

The legal basis for this instrument does not allow to add tasks to Europol.

Amendment 1741

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 53 – paragraph 2

Text proposed by the Commission

Amendment

2. *Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of* **deleted**

Union law regulating such access.

Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating to personnel management, information technology (IT) and budget implementation.

Or. en

Justification

Article 53(2) offers the only reference in the Proposal to access by the EU Centre to Europol's information systems. It is therefore unclear for which purposes, and according to which specific safeguards, such access would take place. The proposed EU Centre is not a law enforcement body, and under no circumstances should be granted direct access to Europol's information systems!

Amendment 1742

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.

deleted

Or. en

Amendment 1743

Vincenzo Sofo, Jadwiga Wiśniewska

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.

Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access. ***Any access to personal data processed in Europol's information systems, where deemed strictly necessary for the performance of the EU Centre's tasks, shall be granted only case-by-case basis, upon submission of an explicit request, which indicates the specific purpose and justification. Europol shall be required to diligently assess those requests and only transmit personal data to the EU Centre where strictly necessary and proportionate to the required purpose.***

Or. en

Amendment 1744

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Europol and the EU Centre shall provide each other with ***the fullest possible*** access to relevant information ***and information systems***, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.

Amendment

Europol and the EU Centre shall provide each other with access to relevant information, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.

Or. en

Amendment 1745

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating to personnel management, information technology (IT) and budget implementation. **deleted**

Or. en

Amendment 1746

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating to personnel management, information technology (IT) and budget implementation. **deleted**

Or. en

Amendment 1747

Hilde Vautmans, Olivier Chastel

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating to personnel management, information technology (IT) **deleted**

and budget implementation.

Or. en

Amendment 1748

Hilde Vautmans, Olivier Chastel

Proposal for a regulation

Article 53 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The EU Centre shall operate independently of Europol and other law enforcement bodies.

Or. en

Amendment 1749

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 53 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Any transfer of personal data to Europol is governed by Regulation 2018/1725.

Or. en

Amendment 1750

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 53 – paragraph 3

Text proposed by the Commission

Amendment

3. The terms of cooperation and working arrangements shall be laid down

deleted

in a memorandum of understanding.

Or. en

Amendment 1751

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 53 – paragraph 3

Text proposed by the Commission

3. The terms of cooperation *and working arrangements* shall be laid down in a *memorandum of understanding*.

Amendment

3. The terms of cooperation shall be laid down in a *working arrangements, in accordance with Article 23 (4) Regulation 2016/794*.

Or. en

Amendment 1752

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 53 – paragraph 3

Text proposed by the Commission

3. The terms of cooperation and working arrangements shall be laid down in a memorandum of understanding.

Amendment

3. The terms of cooperation and working arrangements shall be laid down in a *publically accessible* memorandum of understanding.

Or. en

Amendment 1753

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Article 53 – paragraph 3

Text proposed by the Commission

3. The terms of cooperation and working arrangements shall be laid down in a memorandum of understanding.

Amendment

3. The terms of cooperation and working arrangements shall be laid down in a **publically accessible** memorandum of understanding.

Or. en

Amendment 1754

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 54 – title

Text proposed by the Commission

Cooperation with **partner** organisations

Amendment

Cooperation with **external** organisations

Or. en

Amendment 1755

Hilde Vautmans, Maite Pagazaurtundúa, Olivier Chastel, Fabienne Keller, Lucia Ďuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation

Article 54 – paragraph 1

Text proposed by the Commission

1. Where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations.

Amendment

1. Where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations **acting in the public interest, hotlines** and semi-public organisations.

Or. en

Amendment 1756

Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy

Proposal for a regulation

Article 54 – paragraph 1

Text proposed by the Commission

1. Where necessary for the performance of its tasks under this Regulation, the EU Centre *may* cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations.

Amendment

1. Where necessary for the performance of its tasks under this Regulation, the EU Centre *shall* cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations *and the INHOPE network*.

Or. en

Amendment 1757

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 54 – paragraph 1

Text proposed by the Commission

1. *Where necessary* for the performance of its tasks under this Regulation, the EU Centre *may* cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations.

Amendment

1. For the performance of its tasks under this Regulation, the EU Centre *shall* cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations.

Or. en

Amendment 1758

Lucia Ďuriš Nicholsonová, Fabienne Keller

**Proposal for a regulation
Article 54 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. *In particular, the cooperation with the EU Centre referred to in paragraph 1 may include the following: (a) supporting the Commission in the preparation of the guidelines referred to in Article 3(8), Article 4(5), Article 6(4) and Article 11; (b) updating the databases of indicators referred to in Article 44; (c) innovating new and existing detection technologies; (d) making technologies available to providers for the execution of detection orders issued to them, in accordance with Article 50(1).*

Or. en

**Amendment 1759
Cornelia Ernst, Clare Daly**

**Proposal for a regulation
Article 54 – paragraph 2**

Text proposed by the Commission

Amendment

2. *The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation.*

deleted

Or. en

**Amendment 1760
Loránt Vincze, Miriam Lexmann, François-Xavier Bellamy**

**Proposal for a regulation
Article 54 – paragraph 2**

Text proposed by the Commission

2. The EU Centre *may* conclude **memoranda of understanding** with organisations referred to in paragraph 1, laying down the terms of cooperation.

Amendment

2. The EU Centre **shall** conclude **strategic and/or operational cooperation agreements** with organisations referred to in paragraph 1, laying down the terms of cooperation.

Or. en

Amendment 1761

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

Proposal for a regulation

Article 54 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The EU Centre shall cooperate with other organisations and bodies carrying out similar functions in other jurisdictions, such as the National Centre for Missing and Exploited Children (‘NCMEC’) and the Canadian Centre for Child Protection, among others, which serve the same purpose of this Regulation, as well as in order to avoid potential duplication of reporting obligations for providers.

Or. en

Amendment 1762

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Article 55 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The administrative and management structure of the EU Centre shall comprise:

The administrative and management structure of the EU Centre shall **be gender-balanced and** comprise:

Amendment 1763
Patrick Breyer, Alexandra Geese

Proposal for a regulation
Article 55 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) a Survivors Advisory Board, which shall exercise the tasks set out in Article 66a.

Or. en

Amendment 1764
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 55 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) a Fundamental Rights Officer, which shall exercise the tasks set out in Article 66b;

Or. en

Amendment 1765
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Article 55 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) an Expert's Consultative Forum, which shall exercise the tasks set out in Article 66a;

Or. en

Amendment 1766

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 56 – paragraph 1

Text proposed by the Commission

1. The Management Board shall be composed of one representative from each Member State and **two representatives** of the Commission, all as members with voting rights.

Amendment

1. The Management Board shall be composed of one representative from each Member State and **one representative of the Commission and one representative of the European Parliament**, all as members with voting rights.

Or. en

Amendment 1767

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Article 56 – paragraph 1

Text proposed by the Commission

1. The Management Board shall be composed of one representative from each Member State and two representatives of the Commission, all as members with voting rights.

Amendment

1. The Management Board shall be **gender-balanced and** composed of one representative from each Member State and two representatives of the Commission, all as members with voting rights.

Or. en

Amendment 1768

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 56 – paragraph 1

Text proposed by the Commission

1. The Management Board shall be composed of one representative from each

Amendment

1. The Management Board shall be composed of one representative from each

Member State and **two representatives** of the Commission, all as members with voting rights.

Member State and **one representative** of the Commission, all as members with voting rights.

Or. en

Amendment 1769

Patrick Breyer, Alexandra Geese
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 56 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

One member of the Technology Committee and one member of the Survivors Advisory Board as established in Articles 66 and 66a may attend the meetings of the Management Board as observers.

Or. en

Amendment 1770

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 56 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

The Management Board shall also include one independent expert observer designated by the European Parliament, without the right to vote.

deleted

Or. en

Justification

covert in para 1

Amendment 1771

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 56 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Europol may designate a representative to attend the meetings of the Management Board as an observer on matters involving Europol, at the request of the Chairperson of the Management Board.

deleted

Or. en

Justification

The Management Board is free to invite guests anytime. No need to enshrine a seat for Europol in the law.

Amendment 1772

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 56 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Europol may designate a representative to attend the meetings of the Management Board as an observer on matters ***involving Europol, at the request of the Chairperson of the Management Board.***

The EDPS may designate a representative to attend the meetings of the Management Board as an observer on ***matters relating to the protection of personal data.***

Or. en

Amendment 1773

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 56 – paragraph 3

Text proposed by the Commission

Amendment

3. Each member of the Management Board shall have an alternate. The alternate shall represent the member in *his/her* absence.

3. Each member of the Management Board shall have an alternate. The alternate shall represent the member in *the member's* absence.

Or. en

Amendment 1774

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 56 – paragraph 3

Text proposed by the Commission

3. Each member of the Management Board shall have an alternate. The alternate shall represent the member in *his/her* absence.

Amendment

3. Each member of the Management Board shall have an alternate. The alternate shall represent the member in *their* absence.

Or. en

Amendment 1775

Paul Tang, Alex Agius Saliba

Proposal for a regulation

Article 56 – paragraph 4

Text proposed by the Commission

4. Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of combating child sexual abuse, taking into account relevant managerial, administrative and budgetary skills. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. All parties shall *aim*

Amendment

4. Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of combating child sexual abuse, taking into account relevant managerial, administrative and budgetary skills. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. All parties shall

to achieve a balanced representation
between men and women on the
Management Board.

ensure that gender balance between men
and women *is achieved* on the
Management Board *with at least 40% of*
candidates of each sex.

Or. en

Amendment 1776

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 56 – paragraph 4

Text proposed by the Commission

4. Members of the Management Board and their alternates shall be appointed in the light of their *knowledge* in the field of combating child sexual abuse, taking into account relevant managerial, administrative and budgetary skills. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. *All parties shall aim to achieve a balanced representation between men and women on the Management Board.*

Amendment

4. Members of the Management Board and their alternates shall be appointed in the light of their *proven expertise* in the field of *preventing and combating child sexual abuse and victim support*, taking into account relevant managerial, administrative and budgetary skills. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work.

Or. en

Amendment 1777

Patrick Breyer, Alexandra Geese

Proposal for a regulation

Article 57 – paragraph 1 – point c

Text proposed by the Commission

(c) adopt rules for the prevention and

Amendment

(c) adopt rules for the prevention and

management of conflicts of interest in respect of its members, as well as for the members of the Technological Committee and of **any other advisory group it may establish** and publish annually on its website the declaration of interests of the members of the Management Board;

management of conflicts of interest in respect of its members, as well as for the members of the Technological Committee and of **the Survivors' Advisory Board** and publish annually on its website the declaration of interests of the members of the Management Board;

Or. en

Amendment 1778

Hilde Vautmans, Fabienne Keller, Olivier Chastel, Maite Pagazaurtundúa, Lucia Ďuriš Nicholsonová, Nathalie Loiseau

Proposal for a regulation

Article 57 – paragraph 1 – point f

Text proposed by the Commission

(f) appoint the members of the Technology Committee, and of any other advisory group it may establish;

Amendment

(f) appoint the members of the Technology Committee, **of the Children's Rights and Survivors Advisory Board** and of any other advisory group it may establish;

Or. en

Amendment 1779

Paul Tang, Alex Agius Saliba

Proposal for a regulation

Article 57 – paragraph 1 – point f

Text proposed by the Commission

(f) appoint the members of the Technology Committee, and of any other advisory group it may establish;

Amendment

(f) appoint the members of the Technology Committee, **the Expert's Consultative Forum** and of any other advisory group it may establish;

Or. en

Amendment 1780

Paul Tang, Alex Agius Saliba, Birgit Sippel

**Proposal for a regulation
Article 57 – paragraph 1 – point f a (new)**

Text proposed by the Commission

Amendment

(fa) appoint a Data Protection Officer;

Or. en

**Amendment 1781
Paul Tang, Alex Agius Saliba, Birgit Sippel**

**Proposal for a regulation
Article 57 – paragraph 1 – point f b (new)**

Text proposed by the Commission

Amendment

**(fb) appoint a Fundamental Rights
Officer;**

Or. en

**Amendment 1782
Cornelia Ernst, Clare Daly**

**Proposal for a regulation
Article 57 – paragraph 1 – point g**

Text proposed by the Commission

Amendment

**(g) adopt the opinions on intended
detection orders referred to in Article 7(4),
on the basis of a draft opinion provided by
the Executive Director;**

deleted

Or. en

**Amendment 1783
Patrick Breyer, Alexandra Geese
on behalf of the Verts/ALE Group**

Proposal for a regulation
Article 57 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) consult the Survivors' Advisory Board as regards the obligations referred to in points (a), and (h) of this Article.

Or. en

Amendment 1784
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 58 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The Deputy Chairperson shall automatically replace the Chairperson **if he/she is prevented from attending to his/her duties.**

The Deputy Chairperson shall automatically replace the Chairperson **when necessary.**

Or. en

Amendment 1785
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 60 – paragraph 2

Text proposed by the Commission

Amendment

2. Each member shall have one vote. In the absence of a member, **his/her** alternate shall be entitled to exercise **his/her** right to vote.

2. Each member shall have one vote. In the absence of a member, **the** alternate **member** shall be entitled to exercise **the** right to vote.

Or. en

Amendment 1786
Paul Tang, Alex Agius Saliba, Theresa Bielowski

Proposal for a regulation

Article 61 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Executive Board shall be composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and two representatives of the Commission to the Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board.

Amendment

The Executive Board shall be **gender-balanced and** composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and two representatives of the Commission to the Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board. ***The composition of the Executive Board shall take into consideration gender balance with at least 40% is of each sex.***

Or. en

Amendment 1787

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 61 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Executive Board shall be composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and ***two representatives*** of the Commission ***to the Management Board***. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board.

Amendment

The Executive Board shall be composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and ***one representative*** of the Commission ***and the European Parliament respectively***. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board.

Or. en

Amendment 1788
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 61 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Executive Board shall be composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and **two representatives** of the Commission to the Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board.

Amendment

The Executive Board shall be composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and **one representative** of the Commission to the Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board.

Or. en

Amendment 1789
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 62 – paragraph 2 – point j

Text proposed by the Commission

(j) appoint an Accounting Officer, who may be the Commission's Accounting Officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally independent in the performance of **his/her** duties;

Amendment

(j) appoint an Accounting Officer, who may be the Commission's Accounting Officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally independent in the performance of **the Officer's** duties;

Or. en

Amendment 1790
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 62 – paragraph 2 – point p

Text proposed by the Commission

(p) authorise the conclusion of memoranda of understanding referred to in Article **53(3) and Article 54(2)**.

Amendment

(p) authorise the conclusion of memoranda of understanding referred to in Article 54(2).

Or. en

Amendment 1791

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 64 – paragraph 2

Text proposed by the Commission

2. The Executive Director shall report to the European Parliament on the performance of **his/her** duties when invited to do so. The Council may invite the Executive Director to report on the performance of **his/her** duties.

Amendment

2. The Executive Director shall report to the European Parliament on the performance of **the Executive Director's** duties when invited to do so. The Council may invite the Executive Director to report on the performance of **the Executive Director's** duties.

Or. en

Amendment 1792

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 64 – paragraph 4 – point e a (new)

Text proposed by the Commission

Amendment

(ea) implementing gender mainstreaming and gender budgeting in all areas, including drafting a gender action plan (GAP);

Or. en

Amendment 1793

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 64 – paragraph 4 – point f

Text proposed by the Commission

(f) preparing the Consolidated Annual Activity Report (CAAR) on the EU Centre’s activities and presenting it to the Executive Board for assessment and adoption;

Amendment

(f) preparing the Consolidated Annual Activity Report (CAAR) on the EU Centre’s activities, ***including the activities of the Technology Committee and the Survivors’ Advisory Board***, and presenting it to the Executive Board for assessment and adoption;

Or. en

Amendment 1794

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 64 – paragraph 4 – point g

Text proposed by the Commission

(g) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by the European Anti-Fraud Office (OLAF) and by the European Public Prosecutor’s Office (EPPO) and reporting on progress twice a year to the Commission and regularly to the Management Board and the Executive Board;

Amendment

(g) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by the European Anti-Fraud Office (OLAF) and by the European Public Prosecutor’s Office (EPPO) and reporting on progress twice a year to the Commission and ***the European Parliament and*** regularly to the Management Board and the Executive Board;

Or. en

Amendment 1795

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 66 – paragraph 1

Text proposed by the Commission

1. The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment

1. The Technology Committee shall consist of technical ***and data protection*** experts appointed by the Management Board in view of their excellence and their independence ***from corporate interests***, following the publication of a call for expressions of interest in the Official Journal of the European Union. ***Its members shall be appointed for a term of four years, renewable once. On the expiry of their term of office, members shall remain in office until they are replaced or until their appointments are renewed. If a member resigns before the expiry of his or her term of office, he or she shall be replaced for the remainder of the term by a member appointed by the Management Board.***

Or. en

Amendment 1796

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 66 – paragraph 1

Text proposed by the Commission

1. The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment

1. The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence, ***particular expertise in upholding privacy and data protection*** and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment 1797
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 66 – paragraph 1

Text proposed by the Commission

1. The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment

1. The Technology Committee shall consist of technical ***experts, in particular privacy and data protection*** experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment 1798
Rob Rooker

Proposal for a regulation
Article 66 – paragraph 1

Text proposed by the Commission

1. The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment

1. The Technology Committee shall consist of technical, ***privacy and data protection*** experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.

Amendment 1799
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 66 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Technology Committee shall have equal representation in terms of gender.

Or. en

Amendment 1800
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 66 – paragraph 4

Text proposed by the Commission

Amendment

4. When a member no longer meets the criteria of independence, he or she shall inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or of the Commission, a lack of independence and revoke the person concerned. The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.

4. When a member no longer meets the criteria of independence, he or she shall inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or of the Commission, a lack of independence and revoke **appointment of** the person concerned. The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.

Or. en

Amendment 1801
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 66 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) contribute to the EU Centre's opinions referred to in Article 7(3), first

deleted

subparagraph, point (d);

Or. en

Amendment 1802

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 66 – paragraph 6 – point b

Text proposed by the Commission

(b) contribute to the EU Centre’s assistance to the Coordinating Authorities, the Management Board, the Executive Board and the Executive Director, in respect of matters related to the use of technology;

Amendment

(b) contribute to the EU Centre’s assistance to the Coordinating Authorities, the Management Board, the Executive Board and the Executive Director, in respect of matters related to the use of technology ***and data protection***;

Or. en

Amendment 1803

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 66 – paragraph 6 – point c

Text proposed by the Commission

(c) provide internally, upon request, expertise on matters related to the use of technology for the purposes of prevention and detection of child sexual abuse online.

Amendment

(c) provide internally, upon request, expertise on matters related to the use of technology ***and data protection*** for the purposes of prevention and detection of child sexual abuse online.

Or. en

Amendment 1804

Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation

Article 66 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. (d) evaluate the effectiveness of new and existing detection technology through unknown datasets of verified indicators.

(e) establish best practices on safety by design and the voluntary use of technologies, including prevention and detection technologies, as part of providers' mitigation measures.

(f) introduce a regular reviewing and reporting process to assess and share expertise on the most recent technological innovations and developments related to detection technology.

Or. en

Amendment 1805

Patrick Breyer, Alexandra Geese

Proposal for a regulation

Article 66 a (new)

Text proposed by the Commission

Amendment

Article 66a

Establishment and tasks of the Survivors Advisory Board

1. The Survivors' Advisory Board shall consist of seven members who are either survivors and victims of child sexual abuse or experts on the needs of survivors and victims of child sexual abuse, and shall be appointed by the Management Board in view of their personal experience if applicable, expertise and scope of work, following the publication of a call for expressions of interest in the Official Journal of the European Union. The Survivors Advisory Board shall ensure representation of all protected characteristics.

2. Procedures concerning the appointment of the members of the Survivors' Advisory Board and its operation shall be further specified in the rules of procedure of the Management Board and shall be made public.

3. The members of the Survivors' Advisory Board shall act in the interest of child sexual abuse victims. The EU Agency shall publish the list of members of the Survivors' Advisory Board on its website and keep it up to date.

4. If a member no longer meets the criterion of independence, he or she shall inform the Management Board. The Management Board may, on the proposal of at least one third of its members or of the Commission, determine a lack of independence and revoke the appointment of the person concerned. The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure applicable to ordinary members. If a member resigns before the expiry of his or her term of office, he or she shall be replaced for the remaining term of office in accordance with the procedure applicable to ordinary members.

5. The term of office of the members of the Survivors' Advisory Board shall be four years. It may be renewed once.

6. The Executive Director and the Management Board shall consult the Survivors Advisory Board on any matter relating to victims rights and preventing and combating child sexual abuse, and they shall give a structural consult at least twice a year.

7. The Survivors' Advisory Board shall have the following tasks:

(a) ensure visibility of the interests and needs of survivors and victims of child sexual abuse;

(b) advise the Management Board on

matters set out in Article 57 point (h a);

(c) advise the Executive Director and the Management Board as set out in paragraph 6 of this Article;

(d) contribute experience and expertise in preventing and combating child sexual abuse and victim support and assistance;

(e) serve as a platform to exchange and connect for survivors of child sexual abuse;

(f) provide an annual activity report to the Executive Director as part of the Consolidated Annual Activity Report.

Or. en

Amendment 1806

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

Proposal for a regulation

Article 66 a (new)

Text proposed by the Commission

Amendment

Article 66a

Establishment and tasks of the Expert's Consultative Forum

- 1. The EU Centre shall establish a Consultative Forum to assist it by providing it with independent advice on survivors related matters. The Consultative Forum shall act upon request of the Management Board or the Executive Director.***
- 2. The Consultative Forum shall consist of a maximum of fifteen members. Members of the Consultative Forum shall, in an equal matter, be appointed from child survivors and parents of child survivors, as well as representatives of organizations acting in the public interest, including:***
 - (a) organizations representing or***

promoting rights of the LGBTQIA+ community, specifically minors;

(b) organizations representing or promoting children's rights;

(b) organizations representing or promoting child survivors rights;

(c) organizations representing or promoting digital rights

They shall be appointed by the Management Board following the publication of a call for expression of interest in the Official Journal of the European Union.

3. The mandate of members of the Consultative Forum shall be of four years. Those mandates shall be renewable once.

4. The Consultative Forum shall:

a) provide the Management Board and the Executive Director with advice on matters related to survivors;

b) provide the Management Board, the Executive Director and the Technology Committee with advice on preventive measures for relevant information society services;

c) contribute to the EU Centre communication strategy referred to in Article 50(5);

d) provide its opinion on the proportionality of technologies used to detect known child sexual abuse;

e) maintain an open dialogue with the Management Board and the Executive Director on all matters related to survivors, particularly on the protection of survivors' rights and digital rights.

Or. en

Amendment 1807

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

Proposal for a regulation
Chapter IV – Section 5 – Part 3 a (new)

Text proposed by the Commission

Amendment

3a Part 3 a (new): Fundamental Rights Protection

Article 66b Fundamental rights officer

1. A fundamental rights officer shall be appointed by the management board on the basis of a list of three candidates, after consultation with the Expert's Consultative Forum. The fundamental rights officer shall have the necessary qualifications, expert knowledge and professional experience in the field of fundamental rights.

2. The fundamental rights officer shall perform the following tasks:

(a) contributing to the Centre's fundamental rights strategy and the corresponding action plan, including by issuing recommendations for improving them;

(b) monitoring the Centre's compliance with fundamental rights, including by conducting investigations into any of its activities;

(c) promoting the Centre's respect of fundamental rights;

(d) advising the Centre where he or she deems it necessary or where requested on any activity of the Centre without delaying those activities;

(e) providing opinions on working arrangements;

(f) providing the secretariat of the consultative forum;

(g) informing the management board and executive director about possible violations of fundamental rights during activities of the Centre;

(h) performing any other tasks, where

provided for by this Regulation.

3. The Management Board shall lay down special rules applicable to the fundamental rights officer in order to guarantee that the fundamental rights officer and his or her staff are independent in the performance of their duties. The fundamental rights officer shall report directly to the Management Board and shall cooperate with the Technology Committee.

The management board shall ensure that action is taken with regard to recommendations of the fundamental rights officer. In addition, the fundamental rights officer shall publish annual reports on his or her activities and on the extent to which the activities of the Centre respect fundamental rights. Those reports shall include information on the complaints mechanism and the implementation of the fundamental rights strategy.

4. The Centre shall ensure that the fundamental rights officer is able to act autonomously and is able to be independent in the conduct of his or her duties. The fundamental rights officer shall have sufficient and adequate human and financial resources at his or her disposal necessary for the fulfilment of his or her tasks. The fundamental rights officer shall select his or her staff, and that staff shall only report to him or her.

5. The fundamental rights officer shall be assisted by a deputy fundamental rights officer. The deputy fundamental rights officer shall be appointed by the management board from a list of at least three candidates presented by the fundamental rights officer. The deputy fundamental rights officer shall have the necessary qualifications and experience in the field of fundamental rights and shall be independent in the conduct of his or her duties. If the fundamental rights officer is absent or indisposed, the deputy

fundamental rights officer shall assume the fundamental rights officer's duties and responsibilities.

6. The fundamental rights officer shall have access to all information concerning respect for fundamental rights in all the activities of the Centre.

Article 66c Complaints mechanism

1. The Centre shall, in cooperation with the fundamental rights officer, take the necessary measures to set up and further develop an independent and effective complaints mechanism in accordance with this Article to monitor and ensure respect for fundamental rights in all the activities of the Centre.

2. Any person who is directly affected by the actions or failure to act on the part of staff involved in a joint operation, pilot project, or an operational activity of the Centre, and who considers himself or herself to have been the subject of a breach of his or her fundamental rights due to those actions or that failure to act, or any party representing such a person, may submit a complaint in writing to the Centre.

3. The fundamental rights officer shall be responsible for handling complaints received by the Centre in accordance with the right to good administration. For that purpose, the fundamental rights officer shall review the admissibility of a complaint, register admissible complaints, forward all registered complaints to the executive director and forward complaints concerning members of the teams to the relevant authority or body competent for fundamental rights for further action in accordance with their mandate. The fundamental rights officer shall also register and ensure the follow-up by the Centre or that authority or body.

4. In accordance with the right to good administration, if a complaint is admissible, complainants shall be

informed that the complaint has been registered, that an assessment has been initiated and that a response may be expected as soon as it becomes available. If a complaint is forwarded to national authorities or bodies, the complainant shall be provided with their contact details. If a complaint is declared inadmissible, the complainant shall be informed of the reasons and, if possible, provided with further options for addressing their concerns.

The Centre shall provide for an appropriate procedure in cases where a complaint is declared inadmissible or unfounded. Any decision shall be in written form and reasoned. The fundamental rights officer shall reassess the complaint if the complainant submits new evidence in situations where the complaint has been declared inadmissible or unfounded.

5. In the case of a registered complaint concerning a staff member of the Centre, the fundamental rights officer shall recommend appropriate follow-up, including disciplinary measures, to the executive director and, where appropriate, referral for the initiation of civil or criminal justice proceedings in accordance with this Regulation and national law.

The executive director shall ensure the appropriate follow-up and shall report back to the fundamental rights officer within a determined timeframe and, if necessary, at regular intervals thereafter, as to the findings, the implementation of disciplinary measures, and follow-up by the Centre in response to a complaint.

If a complaint is related to data protection issues, the executive director shall consult the data protection officer of the Centre before taking a decision on the complaint. The fundamental rights officer and the data protection officer shall establish, in writing, a memorandum of understanding

specifying their division of tasks and cooperation as regards complaints received.

6. The fundamental rights officer shall include information on the complaints mechanism in his or her annual report, as referred to in Article 66a, including specific references to the Centre's findings and the follow-up to complaints.

7. The fundamental rights officer shall, in accordance with paragraphs 1 to 9 and after consulting the experts council, draw up a standardised complaint form requiring detailed and specific information concerning the alleged breach of fundamental rights. The fundamental rights officer shall also draw up any further detailed rules as necessary. The fundamental rights officer shall submit that form and such further detailed rules to the executive director and to the management board.

The Centre shall ensure that information about the possibility and procedure for making a complaint is readily available, including for vulnerable persons. The standardised complaint form shall be made available on the Centre's website and in hardcopy during all activities of the Centre in languages that third-country nationals understand or are reasonably believed to understand. The standardised complaint form shall be easily accessible, including on mobile devices. The Centre shall ensure that further guidance and assistance on the complaints procedure is provided to complainants. Complaints shall be considered by the fundamental rights officer even when they have not been submitted in the standardised complaint form.

8. Any personal data contained in a complaint shall be handled and processed by the Centre, including the fundamental rights officer, in accordance with Regulation (EU) 2018/1725.

Where a complainant submits a complaint, that complainant shall be understood to consent to the processing of his or her personal data by the Centre and the fundamental rights officer within the meaning of point (d) of Article 5(1) of Regulation (EU) 2018/1725.

In order to safeguard the interests of the complainants, complaints shall be dealt with confidentially by the fundamental rights officer in accordance with national and Union law unless the complainant explicitly waives his or her right to confidentiality.

When complainants waive their right to confidentiality, it shall be understood that they consent to the fundamental rights officer or the Centre disclosing their identity to the competent authorities or bodies in relation to the matter under complaint, where necessary.

Or. en

Amendment 1808
Rob Rooker

Proposal for a regulation
Article 83 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services, providers of interpersonal communications services and providers of internet access services shall collect data on the following topics and make that information available to the EU Centre upon request:

Amendment

1. Providers of hosting services, providers of **number independent** interpersonal communications services and providers of internet access services shall collect data on the following topics and make that information available to the EU Centre upon request:

Or. en

Amendment 1809
René Repasi, Timo 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 83 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services, providers of interpersonal communications services and providers of internet access services shall collect data on the following topics and make that information available to the EU Centre upon request:

Amendment

1. Providers of hosting services, providers of ***number-independent*** interpersonal communications services and providers of internet access services shall collect data on the following topics and make that information available to the EU Centre upon request:

Or. en

Amendment 1810

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services, providers of interpersonal communications ***services and providers of internet access*** services shall collect data on the following topics and make that information ***available to the EU Centre upon request.***

Amendment

1. Providers of hosting services ***and*** providers of ***number-independent*** interpersonal communications services shall collect data on the following topics and make that information ***public:***

Or. en

Amendment 1811

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 1 – introductory part

Text proposed by the Commission

1. Providers of hosting services, providers of interpersonal communications **services and providers of internet access** services shall collect data on the following topics and make that information available to the EU Centre upon request:

Amendment

1. Providers of hosting services, providers of interpersonal communications services shall collect data on the following topics and make that information available to the EU Centre upon request:

Or. en

Amendment 1812

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 1 – point a

Text proposed by the Commission

(a) where the provider has been subject to a detection order issued in accordance with Article 7:

— the measures taken to comply with the order, including the technologies used for that purpose and the safeguards provided;

— the error rates of the technologies deployed to detect online child sexual abuse and measures taken to prevent or remedy any errors;

— in relation to complaints and cases submitted by users in connection to the measures taken to comply with the order, the number of complaints submitted directly to the provider, the number of cases brought before a judicial authority, the basis for those complaints and cases, the decisions taken in respect of those complaints and in those cases, the average time needed for taking those decisions and the number of instances where those decisions were subsequently reversed;

Amendment

deleted

Or. en

Amendment 1813

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 1 – point a – indent 1

Text proposed by the Commission

– the measures taken to comply with the order, ***including the technologies used for that purpose and the safeguards provided***;

Amendment

– the measures taken to comply with the order;

Or. en

Amendment 1814

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 1 – point a – indent 2

Text proposed by the Commission

– the ***error*** rates of the technologies deployed to detect online child sexual abuse and ***measures*** taken to ***prevent or remedy any errors***;

Amendment

– the ***false positives and false negative*** rates of the technologies deployed to detect online child sexual abuse and ***steps*** taken to ***mitigate the harm caused by any inaccuracy***;

Or. en

Amendment 1815

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 83 – paragraph 1 – point a – indent 2

Text proposed by the Commission

Amendment

– the error rates of the technologies deployed to detect **online** child sexual abuse and measures taken to prevent or remedy any errors;

– the error rates of the technologies deployed to detect child sexual abuse and measures taken to prevent or remedy any errors;

Or. en

Amendment 1816

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 83 – paragraph 1 – point a – indent 2 a (new)

Text proposed by the Commission

Amendment

- ***including the rates of false positives and negatives, and confirmed positives and negatives***

Or. en

Amendment 1817

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the number of removal orders issued to the provider in accordance with Article 14 and the average time **needed** for removing or disabling access to the item or items of child sexual abuse material in question;

(b) the number of removal orders issued to the provider in accordance with Article 14 and the average time for removing or disabling access to the item or items of child sexual abuse material in question, ***counting from the moment the order entered the provider's system;***

Or. en

Amendment 1818
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 1 – point b

Text proposed by the Commission

(b) the number of removal orders issued to the provider in accordance with Article 14 and the average time needed for removing *or disabling access to* the item or items of child sexual abuse material in question;

Amendment

(b) the number of removal orders issued to the provider in accordance with Article 14 and the average time needed for removing the item or items of child sexual abuse material in question;

Or. en

Amendment 1819
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the number and duration of delays to removals as a result of requests from competent authorities or law enforcement authorities;

Or. en

Amendment 1820
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the total number of items of child sexual abuse material that the provider removed or to which it disabled access,

(c) the total number of items of child sexual abuse material that the provider removed or to which it disabled access,

broken down by whether the items were removed or access thereto was disabled pursuant to a removal order or to a notice submitted by a Competent Authority, the EU Centre *or a third party* or at the provider's own initiative;

broken down by whether the items were removed or access thereto was disabled pursuant to a removal order or to a notice submitted by a ***Judicial Authority***, Competent Authority, the EU Centre, ***a national hotline, a trusted flagger, or a private individual*** or at the provider's own initiative;

Or. en

Amendment 1821

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 1 – point c

Text proposed by the Commission

(c) the total number of items of child sexual abuse material that the provider removed ***or to which it disabled access***, broken down by whether the items were removed ***or access thereto was disabled*** pursuant to a removal order or to a notice submitted by a Competent Authority, the EU Centre or a third party or at the provider's own initiative;

Amendment

(c) the total number of items of child sexual abuse material that the provider removed, broken down by whether the items were removed pursuant to a removal order or to a notice submitted by a Competent Authority, the EU Centre or a third party or at the provider's own initiative;

Or. en

Amendment 1822

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the number of instances that the provider was asked to provide additional support to law enforcement authorities in relation to content that was removed;

Amendment 1823

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the number of blocking orders issued to the provider in accordance with Article 16; *deleted*

Amendment 1824

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the number of blocking orders issued to the provider in accordance with Article 16; *deleted*

Amendment 1825

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 83 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the number of blocking orders issued to the provider in accordance with Article 16;

deleted

Or. en

Amendment 1826
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the number of instances in which the provider invoked Article 8(3), Article 14(5) or (6) *or Article 17(5)*, together with the grounds therefor;

(e) the number of instances in which the provider invoked Article 14(5) or (6) together with the grounds therefor;

Or. en

Amendment 1827
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the number of instances in which the provider invoked Article 8(3), Article 14(5) or (6) *or Article 17(5)*, together with the grounds therefor;

(e) the number of instances in which the provider invoked Article 8(3), Article 14(5) or (6), together with the grounds therefor;

Or. en

Amendment 1828
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 83 – paragraph 1 – point e

Text proposed by the Commission

(e) the number of instances in which the provider invoked Article 8(3), Article 14(5) or (6) *or Article 17(5)*, together with the grounds therefor;

Amendment

(e) the number of instances in which the provider invoked Article 8(3), Article 14(5) or (6), together with the grounds therefor;

Or. en

Amendment 1829
Lucia Ďuriš Nicholsonová, Fabienne Keller, Yana Toom

Proposal for a regulation
Article 83 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Educational and awareness-raising campaigns aimed at informing and alerting users about the risks of online child sexual abuse, where possible, including the impact, outreach and effectiveness of the activities carried out on the targeted audience, disaggregated into different categories based on demographics

Or. en

Amendment 1830
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 83 – paragraph 1 – point e b (new)

Text proposed by the Commission

Amendment

(eb) Measures put in place by the providers to prevent online child sexual abuse, such as technological systems and processes, where possible, including the

impact, outreach and effectiveness of the activities carried out on the targeted audience.

Or. en

Amendment 1831

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Coordinating Authorities shall collect data on the following topics and make that information available to the EU Centre *upon request*:

Amendment

2. The Coordinating Authorities shall collect data on the following topics and make that information *publicly* available, *redacting operationally sensitive data as appropriate and proving an unredacted version* to the EU Centre:

Or. en

Amendment 1832

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 2 – point a – indent -1 (new)

Text proposed by the Commission

Amendment

-1 the nature of the report and its key characteristics such as if the security of the hosting service was allegedly breached;

Or. en

Amendment 1833

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 2 – point a – indent 2

Text proposed by the Commission

– where the report led to the launch of a criminal investigation or contributed to an ongoing investigation, the state of play or outcome of the investigation, including whether the case was closed at pre-trial stage, whether the case led to the imposition of penalties, whether *victims* were identified and rescued and if so their numbers differentiating by gender and age, and whether any suspects were arrested and any perpetrators were convicted and if so their numbers;

Amendment

– where the report led to the launch of a criminal investigation or contributed to an ongoing investigation, the state of play or outcome of the investigation, including whether the case was closed at pre-trial stage, whether the case led to the imposition of penalties, whether *survivors* were identified and rescued and if so their numbers differentiating by gender and age, and whether any suspects were arrested and any perpetrators were convicted and if so their numbers;

Or. en

Amendment 1834

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 2 – point b

Text proposed by the Commission

(b) the most important and recurrent risks of online child sexual abuse, as reported by providers of hosting services and providers of interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Amendment

deleted

Or. en

Amendment 1835

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 2 – point b

Text proposed by the Commission

(b) the most important and recurrent **risks** of online child sexual abuse, as reported by providers of hosting services and providers of interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Amendment

(b) the most important and recurrent **types and characteristics** of online child sexual abuse **encountered**, as reported by providers of hosting services and providers of **number-independent** interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Or. en

Amendment 1836

Rob Rooker

Proposal for a regulation

Article 83 – paragraph 2 – point b

Text proposed by the Commission

(b) the most important and recurrent risks of online child sexual abuse, as reported by providers of hosting services and providers of interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Amendment

(b) the most important and recurrent risks of online child sexual abuse, as reported by providers of hosting services and providers of **number independent** interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Or. en

Amendment 1837

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 83 – paragraph 2 – point b

Text proposed by the Commission

(b) the most important and recurrent risks of online child sexual abuse, as reported by providers of hosting services and providers of interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Amendment

(b) the most important and recurrent risks of online child sexual abuse, as reported by providers of hosting services and providers of **number-independent** interpersonal communications services in accordance with Article 3 or identified through other information available to the Coordinating Authority;

Or. en

Amendment 1838

Cornelia Ernst, Clare Daly

Proposal for a regulation

Article 83 – paragraph 2 – point c

Text proposed by the Commission

(c) ***a list of the providers of hosting services and providers of interpersonal communications services to which the Coordinating Authority addressed a detection order in accordance with Article 7;***

Amendment

deleted

Or. en

Amendment 1839

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 2 – point c

Text proposed by the Commission

(c) a list of the providers of hosting services and providers of interpersonal communications services to which the Coordinating Authority addressed ***a detection*** order in accordance with Article 7;

Amendment

(c) a list of the providers of hosting services and providers of ***number-independent*** interpersonal communications services to which the Coordinating Authority addressed ***an investigation*** order in accordance with Article 7;

Amendment 1840

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 83 – paragraph 2 – point c

Text proposed by the Commission

(c) a list of the providers of hosting services and providers of interpersonal communications services to which the Coordinating Authority addressed a detection order in accordance with Article 7;

Amendment

(c) a list of the providers of hosting services and providers of **number-independent** interpersonal communications services to which the Coordinating Authority addressed a detection order in accordance with Article 7;

Amendment 1841

Rob Rooker

Proposal for a regulation

Article 83 – paragraph 2 – point c

Text proposed by the Commission

(c) a list of the providers of hosting services and providers of interpersonal communications services to which the Coordinating Authority addressed a detection order in accordance with Article 7;

Amendment

(c) a list of the providers of hosting services and providers of **number independent** interpersonal communications services to which the Coordinating Authority addressed a detection order in accordance with Article 7;

Amendment 1842

Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the number of detection orders issued in accordance with Article 7, broken down by provider and by type of online child sexual abuse, and the number of instances in which the provider invoked Article 8(3);

deleted

Or. en

Amendment 1843
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) the number of removal orders issued in accordance with Article 14, broken down by provider, the time needed to remove or disable access to the item or items of child sexual abuse material concerned, and the number of instances in which the provider invoked Article 14(5) and (6);

(f) the number of removal orders issued in accordance with Article 14, broken down by provider, the time needed to remove or disable access to the item or items of child sexual abuse material concerned, *including the time it took the Coordinating Authority to process the order*, and the number of instances in which the provider invoked Article 14(5) and (6);

Or. en

Amendment 1844
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) the number of removal orders

(f) the number of removal orders

issued in accordance with Article 14, broken down by provider, the time needed to remove *or disable access to* the item or items of child sexual abuse material concerned, and the number of instances in which the provider invoked Article 14(5) and (6);

issued in accordance with Article 14, broken down by provider, the time needed to remove the item or items of child sexual abuse material concerned, and the number of instances in which the provider invoked Article 14(5) and (6);

Or. en

Amendment 1845

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 83 – paragraph 2 – point f

Text proposed by the Commission

(f) the number of removal orders issued in accordance with Article 14, broken down by provider, the time needed to remove *or disable access to* the item or items of child sexual abuse material concerned, and the number of instances in which the provider invoked Article 14(5) and (6);

Amendment

(f) the number of removal orders issued in accordance with Article 14, broken down by provider, the time needed to remove the item or items of child sexual abuse material concerned, and the number of instances in which the provider invoked Article 14(5) and (6);

Or. en

Amendment 1846

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 83 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) the number of blocking orders issued in accordance with Article 16, broken down by provider, and the number of instances in which the provider invoked Article 17(5); *deleted*

Or. en

Amendment 1847
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) the number of blocking orders issued in accordance with Article 16, broken down by provider, and the number of instances in which the provider invoked Article 17(5); *deleted*

Or. en

Amendment 1848
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) the number of blocking orders issued in accordance with Article 16, broken down by provider, and the number of instances in which the provider invoked Article 17(5); *deleted*

Or. en

Amendment 1849
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) *the instances in which the opinion of the EU Centre pursuant to Article 7(4)(d) substantially deviated from the opinion of the Coordinating Authority, specifying the points at which it deviated and the main reasons for the deviation.* **deleted**

Or. en

Amendment 1850
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 83 – paragraph 2 – point i a (new)

Text proposed by the Commission

Amendment

(ia) *the measures taken regarding prevention and victim assistance programmes, including the number of children in primary education who are taking part in awareness raising campaigns and through education programmes about the risks of all forms of sexual exploitation of children, including in the online environment.*

Or. en

Amendment 1851
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The EU Centre shall collect data and generate statistics on the ***detection***,

3. The EU Centre shall collect data and generate statistics on the reporting ***and***

reporting, removal of *or disabling of access to* online child sexual abuse under this Regulation. The data shall be in particular on the following topics:

removal of online child sexual abuse under this Regulation. The data shall be in particular on the following topics:

Or. en

Amendment 1852

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – introductory part

Text proposed by the Commission

3. The EU Centre shall collect data and generate statistics on the detection, reporting, removal of or disabling of access to online child sexual abuse under this Regulation. The data shall *be in particular on the following topics*:

Amendment

3. The EU Centre shall collect data and generate statistics on the detection, reporting, removal of or disabling of access to online child sexual abuse under this Regulation. The data shall *include*:

Or. en

Amendment 1853

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 83 – paragraph 3 – introductory part

Text proposed by the Commission

3. The EU Centre shall collect data and generate statistics on the detection, reporting, removal of *or disabling of access to* online child sexual abuse under this Regulation. The data shall be in particular on the following topics:

Amendment

3. The EU Centre shall collect data and generate statistics on the detection, reporting, removal of online child sexual abuse under this Regulation. The data shall be in particular on the following topics:

Or. en

Amendment 1854
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) *the number of indicators in the databases of indicators referred to in Article 44 and the development of that number as compared to previous years;*

deleted

Or. en

Amendment 1855
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the number of indicators in the databases of indicators referred to in Article 44 and the *development* of that number as compared to previous years;

(a) the number of indicators in the databases of indicators referred to in Article 44 and the *change* of that number as compared to previous years;

Or. en

Amendment 1856
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the number of submissions of child sexual abuse material *and solicitation of children* referred to in Article 36(1), broken down by Member State that designated the submitting Coordinating

(b) the number of submissions of child sexual abuse material referred to in Article 36(1), broken down by Member State that designated the submitting Coordinating

Authorities, *and, in the case of child sexual abuse material, the number of indicators generated on the basis thereof and the number of uniform resource locators included in the list of uniform resource locators in accordance with Article 44(3)*;

Authorities;

Or. en

Amendment 1857

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of submissions of child sexual abuse material *and solicitation of children* referred to in Article 36(1), broken down by Member State that designated the submitting Coordinating Authorities, and, in the case of child sexual abuse material, the number of indicators generated on the basis thereof *and the number of uniform resource locators included in the list of uniform resource locators in accordance with Article 44(3)*;

Amendment

(b) the number of submissions of child sexual abuse material referred to in Article 36(1), broken down by Member State that designated the submitting Coordinating Authorities, and, in the case of child sexual abuse material, the number of indicators generated on the basis thereof);

Or. en

Amendment 1858

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 83 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) the total number of reports submitted to the EU Centre in accordance with Article 12, broken down by provider of hosting services and provider of interpersonal communications services that submitted the report and by Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3);

(c) the total number of reports submitted to the EU Centre in accordance with Article 12, broken down by provider of hosting services and provider of ***number-independent*** interpersonal communications services that submitted the report and by Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3);

Or. en

Amendment 1859

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – point c

Text proposed by the Commission

(c) the total number of reports submitted to the EU Centre in accordance with Article 12, broken down by provider of hosting services and provider of interpersonal communications services that submitted the report and by Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3);

Amendment

(c) the total number of reports submitted to the EU Centre in accordance with Article 12, broken down by provider of hosting services and provider of ***number-independent*** interpersonal communications services that submitted the report and by Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3);

Or. en

Amendment 1860

Rob Rooken

Proposal for a regulation

Article 83 – paragraph 3 – point c

Text proposed by the Commission

(c) the total number of reports submitted to the EU Centre in accordance

Amendment

(c) the total number of reports submitted to the EU Centre in accordance

with Article 12, broken down by provider of hosting services and provider of interpersonal communications services that submitted the report and by Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3);

with Article 12, broken down by provider of hosting services and provider of **number independent** interpersonal communications services that submitted the report and by Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3);

Or. en

Amendment 1861

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the total number of reports forwarded to Europol in accordance with Article 48, as well as the number of access requests received from Europol under Article 46(4) and 46(5), including the number of those requests granted and refused by the EU Centre.

Or. en

Amendment 1862

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) the online child sexual abuse to which the reports relate, including the number of items of potential **known and new child** sexual abuse material **and instances of potential solicitation of children**, the Member State the competent authority of which the EU Centre

(d) the online child sexual abuse to which the reports relate, including the number of items of potential sexual abuse material the Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3), and type of relevant

forwarded the reports to in accordance with Article 48(3), and type of relevant information society service that the reporting provider offers;

information society service that the reporting provider offers;

Or. en

Amendment 1863
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – point d

Text proposed by the Commission

(d) the online child sexual abuse to which the reports relate, including the number of items of potential known *and new* child sexual abuse material *and instances of potential solicitation of children*, the Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3), and type of relevant information society service that the reporting provider offers;

Amendment

(d) the online child sexual abuse to which the reports relate, including the number of items of potential known child sexual abuse material, the Member State the competent authority of which the EU Centre forwarded the reports to in accordance with Article 48(3), and type of relevant information society service that the reporting provider offers;

Or. en

Amendment 1864
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 3 – point e

Text proposed by the Commission

(e) the number of reports that the EU Centre considered manifestly unfounded, as referred to in Article 48(2);

Amendment

(e) the number of reports that the EU Centre considered *unfounded or* manifestly unfounded, as referred to in Article 48(2);

Or. en

Amendment 1865
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) the number of reports relating to potential new child sexual abuse material and solicitation of children that were assessed as not constituting child sexual abuse material of which the EU Centre was informed pursuant to Article 36(3), broken down by Member State;

deleted

Or. en

Amendment 1866
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) the number of reports relating to potential **new** child sexual abuse material and solicitation of children that were assessed as not constituting child sexual abuse material of which the EU Centre was informed pursuant to Article 36(3), broken down by Member State;

(f) the number of reports relating to potential **unknown** child sexual abuse material and solicitation of children that were assessed as not constituting child sexual abuse material of which the EU Centre was informed pursuant to Article 36(3), broken down by Member State;

Or. en

Amendment 1867
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – point g

Text proposed by the Commission

Amendment

(g) the results of the searches in accordance with Article 49(1), including the number of images, videos and URLs by Member State where the material is hosted;

deleted

Or. en

Amendment 1868

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – point h

Text proposed by the Commission

Amendment

(h) where the same item of potential child sexual abuse material was reported more than once to the EU Centre in accordance with Article 12 or detected more than once through the searches in accordance with Article 49(1), the number of times that that item was reported or detected in that manner.

(h) where **materially** the same item of potential child sexual abuse material was reported more than once to the EU Centre in accordance with Article 12 or detected more than once through the searches in accordance with Article 49(1), the number of times that that item was reported or detected in that manner.

Or. en

Amendment 1869

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 83 – paragraph 3 – point j

Text proposed by the Commission

Amendment

(j) number of victims of online child sexual abuse assisted by the EU Centre pursuant to Article 21(2), and the number of these victims that requested to receive such assistance in a manner accessible to them due to disabilities.

(j) **the** number of victims of online child sexual abuse assisted by the EU Centre pursuant to Article 21(2), and the number of these victims that requested to receive such assistance in a manner accessible to them due to disabilities.

Amendment 1870
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 3 – point j

Text proposed by the Commission

(j) number of *victims* of online child sexual abuse assisted by the EU Centre pursuant to Article 21(2), and the number of these *victims* that requested to receive such assistance in a manner accessible to them due to disabilities.

Amendment

(j) number of *survivors* of online child sexual abuse assisted by the EU Centre pursuant to Article 21(2), and the number of these *survivors* that requested to receive such assistance in a manner accessible to them due to disabilities.

Amendment 1871
Lucia Ďuriš Nicholsonová, Fabienne Keller

Proposal for a regulation
Article 83 – paragraph 3 – point j a (new)

Text proposed by the Commission

Amendment

(ja) the measures taken by Member States regarding prevention, awareness raising, and victim assistance programmes, including the impact, outreach and effectiveness of the activities carried out on the targeted audience, where possible, disaggregated into different categories based on demographics and including best practices and lessons learned of prevention programmes.

Amendment 1872
Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 4

Text proposed by the Commission

4. The providers of hosting services, providers of interpersonal communications **services and providers of internet access services**, the Coordinating Authorities and the EU Centre shall ensure that the data **referred to in** paragraphs 1, 2 and 3, respectively, **is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored** shall not contain any personal data.

Amendment

4. The providers of hosting services **and** providers of **number-independent** interpersonal communications services, the Coordinating Authorities and the EU Centre shall ensure that the data **stored pursuant to** paragraphs 1, 2 and 3, respectively, shall not contain any personal data.

Or. en

Amendment 1873

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 83 – paragraph 4

Text proposed by the Commission

4. The providers of hosting services, providers of interpersonal communications services and providers of internet access services, the Coordinating Authorities and the EU Centre shall ensure that the data referred to in paragraphs 1, 2 and 3, respectively, is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored shall not contain any personal data.

Amendment

4. The providers of hosting services, providers of **number-independent** interpersonal communications services and providers of internet access services, the Coordinating Authorities and the EU Centre shall ensure that the data referred to in paragraphs 1, 2 and 3, respectively, is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored shall not contain any personal data.

Or. en

Amendment 1874
Rob Rooken

Proposal for a regulation
Article 83 – paragraph 4

Text proposed by the Commission

4. The providers of hosting services, providers of interpersonal communications services and providers of internet access services, the Coordinating Authorities and the EU Centre shall ensure that the data referred to in paragraphs 1, 2 and 3, respectively, is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored shall not contain any personal data.

Amendment

4. The providers of hosting services, providers of **number independent** interpersonal communications services and providers of internet access services, the Coordinating Authorities and the EU Centre shall ensure that the data referred to in paragraphs 1, 2 and 3, respectively, is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored shall not contain any personal data.

Or. en

Amendment 1875
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 83 – paragraph 4

Text proposed by the Commission

4. The providers of hosting services, providers of interpersonal communications services **and providers of internet access services**, the Coordinating Authorities and the EU Centre shall ensure that the data referred to in paragraphs 1, 2 and 3, respectively, is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored shall not contain any personal data.

Amendment

4. The providers of hosting services **and** providers of interpersonal communications services **s**, the Coordinating Authorities and the EU Centre shall ensure that the data referred to in paragraphs 1, 2 and 3, respectively, is stored no longer than is necessary for the transparency reporting referred to in Article 84. The data stored shall not contain any personal data.

Or. en

Amendment 1876
Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 83 – paragraph 5

Text proposed by the Commission

5. They shall ensure that the data is stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the information is deleted when no longer necessary for that purpose. They shall regularly review those safeguards and adjust them where necessary.

Amendment

5. They shall ensure that the data is stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the information is deleted when no longer necessary for that purpose. ***All access to this data shall be logged and the logs securely stored for five years.*** They shall regularly review those safeguards and adjust them where necessary.

Or. en

Amendment 1877
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 84 – paragraph 1

Text proposed by the Commission

1. Each provider of relevant information society services shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(1). The providers shall, by 31 January of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Coordinating Authority of establishment, the Commission and the EU Centre.

Amendment

1. Each provider of relevant information society services shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(1). The providers shall, by 31 January of every year subsequent to the year to which the report relates, make the report available to the public ***in a machine-readable format*** and communicate it to the Coordinating Authority of establishment, the Commission and the EU Centre.

Or. en

Amendment 1878

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 84 – paragraph 1

Text proposed by the Commission

1. Each provider of relevant information society services shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(1). The providers shall, by 31 **January** of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Coordinating Authority of establishment, the Commission and the EU Centre.

Amendment

1. Each provider of relevant information society services shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(1). The providers shall, by 31 **March** of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Coordinating Authority of establishment, the Commission and the EU Centre.

Or. en

Justification

January is too early to have all numbers ready.

Amendment 1879

Paul Tang, Alex Agius Saliba

Proposal for a regulation

Article 84 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The annual report shall also include the following information:

(a) the number and subject matter of detection orders and removal orders to act against alleged online child sexual abuse and the number of notifications received in accordance with Article 32 and the effects given to those orders;

(b) the number of notifications and requests received pursuant to Articles 8a

and 35a and an overview of their follow-up;

(c) information on the effectiveness of the different technologies used and on the false positive and false negative rates of those technologies, as well as statistics on appeals and the effect they have on the users of its services and information of the effectiveness of the measures and obligations under Articles 3, 4, 5 and 7.

(d) information on the tools used by the provider to become aware of the reported online child sexual abuse, including data and aggregate statistics on how technologies used by the provider work.

Or. en

Amendment 1880
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 84 – paragraph 5

Text proposed by the Commission

5. The annual transparency reports referred to in paragraphs 1, 2 and 3 shall not include any information that may prejudice ongoing activities for the assistance to *victims* or the prevention, detection, investigation or prosecution of child sexual abuse offences. They shall also not contain any personal data.

Amendment

5. The annual transparency reports referred to in paragraphs 1, 2 and 3 shall not include any information that may prejudice ongoing activities for the assistance to *survivors* or the prevention, detection, investigation or prosecution of child sexual abuse offences. They shall also not contain any personal data.

Or. en

Amendment 1881
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 85 – paragraph 1

Text proposed by the Commission

Amendment

1. By [**five** years after the entry into force of this Regulation], and every **five** years thereafter, the Commission shall evaluate this Regulation and submit a report on its application to the European Parliament and the Council.

1. By [**two** years after the entry into force of this Regulation], and every **two** years thereafter, the Commission shall evaluate this Regulation and submit a report on its application to the European Parliament and the Council.

Or. en

Amendment 1882
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 85 – paragraph 2

Text proposed by the Commission

2. By [**five** years after the entry into force of this Regulation], and every **five** years thereafter, the Commission shall ensure that an evaluation in accordance with Commission guidelines of the EU Centre’s performance in relation to its objectives, mandate, tasks and governance and location is carried out. The evaluation shall, in particular, address the **possible need to modify the tasks of the EU Centre, and the financial implications of any such modification.**

Amendment

2. By [**two** years after the entry into force of this Regulation], and every **two** years thereafter, the Commission shall ensure that an evaluation in accordance with Commission guidelines of the EU Centre’s performance in relation to its objectives, mandate, tasks and governance and location is carried out. The evaluation shall, in particular, address the **impact on fundamental rights, in particular Article 7 and 8 of the Charter.**

Or. en

Amendment 1883
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 86 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 3, 8, 13, 14, 17, 47 and 84 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of adoption of the

Amendment

2. The power to adopt delegated acts referred to in Articles 3, 8, 13, 14, 17, 47 and 84 shall be conferred on the Commission for **a** period of **5 years** from [date of adoption of the Regulation]. **The**

Regulation].

Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.

Or. en

Amendment 1884
Cornelia Ernst, Clare Daly

Proposal for a regulation
Article 89 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from **6** months after its entry into force.

It shall apply from **18** months after its entry into force.

Or. en

Amendment 1885
Paul Tang, Alex Agius Saliba

Proposal for a regulation
Article 89 – paragraph 3

Text proposed by the Commission

Amendment

This Regulation shall be binding in its entirety and directly applicable in all Member States.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

As from August 2024, if there is no entry into force of the proposed regulation, the regime in place shall be the one of the interim derogation, until such adoption is envisaged but no later than January 2025.

Or. en

Amendment 1886
Sven Simon, Christian Doleschal, Niclas Herbst

Proposal for a regulation
Annex I

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 1887
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
Annex I – title

Text proposed by the Commission

Amendment

DETECTION **ORDER** ISSUED IN ACCORDANCE WITH REGULATION (EU) .../... LAYING DOWN RULES TO PREVENT AND COMBAT CHILD SEXUAL ABUSE ('THE REGULATION')

DETECTION **WARRANT** ISSUED IN ACCORDANCE WITH REGULATION (EU) .../... LAYING DOWN RULES TO PREVENT AND COMBAT CHILD SEXUAL ABUSE ('THE REGULATION')

Or. en

Amendment 1888
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Annex I – title

Text proposed by the Commission

Amendment

DETECTION **ORDER** ISSUED IN ACCORDANCE WITH REGULATION (EU) .../... LAYING DOWN RULES TO PREVENT AND COMBAT CHILD

DETECTION **WARRANT** ISSUED IN ACCORDANCE WITH REGULATION (EU) .../... LAYING DOWN RULES TO PREVENT AND COMBAT CHILD

SEXUAL ABUSE ('THE
REGULATION')

SEXUAL ABUSE ('THE
REGULATION')

Or. en

Amendment 1889

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex I – Section 1 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

Name of the competent judicial authority
*or the independent administrative
authority* having issued the detection
order:

Name of the competent judicial authority
having issued the detection *warrant*:

Or. en

Justification

This amendment should be interpreted as changing the wording "detection orders" throughout this Annex 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 1890

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex I – Section 4 – paragraph 2 – point 2

Text proposed by the Commission

Amendment

**2. The dissemination of new child
sexual abuse material as defined in
Article 2, letter (n), of the Regulation**

deleted

Or. en

Justification

This amendment should be interpreted as changing the wording "detection orders"

throughout this Annex 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 1891

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

Annex I – Section 4 – paragraph 2 – point 2

Text proposed by the Commission

Amendment

2. *The dissemination of new child sexual abuse material as defined in Article 2, letter (n), of the Regulation* *deleted*

Or. en

Amendment 1892

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

Annex I – Section 4 – paragraph 2 – point 3

Text proposed by the Commission

Amendment

3. *The solicitation of children as defined in Article 2, letter (o), of the Regulation* *deleted*

Or. en

Amendment 1893

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Annex I – Section 4 – paragraph 2 – point 3

Text proposed by the Commission

Amendment

3. The solicitation of children as defined in Article 2, letter (o), of the Regulation **deleted**

Or. en

Justification

This amendment should be interpreted as changing the wording "detection orders" throughout this Annex 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 1894
Rob Rooken

Proposal for a regulation
Annex I – Section 4 – paragraph 3

Text proposed by the Commission

Amendment

Where the detection order concerns the solicitation of children, in accordance with Article 7(7), last subparagraph, of the Regulation, the detection order applies only to publicly available interpersonal communications where one of the users is a child user, as defined in Article 2, point (i), of the Regulation.

Where the detection order concerns the solicitation of children, in accordance with Article 7(7), last subparagraph, of the Regulation, the detection order applies only to publicly available **number independent** interpersonal communications where one of the users is a child user, as defined in Article 2, point (i), of the Regulation.

Or. en

Amendment 1895
Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation
Annex II – title

Text proposed by the Commission

TEMPLATE FOR INFORMATION ABOUT THE IMPOSSIBILITY TO EXECUTE THE DETECTION **ORDER** referred to in Article 8(3) of Regulation (EU) .../... [laying down rules to prevent and combat child sexual abuse]

Amendment

TEMPLATE FOR INFORMATION ABOUT THE IMPOSSIBILITY TO EXECUTE THE DETECTION **WARRANT** referred to in Article 8(3) of Regulation (EU) .../... [laying down rules to prevent and combat child sexual abuse]

Or. en

Justification

This amendment should be interpreted as changing the wording "detection orders" throughout this Annex 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 1896

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

Annex II – title

Text proposed by the Commission

TEMPLATE FOR INFORMATION ABOUT THE IMPOSSIBILITY TO EXECUTE THE DETECTION **ORDER** referred to in Article 8(3) of Regulation (EU) .../... [laying down rules to prevent and combat child sexual abuse]

Amendment

TEMPLATE FOR INFORMATION ABOUT THE IMPOSSIBILITY TO EXECUTE THE DETECTION **WARRANT** referred to in Article 8(3) of Regulation (EU) .../... [laying down rules to prevent and combat child sexual abuse]

Or. en

Amendment 1897

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

Annex III – Section 2 – point 2 – point 2

Text proposed by the Commission

Amendment

2. *New child sexual abuse material, as defined in Article 2, letter (n), of the Regulation* **deleted**

Or. en

Amendment 1898

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex III – Section 2 – point 2 – point 2

Text proposed by the Commission

Amendment

2. *New child sexual abuse material, as defined in Article 2, letter (n), of the Regulation* **deleted**

Or. en

Justification

This amendment should be interpreted as changing the wording "detection orders" throughout this Annex 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 1899

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

Annex III – Section 2 – point 2 – point 3

Text proposed by the Commission

Amendment

3. *Solicitation of children, as defined in Article 2, letter (o), of the Regulation* **deleted**

Or. en

Amendment 1900

Paul Tang, Alex Agius Saliba

Proposal for a regulation

Annex III – Section 2 – point 2 – point 3

Text proposed by the Commission

Amendment

3. *Solicitation of children, as defined in Article 2, letter (o), of the Regulation* **deleted**

Or. en

Justification

This amendment should be interpreted as changing the wording "detection orders" throughout this Annex 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 1901

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

Annex III – Section 2 – point 3 – introductory part

Text proposed by the Commission

Amendment

3) Content data related to the reported potential online child sexual abuse, ***including images, videos and texts, as***

3) ***Relevant*** content data related to the reported potential online child sexual abuse

applicable:

Or. en

Amendment 1902

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex III – Section 2 – point 3 – introductory part

Text proposed by the Commission

Amendment

3) Content data related to the reported potential online child sexual abuse, including images, videos *and texts*, as applicable:

3) Content data related to the reported potential online child sexual abuse, including images *and* videos, as applicable:

Or. en

Amendment 1903

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex III – Section 2 – point 4

Text proposed by the Commission

Amendment

4) *Other available data related to the reported potential online child sexual abuse, including metadata related to media files (date, time, time zone):*
(Text – attach data as necessary)

deleted

Or. en

Amendment 1904

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

Annex III – Section 2 – point 4

Text proposed by the Commission

Amendment

4) *Other available data related to the reported potential online child sexual abuse, including metadata related to media files (date, time, time zone):*
(Text – attach data as necessary) *deleted*

Or. en

Amendment 1905
Rob Rooker

Proposal for a regulation
Annex III – Section 2 – point 4

Text proposed by the Commission

Amendment

4) *Other available data related to the reported potential online child sexual abuse, including metadata related to media files (date, time, time zone):*
(Text – attach data as necessary) *deleted*

Or. en

Amendment 1906

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
Annex VII

Text proposed by the Commission

Amendment

BLOCKING ORDER ISSUED IN ACCORDANCE WITH REGULATION (EU) .../... LAYING DOWN RULES TO PREVENT AND COMBAT CHILD SEXUAL ABUSE ('THE *deleted*

REGULATION')

1

Name of the Coordinating Authority having requested the issuance of the blocking order:

(Text)

Name of the competent judicial authority or the independent administrative authority having issued the blocking order:

(Text)

Reference of the blocking order:

(Text)

2

Name of the provider and, where applicable, of its legal representative:

(Text)

Contact point:

(Text)

3

The provider is to take the necessary measures to prevent users in the Union from having access to the known child sexual abuse material indicated by the following URLs:

(Text)

The blocking order applies to the following service provided by the provider in the Union:

(Text)

When executing the blocking order, the provider is to respect the following limits and/or to provide for the following safeguards, as referred to in Article 16(5) of the Regulation:

(Text)

4

The reasons for issuing the blocking order are as follows:

(Sufficiently detailed statement of reasons for issuing the blocking order)

The blocking order applies from ... (date) to (date)

The following reporting requirements apply, in accordance with Article 18(6) of the Regulation:

(Text)

5

Contact details of the Coordinating Authority having requested the issuance of the order for feedback on the execution of the blocking order or further clarification, including the communications referred to in Article 17(5) of the Regulation:

(Text)

6

Competent court before which the blocking order can be challenged, in accordance with Article 18(1) of the Regulation:

(Text)

Time periods for challenging the blocking order (days/months starting from):

(Text)

References or links to provisions of national law regarding redress:

(Text)

Where relevant, additional information regarding redress:

(Text)

A lack of compliance with this blocking order may result in penalties pursuant to Article 35 of the Regulation.

7

Date of issuance of the blocking order:

(Text)

Time stamp:

(Text)

Electronic signature of the competent judicial authority or independent administrative authority having issued the blocking order:

(Text)

Or. en

Amendment 1907

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex VII

Text proposed by the Commission

Amendment

BLOCKING ORDER ISSUED IN ACCORDANCE WITH REGULATION (EU) .../... LAYING DOWN RULES TO PREVENT AND COMBAT CHILD SEXUAL ABUSE ('THE REGULATION')

deleted

1

Name of the Coordinating Authority having requested the issuance of the blocking order:

(Text)

Name of the competent judicial authority or the independent administrative authority having issued the blocking order:

(Text)

Reference of the blocking order:

(Text)

2

Name of the provider and, where applicable, of its legal representative:

(Text)

Contact point:

(Text)

3

The provider is to take the necessary measures to prevent users in the Union from having access to the known child sexual abuse material indicated by the following URLs:

(Text)

The blocking order applies to the following service provided by the provider in the Union:

(Text)

When executing the blocking order, the provider is to respect the following limits and/or to provide for the following safeguards, as referred to in Article 16(5) of the Regulation:

(Text)

4

The reasons for issuing the blocking order are as follows:

(Sufficiently detailed statement of reasons for issuing the blocking order)

The blocking order applies from ... (date) to (date)

The following reporting requirements apply, in accordance with Article 18(6) of the Regulation:

(Text)

5

Contact details of the Coordinating Authority having requested the issuance of the order for feedback on the execution of the blocking order or further clarification, including the communications referred to in Article 17(5) of the Regulation:

(Text)

6

Competent court before which the blocking order can be challenged, in

accordance with Article 18(1) of the Regulation:

(Text)

Time periods for challenging the blocking order (days/months starting from):

(Text)

References or links to provisions of national law regarding redress:

(Text)

Where relevant, additional information regarding redress:

(Text)

A lack of compliance with this blocking order may result in penalties pursuant to Article 35 of the Regulation.

7

Date of issuance of the blocking order:

(Text)

Time stamp:

(Text)

Electronic signature of the competent judicial authority or independent administrative authority having issued the blocking order:

(Text)

Or. en

Amendment 1908

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

Annex VIII

Text proposed by the Commission

Amendment

referred to in Article 17(5) of Regulation (EU) .../... [laying down rules to prevent and combat child sexual abuse]

deleted

1

Name of the provider and, where applicable, of its legal representative:

(Text)

Point of contact:

(Text)

Contact details of the provider and, where applicable, of its legal representative:

(Text)

File reference of the addressee

(Text)

2

Name of the Coordinating Authority having requested the issuance of the blocking order:

(Text)

Competent judicial authority or independent administrative authority having issued the blocking order

(Text)

Reference of the blocking order

(Text)

Date and time of receipt of the blocking order, including time zone:

(Text)

3

The provider cannot execute the blocking order within the mandatory time period for the following reasons (tick the relevant box(es)):

1. The blocking order contains one or more manifest errors

2. The blocking order does not contain sufficient information

Specify the manifest error(s) and/or the further information or clarification

necessary, as applicable:

(Text)

4

Date and time, including time zone:

(Text)

Signature:

(Text)

Or. en

Amendment 1909

Paul Tang, Alex Agius Saliba, Birgit Sippel

Proposal for a regulation

Annex VIII

Text proposed by the Commission

Amendment

*referred to in Article 17(5) of Regulation
(EU) .../... [laying down rules to prevent
and combat child sexual abuse]*

deleted

1

*Name of the provider and, where
applicable, of its legal representative:*

(Text)

Point of contact:

(Text)

*Contact details of the provider and, where
applicable, of its legal representative:*

(Text)

File reference of the addressee

(Text)

2

*Name of the Coordinating Authority
having requested the issuance of the
blocking order:*

(Text)

*Competent judicial authority or
independent administrative authority*

having issued the blocking order

(Text)

Reference of the blocking order

(Text)

Date and time of receipt of the blocking order, including time zone:

(Text)

3

The provider cannot execute the blocking order within the mandatory time period for the following reasons (tick the relevant box(es)):

1. The blocking order contains one or more manifest errors

2. The blocking order does not contain sufficient information

Specify the manifest error(s) and/or the further information or clarification necessary, as applicable:

(Text)

4

Date and time, including time zone:

(Text)

Signature:

(Text)

Or. en