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General Secretariat

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WORKING DOCUMENT

From: To:	Presidency Delegations
N° prev. doc.:	WK 16725/2026
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse – State of play of the interinstitutional negotiations and next steps

In preparation for the meeting of JHA counsellors on 13 November 2026, the Presidency provides delegations with an update on the interinstitutional negotiations on the proposed Regulation laying down rules to prevent and combat child sexual abuse and the envisaged next steps, in Annex I to this working document.

Revised draft texts on detection orders and own-initiative searches on non-public content are made available in Annex II. Changes to the previous version (WK 16725/2026) are marked in **bold** and ~~strikethrough~~.

An updated four-column table reflecting the outcome of the 16th interinstitutional technical meeting (ITM) on 12 November 2026 is set out as Annex III to this working document.

ANNEX I

Proposal for a Regulation laying down rules to prevent and combat child sexual abuse -

State of play of the interinstitutional negotiations and next steps

1. State of play of technical work

Considering the first examination of draft texts on detection orders and own-initiative searches on non-public content at the meeting of JHA counsellors on 3 November and taking into account the written comments provided by delegations after that meeting, the Presidency has engaged in further discussions with the European Parliament's negotiating team in preparation of the 16th interinstitutional technical meeting (ITM) on 12 November 2026.

2. Outcome of the 16th ITM on 12 November 2026

a) Confirmation of provisionally agreed lines

At the 16th ITM on 12 November 2026, co-legislators provisionally reached agreement at technical level on the lines 66, 77, 78 (recitals), 689 and 698a (Article 50).

b) Adaptation of lines at technical level

The technical teams proposed adaptations to the following lines:

Line 217 (Article 7): Addition of "where relevant"

Lines 255, 262, 263, 264 (Article 8): Text of the Commission proposal is reinstated.

Line 265 (Article 8): Text is reinstated according to European Parliament position.

Line 286 (Article 10): Text is changed to "provide for regular human oversight as necessary to ensure that the technologies operate in a sufficiently reliable manner and, where necessary, human intervention, in particular where potential errors [and potential solicitation of children] are identified"

Line 683 (Article 49): Consistent use of the term "depicted persons who are subject to child sexual abuse"

Line 684 (Article 49): Addition of "or, where relevant, other competent authorities"

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c) Discussion on publicly accessible content (lines 29e and 141f)

In the discussion on lines 29e and 141f (Article 2), the European Parliament requested more time to assess the definition of publicly accessible content and the explanatory recital. The matter will be considered at the next ITM on 20 November 2026.

d) Discussion on own-initiative searches and detection orders in non-public content

Co-legislators considered revised draft texts on detection orders and own-initiative searches on non-public content as set out in Annex II.

The European Parliament reconfirmed its position that both detection orders and own-initiative searches on non-public content should be targeted to individual users and if not possible to parts of a service, subject to prior judicial authorisation (or the authorisation by an independent administrative authority if justified and notified by the relevant Member State to the Commission). According to the European Parliament, own-initiative searches should be limited to known child sexual abuse material (CSAM), while the scope of detection orders could possibly also include new CSAM. However, the European Parliament noted that they require more time to conclude their internal discussions on the draft text and expect to be in a position to revert to the Presidency prior to the ITM on 20 November 2026.

The Presidency reiterated that the Council would not accept such a system as currently advocated for by the European Parliament as it would not be effective in operational terms. The Presidency emphasised that the Council did not see added value in detection orders or own-initiative searches targeted to individual users, that the validation procedure for own-initiative searches should be as light as possible to avoid deterring providers from carrying out voluntary searches and to include new CSAM and grooming in the scope of both detection orders and own-initiative searches.

3. Envisaged way forward

The 17th ITM is planned to take place on 20 November 2026. Another meeting of JHA counsellors is scheduled to take place on 24 November 2026 in the afternoon. The Presidency plans to prepare the seventh trilogue on 8 December 2026 at the meeting of the Permanent Representatives Committee on 2 December 2026.

4. Questions to delegations

The Presidency invites delegations to reply to the following questions at the meeting of JHA counsellors on 13 November 2026 or in writing by 17 November 2026 COB:

1. *Can you accept the provisional agreement reached at technical level at the ITM on 12 November 2026 on the lines set out in point 2a, and the technical adaptation of the lines set out in point 2b?*
2. *Can you accept the provisions on own-initiative searches on non-public content as set out in Article Z of Annex II? Should new CSAM and grooming be included in the scope of those own-initiative searches?*
3. *Can you accept the provisions on detection orders on non-public content as set out in Articles Y and Y+1 of Annex II? Should new CSAM and grooming be included in the scope of those detection orders?*

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ANNEX II

Draft texts on detection and own-initiative searches prepared jointly at technical level

RECITALS

Own-initiative searches

Recital (20)

With a view to ensuring the effective prevention and fight against online child sexual abuse, and considering that other mitigating measures pursuant to Article 4 are deemed insufficient by a provider and in order to limit the risk of misuse of a service for the purpose of online child sexual abuse, it should be possible, under the conditions and safeguards laid down in this Regulation, for providers of number-independent interpersonal communications services and hosting services to carry out, on their own initiative, searches for [online] child sexual abuse [material] in content that is not publicly accessible

In order to avoid any undue interference with fundamental rights and to ensure proportionality, that activity should be subject to a carefully balanced set of safeguards and such searches should not be general or indiscriminate but should be targeted on the basis of objective and verifiable elements.

These objective and verifiable elements should therefore be required to demonstrate a link between the specific part of the service, and its misuse for the purpose of [the dissemination of] [online] child sexual abuse [material].

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Objective and verifiable elements demonstrating such a link, individually or in combination, may include, previously identified instances of misuse of the service for the purpose of online child sexual abuse; risks identified pursuant to Article 3; notifications submitted by users; reports from trusted flaggers under the Regulation (EU) 2022/2065; information or reports provided by competent authorities; reports submitted to the EU Centre pursuant to Article 48; notifications received from the EU Centre pursuant to Article 49; referrals or notifications by the Coordinating Authorities pursuant to Article 32; previous removal, blocking, delisting or detection orders; or other reliable information indicating a connection between the targeted specific part of the service and online child sexual abuse.

In identifying the targeted part of the service, providers should be able to rely on the knowledge lawfully acquired through the operation of their services and through the risk assessment and mitigation process under Articles 3 and 4. In particular, providers may identify technical, behavioural or other patterns or factual circumstances indicating the risk, having regard to the manner in which the service and its different functionalities are used.

The search should be clearly defined, targeted to a specific part of the service, or specific channel, functionality or other category of communication of that service or, where relevant, to the individual user or users. These may include, inter alia, a specific domain, forum, chat, thread lineage, narrowly defined group of users or set of conversation participants, or a particular shared folder, drive, cloud storage, file-hosting location, workspace, or server.

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Detection orders

Recital 20(a) (targeting)

With a view to ensuring the effective prevention and fight against online child sexual abuse, the Coordinating Authority of establishment should be empowered to request the issuance of detection orders when there are clear indications that a specific part of the provider's service has been used for the purpose of online child sexual abuse.

In order to avoid any undue interference with fundamental rights and to ensure proportionality, the issuance of a detection order should be subject to a carefully balanced set of limits and safeguards.

The Coordinating Authority of establishment shall be required to demonstrate a link between the targeted specific part of the service, and its misuse for the purpose of online child sexual abuse.

The Coordinating Authority of establishment may establish such a link, individually or in combination, from previously identified instances of misuse of the service for the purpose of online child sexual abuse; risks identified pursuant to Article 3; reports submitted by users; by victims; organisations acting in the public interest against child sexual abuse, including hotlines; reports from trusted flaggers under the Regulation (EU) 2022/2065; information or reports provided to national competent authorities; reports submitted to the EU Centre; previous removal, blocking, delisting or detection orders; or other reliable information indicating a connection between the targeted part of the service, channel, functionality or other category of communication or, where relevant, the individual user or users concerned and online child sexual abuse.

In identifying the specific part of the service to be targeted, the Coordinating Authority of establishment should be able to rely on the knowledge acquired through the risk assessment and mitigation process under Articles 3 and 4.

The detection order should be clearly defined, targeted to a specific part of the service or specific channel, functionality or other category of communication of that service and, where relevant, to the individual user or users. Specific parts may include, inter alia, a specific domain, forum, chat, thread lineage, narrowly defined group of users or set of conversation participants, or a particular shared folder, drive, cloud storage, file-hosting location, workspace, or server.

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Recital 20(b) (Procedure for the issuance of detection orders)

It should be ensured that detection orders can be issued only after the Coordinating Authorities and the judicial authority or independent administrative authority having objectively and diligently assessed, identified and weighted, not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also the likelihood and seriousness of any potential negative consequences for all the parties affected.

In order to avoid any undue interference with fundamental rights and to ensure proportionality, the issuance and execution of a detection order should be subject to a carefully balanced set of safeguards and such detection orders should not be general or indiscriminate but should be targeted.

The mere fact that a service, or a particular part or functionality of that service, may in general be capable of being misused for the purpose of online child sexual abuse should not, in itself, be sufficient to justify the issuance of a detection order.

Recital 20(c) (designation of independent administrative authorities as issuing authority)

Regarding both the issuance of detection orders and the review of own-initiative searches concerning content that is not publicly accessible, the competent authority should, as a rule, be a judicial authority. Where the established structures, powers or functions of the judicial system of a Member State so require that task may be entrusted to an independent administrative authority.

Where a detection order is issued or the validation of own-initiative searches concerning content that is not publicly accessible is carried out by an independent administrative authority rather than a judicial authority that body must have a status that enables it to act objectively and impartially when carrying out its duties and should, for that purpose, be free from any external influence.

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OWN-INITIATIVE SEARCHES BY PROVIDERS

Article Z

Own-initiative searches on content that is not publicly accessible

1. Following completion of risk assessment and **implementation of** other **relevant** risk mitigation measures as set out in Article 3 and Article 4, the providers of number-independent interpersonal communications services and hosting services may determine that own-initiative searches on content that is not publicly accessible are necessary in order to prevent and combat the misuse of their services for online child sexual abuse.

2. When providers of number-independent interpersonal communications services and hosting services intend to carry out such own-initiative searches, they shall draft a search plan detailing:
   (a) the ~~specific~~ **precise** reasons for the necessity of the search, demonstrating a link between ~~the~~ **a specific** ~~targeted~~ **part of the** provider's service **to be targeted** and its use for the purpose of online child sexual abuse~~ as identified in the risk reporting under Article 5~~;

   (b) ~~[~~as precisely as possible~~]~~ the specific part of the provider's service, or channel**,** functionality or other category of communication of that service to which the search ~~is~~ **be** targeted ~~and as identified in the risk assessment under Article 3~~ or [,where ~~possible~~ **relevant]**, to [the] **[**individual**]** user or users;

   (c) where the search is not limited to [an] [individual] user or users, a reference to the relevant ~~findings~~ **reasons specifically** ~~of the risk reporting under Article 5 identifying a~~ **justifying the** link with online child sexual abuse **on** ~~of~~ the targeted part of the service**;**

   (d) the technologies and safeguards they intend to apply, in accordance with Article 10;

   (e) details of the provider's relevant internal operating standards and processes, which ensure that the searches are duly justified, proportionate, targeted and non-discriminatory;

   (f) the use of the relevant databases of indicators referred to in Article 44(1), points (a), [(b) and (c)];

   (g) the period during which the search would be carried out.

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The collection and processing of data for the purpose of the search plan should be limited to what is strictly necessary for the targeting and implementation of the search.

Such searches shall be documented, in particular by keeping logs, and subject to regular internal oversight.

3. The providers shall submit the search plan to the Coordinating Authority of establishment at least [one month] prior to the commencement of the search.

   If the Coordinating Authority of establishment considers that the search plan contains all the required elements in accordance with paragraph 2, it shall submit it within [one month] of receipt of the search plan to a judicial authority or an independent administrative authority of the Member State that designated it and notify the provider accordingly.

   If the Coordinating Authority of establishment considers that the search plan does not contain all the required elements in accordance with paragraph 2, it shall require the provider to update the search plan accordingly.

   [The provider shall commence the search only after the Coordinating Authority of establishment has notified the provider that, following its review, the search plan has been submitted to the judicial authority or independent administrative authority.]

4. The judicial authority or the independent administrative authority receiving the search plan shall assess the submitted search plan without undue delay against the following criteria:
   (a) that the specific reasons for the necessity of the search, demonstrating a link between the provider's service and its use for the purpose of online child sexual abuse as identified in the risk reporting under Article 5, are sufficiently substantiated;
   (b) that the search is ~~[~~as precisely as possible~~]~~ targeted to a specific part of the provider's service, or channel, functionality or other category of communication of that service to which the search is targeted as identified in the reporting under Article 5 or [, where ~~possible~~ **relevant**], to the individual user or users;
   (c) where the search is not limited to an individual user or users, a reference to the relevant findings of the risk reporting under Article 5 identifying a link with online child sexual abuse of the targeted part of the service is sufficiently substantiated;
   (d) that the technologies and safeguards used comply, in accordance with Article 10;

(e) that the provider's relevant internal operating standards and processes clearly demonstrate that the searches are duly justified, proportionate, targeted and non-discriminatory;

(f) that the relevant databases of indicators referred to in Article 44(1), points (a), [(b) and (c)] are used;

(g) that the period during which the search is carried out is appropriate and proportionate.

5. The judicial authority or the independent administrative authority shall have the power to order the provider to refrain from implementing the proposed search plan if the assessment concludes that one or more of the criteria set out in paragraph 4 are not met.

6. At any point during the implementation of the search plan, if the Coordinating Authority of establishment obtains information that leads it to consider that the provider is not in compliance with the submitted search plan, it shall request the judicial authority or the independent administrative authority to order the provider to suspend the search.

7. When the Coordinating Authority of establishment considers that the provider that was ordered to suspend the search can demonstrate that it is able achieve full compliance with the search plan it shall resubmit the search plan to the judicial authority or independent administrative authority. The provider shall not recommence the search until notified by the Coordinating Authority that the search plan has been resubmitted to the judicial authority or independent administrative authority.

8. [Where a Member State considers that the established structures, powers or functions of the judicial system of that Member State are such that the assessment of the search plan cannot be assigned to a judicial authority, that task may be entrusted to an independent administrative authority.

   In that case, that Member State shall inform the Commission of its decision and of its reasons thereof. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.]

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SECTION 2 Detection obligations

Article Y

Issuance of detection orders for content that is not publicly accessible

1. The Coordinating Authority of establishment shall have the power to request a judicial or independent administrative authority of its Member State to issue an order requiring a provider of hosting services or a provider of number-independent interpersonal communications services under the jurisdiction of that Member State to detect [online] child sexual abuse/[material] on a part of its service that contains content that is not publicly accessible ('non-public content detection order') using indicators from the databases operated by the EU Centre pursuant to Article 44 and technologies for detection that fulfil the requirements of Article 10.

2. A non-public content detection order shall only be issued if:
   (a) ~~it concerns specific users~~;
   (b) there are clear indications that **a** ~~targeted~~ **specific** part of the provider's service has been used for **the** purpose of **[the dissemination of]** [online] child sexual abuse **[material];**
   (c) it concerns **that** ~~a~~ specific part of the provider's service, or channel, functionality or other category of communication of that service to which the detection order **be** ~~is~~ targeted or [,where ~~possible~~ **relevant]**, ~~to~~ [the] [individual] user or users**;**
   (d) issuing the detection order is necessary and proportionate and outweighs negative consequences on the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties.

3. [In the case of non-public content detection orders concerning the solicitation of children, the order shall apply where one of the users that participates in the interpersonal communication is a child.]

4. The Coordinating Authority of establishment, when requesting the issuance of **a** detection order~~s~~**,** and the ~~competent judicial or independent administrative~~ authority ~~when~~ issuing ~~the~~ **a** detection order, shall target and specify it in such a manner that the negative consequences of the detection order remain limited to what is strictly necessary to effectively address the online child sexual abuse referred to in point (a) of paragraph 2.

5. [Where a Member State considers that the established structures, powers or functions of the judicial system of that Member State are such that the issuance of the detection order cannot be assigned to a judicial authority, that task may be entrusted to an independent administrative authority.

   In that case that Member State shall inform the Commission of its decision and of its reasons thereof. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.]

6. ~~[~~The application of this article shall not lead to any generalised and indiscriminate ~~monitoring~~ **scanning**.~~]~~

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Article Y+1

Procedure for the issuance of non-public content detection orders

1. Before requesting the issuing of a non-public content detection order, the following steps shall be taken:
   (a) the Coordinating Authority of establishment shall transmit a draft request to the provider, specifying the reasons for its intention to request the order, a specific part of the provider's service, or channel, functionality or other category of communication of that service to which the detection order is targeted to, or [,where ~~possible~~ **relevant]**, to [the] [individual] user or users, the EU Centre databases of indicators to be used, the duration of the order and an appropriate period for the provider to submit its comments.
   (b) within a period set by the Coordinating Authority of establishment, the provider shall submit a draft implementation plan setting out the measures it envisages taking to execute a possible detection order, including detailed information regarding the envisaged technologies to be used and safeguards applied.

   The provider shall make use of the indicators from the databases operated by the EU Centre pursuant to Article 44 (1), points (a), (b) and [(c)] and technologies for detection that fulfil the requirements of Article 10.

   The provider may consult the EU Centre to obtain support in the creation of its draft implementation plan.

   (c) the Coordinating Authority of establishment shall transmit the draft request to the EU Centre, with an appropriate period for comments.

2. If, having regard to the comments of the provider and the EU Centre, the Coordinating Authority of establishment continues to be of the view that the conditions of Article Y are met, it shall submit a request for the issuance of the order to a judicial or independent administrative authority, using the template set out in Annex YI and attaching the draft implementation plan with any appropriate amendments and the comments of the EU Centre.

3. The judicial or independent administrative authority shall have the power to issue the order in question, when it considers that the following conditions are met:

(a) that there are clear indications that a part of the provider's service has been used for the purpose of online child sexual abuse;

(b) that it applies a specific part of the provider's service, or channel, functionality or other category of communication of that service or [,where ~~possible~~ **relevant]**, to [the] [individual] user or users;

(c) that the detection order is necessary and proportionate and outweighs negative consequences on the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties.

4. The order referred to in Article Y shall follow the template set out in Annex YI and shall contain:

(a) the period during which it applies, indicating the start date and the end date. The period of application of detection orders concerning known or new child sexual abuse material shall be proportionate and shall not exceed 24 months [and that of detection orders concerning the solicitation of children shall not exceed 12 months].

(b) the indication of the specific service in respect to which the detection order is issued and, where applicable, a specific part of the provider's service, or channel, functionality or other category of communication of that service to which the detection order is targeted or [,where ~~possible~~ **relevant]**,to [the][individual] user or users.

(c) information necessary for the provider to be able to execute the order, including the EU Centre databases of indicators and the relevant safeguards.

(d) information about the redress available to the addressee of the detection order, including information about right to appeal to a court of law in accordance with national law and about the time periods applicable to such redress.

5. The ~~competent judicial authority or independent administrative~~ authority issuing ~~the~~ **a** detection order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.

The detection order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).

The detection order shall be drafted in the language declared by the provider pursuant to Article 23(3).

6. If the provider cannot execute the detection order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annexes YI and YII.

7. The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes YI and YII where necessary to improve the templates in view of relevant technological developments or practical experiences gained.

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ANNEX III

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)

2022/0155(COD)
Non-versioned [LATEST TEXT]
12-11-2026 at 12h53

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Formula				
1	2022/0155 (COD)	2022/0155 (COD)	2022/0155 (COD)	2022/0155 (COD) Text Origin: Commission Proposal
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance) Text Origin: Commission Proposal
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3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Text Origin: Commission Proposal
Citation 1				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, Text Origin: Commission Proposal	G
Citation 2						
G	5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, Text Origin: Commission Proposal	G
Citation 3						
G	6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal	G
Citation 4						
G	7	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. . Text Origin: Commission Proposal	G
Citation 5						
G	8	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. . Text Origin: Commission	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Citation 6				
9	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], _____ 1. OJ C , , p. . Text Origin: Commission Proposal
Citation 7				
10	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal
Formula				
11	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal
Recital 1				
12	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children but also for perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious criminal offences that need to be	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children***. However, these services are also used by*** ~~*but also for*~~ perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children but also for perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious criminal offences that need to be	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children***. However, these services are also used by*** ~~*but also for*~~ perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	prevented and combated effectively in order to protect children's rights and well-being, as is required under the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely, especially by children.	criminal offences ***that often cause long-lasting negative consequences on victims and*** that need to be prevented and combated effectively in order to protect children's rights and well-being, as is required under the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely ***in a trusted online environment***, especially by children.	prevented and combated effectively in order to protect children's rights and well-being, as is required under the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely, especially by children.	criminal offences ***that often cause long-lasting negative consequences on victims and*** that need to be prevented and combated effectively in order to protect children's rights and well-being, as is required under the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely, especially by children. Text Origin: CY PCY - drafting
Recital 2				
G 13	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being misused for the purpose of child sexual abuse, those providers often being the only ones in a position to prevent and combat such abuse. The measures taken should be targeted, carefully balanced and proportionate, so as to avoid any undue negative consequences for those who use the services for lawful purposes, in particular for the exercise of their fundamental rights	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being misused for the purpose of child sexual abuse, those providers often being ~~*the only ones*~~ in a ***unique*** position to prevent and combat such abuse. The measures taken should be ***effective,*** targeted***, evidence-based***, carefully balanced***,*** and proportionate, ***and subject to constant review*** so as to avoid any undue negative consequences for those who use the services for lawful purposes, in	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being ~~*misused*~~***used*** for the purpose of child sexual abuse, those providers often being the only ones in a position to prevent and combat such abuse. The measures taken should be targeted, carefully balanced and proportionate, so as to avoid any undue negative consequences for those who use the services for lawful purposes, in particular for the exercise of their fundamental rights	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being misused for the purpose of child sexual abuse, those providers often being ~~*the only ones*~~ in a ***unique*** position to prevent and combat such abuse. The measures taken should be ***effective,*** targeted***, evidence-based***, carefully balanced***,*** and proportionate, ***and subject to constant review*** so as to avoid any undue negative consequences for those who use the services for lawful purposes, in G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	protected under Union law, that is, those enshrined in the Charter and recognised as general principles of Union law, and so as to avoid imposing any excessive burdens on the providers of the services.	particular for the exercise of their fundamental rights protected under Union law, that is, those enshrined in the Charter and recognised as general principles of Union law, and so as to avoid ***directly or indirectly*** imposing any excessive burdens on the providers of the services.	protected under Union law, that is, those enshrined in the Charter and recognised as general principles of Union law, and so as to avoid imposing any excessive burdens on the providers of the services.	particular for the exercise of their fundamental rights protected under Union law, that is, those enshrined in the Charter and recognised as general principles of Union law, and so as to avoid ***directly or indirectly*** imposing any excessive burdens on the providers of the services. Text Origin: CY PCY - drafting
Recital 3				
G 14	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which diverge, have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level.	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse ***and more generally to protect children online***, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which ***sometimes*** diverge, ***can*** have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level.	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which diverge, have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level.	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse ***and more generally to protect children online***, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which ***sometimes*** diverge, ***can*** have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level. Text Origin: CY PCY - drafting
Recital 4				

COUNCIL PUBLIC

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
15	(4) Therefore, this Regulation should contribute to the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so as not to hamper innovation.	(4) Therefore, this Regulation should contribute to the proper functioning of the internal market by setting out clear, uniform***, effective, proportionate and carefully*** ~~*and*~~ balanced rules to prevent and combat child sexual abuse in a manner that is effective***, targeted and proportionate,*** and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so ~~*as not to hamper*~~***they stimulate*** innovation ***and technological development to prevent and combat online child sexual abuse***.	(4) Therefore, this Regulation should contribute to the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so as not to hamper innovation.	(4) Therefore, this Regulation should contribute to the proper functioning of the internal market by setting out clear, uniform***, and carefully*** ~~*and*~~ balanced rules to prevent and combat child sexual abuse in a manner that is effective***, targeted and proportionate,*** and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so ~~*as*~~ not to hamper innovation ***and to stimulate technological development to prevent and combat online child sexual abuse***. Text Origin: CY PCY - drafting
Recital 5				
16	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be misused for the purpose of online child sexual abuse. As they are increasingly misused for that purpose, those services should include publicly available interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those service as publicly available. As services which enable	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be misused for the purpose of online child sexual abuse. As they are increasingly misused for that purpose, those services should include publicly available ***number-independent*** interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those ~~*service as*~~***services as are*** publicly	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be ~~*misused*~~***used*** for the purpose of online child sexual abuse. As they are increasingly ~~*misused*~~***used*** for that purpose, those services should include publicly available interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those ~~*service as*~~***services are*** publicly	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be misused for the purpose of online child sexual abuse. As they are increasingly misused for that purpose, those services should include publicly available ***number-independent*** interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those ~~*service as*~~***services are*** publicly

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of gaming, image-sharing and video-hosting are equally at risk of misuse, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are misused for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner.	available. As services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of gaming ***online games***, image-sharing and video-hosting are ~~*equally*~~***also*** at risk of misuse ***for the purpose of online child sexual abuse***, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are misused for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner ***without lowering child protection standards***.	available. As services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of gaming, image-sharing and video-hosting are equally at risk of misuse, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are ~~*misused*~~***used*** for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner.	available. As services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of ~~*gaming*~~***online games***, image-sharing and video-hosting are ~~*equally*~~***also*** at risk of misuse ***for the purpose of online child sexual abuse***, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are misused for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner ***without lowering child protection standards***. Text Origin: CY PCY - drafting
Recital 5a				
16a				***(5a) This Regulation should not apply to voice communications in real time between a finite, that is to say not potentially unlimited, number of natural persons, which is determined by the sender of the***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				communication. However, voice messages, audio tracks of video messages and video calls are not covered by this exclusion and remain within the scope of the Regulation.
Recital 6				
17	(6) Online child sexual abuse frequently involves the misuse of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union.	(6) Online child sexual abuse ~~*frequently involves*~~***can also involve*** the misuse of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union.	(6) Online child sexual abuse frequently involves the ~~*misuse*~~***use*** of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union.	(6) Online child sexual abuse frequently involves the misuse of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union. Text Origin: CY PCY - drafting
Recital 7				
18	(7) This Regulation should be without prejudice to the rules resulting from other Union acts, in particular Directive 2011/93 of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2] and Regulation (EU) …/… of the European Parliament and of	(7) This Regulation should be without prejudice to the rules resulting from other Union acts, in particular Directive 2011/93 of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2] and Regulation (EU) ~~*…/…*~~***2022/2065*** of the European	~~*(7) This Regulation should be without prejudice to the rules resulting from other Union acts, in particular Directive 2011/93 of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2] and Regulation (EU) …/… of the European Parliament and of*~~	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the Council[3] [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC], Directive 2010/13/EU of the European Parliament and of the Council [4], Regulation (EU) 2016/679 of the European Parliament and of the Council[5], and Directive 2002/58/EC of the European Parliament and of the Council[6]. _____ 1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1). 2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1). 3. Regulation (EU) …/… of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L ….). 4. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1). 5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural	Parliament and of the Council[3], ~~[on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC],~~ Directive 2010/13/EU of the European Parliament and of the Council [4], Regulation (EU) 2016/679 of the European Parliament and of the Council[5], and Directive 2002/58/EC of the European Parliament and of the Council[6]. _____ 1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1). 2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1). 3. Regulation (EU) …/… of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L ….). 4. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1). 5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural	~~the Council[3] [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC], Directive 2010/13/EU of the European Parliament and of the Council [4], Regulation (EU) 2016/679 of the European Parliament and of the Council[5], and Directive 2002/58/EC of the European Parliament and of the Council[6].~~ _____ ~~1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1).~~ ~~2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1).~~ ~~3. Regulation (EU) …/… of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L ….).~~ ~~4. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1).~~ ~~5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1). 6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).	persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1). 6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).	~~*persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).*~~ ~~*6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).*~~	
Recital 8				
19	*(8)* This Regulation should be considered lex specialis in relation to the generally applicable framework set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] laying down harmonised rules on the provision of certain information society services in the internal market. The rules set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] apply in respect of issues that are not or not fully addressed by this Regulation.	(8) This Regulation should be considered lex specialis in relation to the generally applicable framework set out in Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065*** laying down harmonised rules on the provision of certain information society services in the internal market. The rules set out in Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065*** apply in respect of issues that are not or not fully addressed by this Regulation~~.~~	(8) This Regulation should ~~*be considered lex specialis in relation to the generally applicable framework set out in*~~***apply without prejudice to other Union acts, in particular*** Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065 of the European Parliament and of the Council[1]*** laying down harmonised rules on the provision of certain information society services in the internal market. ~~*The rules set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] apply in respect of issues that are not or not fully addressed by this Regulation.*~~ ***1. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For***	(8) This Regulation should ***apply without prejudice to other Union acts, in particular Directive 2011/93/EU of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2], Directive 2010/13/EU of the European Parliament and of the Council [3], Regulation (EU) 2016/679 of the European Parliament and of the Council[4], and Directive 2002/58/EC of the European Parliament and of the Council[5] and*** be considered lex specialis in relation to the generally applicable framework set out in Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] laying down harmonised rules on the provision of certain information society services in the internal market*~~***2022/2065 of the European Parliament and of***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L 277, 27.10.2022, p. 1).	***the Council***[6]. ~~*The rules set out in Regulation (EU) .../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] apply in respect of issues that are not or not fully addressed by this Regulation.*~~ _____ *1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1).* *2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1).* *3. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1).* *4. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).* *5. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				communications') (OJ L 201, 31.7.2002, p. 37). ***6. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L 277, 27.10.2022, p. 1).*** Text Origin: CY PCY - drafting
Recital 9				
20	(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to execute detection orders issued in accordance with this Regulation with a view to prevent	(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to execute detection orders issued in accordance with this Regulation with a view to prevent	~~*(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to execute detection orders issued in accordance with this Regulation*~~	(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to ***[carry out own-initiative searches or]*** execute detection orders issued in

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	and combat online child sexual abuse.	and combat online child sexual abuse.	~~*with a view to prevent and combat online child sexual abuse.*~~	accordance with this Regulation with a view to prevent and combat online child sexual abuse. Informal meeting (6.11.): provisionally agreed subject to agreement on detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Recital 9a				
G 20a		***(9a) Encryption, and especially end-to-end encryption, is an increasingly important tool to guarantee the security and confidentiality of the communications of all users, including children. Any restrictions or undermining of the end-to-end encryption can be used and abused by malicious third parties. Nothing in this Regulation should therefore be interpreted as prohibiting, weakening or undermining end-to-end encryption. Providers of information society services should under no circumstances be prevented from providing their services using the highest standards of encryption, considering that such encryption is essential for trust in and security of the digital services.***		***(9a) Encryption, in particular end-to-end encryption, is an important tool to guarantee the security and confidentiality of the communications. Any restrictions or undermining of the end-to-end encryption can be used and abused by malicious third parties. Having regard to the availability of technologies that can be used to meet the requirements of this Regulation whilst still allowing for end-to-end encryption, nothing in this Regulation should be understood as prohibiting, weakening or circumventing, requiring to disable, or making end-to-end encryption impossible. Providers should remain free to offer services using end-to-end encryption and should not be obliged by this Regulation to*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				decrypt data or to provide access to end-to-end encrypted data. Text Origin: CY PCY - drafting
Recital 10				
21	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC].	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***.	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** .	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***. Text Origin: EP Mandate
Recital 11				
22	(11) A substantial connection to the Union should be considered to exist where the relevant information society services has an establishment in the Union or, in its absence, on the basis of the existence of a significant number of users in one or more Member States, or the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States should be determined on the basis of all relevant circumstances, including factors such as the use of a language or a	(11) A substantial connection to the Union should be considered to exist where the relevant information society services has an establishment in the Union or, in its absence, ~~*on the basis of the existence of a significant*~~***where the*** number of ~~*users*~~***recipients of the service*** in one or more Member States ***is significant in relation to its or their population, or on the basis of*** ~~*, or*~~ the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States should be	(11) A substantial connection to the Union should be considered to exist where the relevant information society services has an establishment in the Union or, in its absence, on the basis of the existence of a significant number of users in one or more Member States, or the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States should be determined on the basis of all relevant circumstances, including factors such as the use of a language or a	(11) A substantial connection to the Union should be considered to exist where the relevant information society ~~*services*~~***service*** has an establishment in the Union or, in its absence, ~~*on the basis of the existence of a significant*~~***where the*** number of ~~*users*~~***recipients of the service*** in one or more Member States ***is significant in relation to the population thereof, or on the basis of*** ~~*, or*~~ the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States

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	currency generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU) 1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a website from the Union should not, alone, be considered as establishing a substantial connection to the Union. 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).	determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency- generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU) 1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a website from the Union should not, ***on that ground*** alone, be considered as establishing a substantial connection to the Union. 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in	currency generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU) 1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a website from the Union should not, alone, be considered as establishing a substantial connection to the Union. 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).	~~*should*~~***can*** be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU) 1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a website from the Union should not, ***on that ground*** alone, be considered as establishing a substantial connection to the Union. 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in

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		civil and commercial matters (OJ L 351, 20.12.2012, p. 1).		civil and commercial matters (OJ L 351, 20.12.2012, p. 1). Text Origin: CY PCY - drafting
Recital 12				
G 23	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments.	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments.	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments.	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments. Text Origin: Commission Proposal
Recital 12a				
G 23a			***(12a) In the light of the more limited risk of their use for the purpose of child sexual abuse and the need to preserve confidential information, including classified information, information covered by professional secrecy and trade secrets, electronic communications***	***(12a) In the light of the more limited risk of their use for the purpose of child sexual abuse and the need to preserve confidential information, including classified information, information covered by professional secrecy and trade secrets, electronic communications***

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			services that are not publicly available, such as those used for national security purposes, should be excluded from the scope of this Regulation. Accordingly, this Regulation should not apply to interpersonal communications services that are not available to the general public and the use of which is instead restricted to persons involved in the activities of a particular company, organisation, body or authority.	***services that are not publicly available, such as those used for national security purposes, should be excluded from the scope of this Regulation. Accordingly, this Regulation should not apply to interpersonal communications services that are not available to the general public and the use of which is instead restricted to persons involved in the activities of a particular company, organisation, body or authority.*** Text Origin: CY PCY - drafting
Recital 13				
G 24	(13) The term 'online child sexual abuse' should cover not only the dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and	(13) The term 'online child sexual abuse' should cover not only the dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and	(13) The term 'online child sexual abuse' should cover not only the dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and	(13) The term 'online child sexual abuse' should cover not only the dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material)***, and of instructions on how to commit offences related to child sexual abuse***, as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and G

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	imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators.	imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators.	imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators.	protection of personal data, but to also address recent, ongoing and imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators. Text Origin: Commission Proposal
Recital 14				
G 25	(14) With a view to minimising the risk that their services are misused for the dissemination of known or new child sexual abuse material or the solicitation of children, providers of hosting services and providers of publicly available interpersonal communications services should assess such risk for each of the services that they offer in the Union. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that	(14) With a view to minimising the risk that their services are misused for the dissemination of known or new child sexual abuse material or the solicitation of children, providers of hosting services and providers of publicly available ***number independent*** interpersonal communications services should assess such risk ~~***for each of the***~~***stemming, inter alia, from the design, functioning and use of their*** services that they offer in the Union. ***That risk assessment should be specific to the services they offer and proportionate to the risk considering its severity and probability***. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to	(14) With a view to minimising the risk that their services are ~~***misused***~~***used*** for the dissemination of known or new child sexual abuse material or the solicitation of children, providers of hosting services and providers of publicly available interpersonal communications services should assess such risk for each of the services that they offer in the Union. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and	(14) ***Certain types of services, including social media, messaging and chat services, and online games with interpersonal communication functionalities, have provided offenders with new ways of approaching children for the purpose of solicitation, while other types of services, including platforms that are primarily used for the dissemination of pornographic content, may be misused for the dissemination of child sexual abuse material.*** With a view to minimising the risk that their services are misused for the dissemination of known or new child sexual abuse material or the solicitation of children, providers of hosting services ***targeting children,*** and providers of publicly available ***number-independent*** interpersonal communications services ***targeting children and providers of hosting*** G

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	the risk assessment is updated regularly and when needed for particular reasons.	take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons.	used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons.	***services and of number-independent interpersonal communications services that are exposed to the risk of online child sexual abuse,*** should ***therefore*** assess such risk ~~*for each of the*~~***fstemming, inter alia, from the design, functioning and use of their*** services that they offer in the Union. ***That risk assessment should be specific to the services they offer***. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons. Text Origin: CY PCY - drafting
Recital 14a				
G 25a		***(14a) The obligation to conduct a risk assessment should apply, in any case, to very large online platforms and to those providers***		***(14a) To avoid disproportionate burdens for micro, small or medium-sized enterprises, as defined in Commission*** G

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		which are substantial, exposed to online child sexual abuse. Providers that qualify as small and micro enterprises as defined in Commission Recommendation 2003/361/EC should carry out a simplified risk assessment. Irrespective of their size or their substantially exposure to online child sexual abuse, providers of online games that operate number-independent interpersonal communications service within their games, platforms primarily used for the dissemination of pornographic content and providers offering services directly targeting children should carry out a risk assessment.		***Recommendation 2003/361/EC, certain costs imposed under this Regulation on such providers should, if possible, be supported by the EU Centre. However, considering that very large online platforms have a larger reach and a greater impact in influencing how recipients of the service obtain information and communicate online, such providers should not benefit from that support, irrespective of whether they qualify as micro, small or medium-size enterprises. Reference to Commission Recommendation 2003/361/EC should be understood as referring to the original version of this recommendation.***
Recital 15				
G 26	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] with respect to information that they store and disseminate to the public. For the purposes of the present Regulation, those providers may draw on such a risk assessment and complement it with a more specific assessment of	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] with~~***2022/2065*** respect to information that they store and disseminate to the public. For the purposes of the present Regulation, ***and in order to ensure consistency and avoid unnecessary burdens and***	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***2022/2065*** with respect to information that they store and disseminate to the public. For the purposes of the present Regulation, those providers may draw on such a risk assessment and complement it with a more specific	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** with respect to information that they store and disseminate to the public. For the purposes of the present Regulation, ***and in order to ensure consistency and avoid unnecessary burdens and duplications,*** those G

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	the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation.	***duplications,*** those providers may draw on such a risk assessment ***for the purpose of the risk assessment under this Regulation*** and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation.	assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation.	providers may draw on such a risk assessment ***for the purpose of the risk assessment under this Regulation*** and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation. ***For the same reasons, for those providers, the obligation to update that specific assessment carried out under this Regulation should be subject to the same timeframe and deadlines as those set out in Regulation (EU) 2022/2065.*** Text Origin: CY PCY - drafting
Recital 15a				
G	26a			***(15a) Some of the providers of relevant information society services accessible to children which are subject to this Regulation are also subject to an obligation to put in place appropriate and proportionate measures to ensure a high level of privacy, safety and security of children on their service under Regulation (EU) 2022/2065. Measures adopted to comply with this Regulation can contribute to show compliance with that obligation under Regulation (EU) 2022/2065.*** G
Recital 16				

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27	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available interpersonal communications services should take reasonable measures to mitigate the risk of their services being misused for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] may consider to which extent mitigation measures adopted to comply with that obligation, which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation.	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should take reasonable measures to mitigate the risk of their services being misused for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** may consider to which extent mitigation measures adopted to comply with that obligation, which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation.	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available interpersonal communications services should take ***all*** reasonable measures to mitigate the risk of their services being ~~misused~~***used*** for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***2022/2065*** may consider to which extent mitigation measures adopted to comply with that obligation, which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation.	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should take ***all*** reasonable measures to mitigate the risk of their services being misused for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** may consider to which extent mitigation measures adopted to comply with that obligation, which may include targeted measures to protect the rights of the child, including ~~age verification and~~ parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation. ***The choice of mitigation measures should remain with the provider. While competent authorities should have the power to ensure the providers' compliance with this Regulation and in particular with the obligations laid***

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				down in Articles 3 and 4, including by requiring providers to re-conduct or update the risk assessment to ensure compliance with this Regulation, the exercise of those powers should not result in the imposition of obligations requiring providers to carry out own-initiative searches for [online] child sexual abuse [material]. Trilogue (29.06.): Provisionally agreed to delete age verification measures. Written exchange (21.05.): EP request to delete "all" in alignment with operative part. Text Origin: CY PCY - drafting
Recital 16a				
G 27a			***(16a) Age verification and age assessment measures taken under this Regulation should preserve privacy, respecting the principles relating to the processing of personal data, notably the principles of lawfulness, purpose limitation and data minimisation, including by being in compliance with Regulation (EU) 2016/679. Those measures should take as a primary consideration the best interest of the child, including the protection of their personal data, be proportionate, transparent, effective and accurate. The obligation to***	*deleted* *Trilogue (29.06.): Provisionally agreed to delete references to age verification.*

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			ensure data protection by design and default is of particular importance to protect the personal data of children while ensuring a safe online environment for children. The age verification and age assessment measures should also be non-discriminatory and accessible. Whenever applying age verification and age assessment measures, providers should inform in their terms and conditions in detail how those measures work, and whether any third party has been involved in providing those measures.	
Recital 17				
28	*(17)* To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. In particular, providers are free to design and implement, in accordance with Union law, measures based on their existing practices to detect online child sexual abuse in their services and indicate as part of the risk	(17) To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. In particular, providers are free to design and implement, in accordance with Union law, measures based on their existing practices to detect ***and prevent,*** online child sexual abuse in their services ~~*and indicate as part of*~~	(17) To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. In particular, providers are free to design and implement, in accordance with Union law, measures based on their existing practices to detect online child sexual abuse in their services and indicate as part of the risk	(17) To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. ~~*In particular,*~~***However, certain*** providers ~~*are free to design and implement, in accordance with Union law, measures based on their existing practices to detect online child sexual abuse in*~~***targeting***

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	reporting their willingness and preparedness to eventually being issued a detection order under this Regulation, if deemed necessary by the competent national authority.	~~*the risk reporting their willingness and preparedness to eventually being issued a*~~***. Mitigation measures should aim to contribute to prevent child sexual abuse from happening in the first place, and consequently*** detection ~~*order under this Regulation, if deemed necessary by the competent national authority.*~~***orders should be issued only to providers that have failed to take all reasonable and proportionate mitigation measures to address the risk identified.***	reporting their willingness and preparedness to ~~*eventually being issued a detection order*~~***carry out voluntary activities*** under ~~*this*~~ Regulation~~*, if deemed necessary by the competent national authority*~~ ***(EU) 2021/1232.*** .	***children and those providers which have identified a risk of*** their services ~~*and indicate as part*~~***being used for the purpose*** of the ~~*risk reporting their willingness and preparedness to eventually being issued a detection order under this Regulation, if deemed necessary by the competent national authority.*~~***solicitation of children should be obliged to take, where relevant, certain specific mitigation measures.*** ITM (12.10.) -Provisionally agreed. Aligned with line 181. FOR ENDORSEMENT AT TRILOGUE
Recital 17a				
28a			***(17a) Nothing in this Regulation should be understood as imposing any detection obligations on providers.***	Linked to voluntary detection/detection orders
Recital 17b				
28b		***(17a) top Online platforms primarily used for the dissemination of pornographic content and providers of online games falling under the scope of this Regulation should take additional technical and organisational measures to ensure safety and security by design and by default for children.***		*deleted* *Trilogue (29.06.): Provisionally agreed.*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 18				
29	*(18)* In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights. In order to ensure proportionality, when determining which mitigation measures should reasonably be taken in a given situation, account should also be taken of the financial and technological capabilities and the size of the provider concerned. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation,	(18) In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights ***or if they disproportionately affect people experiencing intersectional discrimination, including on the basis of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, gender or sexual orientation. Particular care should be taken to assess the impact on girls, who are at a greater risk of being subject to child sexual abuse and gender-based violence***. In order to ensure proportionality, when determining	(18) In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights. In order to ensure proportionality, when determining which mitigation measures should reasonably be taken in a given situation, account should also be taken of the financial and technological capabilities and the size of the provider concerned. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation,	(18) In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights ***or if they disproportionately affect people experiencing intersectional discrimination***. In order to ensure proportionality, when determining which mitigation measures should reasonably be taken in a given situation, account should also be taken of ***the ongoing effectiveness of the measures,*** the financial and technological capabilities and the size of the provider concerned. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where

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	and those contained in guidelines from the Commission. When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation measures.	which mitigation measures should reasonably be taken in a given situation, account should also be taken of the ***ongoing effectiveness of the measures, the*** financial and technological capabilities and the size of the provider concerned. ***Therefore mitigation measures should always be the least intrusive option possible***. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation, and those contained in guidelines from the Commission. ***Clear targets, oversight, review and adaptation, led by the competent authorities, are needed to avoid measures becoming redundant, disproportionate, ineffective, counterproductive or outdated.*** When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation measures.	and those contained in guidelines from the Commission. When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation measures.	appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation, and those contained in guidelines from the Commission. ***Clear targets, oversight, review and adaptation are needed to avoid measures becoming redundant, disproportionate, ineffective, counterproductive or outdated.*** When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation measures.
Recital 18a				
G 29a			***(18a) With a view to make risk mitigation measures more targeted, the services or parts or components***	*deleted* G

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			thereof should be categorised according to their risks based on objective criteria and a methodology established in this Regulation that may be updated, if required due to technological developments, by a delegated act of the Commission. After having completed the risk assessment and put in place the mitigation measures, the providers should send reports to the Coordinating Authority of establishment, which should include a self-assessment facilitating the categorisation of services by the Coordinating Authority of establishment. The risk categorisation, decided by the Coordinating Authority of establishment, taking into account the risk assessment and the risk mitigation measures already undertaken by the providers and the self-assessment by the providers, would have as objective to determine the risk level of services or parts and components thereof. The EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') could support the Coordinating Authority of establishment by providing an assessment of the effectiveness of the mitigation measures, technical expertise on the technologies put in place as part of the mitigation	*Trilogue (29.06.): Provisionally agreed to drop risk categorisation.*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			measures or by testing the services.	
Recital 18b				
29b		***(18a) Parental control features and functionalities should be limited to allowing allow parents, or guardians only to prevent children from accessing platforms or services that are inappropriate for their age or fall under an age-restriction applicable under national law, or to help prevent them from being exposed to content that is inappropriate. Those measures should be in accordance with Regulation (EU) 2016/679 and the Convention on the Rights of the Child, in particular General Comment 25 (2021) on children's rights in relation to the digital environment, respect the integrity and safety of the device and not allow unauthorised access or control by third parties.***		***(18b) Parental control features and functionalities should only allow parents or guardians to prevent children from accessing platforms or services that are inappropriate for their age or fall under an age-restriction applicable under national law, or to help prevent them from being exposed to content that is inappropriate. Those measures should be in accordance with Regulation (EU) 2016/679 and the Convention on the Rights of the Child, in particular General Comment 25 (2021) on children's rights in relation to the digital environment, respect the integrity and safety of the device and not allow unauthorised access or control by third parties.*** Text Origin: CY PCY - drafting
Recital 18c				
29c		***(18b) Providers should have to establish and operate an accessible, age-appropriate, child-friendly and user-friendly reporting mechanism that allows any user or entity to flag or notify them the presence of potential online child sexual abuse on their services, including self-generated material.***		***(18c) Providers should establish and operate an accessible, age-appropriate, child-friendly and user-friendly reporting mechanism that allows any user or entity to notify them the presence of potential online child sexual abuse on their services, including self-generated material.***

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				ITM (04.05.) - Provisionally agreed. Recital to be complemented by: "Providers of hosting services already have a general obligation under the DSA to establish a notice-and-action mechanism for the notification/reporting of potential illegal content. Since potential CSA constitutes potential illegal content, the same mechanism established to comply with the DSA may also be used to comply with the obligation under this Regulation, provided that the reporting mechanism meets the criteria set out herein." Text Origin: CY PCY - drafting
Recital 18d				
G 29d		***(18c) Providers that have identified a risk of use of their services for the purpose of the solicitation of children, should be able to take age verification measures. The implementation of technical procedures to verify the age of users is likely to result in the processing of personal data. Such processing is particularly sensitive in view of its purpose and is subject to Regulation (EU) 2016/679. Age verification systems should strictly comply with the principle of data minimization. In addition, the requirement to set up an age***		*deleted* *Trilogue (29.06.): Provisionally agreed to delete references to age verification.* G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		verification system for the legitimate purpose of protecting minors provided for in this Regulation does not justify a general obligation to identify oneself prior to consulting any site offering content. Being able, in principle, to benefit from online public communication services without having to identify oneself, or by using pseudonyms, contributes to the freedom to inform oneself and to the protection of users' privacy. This is an essential element in the exercise of these freedoms on the Internet. Providers should use systems that provide proof of age without revealing the identity of the user as foreseen in Regulation .../... amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity. Such services could, for example, be based on a trusted third-party organization, which would have to incorporate a double anonymity mechanism preventing the trusted third party from identifying the site or application at the origin of a verification request, on the one hand, and preventing the transmission of identifying data relating to the user to the site or application, on the other. The means of proof should therefore be		

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		in the hands of its bearer and limited to a single age attribute. The trusted third-party organisation should also incorporate all personal data protection guarantees, and in particular inform the person concerned, in simple terms and adapted to each audience, of the risks and rights associated with the processing of his or her data.		
Recital 18e				
29e				***(18e) The content that is publicly accessible should entail the content made available to a potentially unlimited number of persons, namely making the information easily accessible to users in general, without requiring further action by the content provider. Accordingly, where access to content requires registration or admittance to a group of users, that content should be considered publicly accessible only where users seeking to access the information are automatically registered or admitted without a human decision or selection of whom to grant access. Content that is publicly accessible should also cover, for example, content stored on social media, video, image and audio-sharing services, as well as file-sharing services and other cloud services, insofar as those services are used to make the stored***

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				information available to the public at the direct request of the content provider. ITM (12.11.) - EP to check.
Recital 19				
30	(19) In the light of their role as intermediaries facilitating access to software applications that may be misused for online child sexual abuse, providers of software application stores should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk. The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.	(19) In the light of their role as intermediaries facilitating access to software applications that may be misused for online child sexual abuse, providers of software application stores ***considered as gatekeepers under Regulation (EU) 2022/1925*** should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk***, specifically preventing children from accessing the software applications in relation to which the provider of software application has explicitly informed that it does not permit its use by children or when it has an age rating model in place***. The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.	(19) In the light of their role as intermediaries facilitating access to software applications that may be ~~misused~~***used*** for online child sexual abuse, providers of software application stores should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk. The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.	(19) In the light of their role as intermediaries facilitating access to software applications that may be misused for ~~*online child sexual abuse*~~***the solicitation of children***, providers of software application stores ***considered as gatekeepers under Regulation (EU) 2022/1925*** should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk. ~~*The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.*~~
Recital 20				

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31	(20) With a view to ensuring effective prevention and fight against online child sexual abuse, when mitigating measures are deemed insufficient to limit the risk of misuse of a certain service for the purpose of online child sexual abuse, the Coordinating Authorities designated by Member States under this Regulation should be empowered to request the issuance of detection orders. In order to avoid any undue interference with fundamental rights and to ensure proportionality, that power should be subject to a carefully balanced set of limits and safeguards. For instance, considering that child sexual abuse material tends to be disseminated through hosting services and publicly available interpersonal communications services, and that solicitation of children mostly takes place in publicly available interpersonal communications services, it should only be possible to address detection orders to providers of such services.	(20) With a view to ensuring effective prevention and fight against online child sexual abuse, when ***the provider refuses to cooperate by putting in place the*** mitigating measures ~~*are deemed insufficient*~~***aimed*** to limit the risk of misuse of a certain service for the purpose of online child sexual abuse, the Coordinating Authorities designated by Member States under this Regulation should be empowered to request***, as a measure of last resort,*** the issuance of detection orders. In order to avoid any undue interference with fundamental rights and to ensure proportionality, that power should be subject to a carefully balanced set of limits and safeguards. For instance, considering that child sexual abuse material tends to be disseminated through hosting services and publicly available ~~*interpersonal communications services, and that solicitation of children mostly takes place in publicly available*~~***number-independent*** interpersonal communications services, it should only be possible to address detection orders to providers of such services. ***As a matter of principle, detection orders should be addressed to the service provider acting as a controller. However, in some circumstances, determining***	~~*(20) With a view to ensuring effective prevention and fight against online child sexual abuse, when mitigating measures are deemed insufficient to limit the risk of misuse of a certain service for the purpose of online child sexual abuse, the Coordinating Authorities designated by Member States under this Regulation should be empowered to request the issuance of detection orders. In order to avoid any undue interference with fundamental rights and to ensure proportionality, that power should be subject to a carefully balanced set of limits and safeguards. For instance, considering that child sexual abuse material tends to be disseminated through hosting services and publicly available interpersonal communications services, and that solicitation of children mostly takes place in publicly available interpersonal communications services, it should only be possible to address detection orders to providers of such services.*~~	Linked to voluntary detection/detection orders

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		whether a service provider has the role of controller or processor can prove particularly challenging or addressing the controller may be detrimental to an ongoing investigation. Consequently, as an exception, it should be possible to address a detection order directly to the service provider that stores or otherwise processes the data.		
Recital 21				
32	(21) Furthermore, as parts of those limits and safeguards, detection orders should only be issued after a diligent and objective assessment leading to the finding of a significant risk of the specific service concerned being misused for a given type of online child sexual abuse covered by this Regulation. One of the elements to be taken into account in this regard is the likelihood that the service is used to an appreciable extent, that is, beyond isolated and relatively rare instances, for such abuse. The criteria should vary so as to account of the different characteristics of the various types of online child sexual abuse at stake and of the different characteristics of the services used to engage in such abuse, as well as the related different degree of intrusiveness of the measures to be taken to execute the detection order.	(21) Furthermore, as parts of those limits and safeguards, detection orders should only be issued ***by a judicial authority and only*** after a diligent and objective assessment leading to the finding of ***reasonable grounds of suspicion for a link, at least an indirect one,*** ~~*a significant risk*~~ of the ~~*specific*~~ service concerned being misused ~~*for a given type of online*~~***by individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication for*** child sexual abuse ~~*covered by this Regulation. One of the elements to be taken into account in this regard is the likelihood that the service is used to an appreciable extent, that is, beyond isolated and relatively rare instances, for such abuse. The criteria should vary so as to account of the different characteristics of the various types of online*~~***material.***	~~*(21) Furthermore, as parts of those limits and safeguards, detection orders should only be issued after a diligent and objective assessment leading to the finding of a significant risk of the specific service concerned being misused for a given type of online child sexual abuse covered by this Regulation. One of the elements to be taken into account in this regard is the likelihood that the service is used to an appreciable extent, that is, beyond isolated and relatively rare instances, for such abuse. The criteria should vary so as to account of the different characteristics of the various types of online child sexual abuse at stake and of the different characteristics of the services used to engage in such abuse, as well as the related different degree of intrusiveness of the measures to be taken to execute the detection order.*~~	Linked to voluntary detection/detection orders

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		Reasonable grounds are those resulting from any information reliable and legally acquired that suggest that individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication might have a link, even an indirect or remote one, with child sexual abuse ~~*at stake and of the different characteristics of the services used to engage in such*~~***material. A link with child sexual*** abuse~~, as well as the related different degree of intrusiveness of the measures~~ ***material should be deemed to exist where on the basis of objective evidence there is a reasonable suspicion that such material will be detected in the use of a service by a user. Where a channel is operated specifically for the purpose of distributing child sexual abuse material, the subscribers to that channel should be considered linked to child sexual abuse material. Conduct which is legal according to Directive 2011/93/EU or national law transposing it should not be deemed a reasonable ground of suspicion. In order to conduct such an assessment a fluent dialogue needs*** to be ~~*taken to execute the detection order*~~***established between the Coordinating Authority and the***		

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		provider. With the view at achiving that aim, it should be possible for the Coordinating Authority to request additional information to the EU Centre, the competent data protection authorities or any other public authority or entities.		
Recital 21a				
32a		***(21a) The definition of child sexual abuse material provided in Article 2 has to be interpreted taking into account Directive 2011/93/EU. Therefore, personal communication between consenting peers as well as children over the age of sexual consent and their partners are out of the scope of the definition insofar those images does not involve any abuse or exploitation or payment or remuneration for pornographic performance and the images have not been disseminated without the consent of the parties involved. Likewise, images produced for medical or scientific purposes, strictly verifiable as such, should remain out of the scope of definition of child sexual abuse material.***		*deleted*
Recital 22				
33	*(22)* However, the finding of such a significant risk should in itself be insufficient to justify the issuance of a detection order, given that in such	(22) ~~*However, the finding of such a significant risk should in itself be insufficient to justify the issuance of a detection order, given that in such*~~	~~*(22) However, the finding of such a significant risk should in itself be insufficient to justify the issuance of a detection order, given that in such*~~	Linked to voluntary detection/detection orders

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	a case the order might lead to disproportionate negative consequences for the rights and legitimate interests of other affected parties, in particular for the exercise of users' fundamental rights. Therefore, it should be ensured that detection orders can be issued only after the Coordinating Authorities and the competent judicial authority or independent administrative authority having objectively and diligently assessed, identified and weighted, on a case-by-case basis, not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also the likelihood and seriousness of any potential negative consequences for other parties affected. With a view to avoiding the imposition of excessive burdens, the assessment should also take account of the financial and technological capabilities and size of the provider concerned.	~~*a case the order might lead to disproportionate negative consequences for the rights and legitimate interests of other affected parties, in particular for the exercise of users' fundamental rights. Therefore,*~~ It should be ensured that detection orders can be issued only after the Coordinating Authorities and the competent judicial authority ~~*or independent administrative authority*~~ having objectively and diligently assessed, identified and weighted, on a case-by-case basis, ~~*not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also*~~ the likelihood and seriousness of any potential negative consequences for other parties affected***, *including the users of the service***. With a view to avoiding the imposition of excessive burdens, the assessment should also take account of the financial and technological capabilities and size of the provider concerned.	~~*a case the order might lead to disproportionate negative consequences for the rights and legitimate interests of other affected parties, in particular for the exercise of users' fundamental rights. Therefore, it should be ensured that detection orders can be issued only after the Coordinating Authorities and the competent judicial authority or independent administrative authority having objectively and diligently assessed, identified and weighted, on a case-by-case basis, not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also the likelihood and seriousness of any potential negative consequences for other parties affected. With a view to avoiding the imposition of excessive burdens, the assessment should also take account of the financial and technological capabilities and size of the provider concerned.*~~	
Recital 23				
34	(23) In addition, to avoid undue interference with fundamental rights and ensure proportionality, when it is established that those requirements have been met and a detection order is to be issued, it	(23) In addition, to avoid undue interference with fundamental rights and ensure proportionality, when it is established that those requirements have been met and a detection order is to be issued, it	~~*(23) In addition, to avoid undue interference with fundamental rights and ensure proportionality, when it is established that those requirements have been met and a detection order is to be issued, it*~~	Linked to voluntary detection/detection orders

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	should still be ensured that the detection order is targeted and specified so as to ensure that any such negative consequences for affected parties do not go beyond what is strictly necessary to effectively address the significant risk identified. This should concern, in particular, a limitation to an identifiable part or component of the service where possible without prejudice to the effectiveness of the measure, such as specific types of channels of a publicly available interpersonal communications service, or to specific users or specific groups of users, to the extent that they can be taken in isolation for the purpose of detection, as well as the specification of the safeguards additional to the ones already expressly specified in this Regulation, such as independent auditing, the provision of additional information or access to data, or reinforced human oversight and review, and the further limitation of the duration of application of the detection order that the Coordinating Authority deems necessary. To avoid unreasonable or disproportionate outcomes, such requirements should be set after an objective and diligent assessment conducted on a case-by-case basis.	should still be ensured that the detection order is ~~targeted and specified~~***limited in time*** so as to ensure that any such negative consequences for affected parties do not go beyond what is strictly necessary to effectively address the significant risk identified. This should concern, in particular, a limitation to ~~an identifiable part or component of the service where possible without prejudice to the effectiveness of the measure, such as~~***individual users, or a*** specific ~~types of channels of a publicly available interpersonal communications service, or to specific users or specific groups~~***group*** of users, ***either as such or as subscribers to a specific channel of communication in respect of whom there are reasonable grounds of suspicion for a link, even an indirect one*** ~~to the extent that they can be taken in isolation for the purpose of detection~~, ***with child sexual abuse material as defined in Article 2*** as well as the specification of the safeguards additional to the ones already expressly specified in this Regulation, such as independent auditing, the provision of additional information or access to data, or reinforced human oversight and review, and the further limitation of	~~should still be ensured that the detection order is targeted and specified so as to ensure that any such negative consequences for affected parties do not go beyond what is strictly necessary to effectively address the significant risk identified. This should concern, in particular, a limitation to an identifiable part or component of the service where possible without prejudice to the effectiveness of the measure, such as specific types of channels of a publicly available interpersonal communications service, or to specific users or specific groups of users, to the extent that they can be taken in isolation for the purpose of detection, as well as the specification of the safeguards additional to the ones already expressly specified in this Regulation, such as independent auditing, the provision of additional information or access to data, or reinforced human oversight and review, and the further limitation of the duration of application of the detection order that the Coordinating Authority deems necessary. To avoid unreasonable or disproportionate outcomes, such requirements should be set after an objective and diligent assessment conducted on a case-by-case basis.~~	

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		the duration of application of the detection order that the Coordinating Authority deems necessary. To avoid unreasonable or disproportionate outcomes, such requirements should be set after an objective and diligent assessment conducted on a case-by-case basis.		
Recital 24				
35	(24) The competent judicial authority or the competent independent administrative authority, as applicable in accordance with the detailed procedural rules set by the relevant Member State, should be in a position to take a well-informed decision on requests for the issuance of detections orders. That is of particular importance to ensure the necessary fair balance of the fundamental rights at stake and a consistent approach, especially in connection to detection orders concerning the solicitation of children. Therefore, a procedure should be provided for that allows the providers concerned, the EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') and, where so provided in this Regulation, the competent data protection authority designated under Regulation (EU) 2016/679 to provide their views on the measures	(24) The competent judicial ~~authority or the competent independent administrative~~ authority, as applicable in accordance with the detailed procedural rules set by the relevant Member State, should be in a position to take a well-informed decision on requests for the issuance of detections orders. That is of particular importance to ensure the necessary fair balance of the fundamental rights at stake and a consistent approach~~, especially in connection to detection orders concerning the solicitation of children~~. Therefore, a procedure should be provided for that allows the providers concerned, the EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') and, where so provided in this Regulation, the competent data protection authority designated under Regulation (EU) 2016/679 to provide their views on the measures	~~(24) The competent judicial authority or the competent independent administrative authority, as applicable in accordance with the detailed procedural rules set by the relevant Member State, should be in a position to take a well-informed decision on requests for the issuance of detections orders. That is of particular importance to ensure the necessary fair balance of the fundamental rights at stake and a consistent approach, especially in connection to detection orders concerning the solicitation of children. Therefore, a procedure should be provided for that allows the providers concerned, the EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') and, where so provided in this Regulation, the competent data protection authority designated under Regulation (EU) 2016/679 to provide their views on the measures~~	Linked to voluntary detection/detection orders

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	in question. They should do so as soon as possible, having regard to the important public policy objective at stake and the need to act without undue delay to protect children. In particular, data protections authorities should do their utmost to avoid extending the time period set out in Regulation (EU) 2016/679 for providing their opinions in response to a prior consultation. Furthermore, they should normally be able to provide their opinion well within that time period in situations where the European Data Protection Board has already issued guidelines regarding the technologies that a provider envisages deploying and operating to execute a detection order addressed to it under this Regulation.	in question. They should do so ~~as soon as possible~~***without undue delay***, having regard to the important public policy objective at stake and the need to act without undue delay to protect children. In particular, data protections authorities should do their utmost to avoid extending the time period set out in Regulation (EU) 2016/679 for providing their opinions in response to a prior consultation. Furthermore, they should normally be able to provide their opinion well within that time period in situations where the European Data Protection Board has already issued guidelines regarding the technologies that a provider envisages deploying and operating to execute a detection order addressed to it under this Regulation.	~~*in question. They should do so as soon as possible, having regard to the important public policy objective at stake and the need to act without undue delay to protect children. In particular, data protections authorities should do their utmost to avoid extending the time period set out in Regulation (EU) 2016/679 for providing their opinions in response to a prior consultation. Furthermore, they should normally be able to provide their opinion well within that time period in situations where the European Data Protection Board has already issued guidelines regarding the technologies that a provider envisages deploying and operating to execute a detection order addressed to it under this Regulation.*~~	
Recital 25				
G 36	(25) Where new services are concerned, that is, services not previously offered in the Union, the evidence available on the potential misuse of the service in the last 12 months is normally non-existent. Taking this into account, and to ensure the effectiveness of this Regulation, the Coordinating Authority should be able to draw on evidence stemming from comparable services when assessing whether to request the issuance of a detection	*deleted*	~~*(25) Where new services are concerned, that is, services not previously offered in the Union, the evidence available on the potential misuse of the service in the last 12 months is normally non-existent. Taking this into account, and to ensure the effectiveness of this Regulation, the Coordinating Authority should be able to draw on evidence stemming from comparable services when assessing whether to request the issuance of a detection*~~	*deleted* G

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	order in respect of such a new service. A service should be considered comparable where it provides a functional equivalent to the service in question, having regard to all relevant facts and circumstances, in particular its main characteristics and functionalities, the manner in which it is offered and used, the user base, the applicable terms and conditions and risk mitigation measures, as well as the overall remaining risk profile.		~~order in respect of such a new service. A service should be considered comparable where it provides a functional equivalent to the service in question, having regard to all relevant facts and circumstances, in particular its main characteristics and functionalities, the manner in which it is offered and used, the user base, the applicable terms and conditions and risk mitigation measures, as well as the overall remaining risk profile.~~	
Recital 26				
37	*(26)* The measures taken by providers of hosting services and providers of publicly available interpersonal communications services to execute detection orders addressed to them should remain strictly limited to what is specified in this Regulation and in the detection orders issued in accordance with this Regulation. In order to ensure the effectiveness of those measures, allow for tailored solutions, remain technologically neutral, and avoid circumvention of the detection obligations, those measures should be taken regardless of the technologies used by the providers concerned in connection to the provision of their services. Therefore, this Regulation leaves to the provider concerned the choice of	(26) The measures taken by providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services to execute detection orders addressed to them should remain strictly limited to what is specified in this Regulation and in the detection orders issued in accordance with this Regulation. In order to ensure the effectiveness of those measures, allow for tailored solutions, remain technologically neutral, and avoid circumvention of the detection obligations, those measures should be taken regardless of the technologies used by the providers concerned in connection to the provision of their services. Therefore, this Regulation leaves to the provider concerned the choice of	(26) ~~The measures taken by providers of hosting services and providers of publicly available interpersonal communications services to execute detection orders addressed to them should remain strictly limited to what is specified in this Regulation and in the detection orders issued in accordance with this Regulation. In order to ensure the effectiveness of those measures, allow for tailored solutions, remain technologically neutral, and avoid circumvention of the detection obligations, those measures should be taken regardless of the~~ ***Having regard to the availability of*** technologies ***that can be*** used ~~by the providers concerned in connection to the provision of their services. Therefore, this Regulation leaves to~~	Linked to voluntary detection/detection orders

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the technologies to be operated to comply effectively with detection orders and should not be understood as incentivising or disincentivising the use of any given technology, provided that the technologies and accompanying measures meet the requirements of this Regulation. That includes the use of end-to-end encryption technology, which is an important tool to guarantee the security and confidentiality of the communications of users, including those of children. When executing the detection order, providers should take all available safeguard measures to ensure that the technologies employed by them cannot be used by them or their employees for purposes other than compliance with this Regulation, nor by third parties, and thus to avoid undermining the security and confidentiality of the communications of users.	the technologies to be operated to comply effectively with detection orders and should not be understood as incentivising or disincentivising the use of any given technology, provided that the technologies and accompanying measures meet the requirements of this Regulation. ~~*That includes the use of end-to-end encryption technology, which is an important tool to guarantee the security and confidentiality of the communications of users, including those of children.*~~ When executing the detection order, providers should take all available safeguard measures to ensure that the technologies employed by them cannot be used by them or their employees for purposes other than compliance with this Regulation, nor by third parties, and thus to avoid undermining the security and confidentiality of the communications of users***, while ensuring the effective detection of child sexual abuse material and the balance of all the fundamental rights at stake. In that regard, providers should ensure effective internal procedures and safeguards to prevent general monitoring. Detection orders should not apply to end-to-end encryption.***	~~*the provider concerned the choice of the technologies to be operated to comply effectively with detection orders and should not be understood as incentivising or disincentivising the use of any given technology, provided that the technologies and accompanying measures*~~***to*** meet the requirements of this Regulation~~.~~ ~~*That includes the use of*~~ ***whilst still allowing for end-to-end encryption, nothing in this Regulation should be interpreted as prohibiting, weakening or circumventing, requiring to disable, or making*** end-to-end encryption ~~*technology, which is an important tool to guarantee the security and confidentiality of the communications of users, including those of children*~~***impossible***~~.~~ ~~*When executing the detection order,*~~ Providers should ~~*take all available safeguard measures to ensure that the technologies employed by them cannot be used by them or their employees for purposes other than compliance with*~~***remain free to offer services using end-to-end encryption and should not be obliged by*** this Regulation~~*, nor by third parties, and thus to avoid undermining the security and confidentiality of the communications of users.*~~ ***to decrypt data or create access to end-to-end encrypted data.***	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 27				
38	(27) In order to facilitate the providers' compliance with the detection obligations, the EU Centre should make available to providers detection technologies that they may choose to use, on a free-of-charge basis, for the sole purpose of executing the detection orders addressed to them. The European Data Protection Board should be consulted on those technologies and the ways in which they should be best deployed to ensure compliance with applicable rules of Union law on the protection of personal data. The advice of the European Data Protection Board should be taken into account by the EU Centre when compiling the lists of available technologies and also by the Commission when preparing guidelines regarding the application of the detection obligations. The providers may operate the technologies made available by the EU Centre or by others or technologies that they developed themselves, as long as they meet the requirements of this Regulation.	(27) In order to facilitate the providers' compliance with the detection obligations, the EU Centre should make available to providers ~~*detection*~~ technologies that they may choose to use, on a free-of-charge basis, for the sole purpose of executing the detection orders addressed to them. The European Data Protection Board ~~*should*~~***must*** be consulted on ***the use of*** those technologies and the ways in which they should be best deployed to ensure compliance with applicable rules of Union law on the protection of personal data. The advice of the European Data Protection Board should be taken into account by the EU Centre when compiling the lists of available technologies and also by the Commission when preparing guidelines regarding the application of the detection obligations. The providers ~~*may operate*~~***should not be limited to operating*** the technologies made available by the EU Centre or by others ***but should always be allowed to use*** or technologies that they developed themselves, as long as they meet the requirements of this Regulation ***and other applicable Union law, such as Regulation (EU) 2016/679. Those technologies should be independently audited as***	(27) In order to facilitate the providers' ~~*compliance with the detection obligations*~~***voluntary activities under Regulation (EU) 2021/1232*** , the EU Centre should make available to providers ~~*detection*~~ technologies that they may choose to use, on a free-of-charge basis, for the sole purpose of ~~*executing the detection orders addressed to them*~~***carrying out voluntary activities in line with Regulation (EU) 2021/1232*** . The European Data Protection Board should be consulted on those technologies and the ways in which they should be best deployed to ensure compliance with applicable rules of Union law on the protection of personal data. ~~*The advice of the European Data Protection Board should be taken into account by the EU Centre when compiling the lists of available technologies and also by the Commission when preparing guidelines regarding the application of the detection obligations*~~. The providers may operate the technologies made available by the EU Centre or by others or technologies that they developed themselves, as long as they meet the requirements of ~~*this*~~ Regulation ***(EU) 2021/1232***.	Linked to voluntary detection/detection orders

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		regards their performance and reliability.		
Recital 27a				
G 38a		***(27a) Since the Commission consultations to the EDPB regarding several aspects of this Regulation will entail more work for the EDPB, its budget and staffing should be adapted accordingly. The situation of national authorities, who likewise will be regularly consulted by service providers, should also reflect their increased responsibilities.***		*deleted* G
Recital 28				
39	*(28)* With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently reliable, as well as to identify false positives and avoid to the extent erroneous reporting to the EU Centre, providers should ensure human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false negatives and positives generated by the technologies, based on an analysis of anonymised representative data samples. In	(28) With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently ***accurate and*** reliable, as well as to identify false positives ***and false negatives*** and avoid to the extent erroneous reporting to the EU Centre, providers should ensure ***adequate*** human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false negatives and ***false*** positives generated by the technologies, based	~~*(28) With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently reliable, as well as to identify false positives and avoid to the extent erroneous reporting to the EU Centre, providers should ensure human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false negatives and positives generated by the technologies, based on an analysis of anonymised representative data samples. In*~~	(28) With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently ***accurate and*** reliable, as well as to identify false positives and ~~*avoid to the extent*~~***false negatives and minimise*** erroneous reporting to the EU Centre, providers should ensure ***adequate*** human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false negatives and ***false*** positives generated by the technologies, based

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service providers should ensure regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children.	on an analysis of anonymised representative data samples. ~~*In particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service*~~ Providers should ensure ~~*regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children*~~***that staff carrying out such task is adequately trained***.	~~*particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service providers should ensure regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children.*~~	on an analysis of anonymised representative data samples. ~~*In particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service*~~ Providers should ensure ~~*regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children*~~***staff carrying out such task is adequately trained***. ITM (12.10).: subject to agreement on detection package. Linked to voluntary detection/detection orders
Recital 29				
40	(29) Providers of hosting services and providers of publicly available interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, they should be required to report on potential online child sexual abuse on their services, whenever they become aware of it, that is, when	(29) Providers of hosting services***,*** and providers of publicly available ***number-independent*** interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, ~~*they should be required to report*~~***upon obtaining actual knowledge*** on potential online child	(29) Providers of hosting services and providers of publicly available interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, they should be required to report on potential online child sexual abuse on their services, whenever they become aware of it, that is, when	(29) Providers of hosting services***,*** and providers of publicly available ***number-independent*** interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, ***whenever they become aware of***~~*they should be required to report on*~~ potential online child sexual abuse

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	there are reasonable grounds to believe that a particular activity may constitute online child sexual abuse. Where such reasonable grounds exist, doubts about the potential victim's age should not prevent those providers from submitting reports. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. Such awareness could, for example, be obtained through the execution of detection orders, information flagged by users or organisations acting in the public interest against child sexual abuse, or activities conducted on the providers' own initiative. Those providers should report a minimum of information, as specified in this Regulation, for competent law enforcement authorities to be able to assess whether to initiate an investigation, where relevant, and should ensure that the reports are as complete as possible before submitting them.	sexual abuse on their services, ~~*whenever they become aware of it, that is, when there are reasonable grounds to believe that a particular activity may constitute online child sexual abuse*~~***they should act expeditiously to remove or to disable access to that content and to report it to the EU Centre in accordance with this Regulation***. ~~*Where such reasonable grounds exist, doubts about the potential victim's age*~~ ***The removal or disabling of access*** should ~~*not prevent those providers from submitting reports*~~***respect the fundamental rights of the recipients of the service, including the right to freedom of expression and of information***. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. ***Providers can obtain such actual knowledge on potential online child sexual abuse on their services*** ~~*Such awareness could*~~, for example, ~~*be obtained*~~***through its own-initiative investigations,*** through the execution of detection orders, ***through notifications done by the Coordinating Authorities, as well as through*** information flagged by users***, self-reported by victims*** or organisations***, such as hotlines,*** acting in the public interest against	there are reasonable grounds to believe that a particular activity may constitute online child sexual abuse. Where such reasonable grounds exist, doubts about the potential victim's age should not prevent those providers from submitting reports. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. Such awareness could, for example, be obtained through ~~*the execution of detection orders,*~~ ***voluntary activities under Regulation (EU) 2021/1232*** information flagged by users or organisations acting in the public interest against child sexual abuse, or activities conducted on the providers' own initiative. Those providers should report a minimum of information, as specified in this Regulation, for competent law enforcement authorities to be able to assess whether to initiate an investigation, where relevant, and should ensure that the reports are as complete as possible before submitting them.	on their services, ~~*whenever they become aware of it, that is, when there are reasonable grounds to believe that a particular activity may constitute online child sexual abuse. Where such reasonable grounds exist, doubts about the potential victim's age*~~***they*** should ~~*not prevent those providers from submitting reports*~~***report it to the EU Centre in accordance with this Regulation***. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. Such awareness could ***be obtained***, for example, ~~*be obtained*~~***through their own-initiative searches,*** through the execution of detection orders, ***through notifications done by the competent authorities or by the EU Centre, as well as through*** information flagged by users***, self-reported by victims*** or organisations acting in the public interest against child sexual abuse, ~~*or activities conducted on the*~~***including hotlines. To this end, it is important that*** providers~~*' own initiative. Those*~~***, regardless of their size, have the obligation to put in place mechanisms that facilitate the notification of online child sexual abuse. The reports that*** providers ***of hosting services and providers of number-independent interpersonal communication services submit to***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		child sexual abuse. ***To this end, it is important that*** ~~, or activities conducted on the providers' own initiative. Those~~ providers, ***regardless of their size, have the obligation to put in place mechanisms that facilitate the flagging or notification of online child sexual abuse. Those reports*** should report ***contain*** a minimum of information~~,~~ as specified in this Regulation, ~~for~~***and providers should ensure the quality of the information submitted so the EU Centre can conduct its assessment and*** competent law enforcement authorities ~~to be able to assess whether to initiate an investigation, where relevant, and should ensure that the~~***can focus on*** reports ***that are most likely to lead to the recovery of a child or/and the arrest of an offender, or both*** ~~are as complete as possible before submitting them~~.		***the EU Centre*** should ~~report a minimum of~~***at least contain the*** information, ~~as~~ specified in this Regulation ***and providers should ensure the completeness and quality of the information submitted. This is necessary to enable the EU Centre to check whether reports are manifestly unfounded and, where the reports are forwarded, to allow the*** ~~, for~~ competent ~~law enforcement~~ authorities to ~~be able to~~ assess ~~whether~~***promptly and, where relevant,*** to initiate an investigation~~, where relevant, and~~***. Providers*** should ***therefore*** ensure that ~~the~~ reports are as complete as possible before submitting them***, including all the relevant data that are already available to them at the time of the report***. ITM (12.10.): For provisional agreement subject to agreement on the detection package. Text Origin: CY PCY - drafting
Recital 29a				
G 40a			***(29a) Metadata connected to reported potential online child sexual abuse may be useful for investigative purposes and for the purpose to identify a suspect of a child sexual abuse offence.***	*deleted* G
Recital 29b				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
40b			***(29b) There should be an expedited reporting procedure when the information reported by the provider reasonably justifies the conclusion that there is likely to be an imminent threat to the life or safety of a child or when the information indicates ongoing abuse. The expedited reporting procedure should limit the information required to be reported to the most necessary items of information and include the rest of the information required in the standard reporting procedure only if immediately available. The expedited reporting procedure should also include an expedited processing by the EU Centre. In addition to the cases that require expedited reporting, the provider should indicate in the report other situations that require urgent action but not expedited reporting, such as situations where the provider is aware of an ongoing investigation and the information reported by the provider reasonably justifies the conclusion that such information could be beneficial to that investigation.***	***(29b) Where the provider considers that the information it has become aware of, in any manner other than through a removal order, reasonably justifies the conclusion of a likely emergency case, it should apply an expedited reporting procedure, which limits the reporting obligations to the most necessary information to avoid submission delays and allow for urgent intervention to prevent further harm.*** ***The expedited reporting procedure should also include an expedited processing by the EU Centre.*** ***The standard reporting procedure with the full reporting requirements should apply in all other cases. However, if the provider considers that urgent action may be required, including in situations where the information reasonably justifies the conclusion that it could be beneficial to an ongoing investigation that the provider is aware of, the provider should indicate the need for urgent action in the report.***
Recital 30				
41	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection,	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection,	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Coordinating Authorities of establishment should have the power to request competent judicial authorities or independent administrative authorities to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	***and in order to stop or limit its dissemination***, Coordinating Authorities of establishment should have the power to request competent judicial ~~*authorities or independent administrative*~~ authorities to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should***, without undue delay,*** inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions***, established for a limited time period,*** needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences. ***As a matter of principle, removal orders should be addressed to the service provider acting as a controller. However, in some circumstances, determining whether a service provider has the role of controller or processor can prove particularly challenging or addressing the controller could be detrimental to an ongoing investigation. Consequently, by way of derogation, it should be possible to address a removal order directly to the service provider that stores or otherwise processes the data.***	~~*Coordinating Authorities of establishment*~~ ***the competent authority of each Member State, where applicable its judicial authority,*** should have the power ~~*to request competent judicial authorities or independent administrative authorities*~~ to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	***and in order to stop or limit its dissemination, the competent*** ~~*Coordinating*~~ authorities of ~~*establishment*~~***each Member State, where applicable its judicial authority*** should have the power ~~*to request competent judicial authorities or independent administrative authorities*~~ to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should***, without undue delay,*** inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions ***applicable for a limited time period,*** needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences. Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting

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Recital 31					
G	42	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC].	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***.	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders ***or the rules on no general monitoring or active fact-finding obligations*** set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** .	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders ***or the rules on no general monitoring or active fact-finding obligations*** set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** . Text Origin: CY PCY - drafting	G
Recital 31a					
Y	42a		***(31a) The rules of this Regulation should not be understood as affecting the relevant national requirements providing, in accordance with Union law, procedural safeguards regarding the issuing of removal, blocking or delisting orders, such as the control of the conformity with the applicable legal requirements of these orders by an independent authority.***	***(31a) The rules of this Regulation should not be understood as affecting the relevant national requirements providing, in accordance with Union law, procedural safeguards regarding the issuing of orders under this Regulation, such as the control of the conformity with the applicable legal requirements of these orders by an independent authority.*** ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: CY PCY - drafting	Y
Recital 31b					
Y	42b		***(31b) In order to allow Member States to organise the process of***	***(31b) In order to allow Member States to organise the process of***	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			issuance of removal, blocking or delisting orders in a manner compatible with their respective constitutional requirements and to enhance prior judicial control where deemed appropriate, they should have the possibility to require their respective competent authorities to request the competent judicial authority of the Member State concerned to issue some or all of those three types of orders under this Regulation. That possibility to derogate should however only concern the question which authority issues the orders. Accordingly, when a Member State makes use of that possibility, the competent authority concerned should remain responsible for assessing the need for the order at stake and for complying with all of the procedural requirements of this Regulation related to its preparation and follow-up. In that case, whilst it is for the competent judicial authority to conduct an additional verification of whether the conditions of this Regulation for issuing the order in question have been met, those conditions themselves should remain unaltered and be applied consistently across the Union. In the interest of effectiveness, that possibility should be subject to the Member State	***issuance of removal, blocking or delisting orders in a manner compatible with their respective constitutional requirements and to enhance prior judicial control where deemed appropriate, they should have the possibility to require their respective competent authorities to request the competent judicial authority of the Member State concerned to issue some or all of those orders under this Regulation. That possibility to derogate should however only concern the question which authority issues the orders. Accordingly, when a Member State makes use of that possibility, the competent authority concerned should remain responsible for assessing the need for the order at stake and for complying with all of the procedural requirements of this Regulation related to its preparation and follow-up. In that case, whilst it is for the competent judicial authority to conduct an additional verification of whether the conditions of this Regulation for issuing the order in question have been met, those conditions themselves should remain unaltered and be applied consistently across the Union. In the interest of effectiveness, that possibility should be subject to the Member State***

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			concerned taking all reasonable measures to ensure that the issuance of the orders by their judicial authorities does not lead to any undue delays. In addition, in the interest of transparency and legal certainty, it should be ensured that the necessary information regarding the use of the possibility is publicly available.	***concerned taking all reasonable measures to ensure that the issuance of the orders by their judicial authorities does not lead to any undue delays. In addition, in the interest of transparency and legal certainty, it should be ensured that the necessary information regarding the use of the possibility is publicly available.*** ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: CY PCY - drafting
Recital 31c				
G	42c		***(31c) In the interest of effectiveness, it should be possible for the competent authorities of Member States to issue, in accordance with this Regulation, removal orders also against providers of hosting services that have their main establishment, or their legal representative, in another Member State. Given the particularity of this situation, it is appropriate to provide for a specific procedure applicable to such cross-border removal orders, so as to allow, but not require under Union law, the Coordinating Authority of that Member State to scrutinise them in respect of certain serious or***	***(31c) In the interest of effectiveness, it should be possible for the competent authorities of Member States to issue, in accordance with this Regulation, removal orders also against providers of hosting services that have their main establishment, or their legal representative, in another Member State. Given the particularity of this situation, it is appropriate to provide for a specific procedure applicable to such cross-border removal orders, so as to allow, but not require, under Union law, the Coordinating Authority of that Member State to scrutinise them in respect of certain serious or*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			manifest infringements that may occur in exceptional cases, insofar as the application of that specific procedure is required to comply with the constitutional law of the relevant Member State. To that aim, such cross-border removal orders should be transmitted via that Coordinating Authority to the provider of hosting services concerned. However, if that Coordinating Authority establishes by reasoned decision, after having carried out a diligent and objective assessment and after having informed the Coordinating Authority of the Member State whose authority issued the removal order and taken into account its response insofar as possible, that such an infringement occurred, the removal order should not be transmitted and should not take legal effect, it then being for the authority that issued the cross-border removal order to take the necessary steps to withdraw or annul it upon being notified of the reasoned decision. All actions required as part of this procedure should be taken as swiftly as possible and in any event within the set time periods, so as to ensure that any undue delays are avoided, and as much as possible in sincere cooperation between the competent	***manifest infringements that may occur in exceptional cases, insofar as the application of that specific procedure is required to comply with the constitutional law of the relevant Member State. To that aim, such cross-border removal orders should be transmitted via that Coordinating Authority to the provider of hosting services concerned. However, if that Coordinating Authority establishes by reasoned decision, after having carried out a diligent and objective assessment and after having informed the Coordinating Authority of the Member State whose authority issued the removal order and taken into account its response insofar as possible, that such an infringement occurred, the removal order should not be transmitted and should not take legal effect, it then being for the authority that issued the cross-border removal order to take the necessary steps to withdraw or annul it upon being notified of the reasoned decision. All actions required as part of this procedure should be taken as swiftly as possible and in any event within the set time periods, so as to ensure that any undue delays are avoided, and as much as possible in sincere cooperation between the competent***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			authorities involved.	***authorities involved.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Recital 32				
G 43	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, it should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material.	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, it should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material.	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, it should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material***, when less intrusive measures such as the removal of the material are not reasonably***	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material ***at source***, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, ***and having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination,*** it G

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			possible or it is likely that such measures will fail.	should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material***, when equally effective and less intrusive measures such as the removal of the material are not reasonably possible***. Text Origin: CY PCY - drafting
Recital 33				
44	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders should be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders should be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders ~~*should*~~ ***could*** be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders should be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens

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	imposed on the providers of internet access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress.	imposed on the providers of internet access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress.	imposed on the providers of internet access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress.	imposed on the providers of internet access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress. ***It should also be recognised that, in certain cases, a provider may be unable to execute a blocking order due to force majeure or de facto impossibility, including for objectively justified technical or operational reasons such as where implementation of the order would lead to the collateral blocking of lawful content.*** Text Origin: CY PCY - drafting
Recital 33a				
G 44a			***(33a) To ensure that online child sexual abuse material is delisted as swiftly as possible after its detection, the competent authority of each Member State, or where applicable its judicial authority, should have the power to issue a delisting order addressed to providers of online search engines. As delisting may affect the right of users who have provided the material concerned, providers should inform such users of the***	***(33a) To ensure that online child sexual abuse material is delisted as swiftly as possible after its detection, the competent authority of each Member State, or where applicable its judicial authority, should have the power to issue a delisting order addressed to providers of online search engines. As delisting may affect the right of users who have provided the material concerned, providers should inform such users of the*** G

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			reasons for the delisting, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	***reasons for the delisting, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Recital 33b				
G 44b			***(33b) In the interest of ensuring effective cooperation in the delisting of online child sexual abuse material, it should be possible for the competent authorities of each Member State, or where applicable its judicial authority, to issue a delisting order to a provider of an online search engine that does not have its main establishment or legal representative in the Member State of the authority that issued the delisting order. Given the particularity of this situation, and in the interest of consistency, provision should be made for a procedure applicable to such cross-border delisting orders that is the same as the procedure for cross-border removal orders.***	***(33b) In the interest of ensuring effective cooperation in the delisting of online child sexual abuse material, it should be possible for the competent authorities of each Member State, or where applicable its judicial authority, to issue a delisting order to a provider of an online search engine that does not have its main establishment or legal representative in the Member State of the authority that issued the delisting order. Given the particularity of this situation, and in the interest of consistency, provision should be made for a procedure applicable to such cross-border delisting orders that is the same as the procedure for cross-border removal orders.*** G

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				Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Recital 34				
45	(34) Considering that acquiring, possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under this Regulation and they act in good faith.	(34) Considering that acquiring, possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, ***including when carrying out voluntary own-initiative investigations, or taking other measures,*** insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under ***the Union law, including*** this Regulation and they act in good faith ***and in a diligent manner***.	(34) Considering that acquiring, possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under this Regulation and they act in good faith.	(34) Considering that acquiring, possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, ***including when carrying out voluntary own-initiative searches, or taking other measures,*** insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under ***the Union law, including*** this Regulation and they act in good faith ***and in a diligent manner***. ITM (12.10.) - For provisional agreement subject to agreement on the detection package. Text Origin: EP Mandate
Recital 35				
G 46	(35) The dissemination of child sexual abuse material is a criminal offence that affects the rights of the victims depicted. Victims should therefore have the right to obtain,	(35) ~~The~~***Each act of*** dissemination of child sexual abuse material, ***including the non-consensual dissemination of self-generated material,*** is a criminal offence that	(35) The dissemination of child sexual abuse material is a criminal offence that affects the rights of the victims depicted. Victims should therefore have the right to obtain,	(35) The dissemination of child sexual abuse material, ***including self-generated material disseminated without consent,*** is a criminal offence that affects the G

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	upon request, from the EU Centre yet via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available interpersonal communications services in accordance with this Regulation.	affects the rights of the victims depicted***, of whom the vast majority are girls. Repeated dissemination of child sexual abuse material constitutes a form of revictimization which could cause long-lasting negative consequences on the victim, and may reach extreme level in cases of so-called 'highly traded' material***. Victims ***or their parents and guardians or legal representatives acting on their behalf*** should therefore have the right to obtain, upon request, from the EU Centre yet via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available ***number-independent*** interpersonal communications services in accordance with this Regulation. ***In dealing with such requests from cases of highly traded child sexual abuse material, particular care should be taken by the EU Centre and Coordinating Authorities to ensure the safeguarding of the victims concerned. For that purpose, staff dealing with such cases shall be specifically trained to interact with victims of serious abuse. This information should be provided, within a reasonable period of time,***	upon request, from the EU Centre yet via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available interpersonal communications services in accordance with this Regulation.	rights of the ~~*victims*~~***depicted persons who are subject to child sexual abuse. The repeated dissemination of such material can cause long-lasting negative consequences for the persons*** depicted ***who are subject to child sexual abuse, which may be far-reaching in cases of so-called 'highly traded' material***. ***Alongside the rights that depicted persons who are subject to child sexual abuse might have as*** victims ***of a criminal offence under other relevant Union law, persons residing in the Union and Union citizens residing outside the Union*** should ~~*therefore*~~ have the right to obtain, upon request, from the EU Centre ~~*yet*~~***,*** via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available ***number-independent*** interpersonal communications services in accordance with this Regulation. ***That information should be provided without undue delay, where this was indicated in the request, annually, in a manner that is accessible to the persons concerned. Where Coordinating Authorities are requested to provide that information annually, they should be allowed to store the***

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		in the language indicated by the victim, in a confidential, age-appropriate, accessible, understandable and gender-sensitive manner and tailored to the specific vulnerabilities of the victims, such as their disability. The information should also cover information regarding victims' rights, support and assistance.		***information they receive from providers linked to that request throughout the year with a view to automatically providing the information to the person that requested it on an annual basis. The rights under this Regulation should apply regardless of the qualification of such persons as victims of criminal offences under other relevant Union law. This Regulation should be without prejudice to the rights to information and support of persons qualifying as victims under Directive 2012/29/EU, as well as all the other rights provided therein.*** Text Origin: CY PCY - drafting
Recital 36				
G 47	(36) Given the impact on the rights of victims depicted in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist victims who request the removal or disabling of access of the material in question. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the	(36) Given the impact on the rights of victims depicted in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist victims ***or their parents and guardians or legal representatives*** who request the removal or disabling of access of the material in question ***in a timely manner, in order to minimise the impact that such offences have on the physical and mental health of***	(36) Given the impact on the rights of victims depicted in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist victims who request the removal or disabling of access of the material in question. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the	(36) Given the impact on the rights of ~~*victims*~~ depicted ***persons who are subject to child sexual abuse*** in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist ~~*victims*~~***persons residing in the Union and Union citizens residing outside the Union*** who request the removal or disabling of access of the material in question ***without undue delay to minimise the potential*** G

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	content and scope of the request, the steps needed to locate the items of known child sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, victims should also have the right to be assisted by the EU Centre in this regard, via the Coordinating Authorities.	***the victim***. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the content and scope of the request, the steps needed to locate the items of known child sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, victims should also have the right to be assisted ***and receive adequate support by specifically trained staff of*** ~~by~~ the EU Centre in this regard, via the Coordinating Authorities.	content and scope of the request, the steps needed to locate the items of known child sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, victims should also have the right to be assisted by the EU Centre in this regard, via the Coordinating Authorities.	***impact on them***. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the content and scope of the request, the steps needed to locate the items of known child sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, ~~victims~~***depicted persons residing in the Union and Union citizens residing outside the Union who are subject to child sexual abuse*** should also have the right to ~~be assisted~~***receive adequate support*** by the EU Centre in this regard, via the Coordinating Authorities. Text Origin: CY PCY - drafting
Recital 37				
48	(37) To ensure the efficient management of such victim support functions, victims should be allowed to contact and rely on the Coordinating Authority that is most accessible to them, which should	(37) To ensure the efficient management of such victim support functions, victims should ***be informed about the existence of such functions and*** be allowed to contact and rely on the Coordinating	(37) To ensure the efficient management of such victim support functions, victims should be allowed to contact and rely on the Coordinating Authority that is most accessible to them, which should	(37) To ensure the efficient management of such victim support functions, ~~victims~~***persons residing in the Union and Union citizens residing outside the Union*** should be allowed to contact and rely on the

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	channel all communications between victims and the EU Centre.	Authority that is most accessible to them, which should channel all communications between victims and the EU Centre.	channel all communications between victims and the EU Centre.	Coordinating Authority that is most accessible to them, which should channel all communications between ~~victims~~***them*** and the EU Centre. ***To raise awareness of the existence of these support functions, Member States should make information regarding these functions publicly available in an easily accessible manner, for example through public awareness raising campaigns.*** Text Origin: CY PCY - drafting
Recital 38				
G 49	(38) For the purpose of facilitating the exercise of the victims' right to information and of assistance and support for removal or disabling of access, victims should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question.	(38) For the purpose of facilitating the exercise of the victims' right to information and of assistance and support for removal or disabling of access, victims should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question.	(38) For the purpose of facilitating the exercise of the victims' right to information and of assistance and support for removal or disabling of access, victims should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question.	(38) For the purpose of facilitating the exercise of the ~~victims~~***persons***' right to information and of assistance and support for removal or disabling of access, ~~victims~~***depicted persons who are subject to child sexual abuse*** should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the G

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				unequivocal identification of the item or items in question. Text Origin: CY PCY - drafting
Recital 38a				
49a		***(38a) The Union budget should provide complementary funding to ensure a high level of support and protection for victims, including through sufficient resources in dedicated funding programmes, and through the promotion of innovative solutions to improve the quality and accessibility of the needed services. The relevant programmes under the next Multiannual Financial Framework should contain sufficient financial and human resources to ensure sufficient funding for an adequate Union contribution to the proper implementation.***		*deleted*
Recital 39				
50	*(39)* To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than necessary for one or more of the purposes specified in this	(39) To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than necessary for one or more of the purposes specified in this	(39) To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than necessary for one or more of the purposes specified in this	(39) To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than ***strictly*** necessary for one or more of the purposes specified in

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	Regulation and subject to an appropriate maximum duration. As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive 2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law.	Regulation and subject to an appropriate maximum duration. As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive 2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law.	Regulation and subject to an appropriate maximum duration. ***Any data should be immediately and permanently deleted as soon as they are no longer strictly necessary for one of the purposes specified in this Regulation.*** As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive 2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law. ***In order to achieve the specific purposes set out in this Regulation, providers of hosting services and providers of interpersonal communications services should keep logs with the time and duration of the processing and, where applicable, the person performing the processing, in accordance with Regulation (EU) 2016/679.***	this Regulation and subject to an appropriate maximum duration. ***Any such data should be immediately and permanently deleted as soon as they are no longer strictly necessary for one of the purposes specified in this Regulation or when the appropriate maximum storage period as set out in this Regulation has been reached, whichever comes first***. As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive 2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law. ***In order to achieve the specific purposes set out in this Regulation, providers of hosting services and providers of number-independent interpersonal communications services should keep logs in accordance with Regulation (EU) 2016/679.*** Text Origin: CY PCY - drafting
Recital 40				
G 51	(40) In order to facilitate smooth and efficient communications by electronic means, including, where	(40) In order to facilitate smooth and efficient communications by electronic means, including, where	(40) In order to facilitate smooth and efficient communications by electronic means, including, where	(40) In order to facilitate smooth and efficient communications by electronic means, including, where G

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	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC], one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks.	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065**, one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks.	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065** , one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks.	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065**, one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks. Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 41				
G 52	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are not established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with.	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are not established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with.	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are ~~not~~ established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with.	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are ~~not~~ established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with. Text Origin: Council Mandate G
Recital 42				
G 53	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) …/… [on a Single	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) ~~…/… [on a Single~~	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) ~~…/… [on a Single~~	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) ~~…/… [on a Single~~ G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] and this Regulation.	~~*Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065,*** and this Regulation.	~~*Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] and this Regulation*~~***2022/2065*** .	~~*Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065,*** and this Regulation. Text Origin: EP Mandate
Recital 43				
54	(43) In the interest of the effective application and, where necessary, enforcement of this Regulation, each Member State should designate at least one existing or newly established authority competent to ensure such application and enforcement in respect of providers of relevant information society services under the jurisdiction of the designating Member State.	(43) In the interest of the effective application and, where necessary, enforcement of this Regulation, each Member State should designate at least one existing or newly established authority competent to ensure such application and enforcement in respect of providers of relevant information society services under the jurisdiction of the designating Member State.	~~*(43) In the interest of the effective application and, where necessary, enforcement of this Regulation, each Member State should designate at least one existing or newly established authority competent to ensure such application and enforcement in respect of providers of relevant information society services under the jurisdiction of the designating Member State.*~~	(43) ~~*In the interest of the effective application and, where necessary, enforcement of this Regulation,*~~ Each Member State should designate at least one existing or newly established authority ~~*competent*~~ to ensure ~~*such*~~***the effective, efficient and consistent*** application and***, where necessary,*** enforcement ***of this Regulation*** in respect of providers of relevant information society services under ~~*the*~~***their*** jurisdiction~~*of the designating*~~***. In this regard,*** Member ~~*State*~~***States should be allowed to implement solutions that are best adapted to their respective circumstances. In particular, they should be allowed to designate any suitable national authorities, including administrative, law enforcement or judicial ones, as competent authorities for the purposes of this Regulation, provided that all requirements set out in this Regulation are fully respected, including as regards their status and the manner in which they***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				perform their tasks. Member States should be free to decide on the number of competent authorities they designate to apply and enforce this Regulation. Moreover, Member States should be allowed to designate a judicial authority or independent administrative authority for the issuance of certain orders in accordance with this Regulation, and to comply with the requirements resulting from the Charter, in particular concerning effective judicial redress against the competent authorities' decisions. Member States should also be able to provide for the ex post administrative or judicial review of the orders issued by competent authorities in accordance with national law, even when such review is not specifically provided for in this Regulation. Written exchange (10.11.) - For further discussion. Text Origin: CY PCY - drafting
Recital 44				
G 55	(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent	(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent	~~*(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent*~~	(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent G

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities.	authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, ***including issues related to prevention and combating child sexual abuse and assistance to victims,*** without prejudice to the enforcement powers of other national authorities.	~~*authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities.*~~	authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority~~*, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons*~~ ***for which tasks are reserved under this Regulation. In particular***, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities. ***The Coordinating Authority should in principle be the main interlocutor of the EU Centre. Where a Member State designates only one competent authority, this authority should also be the Coordinating Authority.*** Text Origin: CY PCY - drafting
Recital 45				
G 56	(45) Considering the EU Centre's particular expertise and central position in connection to the implementation of this Regulation, Coordinating Authorities should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without prejudice to the	(45) Considering the EU Centre's particular expertise and central position in connection to the implementation of this Regulation, Coordinating Authorities should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without prejudice to the	(45) Considering the EU Centre's particular expertise and central position in connection to the implementation of this Regulation, ~~*Coordinating*~~ ***competent*** authorities should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without	(45) Considering the EU Centre's particular expertise and central position in connection to the implementation of this Regulation, Coordinating Authorities ***and other competent authorities, through the Coordinating Authorities,*** should be able to request the assistance of the EU Centre in carrying out certain of G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	respective tasks and powers of the Coordinating Authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation.	respective tasks and powers of the Coordinating Authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation.	prejudice to the respective tasks and powers of the ~~*Coordinating*~~ ***competent*** authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation.	their tasks. Such assistance should be without prejudice to the respective tasks and powers of the Coordinating Authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation. ***In situations of urgent operational need, including in situations that require immediate action by competent authorities, such as emergency cases, competent authorities should be allowed to directly request assistance of the EU Centre.*** Text Origin: CY PCY - drafting
Recital 45a				
G 56a			***(45a) For the purposes of this Regulation, Member States should designate competent authorities. This should not necessarily imply the establishment of a new authority and it should be possible for each Member State to entrust an existing body with the functions provided for in this Regulation, and to decide on the number of competent authorities to be designated. With a view to leaving Member States a degree of flexibility so as to implement solutions best adapted to their***	*deleted* G

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	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
						particular circumstances, whilst also ensuring the coordination at domestic level and cooperation at EU level needed to ensure the consistent, efficient and effective application of this Regulation, Member States should be able to designate several competent authorities yet be required in that case to appoint one of them as the Coordinating Authority for which certain tasks are exclusively reserved under this Regulation. In particular, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities. Therefore, each mention of competent authorities in this Regulation should be interpreted as referring to the relevant competent authorities designated by the Member States, including where relevant Coordinating Authorities, while each mention of Coordinating Authorities should be interpreted as referring to Coordinating Authorities only, to the exclusion of any other competent authorities that the Member States may have designated. Member States should also be able to provide for the ex post administrative or judicial		

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			review of the orders issued by competent authorities, in accordance with national law, including when such review is not specifically provided for in this Regulation.	
Recital 46				
57	*(46)* Given the importance of their tasks and the potential impact of the use of their powers for the exercise of fundamental rights of the parties affected, it is essential that Coordinating Authorities are fully independent. To that aim, the rules and assurances applicable to Coordinating Authorities should be similar to those applicable to courts and tribunals, in order to guarantee that they constitute, and can in all respects act as, independent administrative authorities.	(46) Given the importance of their tasks and the potential impact of the use of their powers for the exercise of fundamental rights of the parties affected, it is essential that Coordinating Authorities are fully independent. To that aim, the rules and assurances applicable to Coordinating Authorities should be similar to those applicable to courts and tribunals, in order to guarantee that they constitute, and can in all respects act as, independent administrative authorities.	~~*(46) Given the importance of their tasks and the potential impact of the use of their powers for the exercise of fundamental rights of the parties affected, it is essential that Coordinating Authorities are fully independent. To that aim, the rules and assurances applicable to Coordinating Authorities should be similar to those applicable to courts and tribunals, in order to guarantee that they constitute, and can in all respects act as, independent administrative authorities.*~~	*deleted*
Recital 46a				
57a			***(46a) Member States should be free to designate any suitable national authority, including administrative, law enforcement or judicial ones as appropriate, as competent authority for the purpose of this Regulation, provided that all requirements of this Regulation relating to them are fully respected, including as regards the competent authorities' status and the manner in which they perform their tasks, their***	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			investigatory and enforcement powers, complaint-handling and cooperation at EU level. Member States should also be free to designate a judicial authority or independent administrative authority for the issuance of certain orders in accordance with this Regulation, as well as the requirements resulting from the Charter, in particular as regards effective judicial redress against the competent authorities' decisions.	
Recital 46b				
G	*57b*		***(46b) In order to ensure that the competent authorities designated under this Regulation carry out their tasks under this Regulation in an objective, adequate and responsible manner, in compliance with the fundamental rights guaranteed under the Charter and without any undue interference, certain requirements in this respect should be provided for. Those requirements should not be interpreted as precluding judicial review of the activities of competent authorities in accordance with EU law or with national law.***	***(46b) In order to ensure that the Coordinating Authorities and other competent authorities designated under this Regulation carry out their tasks under this Regulation in an objective, impartial and non-discriminatory manner, in compliance with the fundamental rights guaranteed under the Charter and without any undue interference, these authorities should fulfil certain requirements. Those requirements should not be interpreted as precluding supervision of their activities in accordance with national law.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	G
Recital 47				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
58	(47) The Coordinating Authority, as well as other competent authorities, play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also the necessary financial, human, technological and other resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.	(47) The Coordinating Authority, as well as other competent authorities, play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also ~~the~~***all*** necessary ***resources, including sufficient*** financial, human, technological and other resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.	(47) ~~The Coordinating Authority, as well as other~~ Competent authorities***, including Coordinating Authorities*** , play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also the necessary financial, human, technological and other resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.	(47) ~~The~~***Competent authorities, including*** Coordinating ~~Authority, as well as other competent~~ Authorities, play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also the necessary ~~financial, human, technological and other~~ resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with ***sufficient financial and technological resources as well as*** the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Recital 48				
59	(48) Given the need to ensure the effectiveness of the obligations imposed, Coordinating Authorities should be granted enforcement powers to address infringements of this Regulation. These powers should include the power to temporarily restrict access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights of the service providers that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement results in the regular and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.	(48) Given the need to ensure the effectiveness of the obligations imposed, Coordinating Authorities should be granted enforcement powers to address infringements of this Regulation. These powers should include the power ***to request the competent judicial authority of the Member State that designated them*** to temporarily restrict access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights ***of the users and*** of the service providers that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement results in the regular and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.	(48) Given the need to ensure the effectiveness of the obligations imposed, ~~*Coordinating*~~ ***competent*** authorities should be granted enforcement powers to address infringements of this Regulation. ~~*These*~~***In particular, given the importance of ensuring that all possible risk mitigation measures have been taken in accordance with this Regulation, the competent authorities should be granted specific powers to require providers to adjust their risk assessment or mitigation measures so as to ensure compliance with the relevant requirements of this Regulation. The enforcement*** powers should include the power to temporarily restrict access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights of the service providers that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement	(48) Given the need to ensure the effectiveness of the obligations imposed, ~~*Coordinating*~~***competent*** authorities should be granted enforcement powers to address infringements of this Regulation. ~~*These*~~***The enforcement*** powers should include the power to ~~*temporarily restrict*~~***order the temporary restriction of*** access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights of the service providers ***and the users*** that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement results in the regular and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			results in the regular and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.	Text Origin: CY PCY - drafting
Recital 49				
60	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of detection orders, removal orders or blocking orders that it issued, are effectively complied in practice, each Coordinating Authority should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers concerned.	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of detection orders, removal ~~orders or~~, blocking orders that it issued, are effectively complied in practice, each Coordinating Authority should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers concerned.	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of ~~detection orders,~~ removal orders ~~or~~, blocking orders ~~that it~~ ***or delisting orders*** issued, are effectively complied in practice, ~~each Coordinating Authority~~ ***competent authorities*** should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers concerned.	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of ~~detection orders, removal~~ orders ~~or blocking orders that it~~ issued ***under this Regulation***, are effectively complied ***with*** in practice, ~~each Coordinating Authority~~***competent authorities*** should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers concerned. ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: CY PCY - drafting
Recital 50				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
61	(50) With a view to ensuring that providers of hosting services are aware of the misuse made of their services and to afford them an opportunity to take expeditious action to remove or disable access on a voluntary basis, Coordinating Authorities of establishment should be able to notify those providers of the presence of known child sexual abuse material on their services and requesting removal or disabling of access thereof, for the providers' voluntary consideration. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation to request the issuance of removal orders, which impose on the provider concerned a binding legal obligation to remove or disable access to the material in question within a set time period.	(50) With a view to ensuring that providers of hosting services are aware of the misuse made of their services and to afford them an opportunity to take expeditious action to remove or disable access ~~on a voluntary basis~~, Coordinating Authorities of establishment should be able to notify those providers of the presence of known child sexual abuse material on their services and requesting removal or disabling of access thereof~~, for the providers' voluntary consideration~~. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation to request the ***competent judicial authority of the Member State that designated them the*** issuance of removal orders~~, which impose on the provider concerned a binding legal obligation to remove or disable access to the material in question within a set time period~~.	(50) ~~With a view to ensuring that~~ ***Nothing in this Regulation should be understood as precluding competent authorities designated therein to submit notices to*** providers of hosting services ~~are aware of the misuse made of their services and to afford them an opportunity to take expeditious~~***on the basis of notice and*** action ***mechanisms pursuant to Article 16 of Regulation (EU) 2022/2065***~~to remove or disable access on a voluntary basis, Coordinating Authorities of establishment should be able~~ to notify ~~those providers~~***them*** of the presence ***of one or more specific items*** of known child sexual abuse material~~ on their services and requesting removal or disabling of access thereof, for the providers' voluntary consideration. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation~~***, nor*** to request the ~~issuance of removal orders, which impose on the provider concerned a binding legal obligation to remove or disable access to the material in question within a set time period~~***status of trusted flagger under the conditions established under Article 22 of that Regulation***.	(50) ~~With a view to ensuring that~~***Referrals by competent authorities to*** providers of hosting services ~~are aware of the misuse made of their services and to afford them an opportunity to take expeditious action to remove or disable access on a voluntary basis, Coordinating Authorities of establishment should be able to notify those~~***have proven to be an effective and swift means of alerting*** providers of ~~the presence of known~~***hosting services of information that could be considered to be*** child sexual abuse material ~~on their services and requesting removal or disabling of access thereof, for the providers' voluntary consideration. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation~~***and*** to request ~~the issuance of removal orders, which impose on the provider concerned a binding legal obligation~~***them*** to remove or disable access to ***that item or those items, for the provider's voluntary consideration. Such referrals should remain available in addition to removal orders.*** ~~the material in question within a set time period.~~
Recital 51				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
62	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation.	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation.	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation.	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation. Text Origin: Commission Proposal
Recital 52				
63	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating

CONTEXT OBTAINED BY OPENLEAKS

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Authority in the territory of the Member State where the users reside or are established, irrespective of which Member State has jurisdiction in respect of the provider concerned. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the competence of other supervisory authorities within their mandate.	Authority in the territory of the Member State where the users reside or are established, irrespective of which Member State has jurisdiction in respect of the provider concerned. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the competence of other supervisory authorities within their mandate.	Authority in the territory of the Member State where the users reside or are established, irrespective of which Member State has jurisdiction in respect of the provider concerned. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the competence of other supervisory authorities within their mandate.	Authority in the territory of the Member State where the users ~~reside or are~~***are located or*** established. ***Where appropriate, the complaint should be transmitted by that Coordinating Authority to the Coordinating Authority*** ~~, irrespective of which Member State has jurisdiction in respect~~ of the provider***'s establishment for further examination*** ~~concerned~~. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the competence of other supervisory authorities within their mandate. Text Origin: CY PCY - drafting
Recital 52a				
G 63a			***(52a) In order to safeguard the rights of users of relevant information society services, they should also have the right to***	***(52a) In order to safeguard their rights under this Regulation, users of relevant information society services should also have the right*** G

CONSILIUM OBTAINED BY DELETION

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			mandate a relevant legal person or a public body to exercise their rights provided for in this Regulation.	***to mandate a parent, guardian, legal representative, body, organisation or association to exercise these rights on their behalf. Users should also have the right to bring representative actions against infringements of this Regulation in accordance with Regulation (EU) 2018/1828.*** Text Origin: CY PCY - drafting
Recital 53				
G 64	(53) Member States should ensure that for infringements of the obligations laid down in this Regulation there are penalties that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned.	(53) Member States should ensure that for infringements of the obligations laid down in this Regulation there are penalties ***which can be of an administrative or criminal nature, as well as, where appropriate, fining guidelines,*** that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned. ***Particularly severe penalties should be imposed in the event that the provider of relevant information society services in the event that those service providers concerned systematically or persistently fail to***	(53) Member States should ensure that for infringements of the obligations laid down in this Regulation there are penalties that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned.	(53) Member States should ensure that for infringements of the obligations laid down in this Regulation there are penalties that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned. ***Proportionality of penalties should also entail that penalties do not encourage over-reporting or the removal of material that does not constitute child sexual abuse material.*** Text Origin: CY PCY - drafting G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		comply with the obligations set out in this Regulation. Member States should ensure that those penalties do not encourage the over reporting or the removal of material which does not constitute child sexual abuse material.		
Recital 54				
G 65	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the data protection authorities under Regulation (EU) 2016/679.	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the data protection authorities under Regulation (EU) 2016/679.	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the data protection authorities under Regulation (EU) 2016/679.	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the ~~*data protection authorities*~~***supervisory bodies*** under Regulation (EU) 2016/679**,** ***Regulation (EU) 2022/2065 and Regulation (EU) 2024/1689***. Text Origin: CY PCY - drafting
Recital 55				
Y 66	(55) It is essential for the proper functioning of the system of mandatory detection and blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the Coordinating Authorities, material identified as constituting child sexual abuse material or transcripts of conversations identified as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that material	(55) It is essential for the proper functioning of the system of mandatory detection and blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the Coordinating Authorities, material identified as constituting child sexual abuse material or transcripts of conversations identified as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that material	(55) It is essential for the proper functioning of the system of ~~*mandatory detection and*~~ blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the ~~*Coordinating*~~ ***competent*** authorities, material identified as constituting child sexual abuse material or transcripts of conversations identified as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that	(55) It is essential for the proper functioning of the system ~~*of mandatory detection and blocking of online child sexual abuse*~~ set up by this Regulation that the EU Centre receives, via the Coordinating Authorities, ~~*material*~~***or by competent authorities, where Member States decide to give them this task, specific items*** identified as constituting child sexual abuse material or ~~*transcripts of conversations identified*~~ as constituting the solicitation of

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	or conversations can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, either by the Coordinating Authorities themselves or by a court or another independent administrative authority than the Coordinating Authority. Whilst the swift assessment, identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting.	or conversations can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, either by the Coordinating Authorities themselves or by a court or another independent administrative authority than the Coordinating Authority ***which must be subject to judicial validation***. Whilst the swift assessment, identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting.	material or conversations can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, ~~either by the Coordinating~~***subject to adequate oversight by judicial*** authorities ~~themselves or by a court or another independent administrative authority than the Coordinating Authority~~. Whilst the swift assessment, identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting.	children, ~~such as may have been found for example during criminal investigations,~~ so that that material ~~or conversations~~ can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, ~~either by the Coordinating~~***by competent*** authorities ~~themselves or by a court or another independent administrative authority than the Coordinating Authority~~***, subject to adequate judicial oversight***. Whilst the swift assessment, identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting. ITM (12.11.): Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Recital 56				
67	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material and transcripts should be done proactively by the Coordinating Authorities. However, the EU Centre should also be allowed to bring certain material or conversations to the attention of the Coordinating Authorities for those purposes.	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material and transcripts should be done proactively by the Coordinating Authorities. However, the EU Centre should also be allowed to bring certain material or conversations to the attention of the Coordinating Authorities for those purposes.	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material ~~and transcripts~~ should be done proactively by the ~~Coordinating~~ ***competent*** authorities. However, the EU Centre should also be allowed to bring certain material ~~or conversations~~ to the attention of the ~~Coordinating~~ ***competent*** authorities for those purposes.	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material ~~and transcripts~~ should be done proactively by the Coordinating Authorities. ~~However~~***By derogation***, ***Member States may decide to give this task to other competent authorities.*** The EU Centre should also be allowed to bring certain material or conversations to the attention of the Coordinating Authorities ***or other competent authorities*** for those purposes. Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Recital 56a				
67a			***(56a) Member States should set up expedited procedures for the diligent assessment of suspected child sexual abuse, so as to allow for the swift submission to the EU Centre of the specific items of material, extracts of conversations and uniform resource locators concerned upon the reliable establishment of the illegality. With a view to facilitating and expediting***	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			such assessment, it should be possible for Member States to provide that competent authorities carry out the assessment of illegality of the content, under the oversight of the competent judicial authorities.	
Recital 57				
68	*(57)* Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the Coordinating Authority designated by the Member State having jurisdiction takes account of the interests of all users in the Union when performing its tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that Coordinating Authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges of views with other public authorities where relevant for	(57) Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the Coordinating Authority designated by the Member State having jurisdiction takes account of the interests of all users in the Union when performing its tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that Coordinating Authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges of views with other public authorities where relevant for	(57) Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the Coordinating Authority designated by the Member State having jurisdiction takes account of the interests of all users in the Union when performing its tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that Coordinating Authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges of views with other public authorities where relevant for	(57) Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the ~~*Coordinating Authority*~~***competent authorities*** designated by the Member State having jurisdiction ~~*takes*~~***take*** account of the interests of all users in the Union when performing ~~*its*~~***their*** tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that ~~*Coordinating*~~***competent*** authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges ~~*of*~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the performance of the tasks of those other authorities and of the Coordinating Authority.	the performance of the tasks of those other authorities and of the Coordinating Authority.	the performance of the tasks of those other authorities and of the Coordinating Authority.	~~views with other public~~**between competent** authorities **as well as between competent authorities, the Commission, the EU Centre and other relevant Union agencies and bodies,** where relevant for the performance of ~~the~~**their** tasks ~~of those other authorities and of the Coordinating Authority~~. Text Origin: CY PCY - drafting
Recital 57a				
G 68a			**(57a) "Joint investigations" under Article 38 should be interpreted as formal inquiries by Coordinating Authorities concerning the compliance of the provider of relevant information society services with the obligations arising from this Regulation. Insofar as the penalties for infringements of those obligations provided for by the Member State concerned pursuant to this Regulation are not criminal in nature, "joint investigations" under Article 38 should not be interpreted as criminal investigations, which are usually conducted by law enforcement authorities under national law.**	**(57a) References to joint investigations in this Regulation should be interpreted as formal inquiries by Coordinating Authorities concerning the compliance of the provider of relevant information society services with the obligations arising from this Regulation. Insofar as the penalties for infringements of those obligations provided for by the Member State concerned pursuant to this Regulation are not criminal in nature, these investigations should not be interpreted as criminal investigations, which are usually conducted by law enforcement authorities under national law.** Text Origin: CY PCY - drafting G
Recital 58				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
69	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary information-sharing systems. When establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant.	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary ***secure*** information-sharing systems***, such as, once available, the software provided by eu-LISA pursuant to Regulation (EU) [1a]2023/969***. When establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant. ***[1a]. Regulation (EU) 2023/969 establishing a collaboration platform to support the functioning of joint investigation teams and amending Regulation (EU) 2018/1726***	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary information-sharing systems. When establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant.	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary ***reliable and secure*** information-sharing systems. When establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant. Text Origin: CY PCY - drafting
Recital 59				
70	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, as well as a governance structure ensuring the effective,	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, ~~*as well as*~~ a governance structure ensuring the effective,	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, as well as a governance structure ensuring the effective,	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, ~~*as well as*~~ a governance structure ensuring the effective,

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	efficient and coherent performance of its different tasks, and legal personality to be able to interact effectively with all relevant stakeholders. Therefore, it should be established as a decentralised Union agency.	efficient and coherent performance of its different tasks, ~~and~~ legal personality to be able to interact effectively with all relevant stakeholders ***and an autonomous budget***. Therefore, it should be established as a decentralised Union agency***, and provided with the necessary human and financial resources to fulfil the objectives, tasks and responsibilities assigned to it under this Regulation, including expenditure related to the making available of technologies and the costs related to the analysis of data samples undertaken for micro, small and medium enterprises. It should be mainly financed by a contribution from the general budget of the Union, with the necessary appropriations drawn exclusively from unallocated margins under the relevant heading of the Multiannual Financial Framework and/or through the mobilisation of the relevant special instruments. In order to ensure that the Agency can respond flexibly to human resource needs, it is in particular appropriate that it has autonomy regarding the recruitment of contract agents.***	efficient and coherent performance of its different tasks, and legal personality to be able to interact effectively with all relevant stakeholders. Therefore, it should be established as a decentralised Union agency.	efficient and coherent performance of its different tasks, ~~and~~ legal personality to be able to interact effectively with all relevant stakeholders***, and an autonomous budget***. Therefore, it should be established as a decentralised Union agency***, and provided with the requisite human and financial resources so that it can fulfil the objectives, tasks and responsibilities assigned to it under this Regulation. The contribution from the Union budget to the budget of the EU Centre is to be decided by the budgetary authority of the Union through the budgetary procedure. To that end, the EU Centre should submit to the Commission a statement of estimates. In addition to financial contributions from the Union budget and from charges for publications provided by the EU Centre, it should also be possible for Member States and, where so provided in the relevant working arrangement, for third countries to contribute to its funding.*** Text Origin: CY PCY - drafting
Recital 59a				
70a		***(59a) Taking into consideration the central role of the EU Centre in the***		*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		implementation of the Regulation and in view of the date of expiry of the interim Regulation on 3 August 2024, the EU Centre activities should start as soon as possible. The Commission should allocate an adequate level of resources for the quick establishment and initial operation of the EU Centre and provide commensurate assistance, including by seconding staff, to help the EU Centre reaching cruising speed in due time and no later than three years after the adoption of this Regulation.		
Recital 59b				
70b		***(59b) The arrangements concerning the seat of the EU Centre should be laid down in a headquarters agreement between the EU Centre and the host Member State. The headquarters agreement should stipulate the conditions of establishment of the seat and the advantages conferred by the Member State on the EU Centre and its staff. In line with point 9 of the Common Approach of 19 July 2012 on the location of the seats of decentralized agencies, the EU Centre should conclude a headquarters agreement with the host Member State in a timely manner before it starts its operational phase. In light of the***		*deleted* *Outside the scope of negotiations*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		case-law of the Court of Justice, the choice of the location of the seat should be made in accordance with the ordinary legislative procedure and should comply with the criteria laid down in this Regulation.		
Recital 59c				
70c		***59(c) The selection procedure for the location of the seat of the EU Centre should respect the following steps: (i) Parliament's mandate for the interinstitutional negotiations would provide criteria for the selection of the host city; (ii) Parliament would negotiate those criteria with the Council; (iii) such criteria would constitute the basis for an inter-institutional call for applications made together by Parliament and Council; (iv) the candidates would be invited to joint hearings among Parliament and Council; (v) Parliament's negotiating team would draw a short-list of candidates; (vi) such short-list would be negotiated against the Council's short-list; (vii) before an agreement among co-legislators on the host city is reached; (viii) and before the plenary approves the outcome of the interinstitutional negotiations.***		*deleted* *Outside the scope of negotiations*
Recital 60				
71	*(60)* In the interest of legal certainty	(60) In the interest of legal certainty	(60) In the interest of legal certainty	(60) ~~*In the interest of legal*~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	and effectiveness, the tasks of the EU Centre should be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation of this Regulation, those tasks should relate in particular to the facilitation of the detection, reporting and blocking obligations imposed on providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services. However, for that same reason, the EU Centre should also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to Coordinating Authorities, as well as the generation and sharing of knowledge and expertise related to online child sexual abuse.	and effectiveness, the tasks of the EU Centre should be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation of this Regulation, those tasks should relate in particular to the facilitation of the detection, reporting and blocking obligations imposed on providers of hosting services, providers of publicly available ***number-independent*** interpersonal communications services and providers of internet access services. ~~*However, for that same reason,*~~ The EU Centre should also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to Coordinating Authorities, as well as ***proactively and on its own initiative conduct searches on publicly accessible content on hosting services for known child sexual abuse material. The EU Centre should facilitate*** the generation and sharing of knowledge***, best practices*** and expertise related to online child sexual abuse***, supporting the development of awareness-raising***	and effectiveness, the tasks of the EU Centre should be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation of this Regulation, those tasks should relate in particular to the facilitation of the ~~*detection,*~~ reporting and blocking obligations imposed on providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services. However, for that same reason, the EU Centre should also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to ~~*Coordinating*~~ ***competent*** authorities, as well as the generation and sharing of knowledge and expertise related to online child sexual abuse***, including on prevention***. ***The EU Centre should, in accordance with its tasks under this Regulation, also assess the initiatives related to preventing and combating online child sexual abuse to determine whether they can be considered as best practices, using standardised***	~~*certainty and effectiveness,*~~***The EU Centre should contribute to the achievement of the objectives of this Regulation by supporting and facilitating its implementation.*** The tasks ***and responsibilities*** of the EU Centre should ~~*be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation*~~***derive from and be exercised in accordance with the provisions*** of this Regulation~~*.*~~***. In carrying out*** those tasks ~~*should relate in particular to the facilitation of the detection, reporting and blocking obligations imposed on providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services. However, for that same reason*~~, the EU Centre should ~~*also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to Coordinating*~~***support the effective and consistent application of this Regulation, assist competent*** authorities ***and other relevant actors***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		and prevention campaigns, educational and intervention programs, tools and materials in order to increase digital skills, while integrating a child rights perspective and ensuring a gender-sensitive and age-appropriate approach. The EU Centre should promote and ensure the appropriate support and assistance to victims.	***assessment tools where possible, and make available these best practices, including through a dedicated database, to support the knowledge hub function of the EU Centre and prevent duplication of efforts and initiatives, promoting efficiency and collaboration among stakeholders.***	***where provided for therein, and contribute to the development*** ~~*, as well as the generation*~~ and sharing of knowledge and expertise ~~*related*~~***relating*** to online child sexual abuse. Trilogue (29.06.) - Provisionally agreed.
Recital 60a				
G 71a			***(60a) In order to facilitate the implementation of this Regulation, the coordination of efforts in preventing and combatting child sexual abuse is essential. Therefore, Member States should develop national strategies, to the extent possible in consultation with organisations acting in the public interest against child sexual abuse. These national strategies should be communicated to the EU Centre and the Commission. The EU Centre should assess the national strategies to promote the sharing of best practices.***	***(60a) In order to facilitate the implementation of this Regulation, the coordination of efforts in preventing and combatting child sexual abuse is essential. Therefore, Member States should develop national strategies, to the extent possible in consultation with organisations acting in the public interest against child sexual abuse. These national strategies should be communicated to the EU Centre and the Commission. The EU Centre should assess the national strategies to promote the sharing of best practices.*** Text Origin: Council Mandate
Recital 61				
72	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	sexual abuse, so as to enable the detection and blocking thereof in accordance with this Regulation. Given the nature of child sexual abuse material, that reliable information needs to be provided without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable indicators, based on identified child sexual abuse material and solicitation of children submitted to it by Coordinating Authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of either the same material (known material) or of different child sexual abuse material (new material), or the solicitation of children, as applicable.	sexual abuse, so as to enable the detection and blocking thereof in accordance with this Regulation. Given the nature of child sexual abuse material, that reliable information needs to be provided without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable ***hashes and*** indicators, based on identified child sexual abuse material and solicitation of children submitted to it by Coordinating Authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of either the same material (known material) or of different child sexual abuse material (new material), or the solicitation of children, as applicable.	sexual abuse, so as to enable the ~~detection and~~ blocking thereof in accordance with this Regulation ***and the voluntary activities of providers of number-independent communications services under Regulation (EU) 2021/1232***. Given the nature of child sexual abuse material, that reliable information needs to be provided without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable indicators, based on identified child sexual abuse material and solicitation of children submitted to it by ~~Coordinating~~***competent*** authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of ~~either the same material (~~known ~~material) or of different~~ ***or new*** child sexual abuse material ~~(new material)~~, or the solicitation of children, as applicable.	sexual abuse, so as to enable ~~the~~***own-initiative searches,*** detection and blocking thereof in accordance with this Regulation~~.~~ Given the nature of child sexual abuse material, that reliable information needs to be provided without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable indicators, based on identified child sexual abuse material and solicitation of children submitted to it by Coordinating authorities ***or by competent authorities, where Member States decide to give them this task,*** in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of ~~either the same material (~~known ~~material) or of different~~***or new*** child sexual abuse material ~~(new material)~~, or the solicitation of children, as applicable. ITM (12.10.) - subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Recital 62				
73	(62) For the system established by	(62) For the system established by	(62) For the system established by	(62) For the system established by

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	this Regulation to function properly, the EU Centre should be charged with creating databases for each of those three types of online child sexual abuse, and with maintaining and operating those databases. For accountability purposes and to allow for corrections where needed, it should keep records of the submissions and the process used for the generation of the indicators.	this Regulation to function properly, the EU Centre should be charged with creating databases for ~~each of those three types of online~~***known child sexual abuse material, new*** child sexual abuse~~,~~ ***material and solicitation of children*** and with maintaining***, timely updating*** and operating those databases. For accountability purposes and to allow for corrections where needed, it should keep records of the submissions and the process used for the generation of the indicators.	this Regulation to function properly, the EU Centre should be charged with creating databases for each of those three types of online child sexual abuse, and with maintaining and operating those databases. For accountability purposes and to allow for corrections where needed, it should keep records of the submissions and the process used for the generation of the indicators.	this Regulation to function properly, the EU Centre should be charged with creating databases for ~~each of those three types of online~~***known child sexual abuse material, new*** child sexual abuse~~, and~~ ***material and solicitation of children,*** with maintaining and operating those databases***, and with keeping them updated***. For accountability purposes and to allow for corrections where needed, it should keep records of the submissions and the process used for the generation of the indicators. Text Origin: CY PCY - drafting
Recital 63				
G 74	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims.	indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims.	indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims.	indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims. Text Origin: CY PCY - drafting
Recital 64				
G 75	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes.	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only ***upon request*** to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes.	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes.	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should ***be shared through a reliable and secure information sharing system and should*** not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only ***upon request*** to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes. Text Origin: CY PCY - drafting
Recital 64a				
G 75a			***(64a) Considering its role as central***	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			knowledge hub on matters related to the implementation of this Regulation at EU level, the EU Centre should, in accordance with this Regulation, leverage all means at its disposal to facilitate the work of Europol and competent law enforcement authorities, for example by ensuring that information received by law enforcement authorities is relevant, complete and as easy as possible to access and consult. In particular, the EU Centre should give Europol and the competent law enforcement authorities of the Member States access to the database of indicators when necessary for the purpose of their tasks of investigating suspected child sexual abuse offences.	*deleted*
Recital 65				
76	*(65)* In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. The EU Centre should assess those reports in order to identify those that are manifestly unfounded, that is, where it is immediately evident, without any substantive legal or factual analysis, that the reported activities do not	(65) In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. ~~*The EU Centre*~~ ***and those report*** should ~~*assess those reports in order to identify those that are manifestly*~~***be thoroughly assessed in a timely manner to ensure that a decision on the criminal relevance of the reported***	(65) In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. The EU Centre should assess those reports in order to identify those that are manifestly unfounded, that is, where it is immediately evident, without any substantive legal or factual analysis, that the reported activities do not	(65) In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. The EU Centre should assess those reports in order to identify those that are manifestly unfounded, that is, where it is immediately evident, without any substantive legal or factual analysis, that the reported activities do not

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	constitute online child sexual abuse. Where the report is manifestly unfounded, the EU Centre should provide feedback to the reporting provider of hosting services or provider of publicly available interpersonal communications services in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. As every report could be an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim of the abuse, reports should be processed as quickly as possible.	***material is made as early as possible and to limit the retention of irrelevant data as far as possible. Report should be considered*** unfounded~~, that is~~, where it is ~~immediately~~ evident~~, without any substantive legal or factual analysis~~, that the reported activities do not constitute online child sexual abuse. ~~Where the report is manifestly unfounded,~~ ***In those cases*** the EU Centre should provide feedback to the reporting provider of hosting services or provider of publicly available ***number-independent*** interpersonal communications services in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. ***Where the EU Centre considers that a report is not unfounded, it should forward the report to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates or to Europol in those cases where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty. Even in cases where the competent***	constitute online child sexual abuse. Where the report is manifestly unfounded, the EU Centre should provide feedback to the reporting provider of hosting services or provider of publicly available interpersonal communications services in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. As every report could be an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim of the abuse, reports should be processed as quickly as possible.	constitute online child sexual abuse. Where the report is manifestly unfounded, the EU Centre should provide feedback to the reporting provider ~~of hosting services or provider of publicly available interpersonal communications services~~ in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. ***Where the EU Centre considers a report not to be manifestly unfounded, it should forward it together with any additional relevant information to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction and to Europol. Where the EU Centre cannot determine the competent law enforcement authority or authorities with sufficient certainty, it should forward the report to Europol for further analysis and subsequent referral.*** As every report could be an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim ***or victims*** of the abuse, reports should be processed as quickly as possible. Text Origin: CY PCY - drafting

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		national law enforcement authority has been identified, the EU Centre should forward all not unfounded reports to Europol in accordance with the Union law. As what constitutes an actionable report may differ from one Member State to another, due to differing national legislations, ~~*As*~~ every report could ~~*be*~~***serve as*** an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim of the abuse~~,~~ ~~*reports should be processed as quickly as possible*~~.		
Recital 65a				
G 76a				***(65a) Where the diligent assessment carried out by the competent authorities indicates that the material contained in a report does not constitute child sexual abuse material or the solicitation of children, it is no longer necessary to process the personal data and other data contained therein for the purposes of this Regulation.*** G
Recital 66				
Y 77	(66) With a view to contributing to the effective application of this Regulation and the protection of victims' rights, the EU Centre should be able, upon request, to support victims and to assist Competent Authorities by	(66) With a view to contributing to the effective application of this Regulation and the protection of victims' rights, the EU Centre should be able, upon request, to support victims and to assist Competent Authorities by	(66) With a view to contributing to the effective application of this Regulation and the protection of victims' rights, the EU Centre should be able, upon request, to support victims and to assist competent authorities by conducting	(66) With a view to contributing to the effective application of this Regulation and the protection of ~~*victims'*~~***the*** rights ***of depicted persons who are subject to child sexual abuse***, the EU Centre should be able, upon request, to support Y

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	conducting searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding indicators. Where it identifies such material after having conducted such a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis.	conducting searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding indicators. Where it identifies such material after having conducted such a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, ***as soon as possible,*** given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis. ***The EU Centre should be able to proactively, on its own initiative, analyse publicly accessible content for known child sexual abuse and to follow publicly accessible uniform resource locators.***	searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding indicators. Where it identifies such material after having conducted such a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis.	~~*victims*~~***these persons*** and to assist competent authorities by conducting searches of hosting services for the dissemination of ~~*known*~~ child sexual abuse material that is publicly accessible, using the corresponding indicators. ~~*Where it identifies such material after having conducted such a search,*~~ The EU Centre should also be able to ~~*request*~~***conduct own-initiative searches of publicly accessible content for child sexual abuse material. To ensure that the searches are carried out in a transparent, accountable and proportionate manner, EU Centre guidelines should be developed to ensure that searches conducted on the EU Centre's own initiative are planned, justified, documented and subject to appropriate internal oversight. After having conducted such searches, the EU Centre should be able to notify*** the provider of the ~~*hosting service concerned to remove or disable access to*~~***presence of*** the item or items in question~~*, given that the provider may not be*~~***. Such notification should constitute one of the ways in which the relevant information society service becomes*** aware of ~~*their presence and may be willing to do so on a voluntary basis*~~***information indicating potential online child***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				sexual abuse on its service and should therefore trigger the obligation to promptly submit a report to the EU Centre in accordance with this Regulation. ITM (12.11.): Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE Text Origin: CY PCY - drafting
Recital 67				
78	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of this Regulation by serving as a hub for knowledge, expertise and research on matters related to the prevention and combating of online child sexual abuse. In this connection, the EU Centre should cooperate with relevant stakeholders from both within and outside the Union and allow Member States to benefit from the knowledge and expertise gathered, including best practices and lessons learned.	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of this Regulation by serving as a hub for knowledge***, for best practices***, expertise and research on matters related to the prevention and combating of online child sexual abuse. In this connection, the EU Centre should cooperate with relevant stakeholders from both within and outside the Union and allow Member States to benefit from the knowledge and expertise gathered, including best practices and lessons learned. ***Where the EU Centre makes technologies available for providers of hosting services and providers of number-***	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of this Regulation by serving as a hub for knowledge, expertise and research on matters related to the prevention and combating of online child sexual abuse. In this connection, the EU Centre should cooperate with relevant stakeholders from both within and outside the Union and allow Member States to benefit from the knowledge and expertise gathered, including best practices and lessons learned.	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of this Regulation by serving as a hub for knowledge, expertise***, best practice*** and research on matters related to the prevention and combating of online child sexual abuse. ~~*In this connection*~~***To this end***, the EU Centre ***should conduct and support research, surveys and studies related to preventing and combating child sexual abuse, including on prevention, as well as collect, record, aggregate and analyse information about existing initiatives, with a view to determining best practices. In doing so, it*** should cooperate with relevant

COUNCIL LIMITED PUBLIC

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		independent communication services to install and operate in order to execute detection orders, it should also make publicly available relevant information, such as the detailed licensing conditions, including licensing fees, under which the EU Centre is permitted, or has obtained permission to make such technologies available. Such information should cover all details regarding the procurement of such technologies, as well as their development over time, where relevant.		stakeholders from both within and outside the Union***, including civil society organisations, hotlines and helplines, public authorities as well as relevant information society services, to avoid duplication of efforts and promote efficiency and collaboration among stakeholders. In addition, the EU Centre should*** ~~***and***~~ allow Member States ***and the wider public*** to benefit from the knowledge and expertise gathered, including best practices and lessons learned. ***To this end, the EU Centre should make collected information publicly available in a dedicated database, unless this would undermine the proper functioning or the objectives of this Regulation, and provide it to other EU institutions, bodies, offices and agencies or public authorities of the Member States upon their request. To promote and raise public awareness of measures to prevent and combat child sexual abuse, the EU Centre should also develop a communication strategy and promote dialogue and cooperation with relevant stakeholders, including civil society organisations, hotlines and helplines, public authorities as well as relevant information society services. Where the EU Centre makes available technologies for***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				providers of hosting services and providers of number-independent communication services in order to mitigate the risk of online child sexual abuse including through the execution of detection orders, it should make publicly available relevant information, such as the detailed licensing conditions, including licensing fees, under which the EU Centre is permitted, or has obtained permission to make such technologies available. Such information should cover, where relevant, information regarding the procurement of such technologies, as well as their development over time. ITM (12.11.): Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE Text Origin: CY PCY - drafting
Recital 68				
G 79	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a G

Contexte OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	secure manner and limit storage to what is strictly necessary for the performance of the relevant tasks.	secure ***and supervised*** manner and limit storage to what is strictly necessary for the performance of the relevant tasks.	secure manner and limit storage to what is strictly necessary for the performance of the relevant tasks.	secure manner and limit storage to what is strictly necessary for the performance of the relevant tasks. Text Origin: Council Mandate
Recital 69				
80	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with Coordinating Authorities, the Europol and relevant partner organisations, such as the US National Centre for Missing and Exploited Children or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations.	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with Coordinating Authorities, the Europol and relevant partner organisations, such as the US National Centre for Missing and Exploited Children or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of ***publicly accessible*** memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations.	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with ***the competent authorities including the*** Coordinating Authorities, ~~the~~ Europol and relevant partner organisations, such as the US National Centre for Missing and Exploited Children, ***the European Crime Prevention Network ('EUCPN')*** or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations.	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with Coordinating Authorities ***and with other competent authorities, with*** ~~, the~~ Europol and relevant partner organisations, such as the US National Centre for Missing and Exploited Children, ***the European Crime Prevention Network ('EUCPN')*** or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations, ***which should be publicly available, unless this publication would***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				undermine the proper functioning or the objectives of this Regulation. Text Origin: CY PCY - drafting
Recital 70				
81	(70) Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse. The EU Centre should leverage the network of hotlines and encourage that they work together effectively with the Coordinating Authorities, providers of relevant information society services and law enforcement authorities of the Member States. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union.	(70) ***Hotlines play a very important role in the fight against child sexual abuse online, namely with regard to the reporting, detection and rapid removal of child sexual abuse material. Helplines are also essential in providing support for children in need.*** Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse. The EU Centre should leverage the network of hotlines and encourage that they ~~*work together*~~***cooperate and coordinate*** effectively with the Coordinating Authorities, providers of relevant information society services and law enforcement authorities of the Member States. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union.	(70) Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse. The EU Centre should leverage the network of hotlines and encourage that they work together effectively with the ~~*Coordinating*~~ ***competent*** authorities, providers of relevant information society services and law enforcement authorities of the Member States. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union.	(70) Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse***, namely with regard to the reporting, detection and rapid removal of child sexual abuse material. Helplines are also essential in providing support for children in need***. The EU Centre should leverage the network of hotlines and ***helplines by setting up and operating an online European Child Protection Platform, which provides easy access to information on hotlines and helplines in the Member States without duplicating existing structures such as INHOPE, and*** encourage that they ~~*work together*~~***cooperate and coordinate*** effectively with the ~~*Coordinating*~~***competent*** authorities~~,~~ ***of the Member States and*** providers of relevant information society services ~~*and law enforcement authorities of the Member States*~~. The hotlines' expertise and experience is an invaluable source of information on the early

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				identification of common threats and solutions, as well as on regional and national differences across the Union. Text Origin: CY PCY - drafting
Recital 71				
G 82	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected.	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected.	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected.	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected. ***the EU Centre and Europol should cooperate closely, within the limits and in full respect of their respective, distinct tasks and responsibilities in accordance with this Regulation and Regulation (EU) 2016/794. In particular, where necessary for the performance of their respective tasks and in accordance with the relevant Union law, they should provide each other access to relevant information and [information systems/ databases],*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				subject to the submission of an explicit, justified request where the access concerns personal data. To avoid unnecessary delays and administrative burden, access requests should be standardised, for example by means of electronic templates. ***Given its central role in the implementation of this Regulation at EU level, the EU Centre should leverage all means at its disposal in accordance with this Regulation to facilitate the work of both Europol and competent law enforcement authorities, for example by creating, maintaining and operating databases for indicators and reports and by ensuring that information contained therein is complete, accurate, up-to-date and possible to access and consult, subject to the conditions provided for in this Regulation. In particular, the EU Centre should give Europol and the competent law enforcement authorities of the Member States access to the database of indicators to the extent necessary for the performance of their tasks of investigating child sexual abuse offences.*** Text Origin: CY PCY - drafting
Recital 71a				

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 82a			***(71a) Europol and the EU Centre should cooperate closely when performing their respective, distinct tasks and responsibilities in accordance with this Regulation and Regulation (EU) 2016/794.[1] This Regulation should not be understood as altering in any way Regulation (EU) 2016/794 and Europol's tasks and responsibilities under that Regulation. For example, in relation to the processing of reports from service providers, the EU Centre should, subject to the filtering provided for in this Regulation, forward those reports to Europol and to the competent national law enforcement authority or authorities, together with the additional relevant information, including for victim identification purposes, as prescribed by this Regulation, whereas Europol could continue to assist national law enforcement in criminal investigations concerning such reports in accordance with its mandate. Also, in relation to the storage of reports, the EU Centre should perform the tasks specified in this Regulation, in particular create, maintain and operate a database for those purposes, whereas Europol could, in accordance with its mandate,***	*deleted* G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			continue to expand with the reports received from the EU Centre its own databases of criminal intelligence shared with national authorities, notably for criminal investigation purposes. ***1. Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA.***	
Recital 72				
G *83*	*(72)* Considering the need for the EU Centre to cooperate intensively with Europol, the EU Centre's headquarters should be located alongside Europol's, which is located in The Hague, the Netherlands. The highly sensitive nature of the reports shared with Europol by the EU Centre and the technical requirements, such as on secure data connections, both benefit from a shared location between the EU Centre and Europol. It would also allow the EU Centre, while being an independent entity, to rely on the support services of Europol, notably those regarding human resources management, information technology (IT), including cybersecurity, the building and	*deleted*	~~*(72) Considering the need for the EU Centre to cooperate intensively with Europol, the EU Centre's headquarters should be located alongside Europol's, which is located in The Hague, the Netherlands. The highly sensitive nature of the reports shared with Europol by the EU Centre and the technical requirements, such as on secure data connections, both benefit from a shared location between the EU Centre and Europol. It would also allow the EU Centre, while being an independent entity, to rely on the support services of Europol, notably those regarding human resources management, information technology (IT), including cybersecurity, the building*~~	*deleted* G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	communications. Sharing such support services is more cost-efficient and ensure a more professional service than duplicating them by creating them anew.		~~*and communications. Sharing such support services is more cost-efficient and ensure a more professional service than duplicating them by creating them anew.*~~	
Recital 72a				
83a				***(72a) Since the evolution of the digital world has made online child sexual abuse a global crime, cooperation of the EU Centre with competent authorities of third countries and international organisations may be necessary to achieve the objectives of this Regulation. Such cooperation should, however, remain strictly confined to the objectives and tasks assigned to the EU Centre under this Regulation and be regulated by working arrangements that are subject to prior approval by the Commission. In particular, this Regulation does not establish a framework for operational cooperation in criminal matters or law enforcement activities.***
Recital 73				
84	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Parliament, the Council and the Commission on decentralised agencies.	Parliament, the Council and the Commission on decentralised agencies.	Parliament, the Council and the Commission on decentralised agencies.	Parliament, the Council and the Commission on decentralised agencies. Text Origin: Commission Proposal
Recital 74				
85	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for detection, the EU Centre should have a Technology Committee composed of experts with advisory function. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards and safeguards in detection technology.	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for detection, the EU Centre should have a Technology Committee composed of experts with advisory function. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection ***and prevention*** of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards***, data protection*** and safeguards in detection technology.	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for detection, the EU Centre should have a Technology Committee composed of experts with advisory function. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards and safeguards in detection technology.	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for detection, the EU Centre should have a Technology Committee composed of experts with advisory function***, who should declare absence of any conflict of interest prior to their appointment and be subject to appropriate conditions preventing any conflict of interest after leaving their role***. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection ***and prevention*** of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards***, data protection*** and safeguards in detection technology. ***If duly justified to ensure access to relevant expertise in a particular area, the Management Board should be***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
				allowed to appoint as members of the Technology Committee also experts who are not Union citizens.	
Recital 74a					
G 85a			***(74a) In view of the need for assistance to victims' expertise in order to perform its tasks, the EU Centre should have a Victims Board, composed of adult victims of child sexual abuse and persons with relevant expertise, with an advisory function. The Victims Board may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to the tasks of providing information to victims, and assistance and support for removal, via the Coordinating Authorities.***	***(74a) In view of the need for expertise and independent advice in relation to matters related to victims of child sexual abuse in order to perform its tasks, the EU Centre should establish a Victims Consultative Forum, composed of adults who were victims of child sexual abuse, experts in providing assistance or support to such victims, and representatives of civil society organisations acting in the public interest against child sexual abuse and defending the rights of victims of child sexual abuse, with an advisory function. The Victims Consultative Forum should, in particular, represent the interests of victims and survivors in connection to the work of the EU Centre and provide expertise to its governing bodies.*** Text Origin: CY PCY - drafting	G
Recital 74b					
G 85b		***(74a) One of the pillars of this Regulation is the assistance and support of victims and survivors of child sexual abuse. In order to better understand and address***		*deleted*	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		victims' individual needs is essential to create a forum where victims' organizations are heard and the EU Center can learn from their experience, expertise and knowledge. The Victims' Rights and Survivors Consultative Forum should play a key role in advising the EU Center in its approach to all victim-related issues. Its member should be appointed mainly among victims or their parents, guardians or legal representatives, as well as from representatives of organisations acting in the public interest against child sexual abuse and promoting victims' and survivors' rights, but could also include members from other organisations such as organisations promoting rights of children belonging to vulnerable groups, organisations promoting children's rights which includes children's digital rights.		
Recital 75				
G *86*	*(75)* In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services, Coordinating Authorities and the EU	(75) In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available ***number independent*** interpersonal communications services and providers of internet access services, Coordinating	(75) In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services, Coordinating Authorities and the EU	(75) In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available ***number-independent*** interpersonal communications services and providers of internet access services, Coordinating G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
	Centre should be required to collect, record and analyse information, based on anonymised gathering of non-personal data and to publish annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information.	Authorities and the EU Centre should be required to collect, record and analyse ***gender- and age-disaggregated data and*** information, based on anonymised gathering of non-personal data and to publish ***in a machine-readable format*** annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information.	Centre should be required to collect, record and analyse information, based on anonymised gathering of non-personal data and to publish annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information.	Authorities and the EU Centre should be required to collect, record ~~and~~***aggregate,*** analyse ***and make available*** information, based on ~~anonymised~~ gathering of non-personal data and to publish ***in a machine-readable format*** annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information. Text Origin: CY PCY - drafting	
Recital 76					
G	87	(76) In the interest of good governance and drawing on the statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter.	(76) In the interest of good governance and drawing on the statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter.	(76) In the interest of good governance and drawing on the statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter.	(76) In the interest of good governance and drawing on the statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter. Text Origin: Commission Proposal	G
Recital 77					
Y	88	(77) The evaluation should be based on the criteria of efficiency,	(77) The evaluation should be based on the criteria of efficiency,	(77) The evaluation should be based on the criteria of efficiency,	(77) The evaluation should be based on the criteria of efficiency,	Y

EXTRAIT DÉCLASSIFIÉ PAR LE CONSEIL

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the detection, reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties.	necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the detection, reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties.	necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the ~~*detection,*~~ reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties.	necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the detection, reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties. ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate
Recital 77a				
88a			***(77a) With a view to considering the inclusion of detection obligations in the scope of the provisions of this Regulation in a possible future legislative proposal, the Commission should carry out an evidence-based assessment of the reliability and accuracy of the relevant available detection***	

.conTEXT OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			technologies, taking into account legal and policy implications, within three years of the date of the entry into force of this Regulation, and if necessary every three years thereafter.	
Recital 78				
89	(78) Regulation (EU) 2021/1232 of the European Parliament and of the Council[1] provides for a temporary solution in respect of the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse, pending the preparation and adoption of a long-term legal framework. This Regulation provides that long-term legal framework. Regulation (EU) 2021/1232 should therefore be repealed. 1. Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41).	(78) Regulation (EU) 2021/1232 of the European Parliament and of the Council[1] provides for a temporary solution in respect of the ***voluntary*** use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse***. This Regulation, which provides for a clear and uniform*** ~~*, pending the preparation and adoption of a*~~ long-term legal framework ***and establishes a mandatory regime for certain providers, should substitute the temporary and voluntary one***. ***However, until the date of effective application of*** this Regulation ~~*provides that long-term legal framework.*~~***and in order to secure that online child sexual abuse online can be effectively and lawfully combated without interruptions and that there is a smooth transition between the voluntary and the mandatory regime,*** Regulation (EU) 2021/1232 ~~*should therefore be repealed*~~***shall***	(78) Regulation (EU) 2021/1232 of the European Parliament and of the Council[1] ***amended by Regulation (EU) 2024/1307 of the European Parliament and of the Council***[2] provides for a ~~*temporary*~~ solution in respect of the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse~~*, pending the preparation and adoption of a long-term legal framework. This Regulation provides that long-term legal framework*~~***. It is important that child sexual abuse online can be effectively and lawfully combated without interruptions***. ***Therefore, the necessary amendment should be made to*** Regulation (EU) 2021/1232 ~~*should therefore be repealed*~~***, thus ensuring that the derogation from certain provisions of Directive 2002/58/EC can continue, in compliance with that Regulation and other applicable law***. ***.***	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		apply for a limited period of 9 months after the entry into force of this Regulation. _____ 1. Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41).	1. Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41). ***2. Regulation (EU) 2024/1307 of the European Parliament and of the Council of 29 April 2024 amending Regulation (EU) 2021/1232 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L, 2024/1307, 14.5.2024).***	
Recital 78a				
89a			***(78a) The rules of this Regulation should apply as soon as possible. However, account should be taken of the need for all parties involved, and in particular the EU Centre, to take the necessary preparatory measures. Therefore, the relevant provisions of this Regulation should only start to apply after certain appropriate periods. During this transition period, general rules that refer to several measures, some of which have not entered into application yet, should be understood as not being applicable to the measures that have not***	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			entered into application yet. Thus, for example, during that period, it should be possible to issue a blocking order in accordance with this Regulation, subject to the order in such a case having to be executed without making use of the database of indicators provided by the EU Centre, which would still be under preparation during such transition period.	
Recital 79				
90	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	relevant Union agencies and providers of relevant information society services.	relevant Union agencies and providers of relevant information society services.	relevant Union agencies and providers of relevant information society services.	relevant Union agencies and providers of relevant information society services. Text Origin: Commission Proposal
Recital 80				
G 91	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of the Commission expert groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1).	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of the Commission expert groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1).	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of the Commission expert groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1).	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of the Commission expert groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1). Text Origin: Commission Proposal
Recital 81				

CONTEXTE OBTAINED BY EURACTIV

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
92	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13). Text Origin: Commission Proposal
Recital 82				
93	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation, provision should be made for an appropriate time period between the date of its entry into force and that of its application.	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation, ***and in particular the establishment of the EU Centre***, provision should be made for an appropriate time period between the date of its entry into force and that of its application.	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation, provision should be made for an appropriate time period between the date of its entry into force and that of its application.	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation, ***and in particular the establishment of the EU Centre***, provision should be made for an appropriate time period between the date of its entry into force and that of its application. Text Origin: Commission Proposal
Recital 83				
94	(83) Since the objectives of this Regulation, namely contributing to	(83) Since the objectives of this Regulation, namely contributing to	(83) Since the objectives of this Regulation, namely contributing to	(83) Since the objectives of this Regulation, namely contributing to

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve ~~*that objective*~~ ***those objectives***.	the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve ~~*that objective*~~***those objectives***.
Recital 84				
95	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their opinion on […]. _____ 1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their ***joint*** opinion on ~~*[…]*~~***28 July 2022***. _____ 1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their opinion on ~~*[…]*~~***28 July 2022*** . _____ 1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their ***joint*** opinion on ~~*[…]*~~***28 July 2022***. _____ 1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39). Text Origin: EP Mandate
Formula				
96	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION: Text Origin: Commission Proposal
CHAPTER I				
97	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS Text Origin: Commission Proposal
Article 1				
98	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope Text Origin: Commission Proposal
Article 1(1), first subparagraph				
99	1.This Regulation lays down uniform rules to address the misuse of relevant information society services for online child sexual abuse in the internal market.	1.This Regulation lays down uniform rules to address the misuse of relevant information society services for online child sexual abuse***, in order to contribute to the proper functioning of*** ~~in~~ the internal market~~.~~ ***and to create a safe, predictable and trusted online environment that facilitates innovation and in which***	1.This Regulation lays down uniform rules to ~~address the misuse~~***prevent and combat in a targeted, carefully balanced and proportionate manner the use*** of relevant information society services for online child sexual abuse in the internal market.	1.This Regulation lays down uniform rules to ~~address~~***prevent and combat in a targeted, carefully balanced and proportionate manner*** the misuse of relevant information society services for online child sexual abuse in ***order to contribute to the proper functioning of a safe, predictable and trusted online environment in*** the internal market.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		fundamental rights enshrined in the Charter are effectively protected;		Text Origin: CY PCY - drafting
Article 1(1), second subparagraph				
100	It establishes, in particular:	It establishes, in particular:	It establishes, in particular:	It establishes, in particular: Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (a)				
101	(a) obligations on providers of relevant information society services to minimise the risk that their services are misused for online child sexual abuse;	(a) obligations on providers of relevant information society services to minimise the risk that their services are misused for online child sexual abuse;	(a) obligations on providers of relevant information society services to ***effectively*** minimise the risk that their services are ~~*misused*~~***used*** for online child sexual abuse;	(a) obligations on providers of relevant information society services to ***effectively*** minimise the risk that their services are ~~*misused*~~***used*** for online child sexual abuse; Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (b)				
102	(b) obligations on providers of hosting services and providers of interpersonal communication services to detect and report online child sexual abuse;	(b) obligations on providers of hosting services and providers of ***number-independent*** interpersonal communication services to detect and report online child sexual abuse;	(b) obligations on providers of hosting services and providers of interpersonal ~~*communication*~~***communications*** services to ~~*detect and*~~ report online child sexual abuse;	(b) obligations on providers of hosting services and providers of ***number-independent*** interpersonal communication services to detect and report online child sexual abuse; ITM (12.10.): for provisional agreement subject to agreement on detection orders in non-public. Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (c)				
103	(c) obligations on providers of hosting services to remove or disable	(c) obligations on providers of hosting services to remove or disable	(c) obligations on providers of hosting services to remove or disable	(c) obligations on providers of hosting services to remove or disable

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	access to child sexual abuse material on their services;	access to child sexual abuse material on their services;	access to child sexual abuse material on their services;	access to child sexual abuse material on their services; Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (d)				
G 104	(d) obligations on providers of internet access services to disable access to child sexual abuse material;	(d) obligations on providers of internet access services to disable access to child sexual abuse material;	(d) obligations on providers of internet access services to ~~disable access to~~ ***prevent users from accessing*** child sexual abuse material;	(d) obligations on providers of internet access services to ~~disable access to~~ ***prevent users from accessing*** child sexual abuse material; Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (da)				
G 104a		***(da) obligations on providers of online games; and***	***(da) obligations on providers of online search engines to delist websites indicating specific items of child sexual abuse;***	***(da) obligations on providers of online search engines to delist websites indicating specific items of child sexual abuse;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 1(1), second subparagraph, point (e)				
G 105	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States~~, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.~~ ;	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States~~, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.~~ ; Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 1(1), second subparagraph, point (ea)				
105a		***(ea) rules on the establishment, functioning, cooperation, transparency and powers of the EU Centre For Child Protection on Child Sexual Abuse established in Article 40 ('EU Centre');***		***(ea) rules on the establishment, tasks, cooperation, and transparency of the EU Centre for the Protection of Children from Child Sexual Abuse established in Article 40 ('EU Centre').*** Text Origin: CY PCY - drafting
Article 1(2)				
106	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment.	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment.	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment.	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment. Text Origin: Commission Proposal
Article 1(2a)				
106a		***2a. This Regulation shall not apply to audio communications.***		***2a. This Regulation shall not apply to voice communications between two or more users in real time.*** Trilogue (29.09.): Provisionally agreed. An exception will be included in the provisions on detection to exclude voice notes from the scope of detection. Text Origin: EP Mandate
Article 1(3)				
107	3.This Regulation shall not affect the rules laid down by the following legal acts:	3.This Regulation shall not affect the rules laid down by the following legal acts:	3.This Regulation shall not affect the rules laid down by the following legal acts:	3.This Regulation shall not affect the rules laid down by the following legal acts:

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Comment from line 484 (27.02): - EP amendment in line 484 to be addressed in Article 1(3). Text Origin: Commission Proposal
Article 1(3), point (-a)				
107a		***3a. Nothing in this Regulation shall be interpreted as prohibiting, weakening or undermining end-to-end encryption. Providers shall not in particular be prohibited to offer end-to-end encrypted services.***		*deleted* *Covered in line 112a.*
Article 1(3), point (a)				
108	*(a)* Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;	(a) Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;	(a) Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;	(a) Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA; Text Origin: Commission Proposal
Article 1(3), point (b)				
109	(b) Directive 2000/31/EC and Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(b) Directive 2000/31/EC and Regulation (EU) ~~…/… [~~***2022/2065*** on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(b) Directive 2000/31/EC and Regulation (EU) ~~…/… [~~***2022/2065 of the European Parliament and of the Council of 19 October 2022*** on a Single Market For Digital Services ~~(Digital Services Act)~~ and amending Directive 2000/31/EC~~]~~ ***(Digital Services Act)*** ;	(b) Directive 2000/31/EC ~~and Regulation (EU) …/… [on a Single Market For Digital~~***on certain legal aspects of information society*** services, ***in particular electronic commerce, in the Internal Market ('*** ~~(Digital Services Act) and amending~~ Directive ~~2000/31/EC]~~***on electronic commerce')***;

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 1(3), point (ba)				
109a			***(ba) Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act);***	***(ba) Regulation (EU) 2022/1925 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act);*** Text Origin: CY PCY - drafting
Article 1(3b)				
109b		***3b Nothing in this Regulation shall undermine the prohibition of general monitoring under Union law or introduce general data retention obligations, or be interpreted in that way.***		*deleted* *Moved to 111e.* *Text Origin: CY PCY - drafting*
Article 1(3), point (bc)				
109c				***(bb) Regulation (EU) 2022/2065 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act);*** Text Origin: CY PCY - drafting
Article 1(3), point (c)				
110	(c) Directive 2010/13/EU;	(c) Directive 2010/13/EU;	(c) Directive 2010/13/EU ***of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of***	(c) Directive 2010/13/EU ***on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			audiovisual media services (Audiovisual Media Services Directive);	***Directive)***; Text Origin: CY PCY - drafting
Article 1(3), point (d)				
111	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and, subject to paragraph 4 of this Article, Directive 2002/58/EC.	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and, subject to paragraph 4 of this Article, Directive 2002/58/EC.	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and~~, subject to paragraph 4 of this Article,~~ Directive 2002/58/EC~~.~~**;**	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and, subject to paragraph 4 of this Article, Directive 2002/58/EC. ITM (12.10.): subject to agreement on detection package. Text Origin: CY PCY - drafting
Article 1(3), point (da)				
G 111a			***(da) Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online;***	***(da) Regulation (EU) 2021/784 on addressing the dissemination of terrorist content online;*** Text Origin: CY PCY - drafting
Article 1(3), point (db)				
G 111b		***(da) Directive (EU) 2022/2555 of the European Parliament and the Council of 14 December 2022 on measures for high common level of cybercecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972 and repealing Directive (EU) 2016/1148 (NIS 2 Directive); and***	***(db) Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive).***	***(db) Directive (EU) 2022/2555 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive);*** Text Origin: CY PCY - drafting
Article 1(3), point (dc)				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	111c		***(db) Regulation (EU) .../... on Artificial Intelligence (Artificial Intelligence Act);***		***(dc) Regulation (EU) 2024/1689 on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act).*** Text Origin: CY PCY - drafting	G
	Article 1(3a)					
G	111d			***3a. This Regulation shall not have the effect of modifying the obligation to respect the rights, freedoms and principles referred to in Article 6 TEU and shall apply without prejudice to fundamental principles relating to the right for respect to private life and family life and to freedom of expression and information.***	***3a. This Regulation shall not have the effect of modifying the obligation to respect the rights, freedoms and principles referred to in Article 6 TEU and shall apply without prejudice to fundamental principles relating to the right for respect to private life and family life and to freedom of expression and information.***	G
	Article 1(3b)					
Y	111e				***3b. Nothing in this Regulation shall be understood as a general obligation for relevant information society service providers to monitor the information which they transmit or store, nor a general obligation actively to seek facts or circumstances indicating illegal activity. Nothing in this Regulation shall be interpreted as introducing a general data retention obligation.***	Y

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE
Article 1(4)				
112	4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC insofar as necessary for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.	4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC ~~*insofar as*~~***with the sole objective of enabling relevant information society services to use specific technologies for the processing of personal and other data to the extent strictly*** necessary ***to detect and report online child sexual abuse and remove child sexual abuse material from their services*** for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.	~~*4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC insofar as necessary for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.*~~	4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC ~~*insofar as*~~***with the sole objective of enabling number-independent interpersonal communications services to use specific technologies for the processing of personal and other data to the extent strictly*** necessary ***to detect [online] child sexual abuse [material] on their own initiative or*** for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation. ITM (12.10.): subject to agreement on detection package.. Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Article 1(4a)				
G 112a			***4a. This Regulation shall not prohibit, make impossible, weaken, circumvent or otherwise undermine cybersecurity measures, in***	***4a. This Regulation shall not prohibit, make impossible, weaken, circumvent or otherwise undermine cybersecurity measures, in*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			particular encryption, including end-to-end encryption, implemented by the relevant information society services or by the users. This Regulation shall not create any obligation that would require a provider of hosting services or a provider of interpersonal communications services to decrypt data or create access to end-to-end encrypted data, or that would prevent providers from offering end-to-end encrypted services.	***particular encryption, including end-to-end encryption, implemented by the relevant information society services or by the users. This Regulation shall not create any obligation that would require a provider of hosting services or a provider of interpersonal communications services to decrypt data or create access to end-to-end encrypted data, or that would prevent providers from offering end-to-end encrypted services.*** Text Origin: CY PCY - drafting
Article 2				
113	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions Text Origin: Commission Proposal
Article 2, first paragraph				
114	For the purpose of this Regulation, the following definitions apply:	For the purpose of this Regulation, the following definitions apply:	For the purpose of this Regulation, the following definitions apply:	For the purpose of this Regulation, the following definitions apply: Text Origin: Commission Proposal
Article 2, first paragraph, point (a)				
115	(a) 'hosting service' means an information society service as defined in Article 2, point (f), third indent, of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending	(a) 'hosting service' means an information society service as defined in Article ~~2~~***3***, point ~~(f)~~***(g)***, third indent, of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services~~	(a) 'hosting service' means an information society service as defined in Article ~~2~~***3(g)***, point ~~(f), third indent~~***(iii)*** , of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services~~	(a) 'hosting service' means an information society service as defined in Article ~~2~~***3(g)***, point ~~(f), third indent~~***(iii)*** , of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Directive 2000/31/EC];	~~*Act) and amending Directive 2000/31/EC];*~~***2022/2065;**	~~*Act) and amending Directive 2000/31/EC];*~~***2022/2065 ;**	~~*Act) and amending Directive 2000/31/EC],*~~***2022/2065;** Text Origin: CY PCY - drafting
Article 2, first paragraph, point (aa)				
115a				***(aa) 'hosting service targeting children' means a hosting service which, by virtue of its design, content, functionalities or marketing primarily attracts minors as its principal recipients. This does not include services merely accessible to minors but not targeted at minors or incidentally used by them.***
Article 2, first paragraph, point (b)				
116	(b) 'interpersonal communications service' means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;	(b) 'interpersonal communications service' means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;	(b) 'interpersonal communications service' means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;	*deleted* *Text Origin: Commission Proposal*
Article 2, first paragraph, point (ba)				
116a		***(ba) 'number-independent interpersonal communications service' means an interpersonal communications service as defined in Article (2), point (7) of Directive (EU) 2018/1972;***	***(ba) 'number-independent interpersonal communications service' means a publicly available service as defined in Article 2, point (7), of Directive (EU) 2018/1972;***	***(ba) 'number-independent interpersonal communications service' means a service normally provided for remuneration that enables direct interpersonal and interactive exchange of information***

eContexte OBTAINED BY / OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				via electronic communications networks between a finite number of persons, whereby the persons initiating or participating in the communication determine its recipient(s) and which does not connect with publicly assigned numbering resources, namely, a number or numbers in national or international numbering plans, or which does not enable communication with a number or numbers in national or international numbering plans. When services for direct interpersonal and interactive exchange of information are merely offered as a minor ancillary feature intrinsically linked to another service, this part of the service shall be considered as being covered by this definition. Text Origin: EP Mandate
Article 2, first paragraph, point (bb)				
G 116b				***(bb) 'number-independent interpersonal communications service targeting children' means a number-independent interpersonal communications service which, by virtue of its design, content, functionalities or marketing primarily attracts minors as its principal recipients. This does not*** G

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				include services merely accessible to minors but not targeted at minors or incidentally used by them.
Article 2, first paragraph, point (bc)				
116c		***(bb) 'number-independent interpersonal communications service within games' means any service defined in Article (2), point (7) of Directive (EU) 2018/1972 which is part of a game;***		*deleted*
Article 2, first paragraph, point (c)				
117	*(c)* 'software application' means a digital product or service as defined in Article 2, point 13, of Regulation (EU) …/… [on contestable and fair markets in the digital sector (Digital Markets Act)];	(c) 'software application' means a digital product or service as defined in Article ~~2~~***(2)***, point ~~13~~***(15)***, of Regulation (EU) ~~.../... [on contestable and fair markets in the digital sector (Digital Markets Act)]~~***2022/1925***;	(c) 'software application' means a digital product or service as defined in Article 2, point ~~13~~***(15)*** , of Regulation (EU) ~~.../... [on contestable and fair markets in the digital sector (Digital Markets Act)].~~***2022/1925 ;***	(c) 'software application' means a digital product or service as defined in Article 2, point ~~13~~***(15)***, of Regulation (EU) ~~.../... [on contestable and fair markets in the digital sector (Digital Markets Act)]~~***2022/1925***; Text Origin: EP Mandate
Article 2, first paragraph, point (d)				
118	(d) 'software application store' means a service as defined in Article 2, point 12, of Regulation (EU) …/… [on contestable and fair markets in the digital sector (Digital Markets Act)];	(d) 'software application store' means a service as defined in Article ~~2~~***(2)***, point ~~12~~***(14)***, of Regulation (EU) ~~.../... [on contestable and fair markets in the digital sector (Digital Markets Act)]~~***2022/1925***;	(d) 'software application store' means a service as defined in Article 2, point ~~12~~***(14)*** , of Regulation (EU) ~~.../... [on contestable and fair markets in the digital sector (Digital Markets Act)]~~***2022/1925*** ;	(d) 'software application store' means a service as defined in Article 2, point ~~12~~***(14)***, of Regulation (EU) ~~.../... [on contestable and fair markets in the digital sector (Digital Markets Act)]~~***2022/1925***; Text Origin: EP Mandate
Article 2, first paragraph, point (e)				
119	(e) 'internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU)	(e) ~~'~~internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU)	(e) 'internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU)	(e) 'internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU)

CONTEXTE
COMPILED BY CONTEXTE

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	2015/2120 of the European Parliament and of the Council[1]; _____ 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18).	2015/2120 of the European Parliament and of the Council[1]; _____ 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18).	2015/2120 of the European Parliament and of the Council[1]; _____ 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18).	2015/2120 of the European Parliament and of the Council[1]; _____ 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18). Text Origin: Commission Proposal
Article 2, first paragraph, point (f)				
120	(f) 'relevant information society services' means all of the following services:	(f) 'relevant information society services' means all of the following services:	(f) 'relevant information society services' means all of the following services:	(f) 'relevant information society services' means all of the following services: Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(i)				
121	(i) a hosting service;	(i) a hosting service;	(i) a hosting service;	(i) a hosting service; Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(ii)				
122	(ii) an interpersonal communications service;	(ii) ~~an~~*a number-independent* interpersonal communications service;	(ii) an interpersonal communications service;	(ii) ~~an~~*a number-independent* interpersonal communications service; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (f)(iii)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
123	(iii)a software applications store;	(iii)a software applications store;	(iii)a software applications store;	(iii)a software applications store; Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(iv)				
124	(iv) an internet access service.	(iv) an internet access service.	(iv) an internet access service.	(iv) an internet access service. Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(iva)				
124a			***(iva) online search engines.***	***(iva) online search engines.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 2, first paragraph, point (f)(ivb)				
124b		***(iv a) a number-independent interpersonal communication service within online games.***		*deleted* Text Origin: CY PCY - drafting
Article 2, first paragraph, point (g)				
125	*(g)* 'to offer services in the Union' means to offer services in the Union as defined in Article 2, point (d), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(g) 'to offer services in the Union' means to offer services in the Union as defined in Article ~~2~~3, point (d), of Regulation ~~(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***(EU) 2022/2065***;	(g) 'to offer services in the Union' means to offer services in the Union as defined in Article ~~2~~3 , point (d), of Regulation ~~(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***(EU) 2022/2065*** ;	(g) 'to offer services in the Union' means to offer services in the Union as defined in Article ~~2~~3, point (d), of Regulation ~~(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***(EU) 2022/2065***; Text Origin: EP Mandate
Article 2, first paragraph, point (h)				
126	(h) 'user' means any natural or legal	(h) 'user' means any natural or legal	(h) 'user' means any natural or legal	(h) 'user' means any natural or legal

EN Texte SECRÉTARIAT GÉNÉRAL DU CONSEIL OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	person who uses a relevant information society service;	person who uses a relevant information society service;	person who uses a relevant information society service;	person who uses a relevant information society service; Text Origin: Commission Proposal
Article 2, first paragraph, point (i)				
127	(i) 'child' means any natural person below the age of 18 years;	(i) 'child' means any natural person below the age of 18 years;	(i) 'child' means any natural person below the age of 18 years;	(i) 'child' means any natural person below the age of 18 years; Text Origin: Commission Proposal
Article 2, first paragraph, point (j)				
128	(j) 'child user' means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;	*deleted*	~~*(j) 'child user' means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;*~~	*deleted*
Article 2, first paragraph, point (k)				
129	*(k)* 'micro, small or medium-sized enterprise' means an enterprise as defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized enterprises[1]; 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).	(k) 'micro, small or medium-sized enterprise' means an enterprise as defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized enterprises[1]; 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).	(k) 'micro, small or medium-sized enterprise' means an enterprise as defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized enterprises[1]; 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).	*deleted* *Text Origin: Commission Proposal*
Article 2, first paragraph, point (l)				
130	*(l)* 'child sexual abuse material' means material constituting child pornography or pornographic	(l) 'child sexual abuse material' means material constituting child pornography or pornographic	(l) 'child sexual abuse material' means material constituting child pornography or pornographic	(l) 'child sexual abuse material' means material constituting child pornography or pornographic

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;	performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;	performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;	performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU; Text Origin: Commission Proposal
Article 2, first paragraph, point (la)				
130a				***(la) 'instructions on how to commit offences related to child sexual abuse' means any material, regardless of its form, or method of creation, intended to provide advice or instructions on how to commit the offences referred to in Directive 2011/93/EU including any instruction for producing child sexual abuse material with the use of artificial intelligence systems;*** ITM (25.06.): Provisionally agreed. Reference to definition used in the negotiations of the recast of the CSA Directive. Instruction manuals
Article 2, first paragraph, point (m)				
131	(m) 'known child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a);	(m) 'known child sexual abuse material' means ~~*potential*~~ child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a);	(m) 'known child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a);	(m) 'known child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a); Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 2, first paragraph, point (n)				
132	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b); Text Origin: Commission Proposal
Article 2, first paragraph, point (o)				
133	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU; Text Origin: Commission Proposal
Article 2, first paragraph, point (p)				
134	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material and the solicitation of children;	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material and the solicitation of children;	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material and the solicitation of children;	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material ***or of instructions on how to commit offences related to child sexual abuse*** and the solicitation of children; ITM (25.06): Technical implementation through adding instructions in relevant parts of the Regulation. Trilogue (11.05.): Provisionally agreed. Instruction manuals

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 2, first paragraph, point (q)				
135	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU; Text Origin: Commission Proposal
Article 2, first paragraph, point (qa)				
135a		***(qa) 'victim' means a person who being under 18 suffered child sexual abuse offences or/and whose child sexual abuse material is hosted or disseminated in the Union;***		*deleted* *Text Origin: CY PCY - drafting*
Article 2, first paragraph, point (r)				
136	*(r)* 'recommender system' means the system as defined in Article 2, point (o), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(r) 'recommender system' means the system as defined in Article 2, point (o), of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***;	(r) 'recommender system' means the system as defined in Article ~~2~~***3***, point ~~(o)~~***(s)*** , of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** ;	(r) 'recommender system' means the system as defined in Article ~~2~~***3***, point ~~(o)~~***(s)***, of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (s)				
137	(s) 'content data' means data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal	(s) 'content data' means ~~data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal~~	(s) 'content data' means data as defined in ~~-~~ Article ~~2~~***3***, point ~~10~~***(12)***, of Regulation (EU) ~~… [~~***2023/1543 of the European Parliament and of the Council of 12 July 2023*** on	(s) 'content data' means data as defined in Article ~~2~~***3***, point ~~10~~***(12)***, of Regulation (EU) ~~… [on European Production and Preservation Orders for electronic evidence in criminal~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	matters (…/… e-evidence Regulation)];	~~matters (…/… e-evidence Regulation)]~~***texts, videos and images***;	European Production ***Orders and European*** ~~and~~ Preservation Orders for electronic evidence in criminal ~~matters~~ ***proceedings and for the execution of custodial sentences following criminal proceedings*** (~~…/…~~ e-evidence Regulation)~~]~~;	~~matters (…/… e-evidence Regulation)]~~***2023/1543***; Trilogue (29.06.): Provisionally agreed.
Article 2, first paragraph, point (t)				
G 138	(t) 'content moderation' means the activities as defined in Article 2, point (p), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(t) 'content moderation' means the activities as defined in Article 2, point ~~(p)~~***(t)***, of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***;	(t) 'content moderation' means the activities as defined in Article ~~2~~***3***, point ~~(p)~~***(t)*** , of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** ;	(t) 'content moderation' means the activities as defined in Article ~~2~~***3***, point ~~(p)~~***(t)***, of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (ta)				
G 138a			***(ta) 'Competent authority of establishment' means the competent authority designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;***	***(ta) 'Competent authority of establishment' means the competent authority designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;*** Trilogue (29.06.): Provisionally agreed.. reflecting the outcome of the discussions on line 358. Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 2, first paragraph, point (u)				
139	(u) 'Coordinating Authority of establishment' means the Coordinating Authority for child sexual abuse issues designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;	(u) 'Coordinating Authority of establishment' means the Coordinating Authority for child sexual abuse issues designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;	(u) 'Coordinating Authority of establishment' means ***the competent authority designated as*** the Coordinating Authority for child sexual abuse issues ~~*designated*~~ in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;	(u) 'Coordinating Authority of establishment' means ***the competent authority designated as*** the Coordinating Authority for child sexual abuse issues ~~*designated*~~ in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (v)				
140	(v) 'terms and conditions' means terms and conditions as defined in Article 2, point (q), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(v) 'terms and conditions' means terms and conditions as defined in Article 2, point ~~*(q)*~~***(u)***, of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065***;	(v) 'terms and conditions' means terms and conditions as defined in Article ~~*2*~~***3***, point ~~*(q)*~~***(u)*** , of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065*** ;	(v) 'terms and conditions' means terms and conditions as defined in Article ~~*2*~~***3***, point ~~*(q)*~~***(u)***, of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065***; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (w)				
141	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised.	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised.	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised~~.~~***;***	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised~~.~~***;*** Text Origin: Council Mandate
Article 2, first paragraph, point (wa)				

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G 141a			***(wa) 'online search engine' means an intermediary service as defined in Article 3, point (j), of Regulation (EU) 2022/2065;***	***(wa) 'online search engine' means an intermediary service as defined in Article 3, point (j), of Regulation (EU) 2022/2065;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 2, first paragraph, point (wb)					
G 141b				***(wb) 'emergency case' means a situation in which a child faces an imminent threat to the life, safety or of physical and/or serious psychological integrity, including from the child's own conduct, arising from child sexual abuse, or when the situation indicates ongoing child sexual abuse or where there are reasonable grounds to believe that the child is currently subjected to sexual abuse.***	G
Article 2, first paragraph, point (wc)					
G 141c		***(wa) 'hotline' means an organisation officially recognised by its Member State of establishment that provides a mechanism, other than the reporting channels provided by law enforcement authorities, for receiving anonymous complaints from victims and the public about alleged online child sexual abuse;***		*deleted* *Covered in line 695.* *Text Origin: CY PCY - drafting*	G
Article 2, first paragraph, point (wd)					

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 141d			***(wb) 'metadata' means metadata as defined in Article 2, point (2), of Regulation (EU) 2023/2854.***	***(wc) 'subscriber data' means data as defined in Article 3, point (9) of Regulation (EU) 2023/1543;*** ITM (19.06.): Provisionally agreed to include a cross-reference to e-evidence. EP will propose a recital.
Article 2, first paragraph, point (we)				
G 141e				***(wd) 'traffic data' means data as defined in Article 3, point (11) of Regulation (EU) 2023/1543.*** ITM (19.06.): Provisionally agreed to include a cross-reference to e-evidence. EP will propose a recital.
Article 2, first paragraph, point (wf)				
141f				***(wf) "Content that is publicly accessible" means information that has been made available, at the request of a content provider, to a potentially unlimited number of persons without requiring a human decision or selection of who is granted access.*** ITM (12.11.): EP to check.
Article 2, first paragraph, point (wg)				
G 141g		***(wb) "help-line" means an organisation that provides services for children in need officially recognised by its Member State of establishment;***		*deleted* *Covered in line 695.* *Text Origin: CY PCY - drafting*

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CHAPTER II				
142	CHAPTER II OBLIGATIONS OF PROVIDERS OF RELEVANT INFORMATION SOCIETY SERVICES TO PREVENT AND COMBAT ONLINE CHILD SEXUAL ABUSE	CHAPTER II OBLIGATIONS OF PROVIDERS OF RELEVANT INFORMATION SOCIETY SERVICES TO PREVENT AND COMBAT ONLINE CHILD SEXUAL ABUSE	CHAPTER II OBLIGATIONS OF PROVIDERS OF RELEVANT INFORMATION SOCIETY SERVICES TO PREVENT AND COMBAT ONLINE CHILD SEXUAL ABUSE	CHAPTER II OBLIGATIONS OF PROVIDERS OF RELEVANT INFORMATION SOCIETY SERVICES TO PREVENT AND COMBAT ONLINE CHILD SEXUAL ABUSE Text Origin: Commission Proposal
Section 1				
143	Section 1 Risk assessment and mitigation obligations	Section 1 Risk assessment and mitigation obligations	Section 1 Risk assessment and mitigation obligations	Section 1 Risk assessment and mitigation obligations Text Origin: Commission Proposal
Article 3				
144	Article 3 Risk assessment	Article 3 Risk assessment	Article 3 Risk assessment	Article 3 Risk assessment Text Origin: Commission Proposal
Article 3(1)				
145	1.Providers of hosting services and providers of interpersonal communications services shall identify, analyse and assess, for each such service that they offer, the risk of use of the service for the purpose of online child sexual abuse.	1.Providers of hosting services and providers of ***number-independent*** interpersonal communications services shall identify, analyse and assess~~,~~ for each such service that they offer, the ***significant risk stemming, inter alia, from the design, functioning and*** ~~*risk of*~~ use of ~~*the service*~~***their services*** for the purpose of online child sexual abuse. ***That risk assessment shall be***	1.Providers of hosting services and providers of interpersonal communications services shall ***diligently*** identify, analyse and assess, for each such service that they offer ***in the Union***, the risk of use of the service for the purpose of online child sexual abuse.	1.Providers ~~*of hosting services and providers of interpersonal communications services*~~***referred to in paragraph 1a*** shall ***diligently*** identify, analyse and assess~~*, for each such service that they offer,*~~ the risk ~~*of*~~***stemming, inter alia, from the design, functioning and*** use of ~~*the service*~~***their services*** for the purpose of online child sexual abuse. ***That risk assessment shall be specific to***

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		specific to the services they offer and proportionate to the risk considering its severity and probability. To that end, providers subject to an obligation to conduct a risk assessment under Regulation (EU) 2022/2065 may draw on that risk assessment and complement it with a more specific assessment of the risks of the use of their services for the purpose of online child sexual abuse.		***the services they offer in the Union and shall gather information on the limitation of the risk to an identifiable part or component of the service where possible.*** Text Origin: EP Mandate
Article 3(1a)				
G 145a		***1a. Providers which are not substantially exposed to online child sexual abuse and which are not very large online platforms pursuant to Article 33 of Regulation (EU) 2022/2065 are exempted from these obligations provided for in this Article and Article 4.***		***1a. The risk assessment shall be conducted by:*** Trilogue (29.06.): Provisionally agreed.
Article 3(1a), point (a)				
G 145b				***(a) Providers of hosting services targeting children and providers of number-independent interpersonal communications services targeting children.***
Article 3(1a), point (b)				
G 145c				***(b) Providers of hosting services and of number-independent interpersonal communications services that are exposed to the risk***

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				of online child sexual abuse in accordance with paragraph 1b.
Article 3(1a)				
145d		***A hosting service provider or a number-independent interpersonal communication service provider is substantially exposed to online child sexual abuse and therefore subject to the obligation to conduct a risk assessment in accordance with this Article:***		***1b. Providers of hosting services and of number-independent interpersonal communications services are exposed to the risk of online child sexual abuse if:*** Text Origin: EP Mandate
Article 3(1a) point a				
145e		***(a) if it has received two removal orders in the previous 12 months;***		*deleted* Text Origin: EP Mandate
Article 3(1a) point b				
145f		***(b) from the moment the provider becomes aware of any information indicating potential online child sexual abuse on its services and submits, in accordance with Article 12, a report to the EU Centre; or***		***(a) they have reported potential online child sexual abuse on their services in accordance with Article 12; or*** Text Origin: EP Mandate
Article 3(1a) point c				
145g		***(c) from the moment the provider is notified by the national competent authority or by the EU Centre, in accordance with Article 49, of the presence of one or more specific items of known child sexual abuse material on its services***		***(b) they are notified of the presence of one or more specific items of known child sexual abuse material on their services by the Coordinating Authority in accordance with Article 32, or by the EU Centre in accordance with Article 49, or***

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				Text Origin: EP Mandate
Article 3(1b), point (d)				
145h				***(c) they received at least one order issued to them in accordance with Chapter II of this Regulation.***
Article 3(2)				
146	2.When carrying out a risk assessment, the provider shall take into account, in particular:	2.When carrying out a risk assessment, the provider shall take into account, in particular:	2.When carrying out a risk assessment, the provider shall take into account, in particular:	2.When carrying out a risk assessment, the provider shall take into account, in particular: Text Origin: Commission Proposal
Article 3(2), point (a)				
147	(a) any previously identified instances of use of its services for the purpose of online child sexual abuse;	(a) any previously identified instances of use of its services for the purpose of online child sexual abuse;	(a) any previously identified instances of use of its services for the purpose of online child sexual abuse;	(a) any previously identified instances of use of its services for the purpose of online child sexual abuse; Text Origin: Commission Proposal
Article 3(2), point (b)				
148	(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:	(b) the existence and implementation by the provider of a policy and the availability ***and effectiveness*** of functionalities ***and protocols to prevent and*** ~~to~~ address the risk referred to in paragraph 1, including through the following:	(b) the existence and implementation by the provider of a policy and the availability of functionalities to address the risk referred to in paragraph 1, including through the following:	(b) the existence and implementation by the provider of a policy and the availability ***and effectiveness*** of functionalities to ***prevent and*** address the risk ~~*referred to in paragraph 1*~~, including through the following ***measures***: Text Origin: EP Mandate
Article 3(2), point (b), first indent				
149	- prohibitions and restrictions laid	- prohibitions and restrictions laid	- prohibitions and restrictions laid	- prohibitions and restrictions laid

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	down in the terms and conditions;	down in the terms and conditions;	down in the terms and conditions;	down in the terms and conditions; Text Origin: Commission Proposal
Article 3(2), point (b), second indent				
G 150	- measures taken to enforce such prohibitions and restrictions;	- measures taken to enforce such prohibitions and restrictions ***and the amount of human and financial resources dedicated to address child sexual abuse material***;	- measures taken to enforce such prohibitions and restrictions;	- measures taken to enforce such prohibitions and restrictions; ITM (19.06.): Provisionally agreed. Moved last part from EP text to new line 150a. Text Origin: Commission Proposal
Article 3(2), point (b), third indent				
G 150a				***- human and financial resources dedicated to address online child sexual abuse;*** ITM (19.06.): Provisionally agreed. Moved from line 150.
Article 3(2), point (b), fourth indent				
G 150b		***- information and awareness campaigns educating and warning users of the risk of online child sexual abuse;***		***- age-appropriate information and awareness campaigns, promoting users' digital literacy and the safe use of the service, warning users of the risk of online child sexual abuse and providing information on where they can seek help, including a link to the online European Child Protection Platform established by this Regulation;*** ITM (19.06.): Provisionally agreed.

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				(merger of lines 150b, 153a and 151d). Text Origin: EP Mandate
Article 3(2), point (b), third indent				
151	- functionalities enabling age verification;	- functionalities enabling age verification;	- functionalities enabling age verification;	*deleted* *Trilogue (29.6.): Provisionally agreed to delete references to "age verification".* *Text Origin: Commission Proposal*
Article 3(2), point (b), third indent (a)				
151a		***- functionalities enabling meaningful and proportionate age-appropriate parental controls;***	***- functionalities enabling parental control or parental consent mechanisms;***	***- functionalities enabling parental control or parental consent mechanisms;*** Text Origin: Council Mandate
Article 3(2), point (b), third indent (b)				
151b		***- functionalities, according to Article 12 (3), enabling users to flag or notify potential online child sexual abuse to the provider***		*deleted* *ITM (19.06.): Provisionally agreed. Covered by 152a.* *Text Origin: EP Mandate*
Article 3(2), point (b), third indent (c)				
151c		***- the capacity of the provider, having regard to the state of the art, to meaningfully deal with those reports and notifications in a timely manner;***		*deleted* *ITM (19.06.): Provisionally agreed. Covered by 152a.*
Article 3(2), point (b), third indent (d)				

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G 151d		- ***systems and mechanisms that provide child- and user-friendly resources to ensure that children can seek help swiftly, including information on how to contact national hotlines, help-lines or national law enforcement;***		*deleted* *ITM (19.06.): Provisionally agreed. Covered in line 150b.* *Text Origin: EP Mandate*
Article 3(2), point (b), third indent (e)				
G 151e		- ***functionalities allowing to detect suspicious links, including those coming from the darknet.***		*deleted*
Article 3(2), point (b), fourth indent				
G 152	- functionalities enabling users to flag online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;	*deleted*	- functionalities enabling users to ~~*flag*~~***notify*** online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;	*deleted* *ITM (19.06.): Provisionally agreed. Covered in line 151b.*
Article 3(2), point (b), twelfth indent				
G 152a			- ***measures taken to ensure a robust and swift process to handle notified potential child sexual abuse;***	- ***measures taken to effectively and swiftly process potential child sexual abuse notified to them according to Article 12(3), having regard to the state of the art;*** ITM (19.06.): Provisionally agreed. (merger of lines 151b,c and 152a). Text Origin: Council Mandate
Article 3(2), point (b), thirteenth indent				
G 152b			- ***functionalities enabling the providers the compilation and generation of relevant statistical***	- ***functionalities enabling the providers to compile and generate relevant statistical information for***

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			information for assessment purposes.	***assessment purposes.*** Text Origin: Council Mandate
Article 3(2), point (c)				
153	(c) the manner in which users use the service and the impact thereof on that risk;	(c) the manner in which users use the service and the impact thereof on that risk;	(c) the manner in which users use the service and the impact thereof on that risk;	*deleted* Text Origin: Commission Proposal
Article 3(2), point (ca)				
153a			***(ca) age-appropriate measures taken by the provider to promote users' digital literacy and safe use of the service;***	*deleted* *ITM (19.06.): Provisionally agreed. Covered in line 150b.*
Article 3(2), point (d)				
154	*(d)* the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;	(d) the manner in which the provider designed and operates the service, including the ***design of their recommender systems and any relevant algorithmic systems, the*** business model, governance***, type of users targeted*** and relevant systems and processes, and the impact thereof on that risk;	(d) the manner in which the provider designed and operates the service, including the business model, governance and relevant systems and processes, and the impact thereof on that risk;	(d) the ~~*manner in which the provider designed and operates the service, including the business model, governance and relevant*~~***design of their content moderation and recommender*** systems and ***any relevant algorithmic systems used for their decision-making*** processes~~*, and the impact thereof on that risk;*~~***;*** Text Origin: EP Mandate
Article 3(2), point (da)				
154a			***(da) the availability of functionalities enabling users to share images or videos with other users, in particular through private***	*deleted* Text Origin: Council Mandate

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			communications, and of functionalities enabling the providers to assess how easily, quickly, and widely such material may be disseminated further by means of the service;	
Article 3(2), point (e)				
155	*(e)* with respect to the risk of solicitation of children:	(e) with respect to the risk of solicitation of children:	(e) with respect to the risk of solicitation of children:	(e) with respect to the risk of solicitation of children: Text Origin: Commission Proposal
Article 3(2), point (e)(-i)				
155a		***(ea) When carrying out a risk assessment, the provider may take into account any other functionality in accordance with the state of the art to address child sexual abuse.***		*deleted*
Article 3(2), point (e)(i)				
156	*(i)* the extent to which the service is used or is likely to be used by children;	(i) the extent to which the service is used or is likely to be used by children ***and the extent to which the service is directly targeting children***;	(i) the extent to which the service is used or is likely to be used by children;	(i) the extent to which the service is used or is likely to be used by children; Text Origin: Commission Proposal
Article 3(2), point (e)(ii)				
157	(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;	(ii) where the service is used ***or is likely to be used by children or directly targeting*** ~~by~~ children, the different age groups ***or likely age groups of children*** ~~of the child users~~ and the risk of solicitation of children in relation to those age	(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups;	(ii) where the service is used by children, the different age groups of the child users and the risk of solicitation of children in relation to those age groups; Text Origin: Council Mandate

eTexte OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		groups;		
Article 3(2), point (e)(iii)				
158	(iii)the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:	(iii)the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:	(iii)the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities:	(iii)the availability of functionalities creating or reinforcing the risk of solicitation of children, including the following functionalities: Text Origin: Commission Proposal
Article 3(2), point (e)(iii), first indent				
159	- enabling users to search for other users and, in particular, for adult users to search for child users;	- enabling users to search for other users***, including through search engines external to the service*** and, in particular, for adult users to search for ~~*child users*~~***children***;	- enabling users to search for other users and, in particular, for adult users to search for child users;	- enabling users to search for other users ~~*and, in particular, for adult users to*~~***who are children, including through online*** search ~~*for child users*~~***engines external to the service***; ITM (19.06.): Provisionally agreed.. Reference to CNS definition in 141a. Text Origin: EP Mandate
Article 3(2), point (e)(iii), second indent				
160	- enabling users to establish contact with other users directly, in particular through private communications;	- enabling users to ~~*establish*~~***initiate unsolicited*** contact with other users***, including children,*** directly, in particular through private communications;	- enabling users to establish contact with other users directly, in particular through private communications;	- enabling users to ~~*establish*~~***initiate unsolicited*** contact ***or to directly share unsolicited content*** with other users ~~*directly*~~***who are children***, in particular through private communications; Text Origin: EP Mandate
Article 3(2), point (e)(iii), third indent				
161	- enabling users to share images or videos with other users, in particular through private communications.	- enabling users to share ~~*images or videos*~~***unsolicited*** with other users, in particular through private	- ~~*enabling users to share images or videos with other users, in particular through private communications.*~~	*deleted* Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		communications~~.~~**:**		
Article 3(2), point (e)(iii), third indent (a)				
161a		**- *enabling users to indicate personal data in their usernames.***		*deleted*
Article 3(2), point (ea)				
161b		***(eb) When carrying out a risk assessment, the provider may take into account any other functionality in accordance with the state of the art to address child sexual abuse.***		*deleted* *ITM (19.06.): Provisionally agreed. Deleted as an open list is provided in line 148.* *Text Origin: EP Mandate*
Article 3(3), first subparagraph				
162	*3.*The provider may request the EU Centre to perform an analysis of representative, anonymized data samples to identify potential online child sexual abuse, to support the risk assessment.	3.The provider may request the EU Centre to perform an analysis of ~~*representative*~~***methodology for risk assessment, including, where appropriate, to perform a test on*** anonymized data samples ***made available to the EU Centre*** ~~*to identify potential online child sexual abuse*~~, to support the risk assessment.	3.The provider may request the EU Centre to perform an analysis of representative, anonymized data samples to identify potential online child sexual abuse, to support the risk assessment.	3.~~*The provider*~~***Providers referred to in paragraph 1a*** may request the EU Centre to perform an analysis of ***the methodology for the risk assessment, including, where appropriate, to perform a test on*** representative, ~~*anonymized*~~***anonymised*** data samples ***made available to the EU Centre*** ~~*to identify potential online child sexual abuse,*~~ to support the risk assessment. ***The EU Centre shall provide this support in a timely manner.*** ITM (19.06.): Provisionally agreed. Covers line 163a. Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
Article 3(3), first subparagraph a					
162a		***Neither the request referred to in the first subparagraph, nor the subsequent analysis that the EU Centre may perform thereunder, shall exempt the provider from its obligation to conduct the risk assessment in accordance with paragraphs 1 and 2 of this Article and to comply with any other obligations set out in this Regulation.***		***Neither the request referred to in the first subparagraph, nor the subsequent analysis that the EU Centre may perform thereunder, shall exempt the relevant providers from the obligation to conduct the risk assessment in accordance with paragraphs 1 and 2 of this Article and to comply with any other obligations set out in this Regulation.*** Text Origin: EP Mandate	G
Article 3(3), second subparagraph					
163	The costs incurred by the EU Centre for the performance of such an analysis shall be borne by the requesting provider. However, the EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise, provided the request is reasonably necessary to support the risk assessment.	The costs incurred by the EU Centre for the ~~*performance of such an analysis*~~***support of the risk assessment*** shall be borne by the requesting provider. However, the EU Centre ~~*shall*~~***may*** bear those costs where the provider is a micro, small or medium-sized enterprise~~, provided~~***. The EU Centre may reject*** the request ***where it is not***~~*is*~~ reasonably necessary to support the risk assessment ***or does not comply with available budgetary resources***. ***The EU Centre shall provide this support in a timely manner.***	The costs incurred by the EU Centre for the performance of such an analysis shall be borne by the requesting provider. However, the EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise, provided the request is reasonably necessary to support the risk assessment. ***The EU Centre shall make available information to providers to determine those costs.***	The costs incurred by the EU Centre for the ~~*performance of such an analysis*~~***support of the risk assessment*** shall be borne by the requesting provider. However, the EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise, ~~*provided the request is reasonably necessary to support the risk assessment*~~***unless they are designated as very large online platforms pursuant to Article 33 of Regulation (EU) 2022/2065***.	G
Article 3(3), second subparagraph a					
163a				***The EU Centre may reject a request for support that is not reasonably necessary or due to the lack of***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				resources.
Article 3(3), third subparagraph				
164	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs and the application of the exemption for micro, small and medium-sized enterprises.	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs and the application of the exemption for micro, small and medium-sized enterprises.	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs***, the information to be provided*** and the application of the exemption for micro, small and medium-sized enterprises.	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs and the application of the exemption for micro, small and medium-sized enterprises. Text Origin: Commission Proposal
Article 3(4), first subparagraph				
165	4.The provider shall carry out the first risk assessment by [Date of application of this Regulation + 3 months] or, where the provider did not offer the service in the Union by [Date of application of this Regulation], by three months from the date at which the provider started offering the service in the Union.	4.The provider shall carry out the first risk assessment by [Date of application of this Regulation + 3 months] or, where the provider did not offer the service in the Union by [Date of application of this Regulation], by three months from the date at which the provider started offering the service in the Union.	4.The provider shall carry out the first risk assessment by [Date of application of this Regulation + 3 months] or, where the provider did not offer the service in the Union by [Date of application of this Regulation], by three months from the date at which the provider started offering the service in the Union.	4.~~*The provider*~~***Providers referred to in point a of paragraph 1a*** shall carry out the first risk assessment by [Date of application of this Regulation + 3 months] or, where the provider did not offer the service in the Union by [Date of application of this Regulation], by three months from the date at which the provider started offering the service in the Union. ***Providers referred to in point b of paragraph 1a shall carry out the first risk assessment once exposed to online child sexual abuse in accordance with paragraph 1b, within four months after one or more of the conditions listed in paragraph 1b have been fulfilled.***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 3(4), second subparagraph				
166	Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment. However:	Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment. However:	Subsequently, the provider shall update the risk assessment where necessary and***, depending on the risk category determined in accordance with Article 5(2),*** at least once every three years ***for low-risk services, at least once every two years for medium-risk services and at least once every year for high-risk services*** from the date at which it last carried out or updated the risk assessment. However:	Subsequently, the provider shall update the risk assessment where necessary and at least once every three years from the date at which it last carried out or updated the risk assessment. However: Text Origin: Council Mandate
Article 3(4), second subparagraph, point (a)				
167	(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk assessment at the latest two months before the expiry of the period of application of the detection order;	(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk assessment at the latest two months before the expiry of the period of application of the detection order;	~~*(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk assessment at the latest two months before the expiry of the period of application of the detection order;*~~	(a) for a service which is subject to a detection order issued in accordance with Article 7, the provider shall update the risk assessment at the latest two months before the expiry of the period of application of the detection order; ITM (12.10.): subject to agreement on detection package. Linked to voluntary detection/detection orders Text Origin: Commission Proposal
Article 3(4), second subparagraph, point (b)				

OBTAINED BY FREEDOM OF INFORMATION ACT

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
168	(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is evidence indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse.	(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is evidence indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse.	(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is evidence***, including from Coordinating Authorities of other Member States or from providers offering low-risk or medium-risk services,*** indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse.	(b) the Coordinating Authority of establishment may require the provider to update the risk assessment at a reasonable earlier date than the date referred to in the second subparagraph, where there is evidence***, including from Coordinating Authorities of other Member States,*** indicating a possible substantial change in the risk that the service is used for the purpose of online child sexual abuse. Text Origin: Commission Proposal
Article 3(4), second subparagraph, point (ba)				
168a				***(ba) Providers of very large online platforms designated pursuant to Article 33 of Regulation (EU) 2022/2065 shall update the risk assessment once every year.***
Article 3(4a)				
168b			***4a. The risk assessment shall gather information on the limitation of the risk to an identifiable part or component of the service where possible, such as specific types of channels of an interpersonal communications service, or to specific users or specific groups or types of users where possible, to the extent that such part, component, specific users or specific groups or types of***	*deleted* *ITM (19.06.): Provisionally agreed. Covered in line 145.*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			users can be assessed in isolation for the purpose of mitigating the risk of online child sexual abuse.	
Article 3(5)				
169	*5.* The risk assessment shall include an assessment of any potential remaining risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse.	*deleted*	*5.* The risk assessment shall include an assessment of any potential remaining risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse.	5. The risk assessment shall include an assessment of any potential remaining risk that, after taking the mitigation measures pursuant to Article 4, the service is used for the purpose of online child sexual abuse***, identifying, as precisely as possible, the parts or components of the service, or the specific groups or types of users, in respect of which the potential remaining risk arises***. ITM (19.06.): Provisionally agreed. Merged with line 187b. Text Origin: Council Mandate
Article 3(6)				
170	6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.	6. The Commission, in cooperation with Coordinating Authorities and the EU Centre***,*** and after ***having consulted the European Data Protection Board and*** having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.	6. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.	6. The Commission, in cooperation with Coordinating Authorities and the EU Centre***, after having consulted the European Data Protection Board and the European Board for Digital Services*** and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1 to 5, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				are offered and used.
Article 3(6a)				
170a		***6a. Providers that qualify as small and micro enterprises as defined in Commission Recommendation 2003/361/EC shall carry out a simplified risk assessment by [date of application of this Regulation + 6 months] or, where the provider did not offer the service in the Union by [date of application of this Regulation], by six months from the date at which the provider started offering the service in the Union. The Commission shall be empowered to adopt delegated acts in accordance with Article 86 of this Regulation in order to provide practical support for micro and small enterprises for carrying out the simplified risk assessment.***		*deleted*
Article 3(6b)				
170b		***6b. Irrespective of their size or their substantial, exposure to online child sexual abuse, providers of online games that operate number-independent interpersonal communications service within their games, platforms primarily used for the dissemination of pornographic content and providers offering services directly targeting children shall carry out a risk assessment in accordance with***		*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Article 3(1) to (4).		
Article 4				
171	Article 4 Risk mitigation	Article 4 Risk mitigation	Article 4 Risk mitigation	Article 4 Risk mitigation Text Origin: Commission Proposal
Article 4(1), first subparagraph				
172	1.Providers of hosting services and providers of interpersonal communications services shall take reasonable mitigation measures, tailored to the risk identified pursuant to Article 3, to minimise that risk. Such measures shall include some or all of the following:	1.Providers of hosting services and providers of ***number-independent*** interpersonal communications services shall ~~*take*~~***put in place*** reasonable***, proportionate, targeted and effective*** mitigation measures, tailored to ***their specific services and*** the risk identified pursuant to Article 3~~*, to minimise that risk*~~***. The decision as to the choice of mitigation measures shall remain with the provider***. Such measures shall include some or all of the following:	1.***If*** providers of hosting services and providers of interpersonal communications services ***have identified a risk of the service being used for the purpose of online child sexual abuse pursuant to Article 3, they*** shall take ***all*** reasonable mitigation measures, tailored to ~~*the risk identified pursuant to Article 3, to*~~ ***that risk , to effectively*** minimise that risk. ***The risk mitigation measures shall be limited to an identifiable part or component of the service, or to specific users or specific groups or types of users, where possible, without prejudice to the effectiveness of the measure.*** Such measures shall ***at least*** include some or all of the following:	1.***If*** providers of hosting services ~~*and*~~***or*** providers of ***number-independent*** interpersonal communications services ***referred to in Article 3(1a) have identified a risk of the service being used for the purpose of online child sexual abuse in accordance with Article 3, they*** shall take reasonable***, proportionate and targeted*** mitigation measures, tailored to ~~*the risk identified pursuant to Article 3, to*~~***that risk, to effectively*** minimise ~~*that risk. Such*~~***it, and to effectively protect children from online child sexual abuse. The decision as to the choice of mitigation*** measures shall ~~*include some or all*~~***remain with the provider.*** ***Those measures shall be applied in a diligent and non-discriminatory manner and shall not restrict the possibility to use a service anonymously. Providers shall have due regard, in all circumstances, to***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				the potential consequences of those measures for the exercise of the ~~*following:*~~***fundamental rights of all parties affected.***
Article 4(1), second subparagraph				
Y 172a				***The measures referred to in the first subparagraph shall include some or all of the following, as relevant:*** ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Line to be deleted.
Article 4(1), second subparagraph, point (a)				
G 173	(a) adapting, through appropriate technical and operational measures and staffing, the provider's content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions;	(a) ***testing and*** adapting, through ***state of the art*** appropriate technical and operational measures and staffing, the provider's content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions***, including the speed, quality and effectiveness of processing notices and reports of alleged online child sexual abuse and, where appropriate, the expeditious removal of the child sexual abuse material***;	(a) adapting, through appropriate technical and operational measures and staffing, the provider's content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service, or the content or enforcement of its terms and conditions;	(a) ***testing and*** adapting, through ~~*appropriate*~~***state of the art*** technical and operational measures and staffing, the provider's content moderation or recommender systems, its decision-making processes, the operation or functionalities of the service~~*, or the content or enforcement of its terms and conditions*~~;
Article 4b(1), point (aa)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 173a		***(aa) adapting the design, features and functions of their services in order to ensure the highest level of privacy, safety, and security by design and by default. In particular, when the service is directly targeting children, providers shall include all of the following mitigation measures unless they are not technically feasible for the service:***		***(aa) adapting the design, features and functions of their services to ensure the highest level of privacy, safety, and security by design and by default.*** Text Origin: EP Mandate
Article 4(1), second subparagraph, point (ab)				
G 173b				*deleted* *Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.*
Article 4b(1), point (aa) i				
G *173c*		***i. limiting users, by default, to establish unsolicited contact with other users directly, in particular through private communications, by asking for user confirmation before allowing an unknown user to communicate and before displaying their communications;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.
Article 4b(1), point (aa) ii				
G 173d		***ii. limiting users, by default, to directly share unsolicited content with other users directly, in particular through private***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		communications;		and 181a.	
Article 4b(1), point (aa) iii					
G 173e		***iii. limiting users, by default, to directly share personal contact details with other users, such as phone numbers, home addresses and e-mail addresses, via pattern-based matching;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
Article 4b(1), point (aa) iv					
G 173f		***iv. providing meaningful and proportionate age-appropriate user-device-based parental control tools which allow parents or guardians to exercise appropriate control over children while respecting the fundamental rights and the confidentiality of communications of the child;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
Article 4b(1), point (aa) v					
G 173g		***v. encouraging children, prior to registering for the service, to talk to consult their parents about how the service works and what parental controls tools are available;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
Article 4b(1), point (aa) vi					
G 173h		***vi. providing readily accessible mechanisms for users to block or mute other users;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
Article 4b(1), point (aa) vii					

eTexte OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	173i	***vii. providing human moderation of publicly accessible chats, based on random checks, specific channels at high risk of online child sexual abuse;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
	Article 4b(1), point (aa) viii				
G	173j	***viii. limiting users, by default, to create screenshots or recordings within the service;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
	Article 4b(1), point (aa) ix				
G	173k	***ix. optionally or by default using purely on-device functionality under full user control, asking for user confirmation and offering guidance before displaying or sharing certain content such as nudity;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
	Article 4b(1), point (aa) x				
G	173l	***x. using purely on-device functionality under full user control, displaying warnings and advice to users at risk of offending or victimisation;***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G
	Article 4b(1), point (aa) xi				
G	173m	***xi. allowing, by default, that profiles on social networks are not publicly visible. Services not directly targeting children below thirteen years of age taking the measures outlined in this point may***		Trilogue (29.06.): Provisionally agreed. EP accepts deletion of lines 173b-m in exchange for the proposals in lines 181 and 181a.	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		allow users to revert such measures on an individual level.		
Article 4(1), second subparagraph, point (b)				
174	(b) reinforcing the provider's internal processes or the internal supervision of the functioning of the service;	(b) reinforcing the provider's internal processes or the internal supervision of the functioning of the service;	(b) reinforcing the provider's internal processes or the internal supervision of the functioning of the service;	(b) reinforcing the provider's internal processes or the internal supervision of the functioning of the service***, or the content or enforcement of its terms and conditions***; Text Origin: Commission Proposal
Article 4(1), second subparagraph, point (c)				
175	(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of interpersonal communication services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 19 of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] .	(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of ~~*hosting services or providers of interpersonal communication*~~***relevant information society*** services, public authorities***, hotlines, helplines***, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article ~~*19*~~***22*** of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] .*~~***2022/2065;***	(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of interpersonal ~~*communication*~~***communications*** services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article ~~*19*~~***22*** of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] .*~~***2022/2065 ;**	(c) initiating or adjusting cooperation, in accordance with competition law, with other providers of ~~*hosting services or providers of interpersonal communication*~~***relevant information society*** services, public authorities, civil society organisations***, including hotlines and helplines,*** or, where applicable, entities awarded the status of trusted flaggers in accordance with Article ~~*19*~~***22*** of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] .*~~***2022/2065;*** Text Origin: EP Mandate
Article 4(1), second subparagraph, point (ca)				
175a			***(ca) initiating or adjusting functionalities that enable users to***	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			notify online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;	*ITM (19.06.): Provisionally agreed. This is a mandatory condition already included under Article 12(3).* *Text Origin: Council Mandate*	
Article 4(1), second subparagraph, point (cb)					
G	*175b*		***(cb) initiating or adjusting functionalities that enable users to control what information about them is shared to other users and how other users may contact them, and introducing default suitable privacy settings for users who are children;***	*deleted*	G
Article 4(1), second subparagraph, point (cc)					
G	*175c*	***(ca) informing and reminding users and non-users, such as parents, about the risks related to the use of their services, the nature of the service and the functionalities offered, what constitutes online child sexual abuse and what is typical offender behaviour;***		***(cc) providing information to users on preventing online child sexual abuse, including a link to the online European Child Protection Platform established by this Regulation;***	G
Article 4(1), second subparagraph, point (cd)					
G	175d	***(cb) enabling users according to Article 12 to flag or notify potential online child sexual abuse to the provider;***		*deleted* *ITM (19.06.): provisionally agreed. This is a mandatory condition already included under Article 12(3).* *Line numbering is incorrect.*	G

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Article 4(1), second subparagraph, point (ce)					
G	*175e*		***(cc) initiating or adjusting functionalities that provide information to users about notification mechanisms and direct users to helplines and trusted organisations, where users detect material or conversations indicating potential online child sexual abuse;***	*deleted* *ITM (19.06.): Provisionally agreed. This information is already available through the platform created under this Regulation. Covered in line 175c.*	G
Article 4(1), second subparagraph, point (cf)					
G	*175f*		***(cd) initiating or adjusting functionalities that allow the providers to collect statistical data to better assess the risks and the effectiveness of the mitigation measures. This data shall not include any personal data;***	***(cf) initiating or adjusting functionalities that allow the providers to collect statistical data, excluding personal data, to better assess the risks and the effectiveness of the mitigation measures.*** Text Origin: Council Mandate	G
Article 4(1), second subparagraph, point (cg)					
G	175g	***(cc) reinforcing awareness-raising measures and adapting their online interface for increased in order to give user and child-friendly information about the risk of online child sexual abuse on its services;***		ITM (19.06.): Provisionally agreed. Covered in line 175c.	G
Article 4(1), second subparagraph, point (ch)					
G	175h		***(ce) carrying out voluntary activities under Regulation (EU) 2021/1232.***	*deleted*	G
Article 4(1), second subparagraph, point (ci)					

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
175i		***(cd) including clearly visible and identifiable information on the minimum age for using the service;***		***(ci) including clearly visible and identifiable information on the minimum age for using the service;***
Article 4(1), third subparagraph				
175j				***The mitigation measures may include carrying out own-initiative searches of online child sexual abuse in publicly accessible content. For this purpose, the EU Centre, upon request of providers, shall make available the relevant indicators from the database of indicators referred to in Article 44(1) and technologies in accordance with Article 50(1).*** ITM (12.10.) - subject to agreement on detection package.
Article 4(1), fourth subparagraph				
175k				***The mitigation measures may include carrying out own-initiative searches of [online] child sexual abuse [material] in content that is not publicly accessible, subject to the provisions set out in Article [Z].*** ITM (12.10.) - subject to agreement on detection package. Clarification in Art. Z that OIS will not lead to mandatory detection. (see also line 27)
Article 4(1), fourth subparagraph, point (a)				
175l		***(ce) Setting up mechanisms to raise awareness among users of any***		*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		potential infringement by them of this Regulation;		*ITM (19.06.): Provisionally agreed. The subject of this Regulation is providers of services; hence, users would not infringe this Regulation.*
Article 4(2)				
G *176*	*2.*The mitigation measures shall be:	2.The mitigation measures shall ~~be~~***meet all of the following requirements***:	2.The mitigation measures shall be:	*deleted* *ITM (19.06.): Provisionally agreed Moved to line 172.* G
Article 4(2), point (a)				
G *177*	*(a)* effective in mitigating the identified risk;	(a) ***they shall be*** effective ***and proportionate*** in mitigating the identified risk***, taking into account the characteristics of the service provided and the manner in which that service is used***;	(a) effective in mitigating the identified risk;	*deleted* *ITM (19.06.): Provisionally agreed. Covered in line 172.* G
Article 4(2), point (b)				
G *178*	*(b)* targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as the provider's financial and technological capabilities and the number of users;	(b) ***they shall be*** targeted and proportionate in relation to that risk, ~~*taking into account, in particular, the seriousness of the risk as well as*~~ the provider's financial ~~*and*~~***strength,*** technological ***and operational*** capabilities and the number of users ***and the amount of content that they provide***;	(b) targeted and proportionate in relation to that risk, taking into account, in particular, the seriousness of the risk as well as the provider's financial and technological capabilities and the number of users;	*deleted* *ITM (19.06.): Provisionally agreed. Covered in line 172.* G
Article 4(2), point (c)				
G *179*	*(c)* applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the	(c) ***they shall be*** applied in a diligent and non-discriminatory manner, having due regard, in all	(c) applied in a diligent and non-discriminatory manner, having due regard, in all circumstances, to the	*deleted* G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;	circumstances, to the potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;	potential consequences of the mitigation measures for the exercise of fundamental rights of all parties affected;	*ITM (19.06.): Provisionally agreed. Covered in line 172.*
Article 4(2), point (d)				
180	*(d)* introduced, reviewed, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), within three months from the date referred to therein.	(d) ***they shall be*** introduced, reviewed ***in light of their effectiveness and adapted in accordance with the state of the art***, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), ***as soon as possible and in any case*** within three months from the date referred to therein~~.~~ ***;***	(d) introduced, ***implemented,*** reviewed***, modified***, discontinued or expanded, as appropriate, each time the risk assessment is conducted or updated pursuant to Article 3(4), within three months from the date referred to therein.	*deleted* *ITM (19.06.): Provisionally agreed. Included in line 181c.*
Article 4(2), point (da)				
180a		***(da) they shall respect the principles of data protection by design and by default, as well as of data minimisation; and***		*deleted*
Article 4(2), point (db)				
180b		***(db) they shall not restrict the possibility to use a service anonymously.***		*deleted* *ITM (19.06.): Provisionally agreed. Moved to 172.*
Article 4(3)				
181	*3.*Providers of interpersonal communications services that have identified, pursuant to the risk	3.Providers of interpersonal communications services that have identified, pursuant to the risk	3.Providers of interpersonal communications services that have identified, pursuant to the risk	~~3~~***2. In addition to the measures referred to in paragraph 1,*** providers of ***hosting services***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.	assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, ~~*shall*~~***may*** take the necessary ***and proportionate*** age verification ~~*and age assessment*~~ measures to reliably identify ~~*child users*~~***children*** on their services, enabling them to take the mitigation measures.	assessment conducted or updated in accordance with Article 3, a risk of use of their services for the purpose of the solicitation of children, shall take**,** the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the mitigation measures.	***targeting children and providers of number-independent*** interpersonal communications services ***targeting children, and other providers of number-independent interpersonal communications services or providers of hosting services referred to in Article 3(1a)*** that have identified~~*, pursuant to the risk assessment conducted or updated in accordance with Article 3,*~~ a risk of ~~*use of their services*~~***the service being used*** for the purpose of the solicitation of children ***in accordance with Article 3***, shall take the ~~*necessary age verification and age assessment*~~***following*** measures ~~*to reliably identify child users on their services, enabling them to take the mitigation measures.*~~***, where relevant:*** ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate
Article 4(3), point (a)				
G 181a			***Those age verification and age assessment measures shall be privacy preserving, respecting the principles relating to the processing of personal data, notably the principles of lawfulness, purpose limitation and data minimisation,***	***(a) limiting users, by default, to establish unsolicited contact with other users directly, by asking for user confirmation before allowing an unknown user to communicate and before displaying their communications;*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			be proportionate, transparent, effective, accurate, non-discriminatory, accessible and take as a primary consideration the best interest of the child.	Trilogue (29.06.): Provisionally agreed. Content spread over lines 181a-i for formatting purposes.	
Article 4(3), point (b)					
G 181b				***(b) limiting users, by default, to directly share unsolicited content with other users;***	G
Article 4(3), point (c)					
G 181c				***(c) providing user-device-based parental control tools which allow parents or guardians to exercise appropriate control over children while respecting their fundamental rights, in particular the confidentiality of their communications;***	G
Article 4(3), point (d)					
G 181d				***(d) providing readily accessible mechanisms for users to block or mute other users;***	G
Article 4(3), point (e)					
G 181e				***(e) ensure that by default no account can download or take screenshots of contact, location or account information, or content shared by minors in the service;***	G
Article 4(3), point (f)					
G 181f				***(f) using purely on-device functionality under full user***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				control, asking for user confirmation and offering guidance before displaying or sharing certain content such as nudity;
Article 4(3), point (g)				
181g				***(g) using purely on-device functionality under full user control, displaying warnings and advice to users at risk of offending or victimisation;***
Article 4(3), point (h)				
181h				***(h) informing and reminding users and non-users, such as parents, about the risks related to the use of their services, the nature of the service and the functionalities offered, what constitutes online child sexual abuse and what is typical offender behaviour;***
Article 4(3), point (i)				
181i				***(i) initiating or adjusting functionalities that enable users to control what information about them is shared with other users and how other users may contact them, and introducing suitable default privacy settings for users who are children.***
Article 4(2a)				
181j				*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed to exclude age verification measures from this Regulation.
Article 4(2b)				
181k				***3.Each time the risk assessment is conducted or updated pursuant to Article 3(4), the mitigation measures referred to in this Article shall be introduced, adapted or discontinued, as appropriate, without undue delay.*** ITM (19.06.): Provisionally agreed. Moved from line 176.
Article 4(2c), first subparagraph				
181l			***3a. Providers of hosting services and providers of interpersonal communications services may request the EU Centre to assist in identifying and assessing technical aspects of specific mitigation measures referred to in paragraphs 1, 2 and 3.***	***3a. Providers of services referred to in Article 3(1a) may request the EU Centre to assist in identifying and assessing technical aspects of specific mitigation measures referred to in this Article. The EU Centre shall provide this support in a timely manner.*** ITM (19.06.): Provisionally agreed. See lines 162 to 164. Text Origin: Council Mandate
Article 4(2c), second subparagraph				
181m			***The costs incurred by the EU Centre for providing such assistance shall be borne by the requesting provider. However, the***	***The costs incurred by the EU Centre for providing such assistance shall be borne by the requesting provider. However, the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise, provided the request is reasonably necessary to support the identification and assessment of mitigation measures. The EU Centre shall make available information to determine those costs.	***EU Centre shall bear those costs where the provider is a micro, small or medium-sized enterprise, unless they are designated as very large platforms pursuant to Article 33 or Regulation (EU) 2022/2065, provided the request is reasonably necessary to support the identification and assessment of mitigation measures. The EU Centre may reject a request for support that is not reasonably necessary or due to the lack of resources.*** ITM (19.06.): Provisionally agreed. See lines 162 to 164. Text Origin: Council Mandate
Article 4(2c), third subparagraph				
G 181n			***The assistance provided by the EU Centre shall not affect the responsibility of the provider to comply with the requirements applicable to the mitigation measures and for any decisions it may take in connection to or as a result of the application of those measures.***	***Neither the request referred to in the first subparagraph, nor the subsequent assistance that the EU Centre provides thereunder, shall exempt the relevant providers from the obligation to take risk mitigation measures in accordance with this Article or affect their responsibility for any decisions taken in connection to or as a result of the application of those measures.*** ITM (19.06.): Provisionally agreed. See lines 162 to 164. G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 4(2c), fourth subparagraph				
181o			***The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs, the information to be provided and the application of the exemption for micro, small and medium-sized enterprises.***	***The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules on the determination and charging of those costs, the information to be provided and the application of the exemption for micro, small and medium-sized enterprises.*** ITM (19.06.): Provisionally agreed. See lines 162 to 164. Text Origin: Council Mandate
Article 4 3(a) point a				
181p		***3a When providers put forward age verification systems, they shall meet the following criteria:***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4 3(a) point a, a				
181q		***(a) Protect the privacy of users and do not disclose or process data gathered for the purposes of age verification for any other purpose;***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4 3(a) point a, b				
181r		***(b) Not collect any data other than the age of the user for the purposes of age verification;***		*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, c				
181s		***(c) Not retain personal data on the age verification process after its completion;***		deleted Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, d				
181t		***(d) Be proportionate to the risks associated to the product or service that presents a risk of misuse for child sexual abuse;***		deleted Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, e				
181u		***(e) Provide appropriate remedies and redress mechanisms for users whose age is wrongly identified;***		deleted Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, f				
181v		***(f) Allow selective disclosure of attributes;***		deleted Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, g				
181w		***(g) Use zero-knowledge protocol;***		deleted Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, h				
181x		***(h) Allow users to use anonymous accounts;***		deleted

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed.
Article 4 3(a) point a, i				
181y		***(i) Not require the identification of each user of a service;***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4 3(a) point a, j				
181z		***(j) Not retain personal data on the age verification process after its completion;***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4 3(a) point a, k				
181aa		***(k) Not require the processing of biometric data.***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4(4)				
182	*4.*Providers of hosting services and providers of interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.	4.Providers of hosting services and providers of ***number-independent*** interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken. That description shall not include information that may reduce the effectiveness of the mitigation measures.	4.Providers of hosting services and providers of interpersonal communications services shall clearly describe in their terms and conditions the mitigation measures that they have taken ***including, if applicable, the age verification and age assessment measures***. That description shall not include information that may reduce the effectiveness of the mitigation measures.	4.Providers ~~*of hosting services and providers of interpersonal communications services*~~***that have taken measures pursuant to this Article*** shall clearly describe in their terms and conditions the mitigation measures that they have taken~~*. That description shall not include information that may*~~ ***in a way that does not*** reduce ~~*the*~~***their*** effectiveness~~*of the mitigation measures*~~. Text Origin: Council Mandate
Article 4(5)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
183	5.The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.	5.The Commission, in cooperation with Coordinating Authorities and the EU Centre and after ***having consulted the European Data Protection Board and*** having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.	5.The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2, 3 and 4, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used.	5.The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having ***consulted the European Data Protection Board and the European Board for Digital Services and after having*** conducted a public consultation, ~~may~~***shall, by [date - 12 months from the date of entry into force of this Regulation],*** issue guidelines on the application of ~~*paragraphs 1, 2, 3 and 4*~~***this Article***, having due regard in particular to relevant technological developments and in the manners in which the services covered by those provisions are offered and used. Text Origin: EP Mandate
Article 4 5(a)				
183a		***5.a The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having consulted the European Data Protection Board shall, by [date - 12 months from the date of entry into force of this Regulation], issue guidelines on how providers may implement age verification or age assessment measures on application of paragraph (3a), based on selective disclosure of attributes and zero-knowledge protocol.***		*deleted* *Text Origin: EP Mandate*
Article 4(a)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 183b		***Article 4a*** ***Mitigation measures for platforms primarily used for the dissemination of pornographic content***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*
Article 4(a) first paragraph				
G 183c		***1.Where an online platform is primarily used for the dissemination of pornographic content, the platform shall take the necessary technical and organizational measures to ensure:***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*
Article 4(a) first paragraph a				
G 183d		***(a) functionalities according to Article 12(3) enabling users to flag or notify potential online child sexual abuse;***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4(a) first paragraph b				
G 183e		***(b) adequate professional human content moderation to rapidly process notices of potential child sexual abuse material;***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*
Article 4(a) first paragraph c				
G 183f		***(c) automatic mechanisms and interface design elements to inform users about external resources in the user's region on preventing child sexual abuse, counselling by specialist helplines, victim support and educational resources by***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		hotlines and child protection organizations;		
Article 4(a) first paragraph d				
183g		***(d) automatic detection of searches for child sexual abuse material, warning and advice alerts displayed to users doing such searches, and flagging of the search and the user for human moderation;***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*
Article 4(a) first paragraph e				
183h		***(e) functionalities enabling age verification that meet the criteria of Article 4a (new) of this Regulation.***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*
Article 4(b)				
183i		***Article 4b*** ***Mitigation measures for number-independent interpersonal communications service within games***		*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 4(b) first paragraph				
183j		***1.Providers of online games that operate number-independent interpersonal communications service within their games, shall take all of the following mitigation measures in addition to the requirements referred to in Articles 3 and 4:***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*
Article 4(b) first paragraph 1				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
183k		***(a) prevent users from initiating unsolicited contact with other users;***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*	
Article 4(b) first paragraph 2					
183l		***(b) facilitate functionalities according to Article 12(3) enabling users to flag or notify potential online child sexual abuse;***		*deleted* *Trilogue (29.06.): Provisionally agreed.*	
Article 4(b) first paragraph 3					
183m		***(c) provide technical measures and tools that allow users to manage their own privacy, visibility, reachability and safety and that are set to the most private and secure levels by default;***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*	
Article 4(b) first paragraph 4					
183n		***(d) provide tools in a prominent way on their platform that allow users or their guardians or legal representatives and potential victims to seek help from their local helpline.***		*deleted* *Trilogue (29.06.): Provisionally agreed.* *Text Origin: EP Mandate*	
Article 5					
184	Article 5 Risk reporting	Article 5 Risk reporting	Article 5 Risk reporting ***and categorisation***	Article 5 Risk reporting *Text Origin: EP Mandate*	
Article 5(1)					
185	1.Providers of hosting services and	1.Providers of hosting services and	1.Providers of hosting services and	1.Providers of ~~*hosting*~~ services ~~*and*~~	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	providers of interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:	providers of ***number-independent*** interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report specifying the following:	providers of interpersonal communications services shall transmit, by three months from the date referred to in Article 3(4), to the Coordinating Authority of establishment a report ~~*specifying*~~ ***including*** the following:	~~*providers of interpersonal communications services*~~***referred to in Article 3(1a)*** shall transmit, by three months from the date referred to in Article 3(4), ***simultaneously*** to the Coordinating Authority of establishment ***and the EU Centre and, in case of very large online platforms pursuant to Article 33 of Regulation (EU) 2022/2065, to the Commission,*** a report ***including at least*** specifying the following: Text Origin: EP Mandate
Article 5(1), point (a)				
186	(a) the process and the results of the risk assessment conducted or updated pursuant to Article 3, including the assessment of any potential remaining risk referred to in Article 3(5);	(a) the process and the results of the risk assessment conducted or updated pursuant to Article 3~~, *including the assessment of any potential remaining risk referred to in Article 3(5)*~~;	(a) ***the premise for the risk assessment pursuant to Article 3(2),*** the process and the results of the risk assessment conducted or updated pursuant to Article 3, including the assessment of any potential remaining risk referred to in Article 3(5);	(a) ***the premise for the risk assessment pursuant to Article 3(2),*** the process and the results of the risk assessment conducted or updated pursuant to Article 3, including the assessment of any potential remaining risk referred to in Article 3(5); Text Origin: Council Mandate
Article 5(1), point (b)				
187	(b) any mitigation measures taken pursuant to Article 4.	(b) any mitigation measures taken pursuant to Article 4.	(b) any mitigation measures taken pursuant to Article 4~~.~~ ***and, where applicable, Article 27(2), and an assessment thereof including the effectiveness of those measures and how they comply with the requirements of Article 4(2), and, in case of age assessment and***	(b) any mitigation measures taken pursuant to Article 4. Text Origin: Commission Proposal

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			verification measures, how they comply with the requirements of Article 4(3);	
Article 5(1), point (ba)				
187a			***(ba) any other mitigation measures implemented before carrying out the risk assessment and, when available, complementary information about the effectiveness of those measures;***	*deleted*
Article 5(1), point (bb)				
187b			***(bb) where potential remaining risk as referred to in Article 3(5) is identified, any available information relevant for identifying, as precisely as possible, the parts or components of the service, or the specific users or groups or types of users, in respect of which the potential remaining risk arises;***	*deleted* *ITM (19.06.): Provisionally agreed. The risk assessment of parts or components of a service is included in line 145 and the reference to remaining risk is included in line 169.*
Article 5(1), point (bc)				
187c			***(bc) a self-assessment against the criteria established for the categorisation of risks of the service or the parts or components of the service, following the template established in accordance with Article 5(2a).***	*deleted*
Article 5(1), point (bd)				
187d			***The report shall include available statistical information to support***	***(c) any available statistical information to support the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			and illustrate the development and effectiveness of mitigation measures.	***development and demonstrate the effectiveness of mitigation measures.*** ITM (19.06.): Provisionally agreed. Linked to line 152b. Text Origin: Council Mandate
Article 5(2)				
188	2.Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been carried out or updated and the mitigation measures have been taken in accordance with the requirements of Articles 3 and 4.	2.Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been carried out or updated and the mitigation measures have been taken in accordance with the requirements of Articles 3 and 4.	2.Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been ***diligently*** carried out or updated and the mitigation measures have been taken in accordance with the requirements of Articles 3 and 4***, and evaluate the remaining risk***.	2.Within three months after receiving the report, the Coordinating Authority of establishment shall assess it and determine, on that basis and taking into account any other relevant information available to it, whether the risk assessment has been ***diligently*** carried out or updated and the mitigation measures have been taken in accordance with the requirements of Articles 3 and 4. Text Origin: Council Mandate
Article 5(2a)				
188a			***Based on the evaluation of the remaining risk and taking into account the self-assessment carried out by the providers of hosting services and providers of interpersonal communications services against the criteria established for the categorisation of risks, the Coordinating Authority of establishment shall determine the risk category allocated to the***	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			service or the parts or components of the service, following the methodology and criteria established in accordance with Article 5(2a).	
Article 5(2b)				
188b			***The service or the parts or components of the service shall be classified into the following categories:***	*deleted*
Article 5(2b), point (a)				
188c			***(a) High risk;***	*deleted*
Article 5(2b), point (b)				
188d			***(b) Medium risk;***	*deleted*
Article 5(2b), point (c)				
188e			***(c) Low risk.***	*deleted*
Article 5(2b), point (d)				
188f			***The decision of the Coordinating Authority of establishment determining the risk category, including the date by when the provider is required to update the risk assessment, shall be communicated to the providers concerned, recorded by the***	*deleted*

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			Coordinating Authority of establishment and notified to the EU Centre.	
Article 5(2b), point (e)				
188g			***The Coordinating Authority of establishment may request the EU Centre to assist in evaluating the mitigation measures taken by the provider and the remaining risk and in determining the risk category allocated to the service or the parts or components of the service.***	*deleted*
Article 5(2a), first subparagraph				
188h			***2a. The methodology and the criteria for the risk categorisation shall enable an objective, transparent and comprehensible classification of the risks of services related to child sexual abuse based on the scoring of risk indicators as follows:***	*deleted*
Article 5(2a), first subparagraph, point (a)				
188i			***(a) the template for the self-assessment of providers shall be issued in different versions taking into account the size and the type of the services offered by the providers as indicated in Annex XIV;***	*deleted*
Article 5(2a), first subparagraph, point (b)				
188j			***(b) the scoring shall be based on the following criteria: the type and***	*deleted*

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement	
						core architecture of the service, the policies and safety by design functionalities in place to address the identified risks and a mapping of user tendencies;			
Article 5(2a), first subparagraph, point (c)									
G	*188k*					***(c) the risk criteria shall be broken down in risk indicators as outlined in the list of risk indicators included in Annex XIV;***		*deleted*	G
Article 5(2a), first subparagraph, point (d)									
G	*188l*					***(d) the risk indicators shall be weighted in a transparent and understandable manner according to their impact on the risks of a service related to child sexual abuse based on the methodology and criteria laid down in Annex XIV;***		*deleted*	G
Article 5(2c), first subparagraph, point (e)									
G	*188m*					***(e) the result of the scoring shall be quantitative and comparable, and provide for a classification into high-risk, medium-risk and low-risk services.***		*deleted*	G
Article 5(2a), second subparagraph									
G	*188n*					***The Commission shall be empowered to adopt delegated acts in accordance with Article 86 to detail and amend Annex XIV laying down the methodology and criteria for the risk categorisation in line with this paragraph, and to***		*deleted*	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			establish and amend the template for the self-assessment by providers.	
Article 5(2b)				
188o			***2b. Where the Coordinating Authority of establishment considers that the remaining risk, evaluated in accordance with paragraphs 2 and 2a, is significant in relation to the possible misuse of a high-risk service for child sexual abuse, it shall notify the provider accordingly, without undue delay. Upon that notification, the provider shall, in cooperation with the EU Centre pursuant to Article 50(1a), take the necessary measures to effectively contribute to the development of the relevant technologies to mitigate the risk of child sexual abuse identified on their services. Such contribution shall be commensurate with the financial, technical, and operational capacities of the provider.***	*deleted*
Article 5(3), first subparagraph				
189	*3.*Where necessary for that assessment, that Coordinating Authority may require further information from the provider, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than two weeks.	3.Where necessary for that assessment, that Coordinating Authority may ~~*require further information from the provider, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than two weeks.*~~ ***:***	3.Where necessary for that assessment, that Coordinating Authority may require further information from the provider, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than two weeks.	3.Where necessary for that assessment, that Coordinating Authority may ***carry out consultations with that provider or*** require further information from the provider~~*, within a reasonable time*~~ ***to determine whether the requirements of Articles 3 and 4***

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				have been met. The consultation period ***or the period to provide the requested information shall be*** set by ~~*that*~~***the*** Coordinating Authority. ~~*That time period shall not be longer than two weeks.*~~ Text Origin: Commission Proposal
Article 5(3), first subparagraph a				
G 189a		***(a) carry out the consultations with the provider that it may deem necessary to determine whether the requirements of Articles 3 and 4 have been met;***		*deleted* G
Article 5(3), first subparagraph b				
G *189b*		***(b) require further information and clarification from the provider within a reasonable time period set by that Coordinating Authority which shall not be longer than two weeks;***		*deleted* G
Article 5(3), first subparagraph c				
G *189c*		***(c) request the EU Centre, the competent data protection authorities, another national public authority or relevant experts or entities to provide the necessary additional information.***		***Where necessary for that assessment, that Coordinating Authority may also request the EU Centre to provide any relevant information that it has obtained while providing assistance to the provider in accordance with Article 3(3) and Article 4(3b).*** Text Origin: EP Mandate G
Article 5(3), second subparagraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
190	The time period referred to in the first subparagraph shall be suspended until that additional information is provided.	*deleted*	The time period referred to in ~~*the first subparagraph*~~ ***paragraph 2*** shall be suspended until that additional information is provided.	The time period referred to in the first subparagraph shall be suspended until that additional information is provided.
Article 5(4)				
191	4. Without prejudice to Articles 7 and 27 to 29, where the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall require the provider to re-conduct or update the risk assessment or to introduce, review, discontinue or expand, as applicable, the mitigation measures, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than one month.	4. Without prejudice to Articles 7 and 27 to 29, where ***the Coordinating Authorithy of establishment considers that*** the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall ~~*require*~~***have the power to address a reasoned decision to*** the provider ***requiring it*** to re-conduct or update the risk assessment or to ~~*introduce, review, discontinue or expand, as applicable, the*~~***take the necessary*** mitigation measures ***so as to ensure that Articles 3 and 4 are complied with***, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than one month.	~~*4. Without prejudice to Articles 7 and 27 to 29, where the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall require the provider to re-conduct or update the risk assessment or to introduce, review, discontinue or expand, as applicable, the mitigation measures, within a reasonable time period set by that Coordinating Authority. That time period shall not be longer than one month.*~~	4. Without prejudice to ~~*Articles*~~ ***Article [***7 and***]*** 27 ~~*to 29*~~, where ***the Coordinating Authority of establishment considers that*** the requirements of Articles 3 and 4 have not been met, that Coordinating Authority shall ~~*require*~~***have the power to address a reasoned decision to*** the provider***, requiring it*** to re-conduct or update the risk assessment ~~*or to introduce, review, discontinue or expand, as applicable, the mitigation measures,*~~ within a reasonable time period set by that Coordinating Authority ~~*. That time period*~~ ***which*** shall not be longer than one month. ITM (12.10.): subject to agreement on detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 5(4a)				
191a		***4a. The provider may, at any time, request the Coordinating Authority***		***4a. The provider may, at any time, request the Coordinating Authority***

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		of establishment to review and, where appropriate, amend or revoke a decision as referred to in paragraph 4. The Coordinating Authority shall, within three months of receipt of the request, adopt a reasoned decision on the request based on objective factors and notify the provider of that decision.		***of establishment to review and, where appropriate, amend or revoke a decision as referred to in paragraph 4. The Coordinating Authority shall, within three months of receipt of the request, adopt a reasoned decision on the request based on objective factors and notify the provider of that decision.*** Text Origin: EP Mandate
Article 5(4b)				
191b		***4b. Where the requirements of Articles 3 and 4 are met, the Coordinating Authority shall issue a positive opinion, which shall be transmitted to the EU Centre and taken into account prior to any decision pursuant to Article 7.***		*deleted*
Article 5(5)				
192	*5.*Providers shall, when transmitting the report to the Coordinating Authority of establishment in accordance with paragraph 1, transmit the report also to the EU Centre.	5.~~*Providers shall, when transmitting the report to*~~ The Coordinating Authority of establishment ~~*in accordance with paragraph 1,*~~***shall*** transmit the report ~~*also*~~***referred to in paragraph 1*** to the EU Centre***, as well as any further information resulting from paragraph 3 and, where applicable, the positive opinion issued according to paragraph 4c***.	5.Providers shall, when transmitting the report to the Coordinating Authority of establishment in accordance with paragraph 1, transmit the report also to the EU Centre.	*deleted* Text Origin: Commission Proposal
Article 5(6)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
193	*6.*Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the assessment referred to in Article 6(2). Where necessary, they may remove confidential information from the reports.	6.Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the ~~*assessment referred to*~~***compliance with the obligations set out*** in Article ~~*6(2)*~~***6***. Where necessary, they may remove confidential information from the reports.	6.Providers shall, upon request, transmit the report to the providers of software application stores, insofar as necessary for the assessment referred to in Article 6(2). Where necessary, they may remove confidential information from the reports.	*deleted*
Article 6				
194	Article 6 Obligations for software application stores	Article 6 Obligations for software application stores	Article 6 Obligations for software application stores	Article 6 Obligations for software application stores Text Origin: Commission Proposal
Article 6(1)				
195	1.Providers of software application stores shall:	1.Providers of software application stores ***considered as gatekeepers under the Regulation (EU) 2022/1925*** shall***, based on the information provided by the providers of software applications***:	1.Providers of software application stores shall:	1.Providers of software application stores ***designated as gatekeepers pursuant to Article 3 of Regulation (EU) 2022/1925*** shall***, for the purpose of preventing the solicitation of children***:
Article 6(1), point (a)				
196	(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;	(a) ~~*make reasonable efforts to assess, where possible together with the providers*~~***indicate that the provider*** of software ~~*applications, whether each service offered through*~~***application does not permit its use by children or that*** the software ~~*applications that they intermediate presents a risk of being*~~	(a) make reasonable efforts to assess, where possible together with the providers of software applications, whether each service offered through the software applications that they intermediate presents a risk of being used for the purpose of the solicitation of children;	(a) ~~*make reasonable efforts to assess*~~***ensure that each software application made available through their service is classified***, where possible ~~*together*~~***in cooperation*** with the ~~*providers of software applications, whether each service offered through*~~***provider of*** the software ~~*applications that they*~~

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		~~used for the purpose of the solicitation of children~~**application has an age rating model in place**;		~~intermediate presents a risk of being used for the purpose of the solicitation of children~~**application, as to the minimum suitable age for using the app**;
Article 6(1), point (b)				
197	(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;	(b) ~~take~~**when, according to Union law, parental consent is required for children to access the sofware application, make** reasonable ~~measures to prevent~~**efforts to verify that the consent is given or authorised by the holder of parental responsibility over the** child ~~users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;~~**, taking into consideration the available technology.**	(b) take reasonable measures to prevent child users from accessing the software applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children;	(b) ~~take reasonable measures to prevent child users from accessing~~**display** the software ~~applications in relation to which they have identified a significant risk of use of the service concerned for the purpose of the solicitation of children~~**application's minimum suitable age prominently and in a manner readily understandable, including to the parent or guardian**;
Article 6(1), point (c)				
198	(c) take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).	*deleted*	*(c)* take the necessary age verification and age assessment measures to reliably identify child users on their services, enabling them to take the measures referred to in point (b).	*deleted* *Trilogue (29.06.): Provisionally agreed to delete age verification measures.*
Article 6(1), point (ca)				
198a			**The measures under point (c) of the first subparagraph shall be privacy preserving, proportionate, transparent, effective, accurate,**	*deleted* *Trilogue (29.6.): Provisionally agreed to*

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			non-discriminatory, accessible and take as a primary consideration the best interest of the child.	*delete references to "age verification".*
Article 6(2)				
199	*2.*In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.	2.~~*In assessing the risk referred to in paragraph 1,*~~***Providers of software application stores considered as gatekeepers under the Regulation (EU) 2022/1925 may, when*** the provider ~~*shall take into account all the available information*~~***of software application has indicated to the provider of software application store that it does not permit its use by children, take additional measures to implement those restrictions on children***, including ~~*the results of the risk assessment conducted or updated pursuant to*~~***reasonable measures to prevent children from accessing those software applications. When putting in place age verification systems, providers of software application stores shall meet the criteria set out in*** Article ~~*3*~~***4 (3a) of this Regulation***.	2.In assessing the risk referred to in paragraph 1, the provider shall take into account all the available information, including the results of the risk assessment conducted or updated pursuant to Article 3.	*deleted*
Article 6(3)				
200	*3.*Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description	3.~~*Providers of*~~***Where software application stores take measures under this Article, those*** software application stores shall ~~*make publicly available information describing the process and criteria*~~	3.Providers of software application stores shall make publicly available information describing the process and criteria used to assess the risk and describing the measures referred to in paragraph 1. That description	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	shall not include information that may reduce the effectiveness of the assessment of those measures.	~~used to assess the risk and describing the measures referred to in paragraph 1~~**not be exempted from the obligations set out in this Regulation**.~~ That description shall not include information that may reduce the effectiveness of the assessment of those measures.~~	shall not include information that may reduce the effectiveness~~ of the assessment~~ of those measures.	
Article 6(4)				
201	*4.*The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.	4.The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having **consulted the European Data Protection Board and after having** conducted a public consultation, may issue guidelines on the application of ~~paragraphs 1, 2 and 3,~~**paragraph 1 and 2** having due regard in particular to relevant technological developments and to the manners in which the services covered by ~~those provisions~~**that provision** are offered and used.	4.The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraphs 1, 2 and 3, having due regard in particular to relevant technological developments and to the manners in which the services covered by those provisions are offered and used.	~~4~~**2**. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having **consulted the European Data Protection Board and having** conducted a public consultation, may issue guidelines on the application of ~~paragraphs 1, 2 and 3,~~**paragraph 1** having due regard in particular to relevant technological developments and to the manners in which the services covered by ~~those provisions~~**that provision** are offered and used.
Section 2				
202	Section 2 Detection obligations	Section 2 Detection obligations	*deleted*	*Section 2* Detection obligations ITM (12.10.) – Section 2 (lines 202-297) for provisional agreement subject to agreement on the detection package. Text Origin: Commission Proposal
Article 7				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
203	Article 7 Issuance of detection orders	Article 7 Issuance of detection orders	*deleted*	Article 7 Issuance of detection orders ***for content that is publicly accessible*** Text Origin: Commission Proposal
Article 7(1)				
204	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a detection order requiring a provider of hosting services or a provider of interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect online child sexual abuse on a specific service.	1.The Coordinating Authority of establishment shall have the power, ***as a last resort after all the measures in Article 3, 4 and 5 have been exhausted,*** to request the competent judicial authority of the Member State that designated it ~~*or another independent administrative authority of that Member State*~~ to issue a detection order requiring a provider of hosting services or a provider of ***number-independent*** interpersonal communications services under the jurisdiction of that Member State to take the measures specified in Article 10 to detect ~~*online*~~ child sexual abuse ***material*** on a specific service. ***The detection order shall be targeted, specified and limited to individual users, a specific group of users, either as such or as subscribers to a specific channel of communication, in respect of whom there are reasonable grounds of suspicion for a link, even an indirect one, with child sexual abuse material as defined in Article 2. Interpersonal***	*deleted*	1.The Coordinating Authority of establishment shall have the power to request ~~*the competent*~~***a*** judicial authority ~~*of the Member State that designated it or another*~~***or an*** independent administrative authority of ~~*that*~~***its*** Member State to issue ~~*a detection*~~***an*** order requiring a provider of hosting ~~*services or a provider of interpersonal communications*~~ services under the jurisdiction of that Member State to ~~*take the measures specified in Article 10 to*~~ detect ~~*online*~~***known*** child sexual abuse ***material on a part of its*** ~~*on a specific*~~ service ***that contains only content that is publicly accessible ('detection orders for content that is publicly accessible') using indicators from the databases operated by the EU Centre pursuant to Article 44 (1), point (a) and technologies for detection that fulfil the requirements of Article 10***.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		communications to which end-to-end encryption is, has been or will be applied shall not be subject to the measures specified in Article 10.		
Article 7(1) first paragraph				
204a		***Detection orders shall be addressed to the service provider acting as controller in accordance with Regulation (EU) 2016/679. By way of exception, the detection order may be directly addressed to the service provider that stores or otherwise processes the data on behalf of the controller, where:***		
Article 7(1) first paragraph a				
204b		***(a) the controller cannot be identified despite reasonable efforts on the part of the issuing authority; or***		
Article 7(1) first paragraph b				
204c		***(b) addressing the controller might be detrimental to an ongoing investigation.***		
Article 7(2), first subparagraph				
205	2.The Coordinating Authority of establishment shall, before requesting the issuance of a detection order, carry out the investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.	2.***Based on a reasoned justification,*** the Coordinating Authority of establishment shall, ~~*before requesting*~~***request*** the issuance of ~~*a*~~***the*** detection order~~*, carry out the investigations and assessments necessary to determine whether the*~~ ***and the competent judicial***	*deleted*	2.The ~~*Coordinating*~~***judicial*** authority ~~*of establishment*~~***or independent administrative authority*** shall~~*, before requesting the issuance of a*~~ ***have the power to issue the*** detection order~~*, carry out the investigations and assessments necessary to determine whether the*~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		authority shall issue the detection order where it considers that all the following conditions ~~*of paragraph 4 have been met.*~~***are simultaneously met:***		***if the following*** conditions ~~*of paragraph 4 have been met.*~~***are met:***
Article 7(2), first subparagraph a				
205a		***(a) there are reasonable grounds of suspicion on individual users, or on a specific group of users, either as such or as subscribers to a specific channel of communication, in respect of whom there is a link, even an indirect one, with child sexual abuse material as defined in Article 2. Reasonable grounds of suspicion are those resulting from any information reliable and legally acquired that suggest that individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication might have a link, even an indirect or remote one, with online child sexual abuse material;***		***(a) there are clear indications that suggest that a part of the service is being used for the purpose of online child sexual abuse;***
Article 7(2), first subparagraph b				
205b		***(b) the mitigation measures put in place by the provider have insufficient material impact on limiting the identified risk or the service provider fails to to put in place reasonable and proportionate mitigation measures set out in this Regulation;***		***(b) the detection order for content that is publicly accessible is necessary to ensure the provider's compliance with the provisions of this Regulation;***
Article 7(2), first subparagraph c				

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205c		***(c) issuing the detection order is necessary and proportionate and outweighs negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties, and without jeopardising the security of communications.***		***(c) the reasons for issuing the detection order for content that is publicly accessible outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties.***
Article 7(2), second subparagraph				
206	To that end, it may, where appropriate, require the provider to submit the necessary information, additional to the report and the further information referred to in Article 5(1) and (3), respectively, within a reasonable time period set by that Coordinating Authority, or request the EU Centre, another public authority or relevant experts or entities to provide the necessary additional information.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 7(3), first subparagraph				
207	*3.* Where the Coordinating Authority of establishment takes the preliminary view that the conditions of paragraph 4 have been met, it shall:	3. Where the Coordinating Authority of establishment takes the ~~*preliminary*~~ view that ***all*** the conditions of paragraph ~~*4*~~***2*** have been met, it shall:	*deleted*	3. ~~*Where*~~***Before requesting the issuing of a detection order for content that is publicly accessible,*** the Coordinating Authority of establishment ~~*takes the preliminary view that the conditions of paragraph 4 have been met, it*~~ shall:
Article 7(3), first subparagraph, point (a)				

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208	(a) establish a draft request for the issuance of a detection order, specifying the main elements of the content of the detection order it intends to request and the reasons for requesting it;	(a) establish a draft request ***to the competent judicial authority of the Member State that designated it*** for the issuance of a detection order, specifying ***the factual and legal grounds upon which the request is based and the duration of the order, as well as,*** the main elements of the content of the detection order it intends to request and the reasons for requesting it;	*deleted*	(a) ~~*establish*~~***communicate*** a draft ~~*request for the issuance of a detection order*~~***order to the hosting service concerned***, specifying the ~~*main elements of the content of the detection order it intends*~~***reasons for its intention*** to request ~~*and the reasons for requesting it*~~***the issuing of the order, the specific parts of the service the order concerns, the EU Centre indicators to be used, the duration of the order and an appropriate period for the provider to submit comments***; ***and***
Article 7(3), first subparagraph, point (b)				
209	(b) submit the draft request to the provider and the EU Centre;	(b) submit the draft request to the provider and the EU Centre;	*deleted*	(b) ~~*submit the*~~***communicate its*** draft ~~*request to the provider and*~~***order to*** the EU Centre~~:~~***, with an appropriate period for comments.***
Article 7(3), first subparagraph, point (c)				
210	(c) afford the provider an opportunity to comment on the draft request, within a reasonable time period set by that Coordinating Authority;	(c) afford the provider an opportunity to comment on the draft request, within a reasonable time period set by that Coordinating Authority;	*deleted*	*Covered in line 208.*
Article 7(3), first subparagraph, point (d)				
211	*(d)* invite the EU Centre to provide its opinion on the draft request, within a time period of four weeks from the date of receiving the draft request.	(d) invite the EU Centre***, and in particular its Technology Committee,*** to provide its opinion on the draft request, within a time period of four weeks from the date of receiving the draft request.	*deleted*	
Article 7(3), second subparagraph				

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212	Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:	Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph ~~*4 have met*~~***2 have been met and prior to requesting the competent judicial authority the issuance of the detection order***, it shall ~~*re-submit the draft*~~ request~~*, adjusted where appropriate, to the provider. In that case,*~~ the provider ~~*shall*~~***to*** do all of the following, within a reasonable time period set by that Coordinating Authority***, which cannot exceed four weeks***:	*deleted*	~~*Where, having regard to the comments of the provider and the opinion of the EU Centre, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall re-submit the draft request, adjusted where appropriate, to the provider. In that case, the provider shall do all of the following, within a reasonable time period set by that Coordinating Authority:*~~
Article 7(3), second subparagraph, point (a)				
213	(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and safeguards;	(a) draft an implementation plan setting out the measures it envisages taking to execute the intended detection order, including detailed information regarding the envisaged technologies and ***their technical feasibility and*** safeguards ***and if any, the negative impacts and safeguards on the rights of all parties involved. The provider may consult the EU Centre, and in particular its Technology Committee, to obtain support in identifying appropriate measures in this respect***;	*deleted*	
Article 7(3), second subparagraph, point (b)				
214	*(b)* where the draft implementation	(b) where the draft implementation		

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	plan concerns an intended detection order concerning the solicitation of children other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;	plan concerns ***the use of any specific technology for the purpose of complying with*** an intended detection order concerning ~~*the solicitation of children*~~***new child sexual abuse material*** other than the renewal of a previously issued detection order without any substantive changes, conduct a data protection impact assessment and a prior consultation procedure as referred to in Articles 35 and 36 of Regulation (EU) 2016/679, respectively, in relation to the measures set out in the implementation plan;	*deleted*	
Article 7(3), second subparagraph, point (c)				
215	*(c)* where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take into account the opinion of the data protection authority provided in response to the prior consultation;	(c) where point (b) applies, or where the conditions of Articles 35 and 36 of Regulation (EU) 2016/679 are met, adjust the draft implementation plan, where necessary in view of the outcome of the data protection impact assessment and in order to take ~~*into*~~***due*** account ***of*** the opinion of the data protection authority provided in response to the prior consultation;	*deleted*	
Article 7(3), second subparagraph, point (d)				
216	*(d)* submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying	(d) submit to that Coordinating Authority the implementation plan, where applicable attaching the opinion of the competent data protection authority and specifying	*deleted*	

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	how the implementation plan has been adjusted in view of the outcome of the data protection impact assessment and of that opinion.	how the implementation plan has been adjusted ~~*in view*~~ ***to take due account*** of the outcome of the data protection impact assessment and of that opinion.		
Article 7(3), third subparagraph				
217	Where, having regard to the implementation plan of the provider and the opinion of the data protection authority, that Coordinating Authority continues to be of the view that the conditions of paragraph 4 have met, it shall submit the request for the issuance of the detection, adjusted where appropriate, to the competent judicial authority or independent administrative authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.	Where, having regard to the implementation plan of the provider and the opinion of the data protection authority ***and, where applicable, the opinion issued in accordance with article 5 (4c)***, that Coordinating Authority continues to be of ~~-~~ the view that the conditions of paragraph ~~*4 have*~~***2 have been*** met, it shall submit the request for the issuance of the detection ***order***, adjusted where appropriate, to the competent judicial ~~*authority or independent administrative*~~ authority. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.	*deleted*	~~*Where*~~***If***, having regard to the ~~*implementation plan*~~***comments*** of the provider and ~~*the opinion of the data protection authority, that*~~***, where relevant, the EU Centre, the*** Coordinating Authority ***of establishment*** continues to be of the view that the conditions ~~*of*~~***set out in*** paragraph ~~*4 have*~~***2 are*** met, it shall submit ~~*the*~~***a*** request for the issuance of the ~~*detection*~~***order***, adjusted where appropriate, to the ~~*competent*~~ judicial ~~*authority*~~ or independent administrative authority~~*. It shall attach the implementation plan of the provider and the opinions of the EU Centre and the data protection authority to that request.*~~ ***using the template set out in Annex XV.***
Article 7(4), first subparagraph				
218	4.The Coordinating Authority of establishment shall request the issuance of the detection order, and the competent judicial authority or independent administrative authority shall issue the detection order where it considers that the following conditions are met:	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 7(4), first subparagraph, point (a)				
219	*(a)* there is evidence of a significant risk of the service being used for the purpose of online child sexual abuse, within the meaning of paragraphs 5, 6 and 7, as applicable;	*deleted*	*deleted*	*deleted*
Article 7(4), first subparagraph, point (b)				
220	*(b)* the reasons for issuing the detection order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties.	*deleted*	*deleted*	*deleted*
Article 7(4), second subparagraph				
221	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and circumstances of the case at hand, in particular:	*deleted*	*deleted*	*deleted*
Article 7(4), second subparagraph, point (a)				
222	*(a)* the risk assessment conducted or updated and any mitigation measures taken by the provider pursuant to Articles 3 and 4, including any mitigation measures introduced, reviewed, discontinued or expanded pursuant to Article 5(4) where applicable;	*deleted*	*deleted*	*deleted*
Article 7(4), second subparagraph, point (b)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
223	*(b)* any additional information obtained pursuant to paragraph 2 or any other relevant information available to it, in particular regarding the use, design and operation of the service, regarding the provider's financial and technological capabilities and size and regarding the potential consequences of the measures to be taken to execute the detection order for all other parties affected;	*deleted*	*deleted*	*deleted*
Article 7(4), second subparagraph, point (c)				
224	*(c)* the views and the implementation plan of the provider submitted in accordance with paragraph 3;	*deleted*	*deleted*	*deleted*
Article 7(4), second subparagraph, point (d)				
225	*(d)* the opinions of the EU Centre and of the data protection authority submitted in accordance with paragraph 3.	*deleted*	*deleted*	*deleted*
Article 7(4), third subparagraph				
226	As regards the second subparagraph, point (d), where that Coordinating Authority substantially deviates from the opinion of the EU Centre, it shall inform the EU Centre and the Commission thereof, specifying the points at which it deviated and the main reasons for the deviation.	*deleted*	*deleted*	*deleted*
Article 7(5)				

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227	5.As regards detection orders concerning the dissemination of known child sexual abuse material, the significant risk referred to in paragraph 4, first subparagraph, point (a), shall be deemed to exist where the following conditions are met:	5.As regards detection orders concerning the dissemination of known child sexual abuse material, the ~~*significant risk*~~***reasonable grounds of suspicion*** referred to in paragraph ~~*4, first subparagraph*~~***2***, point (a), shall be deemed to exist where the following conditions are met:	*deleted*	
Article 7(5), point (a)				
228	*(a)* it is likely, despite any mitigation measures that the provider may have taken or will take, that the service is used, to an appreciable extent for the dissemination of known child sexual abuse material;	(a) ~~*it is likely, despite any*~~***the*** mitigation measures that the provider ~~*may have*~~***has*** taken ~~*or will take, that*~~***, have insufficient material impact on limiting the systemic risk and*** the service is ***being used by individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication***~~*used*~~, to an appreciable extent, for the dissemination of known child sexual abuse material;	*deleted*	
Article 7(5), point (b)				
229	*(b)* there is evidence of the service, or of a comparable service if the service has not yet been offered in the Union at the date of the request for the issuance of the detection order, having been used in the past 12 months and to an appreciable extent for the dissemination of known child sexual abuse material.	(b) there is evidence of the service~~,~~ ~~*or of a comparable service if the service has not yet been offered in the Union at the date of the request for the issuance of the detection order*~~, having been used in the past 12 months ~~*and*~~***by individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication***	*deleted*	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		to an appreciable extent for the dissemination of known child sexual abuse material.		
Article 7(6)				
230	*6.* As regards detection orders concerning the dissemination of new child sexual abuse material, the significant risk referred to in paragraph 4, first subparagraph, point (a), shall be deemed to exist where the following conditions are met:	6. As regards detection orders concerning the dissemination of new child sexual abuse material, the ~~*significant risk*~~***reasonable grounds of suspicion*** referred to in paragraph ~~*4, first subparagraph,*~~***2*** point (a)~~,~~ shall be deemed to exist where the following conditions are met:	*deleted*	
Article 7(6), point (a)				
231	*(a)* it is likely that, despite any mitigation measures that the provider may have taken or will take, the service is used, to an appreciable extent, for the dissemination of new child sexual abuse material;	(a) ~~*it is likely that, despite any*~~***the*** mitigation measures that the provider ~~*may have*~~***has*** taken ~~*or will take,*~~***, have insufficient material impact on limiting the systemic risk and*** the service is ***being used by individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication***~~*used*~~, to an appreciable extent, for the dissemination of new child sexual abuse material;	*deleted*	
Article 7(6), point (b)				
232	*(b)* there is evidence of the service, or of a comparable service if the service has not yet been offered in the Union at the date of the request for the issuance of the detection order, having been used in the past	(b) there is evidence of the service~~,~~ ~~*or of a comparable service if the service has not yet been offered in the Union at the date of the request for the issuance of the detection order*~~, having been used in the past	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	12 months and to an appreciable extent, for the dissemination of new child sexual abuse material;	12 months ~~and~~***by individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication*** to an appreciable extent~~,~~ for the dissemination of new child sexual abuse material~~;~~.		
Article 7(6), point (c)				
233	*(c)* for services other than those enabling the live transmission of pornographic performances as defined in Article 2, point (e), of Directive 2011/93/EU:	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 7(6), point (c)(1)				
234	*(1)* a detection order concerning the dissemination of known child sexual abuse material has been issued in respect of the service;	*deleted*	*deleted*	*deleted*
Article 7(6), point (c)(2)				
235	*(2)* the provider submitted a significant number of reports concerning known child sexual abuse material, detected through the measures taken to execute the detection order referred to in point (1), pursuant to Article 12.	*deleted*	*deleted*	*deleted*
Article 7(7), first subparagraph				
236	*7.*As regards detection orders concerning the solicitation of children, the significant risk referred to in paragraph 4, first subparagraph, point (a), shall be deemed to exist	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*

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	where the following conditions are met:			
Article 7(7), first subparagraph, point (a)				
237	*(a)* the provider qualifies as a provider of interpersonal communication services;	*deleted*	*deleted*	*deleted*
Article 7(7), first subparagraph, point (b)				
238	*(b)* it is likely that, despite any mitigation measures that the provider may have taken or will take, the service is used, to an appreciable extent, for the solicitation of children;	*deleted*	*deleted*	*deleted*
Article 7(7), first subparagraph, point (c)				
239	*(c)* there is evidence of the service, or of a comparable service if the service has not yet been offered in the Union at the date of the request for the issuance of the detection order, having been used in the past 12 months and to an appreciable extent, for the solicitation of children.	*deleted*	*deleted*	*deleted*
Article 7(7), second subparagraph				
240	The detection orders concerning the solicitation of children shall apply only to interpersonal communications where one of the users is a child user.	*deleted*	*deleted*	*deleted*
Article 7(8), first subparagraph				
241	*8.*The Coordinating Authority of	8.The Coordinating Authority of		

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	establishment when requesting the issuance of detection orders, and the competent judicial or independent administrative authority when issuing the detection order, shall target and specify it in such a manner that the negative consequences referred to in paragraph 4, first subparagraph, point (b), remain limited to what is strictly necessary to effectively address the significant risk referred to in point (a) thereof.	establishment when requesting the issuance of detection orders, and the competent judicial ~~*or independent administrative authority*~~ when issuing the detection order, shall ***in accordance with Article 8 of Regulation (EU) 2022/2065*** target and specify it in such a manner that the negative consequences referred to in paragraph ~~*4, first subparagraph, point (b),*~~***2 (c)*** remain limited to what is strictly necessary***, justifiable and proportionate*** to effectively ~~*address the significant risk*~~***target individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication as*** referred to in point (a) thereof***, while not jeopardising the security of communications***.	*deleted*	
Article 7(8), second subparagraph				
242	To that aim, they shall take into account all relevant parameters, including the availability of sufficiently reliable detection technologies in that they limit to the maximum extent possible the rate of errors regarding the detection and their suitability and effectiveness for achieving the objectives of this Regulation, as well as the impact of the measures on the rights of the users affected, and require the taking of the least intrusive measures, in	To that ~~*aim*~~***end***, they shall take into account all relevant parameters, including the availability of sufficiently reliable detection technologies in that they limit to the maximum extent possible***, in accordance with the state of the art,*** the rate of errors regarding the detection***,*** and their suitability and effectiveness for achieving the objectives of this Regulation, as well as the impact of the measures on the rights of the users affected, and	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	accordance with Article 10, from among several equally effective measures.	require the taking of the least intrusive measures, in accordance with Article 10, from among several equally effective measures.		
Article 7(8), third subparagraph				
243	In particular, they shall ensure that:	In particular, they shall ensure that:	*deleted*	
Article 7(8), third subparagraph, point (a)				
244	*(a)* where that risk is limited to an identifiable part or component of a service, the required measures are only applied in respect of that part or component;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 7(8), third subparagraph, point (b)				
245	*(b)* where necessary, in particular to limit such negative consequences, effective and proportionate safeguards additional to those listed in Article 10(4), (5) and (6) are provided for;	(b) where necessary, in particular to limit such negative consequences, effective and proportionate safeguards additional to those listed in Article 10(4), (5) and (6) are provided for;	*deleted*	
Article 7(8), third subparagraph, point (c)				
246	*(c)* subject to paragraph 9, the period of application remains limited to what is strictly necessary.	(c) subject to paragraph 9, the period of application remains limited to what is strictly necessary~~.~~ ***and proportionate;***	*deleted*	
Article 7(8a)				
247	*9.*The competent judicial authority or independent administrative authority shall specify in the detection order the period during	9.The competent judicial ~~*authority or independent administrative*~~ authority shall specify in the detection order the period during	*deleted*	~~*9.The competent judicial authority or independent administrative authority shall specify in the detection order the period during*~~

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	which it applies, indicating the start date and the end date.	which it applies, indicating the start date and the end date.		~~which it applies, indicating the start date and the end date.~~
Article 7(8a), point (a)				
248	The start date shall be set taking into account the time reasonably required for the provider to take the necessary measures to prepare the execution of the detection order. It shall not be earlier than three months from the date at which the provider received the detection order and not be later than 12 months from that date.	The start date shall be set taking into account the time reasonably required for the provider to take the necessary measures to prepare the execution of the detection order. It shall not be earlier than three months from the date at which the provider received the detection order and not be later than 12 months from that date.	*deleted*	~~The start date shall be set taking into account the time reasonably required for the provider to take the necessary measures to prepare the execution of the detection order. It shall not be earlier than three months from the date at which the provider received the detection order and not be later than 12 months from that date.~~
Article 7(8a), point (b)				
249	The period of application of detection orders concerning the dissemination of known or new child sexual abuse material shall not exceed 24 months and that of detection orders concerning the solicitation of children shall not exceed 12 months.	The period of application of detection orders concerning the dissemination of known or new child sexual abuse material shall ***be proportionate, taking all relevant factor into account, and*** not exceed 24 months ~~and that of detection orders concerning the solicitation of children shall not exceed 12 months.~~.	*deleted*	~~The period of application of detection orders concerning the dissemination of known or new child sexual abuse material shall not exceed 24 months and that of detection orders concerning the solicitation of children shall not exceed 12 months.~~
Article 7(9) a				
249a		***9a Detections orders shall contain information about the right to appeal to a court of law according to the national legislation.***		
Article 7(8b)				
249b				
Article 8				

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250	Article 8 Additional rules regarding detection orders	Article 8 Additional rules regarding detection orders	*deleted*	Article 8 Additional rules regarding detection orders ***for content that is publicly accessible*** Text Origin: Commission Proposal
Article 8(1)				
251	1.The competent judicial authority or independent administrative authority shall issue the detection orders referred to in Article 7 using the template set out in Annex I. Detection orders shall include:	1.The competent judicial ~~*authority or independent administrative*~~ authority shall issue the detection orders referred to in Article 7 using the template set out in Annex I. Detection orders shall include:	*deleted*	1.The ~~*competent*~~ judicial authority or independent administrative authority shall ***have the power to*** issue the detection ~~*orders referred to*~~***order for content that is publicly accessible when the conditions set out*** in Article 7 ***are met,*** using the template set out in Annex ~~*I. Detection orders*~~***[XV]. An order*** shall ~~*include*~~***contain***:
Article 8(1), point (a)				
252	(a) information regarding the measures to be taken to execute the detection order, including the indicators to be used and the safeguards to be provided for, including the reporting requirements set pursuant to Article 9(3) and, where applicable, any additional safeguards as referred to in Article 7(8);	(a) information regarding the ***targeted and proportionate*** measures to be taken to execute the detection order, including***, the individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication, in respect of whom there are reasonable grounds of suspicion for a link, even an indirect one, with child sexual abuse material,*** the indicators to be used and the safeguards to be provided for, including the reporting requirements set pursuant to Article	*deleted*	(a) information ~~*regarding the measures*~~***necessary for the provider*** to be ~~*taken*~~***able*** to execute the ~~*detection*~~ order, including the ***EU Centre*** indicators ~~*to be used*~~ and the ***relevant*** safeguards ~~*to be provided for, including the reporting requirements set pursuant to Article 9(3) and, where applicable, any additional safeguards as referred to in Article 7(8);~~***;***

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		9(3) and, where applicable, any additional safeguards as referred to in Article 7(8);		
Article 8(1), point (b)				
253	(b) identification details of the competent judicial authority or the independent administrative authority issuing the detection order and authentication of the detection order by that judicial or independent administrative authority;	(b) identification details of the competent judicial ~~*authority or the independent administrative*~~ authority issuing the detection order and authentication of the detection order by that judicial ~~*or independent administrative authority*~~;	*deleted*	
Article 8(1), point (c)				
254	*(c)* the name of the provider and, where applicable, its legal representative;	(c) the name of the provider and, where applicable, its legal representative;	*deleted*	
Article 8(1), point (d)				
255	*(d)* the specific service in respect of which the detection order is issued and, where applicable, the part or component of the service affected as referred to in Article 7(8);	(d) the specific service in respect of which the detection order is issued and, where applicable, the part or component of the service affected as referred to in Article 7(8);	*deleted*	*(d)* the specific service in respect of which the detection order is issued and, where applicable, the part or component of the service affected as referred to in Article 7(8); Text Origin: EP Mandate
Article 8(1), point (e)				
256	(e) whether the detection order issued concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the detection order issued concerns the dissemination of known or new child sexual abuse material ~~*or the solicitation of children*~~;	*deleted*	
Article 8(1), point (f)				
257	*(f)* the start date and the end date of	(f) the start date and the end date of		(f) ***the period during which it***

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	the detection order;	the detection order;	*deleted*	***applies, indicating*** the start date and the end date ~~*of the detection order;*~~**;**
Article 8(1), point (g)				
258	(g) a sufficiently detailed statement of reasons explaining why the detection order is issued;	(g) a ~~*sufficiently*~~ detailed ~~*statement*~~***justification*** of reasons explaining why the detection order is issued ***and how is necessary, effective and proportionate***;	*deleted*	~~*(g) a sufficiently detailed statement of reasons explaining why the detection order is issued;*~~
Article 8(1), point (h)				
259	(h) a reference to this Regulation as the legal basis for the detection order;	(h) a reference to this Regulation as the legal basis for the detection order;	*deleted*	
Article 8(1), point (i)				
260	*(i)* the date, time stamp and electronic signature of the judicial or independent administrative authority issuing the detection order;	(i) the date, time stamp and electronic signature of the judicial ~~*or independent administrative authority*~~ issuing the detection order;	*deleted*	
Article 8(1), point (j)				
261	*(j)* easily understandable information about the redress available to the addressee of the detection order, including information about redress to a court and about the time periods applicable to such redress.	(j) easily understandable information about the redress available to the addressee of the detection order, including information about redress to a court and about the time periods applicable to such redress.	*deleted*	(j) ~~*easily understandable*~~ information about the ~~*redress available to the addressee of the detection order, including information about redress*~~***right to appeal*** to a court ~~*and about the time periods applicable to such redress.*~~***of law in accordance with national law.***
Article 8(2), first subparagraph				
262	2.The competent judicial authority or independent administrative authority issuing the detection order	2.The competent judicial ~~*authority or independent administrative*~~ authority issuing the detection order	*deleted*	2.The ~~*competent judicial*~~***issuing*** authority ~~*or independent administrative authority issuing*~~***shall***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.		***address*** the detection order ~~***shall address it***~~ to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24. Text Origin: Commission Proposal
Article 8(2), second subparagraph				
263	The detection order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	The detection order shall be ***securely*** transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	*deleted*	The detection order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2). Text Origin: Commission Proposal
Article 8(2), third subparagraph				
264	The detection order shall be drafted in the language declared by the provider pursuant to Article 23(3).	The detection order shall be drafted in the language declared by the provider pursuant to Article 23(3).	*deleted*	The detection order shall be drafted in the language declared by the provider pursuant to Article 23(3). Text Origin: Commission Proposal
Article 8(3)				
265	3.If the provider cannot execute the detection order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification to the	3. If the provider cannot execute the detection order because it contains manifest errors or does not contain sufficient information for its execution, ***or it is manifestly unfounded,*** the provider shall, without undue delay, request the	*deleted*	3. If the provider cannot execute the detection order because it contains manifest errors or does not contain sufficient information for its execution, ***or it is manifestly unfounded,*** the provider shall, without undue delay, request the

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	Coordinating Authority of establishment, using the template set out in Annex II.	necessary ***correction or*** clarification to the Coordinating Authority of establishment, using the template set out in Annex II.		necessary ***correction or*** clarification to the Coordinating Authority of establishment, using the template set out in Annex II. Text Origin: EP Mandate
Article 8(4)				
266	4.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes I and II where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	4.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes I and II where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	*deleted*	4.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend ~~*Annexes I and II*~~***Annex [XV]*** where necessary to improve the templates in view of relevant technological developments or practical experiences gained.
Article 9				
267	Article 9 Redress, information, reporting and modification of detection orders	Article 9 Redress, information, reporting and modification of detection orders	*deleted*	Article 9 Redress, information, reporting and modification of detection orders Text Origin: Commission Proposal
Article 9(1)				
268	1.Providers of hosting services and providers of interpersonal communications services that have received a detection order, as well as users affected by the measures taken to execute it, shall have a right to effective redress. That right shall include the right to challenge the detection order before the courts of the Member State of the competent judicial authority or independent	1.Providers of hosting services and providers of ***number-independent*** interpersonal communications services that have received a detection order, as well as users affected by the measures taken to execute it, shall have a right to ***information and*** effective redress. That right shall include the right to challenge the detection order before the courts of the Member State of	*deleted*	1.Providers of hosting services and providers of ***number-independent*** interpersonal communications services that have received ~~*a detection*~~***an*** order ***pursuant to Article 7 [or Article Y]***, as well as users ~~*affected*~~***concerned*** by the measures taken to execute it, shall have a right to ***information and*** effective redress. That right shall include the right to challenge the

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	administrative authority that issued the detection order.	the competent judicial authority ~~*or independent administrative authority*~~ that issued the detection order.		~~*detection*~~ order before the courts of the Member State of the ~~*competent*~~ judicial ~~*authority*~~ or independent administrative authority that issued the ~~*detection*~~ order.
Article 9(2), first subparagraph				
269	2. When the detection order becomes final, the competent judicial authority or independent administrative authority that issued the detection order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2. When the detection order becomes final, the competent judicial authority ~~*or independent administrative authority*~~ that issued the detection order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	*deleted*	2. When the ~~*detection*~~ order becomes final, the ~~*competent judicial*~~***issuing*** authority ~~*or independent administrative authority that issued the detection order*~~ shall, without undue delay ***and where relevant***, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).
Article 9(2), second subparagraph				
270	For the purpose of the first subparagraph, a detection order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the detection order following an appeal.	For the purpose of the first subparagraph, a detection order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the detection order following an appeal.	*deleted*	For the purpose of the first subparagraph, a detection order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the detection order following an appeal.
Article 9(3), first subparagraph				
271	3. Where the period of application of the detection order exceeds 12	3. Where the period of application of the detection order exceeds 12	*deleted*	3. Where the period of application of the detection order exceeds 12

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	months, or six months in the case of a detection order concerning the solicitation of children, the Coordinating Authority of establishment shall require the provider to report to it on the execution of the detection order at least once, halfway through the period of application.	months, or six months in the case of a detection order concerning the solicitation of children, the Coordinating Authority of establishment shall require the provider to report to it on the execution of the detection order at least once, halfway through the period of application.		months, ***[***or six months in the case of a detection order concerning the solicitation of children***]***, the Coordinating Authority of establishment shall require the provider to report to it on the execution of the detection order at least once, halfway through the period of application.
Article 9(3), second subparagraph				
272	Those reports shall include a detailed description of the measures taken to execute the detection order, including the safeguards provided, and information on the functioning in practice of those measures, in particular on their effectiveness in detecting the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, and on the consequences of those measures for the rights and legitimate interests of all parties affected.	Those reports shall include a detailed description of the measures taken to execute the detection order, including the safeguards provided, and information on the functioning in practice of those measures, in particular on their effectiveness in detecting the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, and on the consequences of those measures for the rights and legitimate interests of all parties affected.	*deleted*	Those reports shall include a detailed description of the measures taken to execute the detection order, including the safeguards provided, and information on the functioning in practice of those measures, in particular on their effectiveness in ~~*detecting the dissemination of known or new*~~***identifying [online]*** child sexual abuse~~*-/[*~~material~~*- or the solicitation of children]*~~***on their service***, as applicable, and on the consequences of those measures for the rights and legitimate interests of all parties affected.
Article 9(4), first subparagraph				
273	4.In respect of the detection orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating Authority of establishment shall, where necessary and in any event following reception of the reports referred to in	4.In respect of the detection orders that the competent judicial ~~*authority or independent administrative*~~ authority issued at its request, the Coordinating Authority of establishment shall, where necessary and in any event following reception of the reports referred to in	*deleted*	4.~~*In respect of the detection orders that the competent judicial authority or independent administrative authority issued at its request,*~~ The Coordinating Authority of establishment shall, where necessary and in any event following ~~*reception*~~***receipt*** of the reports

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	paragraph 3, assess whether any substantial changes to the grounds for issuing the detection orders occurred and, in particular, whether the conditions of Article 7(4) continue to be met. In that regard, it shall take account of additional mitigation measures that the provider may take to address the significant risk identified at the time of the issuance of the detection order.	paragraph 3, assess whether any substantial changes to the grounds for issuing the detection orders occurred and, in particular, whether the conditions of Article ~~7(4)~~ **7(2)** continue to be met. In that regard, it shall take account of additional mitigation measures that the provider may take to address the significant risk identified at the time of the issuance of the detection order.		referred to in paragraph 3, assess whether any substantial changes to the grounds for issuing the detection orders occurred and, in particular, whether the conditions of Article ~~7(4)~~ **7 [or Article Y respectively]** continue to be met. In that regard, it shall take account of additional ~~mitigation~~ measures that the provider may ~~take to address the significant risk identified at the time of the issuance of the detection order~~ **have taken to prevent the misuse of their service for the purpose of [online] child sexual abuse**.
Article 9(4), second subparagraph				
274	That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the detection order the modification or revocation of such order, where necessary in the light of the outcome of that assessment. The provisions of this Section shall apply to such requests, mutatis mutandis.	That Coordinating Authority shall request to the competent judicial ~~authority or independent administrative~~ authority that issued the detection order the modification or revocation of such order, where necessary in the light of the outcome of that assessment. The provisions of this Section shall apply to such requests, mutatis mutandis.	*deleted*	That Coordinating Authority shall request ~~to the competent judicial~~**the issuing** authority **to amend or revoke the**~~or independent administrative authority that issued the detection~~ order**, where appropriate. Articles 7 and 8 shall apply mutatis mutandis for the amendment** ~~the modification~~ or revocation of ~~such order, where necessary in the light of the outcome of that assessment. The provisions of this Section~~**an orders that were issued pursuant to Article 7, while Articles [Y and Y+1]** shall apply ~~to such requests,~~ mutatis mutandis **to orders that were issued pursuant to Article Y**.

eTexte CRÉÉ PAR OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 10				
275	Article 10 Technologies and safeguards	Article 10 Technologies and safeguards	*deleted*	Article 10 Technologies and safeguards Text Origin: Commission Proposal
Article 10(1)				
276	1.Providers of hosting services and providers of interpersonal communication services that have received a detection order shall execute it by installing and operating technologies to detect the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, using the corresponding indicators provided by the EU Centre in accordance with Article 46.	1.Providers of hosting services and providers of ***number-independent*** interpersonal communication services that have received a detection order ***in accordance with to Article 7*** shall execute it by installing and operating ***available, secure and privacy-friendly*** technologies to detect the dissemination of known or new child sexual abuse material ~~*or the solicitation of children*~~, as applicable, using the corresponding indicators provided by the EU Centre in accordance with Article 46.	*deleted*	1.Providers of hosting services and providers of ***number-independent*** interpersonal communication services that have received a detection order ***or that conduct own-initiative searches according to Article Z*** shall ~~*execute it by installing and operating*~~***use secure and privacy-friendly*** technologies to ~~*detect the dissemination of*~~***identify*** known or new child sexual abuse material ***[***or the solicitation of children***]***, as applicable, ~~*using the corresponding indicators provided by the EU Centre in accordance with Article 46.*~~ ***on their services.***
Article 10(2)				
277	2.The provider shall be entitled to acquire, install and operate, free of charge, technologies made available by the EU Centre in accordance with Article 50(1), for the sole purpose of executing the detection order. The provider shall not be required to use any specific technology, including those made available by the EU Centre, as long as the requirements	2.The provider shall be entitled to acquire, install and operate, free of charge, technologies made available by the EU Centre in accordance with Article 50(1), for the sole purpose of executing the detection order. The provider shall not be required to use any specific technology, including those made available by the EU Centre, as long as the requirements	*deleted*	2.The provider shall ***not be required to use any specific technology as long as the requirements set out in this Article are met. Where the provider operates*** ~~*be entitled to acquire, install and operate, free of charge,*~~ technologies made available by the EU Centre in accordance with Article 50(1), ~~*for the sole purpose of executing the detection order. The*~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	set out in this Article are met. The use of the technologies made available by the EU Centre shall not affect the responsibility of the provider to comply with those requirements and for any decisions it may take in connection to or as a result of the use of the technologies.	set out in this Article are met. The use of the technologies made available by the EU Centre shall not affect the responsibility of the provider to comply with those requirements and for any decisions it may take in connection to or as a result of the use of the technologies.		~~provider shall not be required to use any specific technology, including those made available by the EU Centre, as long as the requirements set out in this Article are met.~~ the use of ~~the~~**these** technologies ~~made available by the EU Centre~~ shall not affect the responsibility of the provider to comply with ~~those~~**the** requirements ***set out in this Article*** and for any decisions it may take in connection to or as a result of the use of the technologies.
Article 10(2a)				
277a		***2a. The technologies relied on for the purpose of executing the detection order, regardless of whether they are provided by the EU Centre or procured or developped by the provider itself, shall be audited independently as regards their performance, reliability and security. The audit shall be made publicly available.***		***2a. The technologies relied on for the purpose of executing the detection orders [or for own-initiative searches according to Article Z], shall be audited independently at the cost of providers, as regards their performance, reliability and security. The audit shall be made publicly available in a version that does not contain any information that could reasonably be considered to be confidential.***
Article 10(3)				
278	3.The technologies shall be:	3.The technologies shall ~~be~~:	*deleted*	3.The technologies shall ~~be~~: Text Origin: EP Mandate
Article 10(3), point (a)				
279	(a) effective in detecting the	(a) ***be*** effective in detecting the		(a) ***be*** effective in ~~detecting the~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	dissemination of known or new child sexual abuse material or the solicitation of children, as applicable;	dissemination of known or new child sexual abuse material ~~or the solicitation of children~~, as applicable;	*deleted*	~~dissemination of known or new~~***identifying [online]*** child sexual abuse ~~/~~***[***material ~~or the solicitation of children~~***]***, as applicable;
Article 10(3), point (b)				
280	(b) not be able to extract any other information from the relevant communications than the information strictly necessary to detect, using the indicators referred to in paragraph 1, patterns pointing to the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable;	(b) not be able to ~~extract~~***permit the acquisition of knowledge of the content of the communications or*** any other information from the relevant communications than the information strictly necessary to detect, using the indicators referred to in paragraph 1, patterns pointing to the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable;	*deleted*	(b) not ~~be able to extract any other~~***allow for the acquisition of knowledge of the content of the communications or any*** information from the relevant communications ***other than that which is*** ~~than the information~~ strictly necessary ~~to detect, using the indicators~~***for the purpose*** referred to in paragraph 1, ***including*** patterns pointing to ~~the dissemination of known or new~~***[online]*** child sexual abuse ***/[***material ~~or the solicitation of children~~***]***, as applicable;
Article 10(3), point (c)				
281	(c) in accordance with the state of the art in the industry and the least intrusive in terms of the impact on the users' rights to private and family life, including the confidentiality of communication, and to protection of personal data;	(c) ***be*** in accordance with the ***technological*** state of the art ~~in the industry~~ and the least intrusive in terms of the impact on the users' rights to private and family life, including the confidentiality of communication, and to protection of personal data;	*deleted*	(c) ***be*** in accordance with the state of the art ~~in the industry~~ and the least intrusive in terms of the impact on the ***concerned*** users' ***fundamental*** rights ~~to~~***including the respect for*** private and family life, ~~including~~ the confidentiality of communication, and ~~to~~***the*** protection of personal data; ***and***
Article 10(3), point (d)				
282	(d) sufficiently reliable, in that they limit to the maximum extent possible the rate of errors regarding	(d) ***be*** sufficiently reliable, in that they limit to the maximum extent possible the rate of errors regarding	*deleted*	(d) ***be*** sufficiently reliable, in that they limit to the maximum extent possible the rate of errors regarding

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the detection.	the detection~~-~~ ***~~of online child sexual abuse, with special attention to avoid deviations and bias with proper testing and training of algorithms and models where applicable, and where such occasional errors occur, they are rectified without delay; and~~***		the ~~*detection*~~***identification of [online] child sexual abuse/[material]***.
Article 10(3), point (da)				
282a		***(da) not apply to end-to-end encrypted communications.***		
Article 10(4)				
283	4.The provider shall:	4.The provider shall:	*deleted*	*4.*The provider shall: Text Origin: Commission Proposal
Article 10(4), point (a)				
284	(a) take all the necessary measures to ensure that the technologies and indicators, as well as the processing of personal data and other data in connection thereto, are used for the sole purpose of detecting the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, insofar as strictly necessary to execute the detection orders addressed to them;	(a) take all the necessary measures to ensure that the technologies and indicators, as well as the processing of personal data and other data in connection thereto, are ~~*used*~~***proportionate and limited to what is strictly necessary*** for the sole purpose of detecting the dissemination of known or new child sexual abuse material ~~*or the solicitation of children*~~, as applicable, insofar as strictly necessary to execute the detection orders addressed to them ***and, unless alleged child sexual abuse material has been confirmed as such, the***	*deleted*	(a) take all the necessary measures to ensure that the technologies ~~*and indicators*~~, as well as the processing of personal data and other data in connection thereto, are ~~*used*~~***proportionate and limited to what is strictly necessary*** for the sole purpose of ~~*detecting the dissemination of*~~***identifying*** known or new child sexual abuse material ***[***or the solicitation of children***]***, as applicable~~*, insofar as strictly necessary to execute the detection orders addressed to them;*~~***;***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		data is erased immediately;		
Article 10(4), point (b)				
285	(b) establish effective internal procedures to prevent and, where necessary, detect and remedy any misuse of the technologies, indicators and personal data and other data referred to in point (a), including unauthorized access to, and unauthorised transfers of, such personal data and other data;	(b) establish effective internal procedures to prevent and, where necessary, detect and remedy any misuse of the technologies, indicators and personal data and other data referred to in point (a), including ~~*unauthorized*~~***unauthorised*** access to, and unauthorised transfers of, such personal data and other data;	*deleted*	(b) establish effective internal procedures to prevent and, where necessary, ~~*detect*~~***identify*** and remedy any misuse of the technologies, indicators and personal data and other data referred to in point (a), including ~~*unauthorized*~~***unauthorised*** access to, and unauthorised transfers of, such personal data and other data;
Article 10(4), point (ba)				
285a				***(ba) in respect of any specific technology used for the purpose set out in point (a) of this paragraph, a prior data protection impact assessment as referred to in Article 35 of Regulation (EU) 2016/679 and a prior consultation procedure as referred to in Article 36 of that Regulation have been conducted;***
Article 10(4), point (c)				
286	(c) ensure regular human oversight as necessary to ensure that the technologies operate in a sufficiently reliable manner and, where necessary, in particular when potential errors and potential solicitation of children are detected, human intervention;	(c) ensure regular human oversight as necessary to ensure that the technologies operate in a sufficiently reliable manner and, where necessary, in particular when potential errors ~~*and potential solicitation of children*~~ are detected, ***immediate*** human intervention;	*deleted*	(c) ~~*ensure*~~***provide for*** regular human oversight as necessary to ensure that the technologies operate in a sufficiently reliable manner and, where necessary, ***human intervention,*** in particular ~~*when*~~***where*** potential errors ***[***and potential solicitation of children***] are identified;*** ~~*are detected, human intervention;*~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 10(4), point (d)				
287	(d) establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section, as well as any decisions that the provider may have taken in relation to the use of the technologies, including the removal or disabling of access to material provided by users, blocking the users' accounts or suspending or terminating the provision of the service to the users, and process such complaints in an objective, effective and timely manner;	(d) establish and operate an accessible, age-appropriate and ~~*user-friendly*~~***user- and child-friendly*** mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section, as well as any decisions that the provider may have taken in relation to the use of the technologies, including the removal or disabling of access to material provided by users, blocking the users' accounts or suspending or terminating the provision of the service to the users, and process such complaints in an objective, effective and timely manner;	*deleted*	(d) establish and operate an accessible, age-appropriate and ~~*user-friendly*~~***user friendly*** mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section, as well as ***about*** any decisions that the provider may have taken in relation to the use of the technologies, including the removal or disabling of access to material provided by users, blocking the users' accounts or suspending or terminating the provision of the service to the users, and process such complaints in an objective, effective and timely manner;
Article 10(4), point (e)				
288	(e) inform the Coordinating Authority, at the latest one month before the start date specified in the detection order, on the implementation of the envisaged measures set out in the implementation plan referred to in Article 7(3);	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 10(4), point (f)				
289	*(f)* regularly review the functioning of the measures referred to in points (a), (b), (c) and (d) of this paragraph and adjust them where necessary to ensure that the requirements set out	(f) regularly review the functioning of the measures referred to in points (a), (b),~~ ~~ (c) and (d) of this paragraph and adjust them where necessary to ensure that the	*deleted*	(f) regularly review the functioning of the measures referred to in points (a)~~*, (b), (c) and*~~ ***to*** (d) of this paragraph~~*and*~~, adjust them where necessary to ensure that the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	therein are met, as well as document the review process and the outcomes thereof and include that information in the report referred to in Article 9(3).	requirements set out therein are met, as well as document the review process and the outcomes thereof and include that information in the report referred to in Article 9(3).		requirements set out therein are met, ~~as well as~~ document the review process and the outcomes thereof and include that information in the report referred to in Article 9(3)~~.~~**;**
Article 10(4), point (fa)				
289a		***(fa) ensure privacy by desing and safety-by-desing and by default.***		***(fa) rectify without delay errors regarding the detection of content representing [online] child sexual abuse/[material] which result from the use of the technology.***
Article 10(5), first subparagraph				
290	5. The provider shall inform users in a clear, prominent and comprehensible way of the following:	5. The provider shall inform users in a clear, prominent and comprehensible way of the following:	*deleted*	5. The provider shall inform users ***concerned*** in a clear~~, prominent~~ and ***easily*** comprehensible way of the following:
Article 10(5), first subparagraph, point (a)				
291	(a) the fact that it operates technologies to detect online child sexual abuse to execute the detection order, the ways in which it operates those technologies and the impact on the confidentiality of users' communications;	(a) the fact that it operates technologies to detect ~~online~~ child sexual abuse ***material*** to execute the detection order, the ways in which it operates those technologies and the impact on the confidentiality of users' communications;	*deleted*	(a) the fact that it operates technologies to ~~detect~~ ***identify [***online***]*** child sexual abuse***/ [material]*** to execute the detection order ***or that it searches for [online] child sexual abuse/[material] on its own initiative***, the ways in which it operates those technologies and the impact on the confidentiality of users' communications;
Article 10(5), first subparagraph, point (b)				
292	(b) the fact that it is required to report potential online child sexual abuse to the EU Centre in accordance with Article 12;	(b) the fact that it is required to report potential online child sexual abuse to the EU Centre in accordance with Article 12;	*deleted*	(b) the fact that it is required to report potential online child sexual abuse to the EU Centre in accordance with Article 12; ***and***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 10(5), first subparagraph, point (c)				
293	(c) the users' right of judicial redress referred to in Article 9(1) and their rights to submit complaints to the provider through the mechanism referred to in paragraph 4, point (d) and to the Coordinating Authority in accordance with Article 34.	(c) the users' right of judicial redress referred to in Article 9(1) and their rights to submit complaints to the provider through the mechanism referred to in paragraph 4, point (d) and to the Coordinating Authority in accordance with Article 34.	*deleted*	*(c)* the users' right of judicial redress referred to in Article 9(1) and their rights to submit complaints to the provider through the mechanism referred to in paragraph 4, point (d) and to the Coordinating Authority in accordance with Article 34.
Article 10(5), second subparagraph				
294	The provider shall not provide information to users that may reduce the effectiveness of the measures to execute the detection order.	The provider shall not provide information to users that may reduce the effectiveness of the measures to execute the detection order.	*deleted*	The provider shall not provide information to users that may reduce the effectiveness of the measures to execute ~~*the*~~***any*** detection order.
Article 10(6)				
295	6. Where a provider detects potential online child sexual abuse through the measures taken to execute the detection order, it shall inform the users concerned without undue delay, after Europol or the national law enforcement authority of a Member State that received the report pursuant to Article 48 has confirmed that the information to the users would not interfere with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	6. Where a provider detects potential ~~*online*~~ child sexual abuse ***material*** through the measures taken to execute the detection order, it shall inform the users concerned without undue delay, after Europol or the national law enforcement authority of a Member State that received the report pursuant to Article 48 has confirmed that the information to the users would not interfere with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	*deleted*	6. Where a provider ~~*detects*~~***identifies*** potential ***[***online***]*** child sexual abuse***/[material]*** through the measures taken ~~*to execute the detection order*~~***under this Regulation***, it shall inform the users concerned without undue delay, after Europol or the national law enforcement authority of a Member State that received the report pursuant to Article 48 has confirmed that the information to the users would not interfere with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.
Article 11				
296	Article 11	Article 11		Article 11

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Guidelines regarding detection obligations	Guidelines regarding detection obligations	*deleted*	Guidelines regarding detection obligations Text Origin: Commission Proposal
Article 11, first paragraph				
297	The Commission, in cooperation with the Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of Articles 7 to 10, having due regard in particular to relevant technological developments and the manners in which the services covered by those provisions are offered and used.	The Commission, in cooperation with the Coordinating Authorities and the EU Centre and after having ***consulted the European Data Protection Board and having*** conducted a public consultation, may ***shall*** issue guidelines on the application of Articles 7 to 10, having due regard in particular to relevant technological developments and ***trends reported by law enforcement, hotlines and civil society and*** the manners in which the services covered by those provisions are offered and used.	*deleted*	The Commission, in cooperation with the Coordinating Authorities and the EU Centre and after having ***consulted the European Data Protection Board and having*** conducted a public consultation, may issue guidelines on the application of Articles 7 to 10 ***[Y and Y+1]***, having due regard in particular to relevant technological developments, ***trends reported by law enforcement, hotlines and civil society*** and the ~~*manners*~~***manner*** in which the services covered by those provisions are offered and used.
Section 3				
G 298	Section 3 Reporting obligations	Section 3 Reporting obligations	Section 3 Reporting obligations	Section 3 Reporting obligations Text Origin: Commission Proposal G
Article 12				
G 299	Article 12 Reporting obligations	Article 12 Reporting obligations	Article 12 Reporting obligations ***and notification by the users***	Article 12 Reporting obligations Text Origin: CY PCY - drafting G
Article 12(1)				
G 300	1. Where a provider of hosting	1. Where a provider of hosting	1. Where a provider of hosting	1. Where a provider of hosting G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	services or a provider of interpersonal communications services becomes aware in any manner other than through a removal order issued in accordance with this Regulation of any information indicating potential online child sexual abuse on its services, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13. It shall do so through the system established in accordance with Article 39(2).	services or a provider of ***number-independent*** interpersonal communications services ~~*becomes aware*~~***obtains actual knowledge*** in any manner other than through a removal order issued in accordance with this Regulation of any information indicating potential online child sexual abuse on its services, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13 ***and providers of hosting services shall expeditiously remove or disable access to it, except where communicated otherwise under Article 48(6) point (b)***. It shall do so through the system established in accordance with Article 39(2).	services or a provider of interpersonal communications services becomes aware in any manner other than through a removal order issued in accordance with this Regulation of any information ***that indicate*** ~~*indicating*~~ potential online child sexual abuse on its ~~*services*~~***service***, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13. It shall do so through the system established in accordance with Article 39(2).	services or a provider of ***number-independent*** interpersonal communications services becomes aware in any manner other than through a removal order issued in accordance with this Regulation of any information indicating ***the presence of*** potential online child sexual abuse on its ~~*services*~~***service***, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13. It shall do so through the system established in accordance with Article 39(2). Text Origin: CY PCY - drafting
Article 12(2), first subparagraph				
G 301	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the user concerned, providing information on the main content of the report, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider and on the user's possibilities of redress, including on the right to submit complaints to the Coordinating Authority in accordance with Article 34.	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the user concerned ***without undue delay, except where the EU Centre has communicated otherwise under Article 48(6) point (a)***, providing information on the main content of the report, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider and on the user's possibilities of redress, including on	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the ~~*user*~~***users*** concerned, ***in accordance with the following sub-paragraphs*** providing information on the main content of the report~~*, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider*~~ and on the ~~*user's*~~ possibilities of redress, including on the right to submit complaints to the	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the ~~*user*~~***users*** concerned~~*, providing information on*~~ ***about*** the main content of the report~~*, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is*~~ ***and the means of redress*** available to ~~*the provider and on the user's possibilities of redress*~~***them***, including ~~*on*~~ the right to ~~*submit complaints to the Coordinating*~~ G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		the right to submit complaints to the Coordinating Authority in accordance with Article 34.	Coordinating Authority in accordance with Article 34.	~~Authority in accordance with~~**lodge a complaint pursuant to** Article 34. Text Origin: CY PCY - drafting
Article 12(2), second subparagraph				
302	The provider shall inform the user concerned without undue delay, either after having received a communication from the EU Centre indicating that it considers the report to be manifestly unfounded as referred to in Article 48(2), or after the expiry of a time period of three months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first.	The provider shall inform the user concerned without undue delay, either after having received a communication from the EU Centre indicating that it considers the report to be ~~manifestly~~ unfounded as referred to in Article 48(2), or after the expiry of a time period of three months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first.	The provider shall inform the ~~user~~**users** concerned without undue delay, either after having received a communication from the EU Centre indicating that it considers the report to be manifestly unfounded as referred to in Article 48(2), or after the expiry of a time period of ~~three~~ **six** months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first. **The period of six months refered to in this subparagraph shall be extended by up to 6 months where so requested by the competent authority referred to in Article 48(6).**	The provider shall inform the ~~user~~**users** concerned without undue delay~~, either~~ after ~~having received a communication from~~**the expiry of six months after the date of the report, unless, within that time period,** the EU Centre **(a) in accordance with Article 48(2), informs the provider** ~~indicating~~ that it considers the report to be manifestly unfounded ~~as referred to in Article 48(2), or after the expiry of a time period of three months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in~~**; or (b) in accordance with** Article 48(6), point (a), ~~whichever occurs first~~**instructs the provider not to inform the user concerned**. **Where the provider receives the information under point (a), it shall inform the user without undue delay after reception of that information.** **Where the provider receives an instruction under point (b), it shall inform the user without undue**

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				delay after the period specified in that instruction has expired. Text Origin: CY PCY - drafting
Article 12(2), third subparagraph				
303	Where within the three months' time period referred to in the second subparagraph the provider receives such a communication from the EU Centre indicating that the information is not to be provided, it shall inform the user concerned, without undue delay, after the expiry of the time period set out in that communication.	*deleted*	Where within the ~~*three months'*~~ time period referred to in the second subparagraph the provider receives such a communication from the EU Centre indicating that the information is not to be provided, it shall inform the ~~*user*~~***users*** concerned, without undue delay, after the expiry of the time period set out in that communication.	*deleted* *ITM 11.06.: Provisionally agreed. Covered in line 302).* *Text Origin: CY PCY - drafting*
Article 12(3)				
304	*3.*The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to flag to the provider potential online child sexual abuse on the service.	3.~~*The provider*~~***Providers of hosting services and providers of number-independent interpersonal communication services*** shall establish and operate an ~~*accessible*~~***easy to access***, age-appropriate***, child-friendly*** and user-friendly mechanism that allows ***any*** users ***or entity*** to flag ~~*to the provider*~~***or notify them of the presence on their service of specific items of information that the individual or entity considers to be*** potential online child sexual abuse***, including self-generated material. Those mechanisms shall allow for the submission of notices by users or entities exclusively by electronic***	3.The provider shall establish and operate an ~~*accessible*~~***easy to access,, effective***, age-appropriate and user-friendly***, in particular child-friendly,*** mechanism that allows users to ~~*flag*~~***notify*** to the provider ***information that indicate*** potential online child sexual abuse on ~~*the*~~***its*** service. ***Those mechanisms shall allow for the submission of notices by individuals or entities exclusively by electronic means.***	3.~~*The provider*~~***Providers*** shall ~~*establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to flag to the provider*~~***put mechanisms in place to allow any individual or entity to notify them of the presence on their service of specific items of information that the individual or entity considers to be*** potential online child sexual abuse~~*on the service*~~***. Those mechanisms shall be easy to access and user-friendly and shall allow such information to be notified anonymously by electronic means***. Text Origin: CY PCY - drafting

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		means and allow for anonymous reporting already available through anonymous reporting channels as defined by Directive (EU) 2019/1937 ~~*on the service*~~.			
Article 12(3a)					
G 304a			***The mechanisms shall be such as to facilitate the submission of sufficiently precise and adequately substantiated notices. To that end, the providers shall take the necessary measures, with particular attention to the needs of the child, to enable and to facilitate the submission of notices, with a view to receiving:***	***3a. The mechanisms referred to in paragraph 3 shall be such as to facilitate the submission of sufficiently precise and adequately substantiated notices. To that end, the providers shall take the necessary measures, with particular attention to the needs of the child, to enable and to facilitate the submission of notices containing all of the following elements:*** Text Origin: CY PCY - drafting	G
Article 12(3a), point (a)					
G 304b			***(a) the reasons why the user alleges that the material or conversation at issue constitutes online child sexual abuse;***	***(a) a sufficiently substantiated explanation of the reasons why the individual or entity alleges the information in question to be potential online child sexual abuse; and*** Text Origin: CY PCY - drafting	G
Article 12(3a), point (b)					
G 304c			***(b) a clear indication of the online location of the alleged online child sexual abuse and, where necessary, information specific to a service that enables the identification of its***	***(b) where applicable, a clear indication of the exact electronic location of that information, and, where necessary, additional information enabling the***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			online location.	***identification of the potential online child sexual abuse adapted to the type of content and to the specific type of service;*** Text Origin: CY PCY - drafting	
Article 12(3b)					
G 304d		***3a. The Commission, in cooperation with Coordinating Authorities and the EU Centre after having conducted a public consultation shall, by [six months from the date of entry into force of this Regulation], adopt implementing acts laying down the practical and operational arrangements for the design of a uniform identifiable notification mechanism referred to in paragraph 3, including for the design of a uniform easily recognisable icon in the user interface. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 87.***	***3a. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, shall issue guidelines on the application of paragraph 3, having due regard in particular to the child's age, maturity, views, needs and concerns.***	***3b. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public consultation, may issue guidelines on the application of paragraph 3, having due regard in particular to the child's age, maturity, views, needs and concerns.*** Text Origin: CY PCY - drafting	G
Article 13					
G 305	Article 13 Specific requirements for reporting	Article 13 Specific requirements for reporting	Article 13 Specific requirements for reporting	Article 13 Specific requirements for reporting Text Origin: Commission Proposal	G
Article 13(1)					
G 306	1.Providers of hosting services and	1.Providers of hosting services and	1.Providers of hosting services and	1.Providers of hosting services and	G

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	providers of interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. The report shall include:	providers of ***number-independent*** interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. ***They shall make all the reasonable efforts to ensure the quality of the information submitted in order to facilitate the assessment and process by the EU Centre in accordance with Article 49(1).*** The report shall include:	providers of interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. The report shall include:	providers of ***number-independent*** interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. The report shall include: Text Origin: CY PCY - drafting	
Article 13(1), point (a)					
G	307	(a) identification details of the provider and, where applicable, its legal representative;	(a) identification details of the provider and, where applicable, its legal representative;	(a) identification details of the provider and, where applicable, its legal representative; Text Origin: Commission Proposal	G
Article 13(1), point (b)					
G	308	(b) the date, time stamp and electronic signature of the provider;	(b) the date, time stamp and electronic signature of the provider;	(b) the date, time stamp and electronic signature of the provider; Text Origin: Commission Proposal	G
Article 13(1), point (ba)					
G	308a		***(ba) manner in which the provider became aware of the potential child sexual abuse;***	***(ba) the manner in which the provider became aware of the potential online child sexual abuse*** Text Origin: CY PCY - drafting	G
Article 13(1), point (c)					
G	309	(c) all content data, including	(c) all content data~~, *including*~~	(c) ~~*all*~~ content data~~, *including*~~	(c) all content data~~, *including*~~	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	images, videos and text;	~~*images, videos and text*~~ ***being reported***;	~~*images, videos and text*~~ ***related to the reported potential online child sexual abuse***;	~~*images, videos and text*~~ ***related to the reported potential online child sexual abuse***; Text Origin: CY PCY - drafting
Article 13(1), point (d)				
310	(d) all available data other than content data related to the potential online child sexual abuse;	(d) all ***relevant*** available data other than content data related to the potential online child sexual abuse;	(d) ~~*all*~~***other*** available ~~*data other than content*~~ data related to the ***reported*** potential online child sexual abuse***, including metadata related to media files and communications***;	(d) all ***relevant*** available data other than content data related to the ***reported*** potential online child sexual abuse***, including traffic data and subscriber data***; Text Origin: CY PCY - drafting
Article 13(1), point (e)				
311	(e) whether the potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the potential online child sexual abuse ***to their knowledge*** concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the ***reported*** potential online child sexual abuse ***to their knowledge*** concerns the dissemination of known or new child sexual abuse material or the solicitation of children; Text Origin: CY PCY - drafting
Article 13(1), point (f)				
312	(f) information concerning the geographic location related to the potential online child sexual abuse, such as the Internet Protocol address;	*deleted*	(f) information concerning the geographic location related to the potential online child sexual abuse, such as the Internet Protocol address ***of upload, with associated date and time stamp, including time zone, and port number***;	(f) ***where available,*** information concerning the geographic location related to the potential online child sexual abuse ***content***, such as the ***relevant*** Internet Protocol address***, with associated data and, where relevant, a time stamp, including time zone and port number, and a clear indication of the exact electronic location of that information, such as the exact URL***

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				or URLs; Text Origin: CY PCY - drafting
Article 13(1), point (fa)				
312a		***(fa) where applicable, an exact uniform resource locator and, where necessary, additional information for the identification of the potential child sexual abuse material;***		*deleted* *Moved to line 312.* *Text Origin: CY PCY - drafting*
Article 13(1), point (g)				
313	*(g)* information concerning the identity of any user involved in the potential online child sexual abuse;	(g) ***available*** information concerning the identity of any user involved in the potential online child sexual abuse;	(g) information concerning the identity of any user involved in the potential online child sexual abuse, ***including unique identifiers of the user***;	(g) ***available*** information concerning the identity of any user involved in the potential online child sexual abuse, ***including unique identifiers of the user***; Text Origin: CY PCY - drafting
Article 13(1), point (h)				
314	(h) whether the provider has also reported, or will also report, the potential online child sexual abuse to a public authority or other entity competent to receive such reports of a third country and if so, which authority or entity;	(h) whether the provider has also reported, or will also report, the potential online child sexual abuse to a public authority or other entity competent to receive such reports of a third country and if so, which authority or entity;	(h) whether the provider has also reported, or will also report, the ***information that indicate*** potential online child sexual abuse to a ***third-country*** public authority or other entity competent to receive such reports ~~*of a third country*~~ and if so, which authority or entity;	(h) whether the provider has also reported, or will also report, the ***information that indicates*** potential online child sexual abuse to a ***third-country*** public authority or other entity competent to receive such reports ~~*of a third country*~~ and if so, which authority or entity; Text Origin: CY PCY - drafting
Article 13(1), point (i)				
315	(i) where the potential online child sexual abuse concerns the dissemination of known or new child	(i) where the potential online child sexual abuse concerns the dissemination of known or new child	(i) where the ***information that indicate*** potential online child sexual abuse concerns the dissemination of	(i) where the ***information that indicates*** potential online child sexual abuse concerns the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	sexual abuse material, whether the provider has removed or disabled access to the material;	sexual abuse material, whether the provider has removed or disabled access to the material;	known or new child sexual abuse material, whether the provider has removed or disabled access to the material***, and, where relevant, whether it has been done on a voluntary basis***;	dissemination of known or new child sexual abuse material, whether the provider has removed or disabled access to the material; Text Origin: CY PCY - drafting
Article 13(1), point (ia)				
315a		***(ia) where applicable, information on the reporting mechanism or on the specific technology that enabled the provider to become aware of the potential online child sexual abuse following measures taken to execute a detection order issued in accordance with Article 7;***		*deleted* Text Origin: CY PCY - drafting
Article 13(1), point (j)				
316	*(j)* whether the provider considers that the report requires urgent action;	(j) whether the provider considers that the report ***involves an imminent threat to the live or safety of a child, or*** requires urgent action;	(j) whether the provider considers that the report requires urgent action;	(j) whether the provider considers that the report requires urgent action; Text Origin: CY PCY - drafting
Article 13(1), point (k)				
317	(k) a reference to this Regulation as the legal basis for reporting.	(k) a reference to this Regulation as the legal basis for reporting.	(k) a reference to this Regulation as the legal basis for reporting.	(k) a reference to this Regulation as the legal basis for reporting. Text Origin: Commission Proposal
Article 13(1a), first subparagraph				
317a			***1a. By deviation from paragraph 1, where the information referred to in Article 12(1) reasonably justifies the conclusion that there is likely to be an imminent threat to the life or***	***1a. By way of derogation from paragraph 1, where the information referred to in Article 12(1) reasonably justifies the conclusion that there is likely an emergency***

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			safety of a child or when the information indicates ongoing abuse, the report referred to in paragraph 1 of this Article shall be submitted without delay and include:	***case, the report referred to in paragraph 1 of this Article shall be submitted without delay and shall include:*** Text Origin: Council Mandate
Article 13(1a), first subparagraph, point (a)				
G 317b			***(a) in any event, the information referred to in points (a), (b), (f), (j) and (k) of paragraph 1 of this Article;***	***(a) in any event, the information referred to in points (a), (b), (f), (j) and (k) of paragraph 1 of this Article;*** Text Origin: Council Mandate
Article 13(1a), first subparagraph, point (b)				
G 317c			***(b) the information referred to in the other points of paragraph 1 of this Article, only insofar as that information is immediately available and the inclusion thereof in the report does not delay the submission of the report.***	***(b) the information referred to in the other points of paragraph 1 of this Article, only insofar as that information is immediately available and the inclusion thereof in the report does not delay the submission of the report.*** Text Origin: Council Mandate
Article 13(1a), second subparagraph				
G 317d			***Where the report referred to in the first subparagaph does not contain all information referred to in paragraph 1 of this Article in accordance with point (b) of the first subparagraph, the provider of hosting services or of interpersonal communications services concerned shall promptly submit an additional report containing all that***	***Where the report referred to in the first subparagraph does not contain all information referred to in paragraph 1 of this Article in accordance with point (b) of the first subparagraph, the provider of hosting services or of interpersonal communications services concerned shall promptly submit an additional report containing all that***

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			information, updated or completed where relevant. That additional report shall include a reference to the initial report submitted in accordance with the first subparagaph and shall indicate which information has been updated or completed.	***information, updated or completed where relevant. That additional report shall include a reference to the initial report submitted in accordance with the first subparagaph and shall indicate which information has been updated or completed.*** Text Origin: Council Mandate
Article 13(2)				
318	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained.	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained.	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained.	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained. Text Origin: Commission Proposal
Section 4				
319	Section 4Removal obligations	Section 4Removal obligations	Section 4Removal obligations	Section 4Removal obligations Text Origin: Commission Proposal
Article 14				
320	Article 14 Removal orders	Article 14 Removal orders	Article 14 Removal orders	Article 14 Removal orders Text Origin: Commission Proposal
Article 14(1)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
321	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a removal order requiring a provider of hosting services under the jurisdiction of the Member State that designated that Coordinating Authority to remove or disable access in all Member States of one or more specific items of material that, after a diligent assessment, the Coordinating Authority or the courts or other independent administrative authorities referred to in Article 36(1) identified as constituting child sexual abuse material.	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated ~~*it or another independent administrative authority of that Member State*~~ to issue a removal order requiring a provider of hosting services under the jurisdiction of the Member State that designated that Coordinating Authority to remove or disable access in all Member States of one or more specific items of material that, after a diligent assessment, the Coordinating Authority or the courts or other independent administrative authorities ***subject to judicial validation*** referred to in Article 36(1) identified as constituting child sexual abuse material.	1. ***The competent*** ~~*The Coordinating*~~ authority of ~~*establishment*~~ ***each Member State*** shall have the power to ~~*request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to*~~ issue a removal order***, subject to any requirements of national law as referred to in paragraph 1a,*** requiring a provider of hosting services ~~*under the jurisdiction of the Member State that designated that Coordinating Authority*~~ to remove or disable access in all Member States of one or more specific items of material that, after a diligent assessment, ~~*the Coordinating Authority or the courts or other independent administrative authorities referred to in Article 36(1)*~~ ***is*** identified as constituting child sexual abuse material.	1.The ~~*Coordinating*~~***competent*** authority of ~~*establishment*~~***each Member State*** shall have the power to ~~*request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to*~~ issue a removal order***, subject to any requirements of national law as referred to in paragraph 1a,*** requiring ~~*a provider of hosting services under the jurisdiction of the Member State that designated that Coordinating Authority to remove or disable*~~***the removal or disabling of*** access in all Member States of one or more specific items of material that~~*, after a diligent assessment, the Coordinating Authority or the courts or other independent administrative authorities referred to in Article 36(1)*~~ ***have been*** identified as constituting child sexual abuse material ***pursuant to Article 36(1)***. Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 14(1a)				
321a			***1a. By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued***	***1a. By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.	***by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 14 (1) first subparagraph				
321b		***Removal orders shall be addressed to the service provider acting as controller in accordance with Regulation (EU) 2016/679. By way of derogation, the removal order may be directly addressed to the service provider that stores or otherwise processes the data on behalf of the controller, where:***		***Removal orders shall be directed to the specific provider of hosting services that has the technical and operational ability to act against the specific items of material referred to in paragraph 1.*** Text Origin: CY PCY - drafting
Article 14 (1) first subparagraph point a				
321c		***(a) the controller cannot be identified despite reasonable efforts on the part of the issuing authority; or***		*deleted* Text Origin: CY PCY - drafting
Article 14 (1) first subparagraph point b				
321d		***(b) addressing the controller might be detrimental to an ongoing***		*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		investigation.		Text Origin: CY PCY - drafting
Article 14(1a)				
321e		***1a. Before issuing a removal order, the competent judicial authorities shall take all reasonable measures to ensure that executing the removal order does not interfere with activities for the investigation and prosecution of child sexual abuse offences.***		*deleted* Covered in line 350. Text Origin: CY PCY - drafting
Article 14(2)				
322	*2.*The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof.	2.The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof***, *except where the removal order indicates a shorter period*. *For micro and small enterprises, the removal order shall allow additional time, proportionate to the size and the resources of the provider, but in any case no longer than 3 working days.***	2.The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof. ***The provider shall take the necessary measures to ensure that it is capable to reinstate the material or access thereto in accordance with Article 15(1a).***	2.The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof. ***Where the issuing authority has not previously issued a removal order to a hosting service provider, it shall provide that hosting service provider with information on the applicable procedures and deadlines, at least 12 hours before issuing the removal order.*** ***If the order is reversed as a result of the redress procedure in accordance with Article 15(1), the provider shall take the necessary measures to reinstate the material or access thereto without undue delay. This is without prejudice to the possibility to enforce its terms***

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				and conditions in accordance with Union and national law. Text Origin: CY PCY - drafting
Article 14(3)				
323	3.The competent judicial authority or the independent administrative authority shall issue a removal order using the template set out in Annex IV. Removal orders shall include:	3.The competent judicial ~~*authority or the independent administrative*~~ authority shall issue a removal order using the template set out in Annex IV. Removal orders shall include:	3.~~*The competent judicial authority or the independent administrative authority shall issue*~~ A removal order ***shall be issued*** using the template set out in Annex IV. Removal orders shall include:	3.~~*The competent judicial authority or the independent administrative authority shall issue*~~ A removal order ***shall be issued*** using the template set out in Annex IV. Removal orders shall include: Text Origin: CY PCY - drafting
Article 14(3), point (a)				
324	(a) identification details of the judicial or independent administrative authority issuing the removal order and authentication of the removal order by that authority;	(a) identification details of the judicial ~~*or independent administrative authority*~~ issuing the removal order and authentication of the removal order by that authority;	(a) identification details of the ~~*judicial or independent administrative*~~ authority issuing the removal order and authentication of the removal order by that authority;	(a) identification details of the ~~*judicial or independent administrative*~~ authority issuing the removal order and authentication of the removal order by that authority; Text Origin: CY PCY - drafting
Article 14(3), point (b)				
325	(b) the name of the provider and, where applicable, of its legal representative;	(b) the name of the provider and, where applicable, of its legal representative;	(b) the name of the provider and, where applicable, of its legal representative;	(b) the name of the provider and, where applicable, of its legal representative; Text Origin: Commission Proposal
Article 14(3), point (c)				
326	(c) the specific service for which the removal order is issued;	(c) the specific service for which the removal order is issued;	(c) the specific service ~~*for*~~ ***in respect of*** which the removal order is issued;	(c) the specific service ~~*for*~~ ***in respect of*** which the removal order is issued; Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 14(3), point (d)				
327	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued and in particular why the material constitutes child sexual abuse material;	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued and in particular why the material constitutes child sexual abuse material;	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued ~~*and in particular why the material constitutes child sexual abuse material;*~~	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued and in particular why the material constitutes child sexual abuse material; Text Origin: CY PCY - drafting
Article 14(3), point (e)				
328	(e) an exact uniform resource locator and, where necessary, additional information for the identification of the child sexual abuse material;	(e) an exact uniform resource locator and, where necessary, additional information for the identification of the child sexual abuse material;	(e) ~~*an exact uniform resource locator and, where necessary, additional*~~***clear*** information ~~*for the identification of*~~ ***enabling the provider to identify and locate*** the child sexual abuse material;	(e) an exact uniform resource locator and, where necessary, additional information for the identification of the child sexual abuse material; Text Origin: CY PCY - drafting
Article 14(3), point (f)				
329	(f) where applicable, the information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c);	(f) where applicable, the information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c);	(f) where applicable, the information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c);	(f) where applicable, the information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c); Text Origin: Commission Proposal
Article 14(3), point (fa)				
329a			***(fa)the information necessary for the application, where relevant, of paragraphs 5, 6 and 7;***	*deleted* Text Origin: CY PCY - drafting
Article 14(3), point (g)				
330	*(g)* a reference to this Regulation as	(g) a reference to ***Article 14 of*** this	(g) a reference to this Regulation as	(g) a reference to this Regulation as

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the legal basis for the removal order;	Regulation as the legal basis for the removal order;	the legal basis for the removal order;	the legal basis for the removal order; Text Origin: CY PCY - drafting
Article 14(3), point (h)				
G 331	(h) the date, time stamp and electronic signature of the judicial or independent administrative authority issuing the removal order;	(h) the date, time stamp and electronic signature of the judicial ~~*or independent administrative*~~ authority issuing the removal order;	(h) the date, time stamp and electronic signature of the ~~*judicial or independent administrative*~~***competent*** authority issuing the removal order;	(h) the date, time stamp and electronic signature of the ~~*judicial or independent administrative*~~ authority issuing the removal order; Text Origin: CY PCY - drafting
Article 14(3), point (i)				
G 332	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress. Text Origin: Commission Proposal
Article 14(4), first subparagraph				
G 333	4.The judicial authority or the independent administrative issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	4.The judicial authority ~~*or the independent administrative*~~ issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	4.The ~~*judicial*~~ ***competent*** authority ~~*or the independent administrative*~~ issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	4.The ~~*judicial*~~ authority ~~*or the independent administrative*~~ issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24. Text Origin: CY PCY - drafting
Article 14(4), second subparagraph				
G 334	It shall transmit the removal order to the point of contact referred to in	It shall transmit the removal order to the point of contact referred to in	~~*It shall transmit*~~ The removal order ***shall be transmitted, where***	~~*It shall transmit*~~ The removal order ***shall be transmitted, where***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	***applicable in accordance with Article 14a,*** to the ***the provider's*** point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of ~~establishment~~***the Member State whose authority issued the order*** and to the EU Centre, through the system established in accordance with Article 39(2).	***applicable in accordance with Article 14a,*** to the ***provider's*** point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of ~~establishment~~***the Member State whose authority issued the order*** and to the EU Centre, through the system established in accordance with Article 39(2). Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 14(4), third subparagraph				
G 335	It shall draft the removal order in the language declared by the provider pursuant to Article 23(3).	It shall draft the removal order in the language declared by the provider pursuant to Article 23(3).	~~*It shall draft*~~ The removal order ***shall be transmitted in any of the official languages*** ~~*in the language*~~ declared by the provider pursuant to Article 23(3).	~~*It shall draft*~~ The removal order ***shall be transmitted in any of the official languages*** ~~*in the language*~~ declared by the provider pursuant to Article 23(3)***, or in any of the official languages of the authority issuing the order provided that it is accompanied by a translation of at least the most important elements necessary for the execution of the removal order into any of the official languages declared by the provider in accordance with article 23(3)***. G

OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 14(4), forth subparagraph				
335a			***The order may also be transmitted in any of the official languages of the Member State issuing the order, provided that it is accompanied by a translation of at least the most important elements necessary for the execution of the order into any of the official languages declared by the provider in accordance with article 23(3).***	Covered in 335.
Article 14(5), first subparagraph				
336	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the Coordinating Authority of establishment of those grounds, using the template set out in Annex V.	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the Coordinating Authority of establishment of those grounds, using the template set out in Annex V.	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the ~~Coordinating~~ authority ~~of establishment~~***issuing the order*** of those grounds, using the template set out in Annex V.	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the ~~Coordinating~~ authority ~~of establishment~~***issuing the order*** of those grounds, using the template set out in Annex V. Text Origin: CY PCY - drafting
Article 14(5), second subparagraph				
337	The time period set out in paragraph 1 shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist.	The time period set out in paragraph 1 shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist.	The time period set out in paragraph ~~1~~***2*** shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist.	The time period set out in paragraph ~~1~~***2*** shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist. Text Origin: CY PCY - drafting

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 14(6), first subparagraph				
338	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex V.	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex V.	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification ~~to the Coordinating~~ ***from the*** authority ~~of establishment,~~ ***issuing the order*** using the template set out in Annex V.	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification ~~to the Coordinating~~ ***from the*** authority ~~of establishment,~~ ***issuing the order*** using the template set out in Annex V. Text Origin: CY PCY - drafting
Article 14(6), second subparagraph				
339	The time period set out in paragraph 1 shall start to run as soon as the provider has received the necessary clarification.	The time period set out in paragraph 1 shall start to run as soon as the provider has received the necessary clarification.	The time period set out in paragraph ~~1~~2 shall start to run as soon as the provider has received the necessary clarification.	The time period set out in paragraph ~~1~~2 shall start to run as soon as the provider has received the necessary clarification. Text Origin: CY PCY - drafting
Article 14(7)				
340	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the Coordinating Authority of establishment and the EU Centre, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof.	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the Coordinating Authority of establishment and the EU Centre, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof.	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the ~~Coordinating~~ authority ~~of establishment and the EU Centre~~***issuing the order***, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof.	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the ~~Coordinating~~ authority ~~of establishment~~***issuing the order*** and the EU Centre, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof. Text Origin: CY PCY - drafting

CONTEXT OBTAINED BY OBTAINFR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 14(8)				
341	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained. Text Origin: Commission Proposal
Article 14(8a)				
341a		***8a. Where Europol or the national competent law enforcement authorities or the EU Centre pursuant to Article 49(2), become aware of the presence of child sexual abuse material on a hosting service, they shall notify the competent Coordinating Authority of its exact uniform resource locator, and the Coordinating Authority shall request a removal order where the conditions of paragraph 1 and 1a are met.***		*deleted* Refer to Art. 32 and 49. Text Origin: EP Mandate
Article 14a				
341b			***Article 14a*** ***Procedure for cross-border removal orders***	***Article 14a*** ***Procedure for cross-border removal orders*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting

OBTENU PAR · OBTAINED BY

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement	
Article 14a(1)									
G	341c					***1.Subject to Article 14, where the provider of hosting services does not have its main establishment or legal representative in the Member State of the authority that issued the removal order, that authority shall, simultaneously, submit through the Coordinating Authority a copy of the removal order to the Coordinating Authority of establishment.***		***1.Subject to Article 14, where the provider of hosting services does not have its main establishment or legal representative in the Member State of the authority that issued the removal order, that authority shall, simultaneously, submit through the Coordinating Authority a copy of the removal order to the Coordinating Authority of establishment.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	G
Article 14a(2), first subparagraph									
G	341d					***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the removal order in accordance with paragraph 1, scrutinise the removal order to determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.***		***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the removal order in accordance with paragraph 1, scrutinise the removal order to determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	G
Article 14a(2), second subparagraph									
G	341e					***Where that Coordinating Authority finds such an infringement, it shall,***		***Where that Coordinating Authority finds such an infringement, it shall,***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.	***within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 14a(3)				
G 341f				***2a. Hosting service providers shall have the right to submit, within 48 hours of receiving a removal order, a reasoned request to the Coordinating Authority of establishment to scrutinise the removal order as referred to in the first subparagraph of paragraph 2 of this Article. The Coordinating Authority of establishment shall, within 72 hours of receiving the request, adopt a reasoned decision following its scrutiny of the removal order, setting out its findings as to whether there is an infringement.*** Trilogue (29.06.): Provisionally agreed.
Article 14a(3)				
G 341g			***3. Where a hosting service provider receives a removal order as referred to in paragraph 1, it shall take the measures provided for in Article 14 as well as the necessary measures to be able to reinstate the content or access thereto, in accordance with paragraph 4 of this Article.***	***3. Where a hosting service provider receives a removal order as referred to in paragraph 1, it shall take the measures provided for in Article 14 as well as the necessary measures to be able to reinstate the content or access thereto, in accordance with paragraph 4 of this Article.***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 14a(4)				
341h			***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of hosting services concerned shall without undue delay reinstate the content or access thereto, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of hosting services concerned shall without undue delay reinstate the content or access thereto, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 14a(5), first subparagraph				
341i			***5.By way of derogation from Article 14(1) and from paragraphs 1 and 2 of this Article, a Member State in which the provider of hosting services has its main establishment or in which its legal representative resides or is established may decide that removal orders issued by the competent authorities of other Member States are to be transmitted through the Coordinating Authority of that Member State. That Member State shall inform the Commission of its decision and of its reasons therefor. The Commission shall***	***5.By way of derogation from Article 14(1) and from paragraphs 1 and 2 of this Article, a Member State in which the provider of hosting services has its main establishment or in which its legal representative resides or is established may decide that removal orders addressed to providers established on its territory and issued by the competent authorities of another Member State shall be transmitted through the Coordinating Authority of establishment. That Member State shall inform the Commission of its***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			make publicly available, and keep up-to-date, a list of Member States that take such a decision.	***decision and of its reasons therefor. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	
Article 14a(5), second subparagraph					
G	341j		***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a removal order, as referred to in the first subparagraph, transmit that removal order to the provider of hosting services, unless it adopts a reasoned decision within that 72 hour period that that removal order seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of hosting services.***	***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a removal order, as referred to in the first subparagraph, transmit that removal order to the provider of hosting services, unless it adopts a reasoned decision within that 72 hour period that that removal order seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of hosting services.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 14a(6)					
G	341k		***6.The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second***	***6.The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			subparagraph of paragraph 2 or the second subparagraph of paragraph 5, inform the Coordinating Authority of the Member State whose authority issued the removal order of its intention to adopt the decision and of the reasons therefor.	***subparagraph of paragraph 2 or the second subparagraph of paragraph 5, inform the Coordinating Authority of the Member State whose authority issued the removal order of its intention to adopt the decision and of the reasons therefor.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	
Article 14a(7), first subparagraph					
G	341l		***7.Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay, transmit that decision, to the Coordinating Authority of the Member State whose authority issued the removal order, the provider of hosting services and the EU Centre.***	***7.Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay, transmit that decision, to the Coordinating Authority of the Member State whose authority issued the removal order, the provider of hosting services and the EU Centre. Where the decision finds an infringement pursuant to paragraph 2 or 2a of this Article, the removal order shall cease to have legal effects.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	G
Article 14a(7), second subparagraph					
G	341m		***Where the Coordinating Authority of establishment adopts a reasoned***	***Where the Coordinating Authority of establishment adopts a reasoned***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			decision in accordance with the second subparagraph of paragraph 5, it shall, without delay, transmit that decision to the Coordinating Authority of the Member State whose authority issued the removal order and the EU Centre.	***decision in accordance with the second subparagraph of paragraph 5, it shall, without delay, transmit that decision to the Coordinating Authority of the Member State whose authority issued the removal order and the EU Centre.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 15				
G 342	Article 15 Redress and provision of information	Article 15 Redress and provision of information	Article 15 Redress and provision of information	Article 15 Redress and provision of information Text Origin: Commission Proposal
Article 15(1)				
G 343	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the competent judicial authority or independent administrative authority that issued the removal order.	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the competent judicial authority ~~*or independent administrative authority*~~ that issued the removal order.	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order.	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order. Text Origin: CY PCY - drafting
Article 15(1a)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
343a			***1a. If the order is reversed as a result of a redress procedure, the provider shall without undue delay reinstate the material or access thereto, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	*deleted* Text Origin: CY PCY - drafting
Article 15(2), first subparagraph				
344	*2.*When the removal order becomes final, the competent judicial authority or independent administrative authority that issued the removal order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the removal order becomes final, the competent judicial authority ~~*or independent administrative authority*~~ that issued the removal order shall, without undue delay, ~~*transmit a copy thereof to*~~***inform*** the Coordinating Authority of establishment ***thereof***. The Coordinating Authority of establishment shall then, without undue delay, ~~*transmit a copy thereof to*~~***inform the EU Centre and*** all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the removal order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order shall, without undue delay, transmit a copy thereof ***and copies of the information it has received pursuant to Article 14(5) to (7)*** to the Coordinating Authority of ~~*establishment. The*~~***the Member State of the authority issuing the removal order . That*** Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, transmit ~~*a copy*~~ ***copies*** thereof to all other Coordinating Authorities ***and to the EU Centre*** through the system established in accordance with Article 39(2).	2.When the removal order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order shall, without undue delay, transmit a copy thereof ***and copies of the information it has received pursuant to Article 14(5) to (7)*** to the Coordinating Authority of ~~*establishment. The*~~***the Member State of the authority issuing the removal order. That*** Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, ~~*transmit*~~***forward*** a copy ~~*thereof*~~***of the order and any related information*** to all other Coordinating Authorities ***and to the EU Centre*** through the system established in accordance with Article 39(2). Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 15(2), second subparagraph				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
345	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal. Text Origin: Commission Proposal
Article 15(3)				
346	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following:	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following:	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following:	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following: Text Origin: Commission Proposal
Article 15(3), point (a)				
347	(a) the fact that it removed the material or disabled access thereto;	(a) the fact that it removed the material or disabled access thereto;	(a) the fact that it removed the material or disabled access thereto;	(a) the fact that it removed the material or disabled access thereto; Text Origin: Commission Proposal
Article 15(3), point (b)				
348	(b) the reasons for the removal or disabling, providing a copy of the removal order upon the user's request;	(b) the reasons for the removal or disabling, providing a copy of the removal order ~~*upon the user's request*~~;	(b) the reasons for the removal or disabling, providing a copy of the removal order upon the user's request;	(b) the reasons for the removal or disabling, providing a copy of the removal order upon the user's request; Text Origin: CY PCY - drafting

CONTEXTE OBTAINED BY OBSTATPOR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 15(3), point (c)				
349	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34. Text Origin: Commission Proposal
Article 15(3a), first subparagraph				
349a			***3a. The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.***	***3a. The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable time-frame, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.*** Text Origin: CY PCY - drafting
Article 15(4), first subparagraph				
350	4.The Coordinating Authority of establishment may request, when requesting the judicial authority or independent administrative authority issuing the removal order, and after having consulted with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material, where and to	4.The Coordinating Authority of establishment may request, when requesting the judicial ~~authority or independent administrative~~ authority issuing the removal order, and after having consulted with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material, where and to	4.The ~~Coordinating~~***issuing*** authority ~~of establishment may request, when requesting the judicial authority or independent administrative authority issuing the removal order~~ ***may decide*** ~~, and~~ after having consulted ***if necessary*** with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material,	4.The ~~Coordinating~~***issuing*** authority ~~of establishment may request, when requesting the judicial authority or independent administrative authority issuing the removal order~~ ***may decide*** ~~, and~~ after having consulted ***if necessary*** with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material,

Contexte OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	where and to the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse ***or related criminal*** offences.	where and to the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse ***or related criminal*** offences. Text Origin: CY PCY - drafting
Article 15(4), second subparagraph				
351	In such a case:	In such a case:	In such a case:	In such a case: Text Origin: Commission Proposal
Article 15(4), second subparagraph, point (a)				
352	(a) the judicial authority or independent administrative authority issuing the removal order shall set the time period not longer than necessary and not exceeding six weeks, during which the provider is not to disclose such information;	(a) the judicial ~~*authority or independent administrative*~~ authority issuing the removal order shall set the time period not longer than necessary and not exceeding six weeks, during which the provider is not to disclose such information;	(a) the ~~*judicial authority or independent administrative*~~ authority issuing the removal order shall ~~*set the*~~***inform the provider of its decision specifying the applicable*** time period ~~*not*~~***that shall be no*** longer than necessary and not exceeding ~~*six*~~***twelve*** weeks, during which the provider is not to disclose such information;	(a) the ~~*judicial authority or independent administrative*~~ authority issuing the removal order shall ~~*set the*~~***inform the provider of its decision specifying the applicable*** time period ~~*not*~~***that shall be no*** longer than necessary and not exceeding ~~*six*~~***nine*** weeks, during which the provider is not to disclose such information; Text Origin: CY PCY - drafting
Article 15(4), second subparagraph, point (b)				
353	(b) the obligations set out in paragraph 3 shall not apply during that time period;	(b) the obligations set out in paragraph 3 shall not apply during that time period;	(b) the obligations set out in paragraph 3 shall not apply during that time period;	(b) the obligations set out in paragraph 3 shall not apply during that time period; Text Origin: Commission Proposal
Article 15(4), second subparagraph, point (c)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 354	(c) that judicial authority or independent administrative authority shall inform the provider of its decision, specifying the applicable time period.	(c) that judicial ~~authority or independent administrative~~ authority shall inform the provider of its decision, specifying the applicable time period.	~~(c) that judicial authority or independent administrative authority shall inform the provider of its decision, specifying the applicable time period.~~	*deleted* Text Origin: CY PCY - drafting
Article 15(4), third subparagraph				
G *355*	That judicial authority or independent administrative authority may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, that judicial authority or independent administrative authority shall inform the provider of its decision, specifying the applicable time period. Article 14(3) shall apply to that decision.	That judicial ~~authority or independent administrative~~ authority may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, that judicial authority ~~or independent administrative authority~~ shall inform the provider of its decision, specifying the applicable time period. Article 14(3) shall apply to that decision.	~~That judicial~~ ***The*** authority ~~or independent administrative authority~~***issuing the removal order*** may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, ~~that judicial authority or independent administrative~~ ***the issuing*** authority shall inform the provider of its decision, specifying the applicable time period. ~~Article 14(3) shall apply to that decision.~~	~~That judicial~~ ***The*** authority ~~or independent administrative authority~~***issuing the removal order*** may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, ~~that judicial authority or independent administrative~~ ***the issuing*** authority shall inform the provider of its decision, specifying the applicable time period. Article 14(3) shall apply to that decision. Text Origin: CY PCY - drafting
Article 15(4a)				
G 355a			***4a. Where Article 14a(5) applies, the issuing authority shall inform the provider of the decision referred to in paragraph 4 through the Coordinating Authority of establishment.***	***4a. Where Article 14a(5) applies, the issuing authority shall inform the provider of the decision referred to in paragraph 4 through the Coordinating Authority of establishment.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate

CONTEXT OBTAINED BY FOIA REQUEST

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Section 5				
356	Section 5 Blocking obligations	Section 5 Blocking obligations	Section 5 Blocking obligations	Section 5 Blocking obligations Text Origin: Commission Proposal
Article 16				
357	Article 16 Blocking orders	Article 16 Blocking orders	Article 16 Blocking orders	Article 16 Blocking orders Text Origin: Commission Proposal
Article 16(1)				
358	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or an independent administrative authority of that Member State to issue a blocking order requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users from accessing known child sexual abuse material indicated by all uniform resource locators on the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.	1.***As a measure of last resort, when the known child sexual abuse material cannot be reasonable removed at source,*** the Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it ~~or an independent administrative authority of that Member State~~ to issue a blocking order requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users from accessing known child sexual abuse material indicated by ~~all~~***the exact*** uniform resource locators on the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.	1.The ~~Coordinating~~***competent*** authority of establishment~~-~~ shall have the power ~~to request the competent judicial authority of the Member State that designated it or an independent administrative authority of that Member State~~ to issue a blocking order***, subject to any requirements of national law as referred to in paragraph 1a,*** requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users from accessing ~~known~~ child sexual abuse material ~~indicated by all uniform resource locators on~~***. The competent authorities may make use of*** the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.	1.The ~~Coordinating~~***competent*** authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or***, subject to judicial oversight,*** an independent administrative authority of that Member State to issue a blocking order requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users from accessing known child sexual abuse material ~~indicated by all uniform resource locators on~~***. The competent authorities shall make use of*** the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre~~.~~ Trilogue (29.06.): Provisionally agreed.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 16(1a)				
G 358a			***1a. By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.***	***1a. By derogation from paragraph 1, Member States may decide that such orders can be issued by a competent authority of establishment, provided that the orders are subject to ex-post scrutiny by a competent judicial or independent administrative authority of that Member State without undue delay from the date of issuance of the order. This scrutiny is without prejudice to the right of redress set out in Article 18. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting G
Article 16(1b)				
G 358b			***1b. The provider shall execute the blocking order as soon as possible and in any event within a reasonable time period set by the issuing authority. The provider***	***1b. The provider shall execute the blocking order as soon as possible and in any event within a reasonable time period set by the issuing authority. The provider*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			shall take the necessary measures to ensure that it is capable of reinstating access in accordance with Article 18(1a).	***shall take the necessary measures to ensure that it is capable of reinstating access in accordance with Article 18(1a).*** Text Origin: CY PCY - drafting
Article 16(2), first subparagraph				
359	2.The Coordinating Authority of establishment shall, before requesting the issuance of a blocking order, carry out all investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.	2.The Coordinating Authority of establishment shall, before requesting the issuance of a blocking order, carry out all investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.	~~*2.The Coordinating Authority of establishment shall, before requesting the issuance of a blocking order, carry out all investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.*~~	*deleted*
Article 16(2), second subparagraph				
360	To that end, it shall, where appropriate:	To that end, it shall, where appropriate:	~~*To that end, it shall, where appropriate:*~~	*deleted*
Article 16(2), second subparagraph, point (a)				
361	*(a)* verify that, in respect of all or a representative sample of the uniform resource locators on the list referred to in paragraph 1, the conditions of Article 36(1), point (b), are met, including by carrying out checks to verify in cooperation with the EU Centre that the list is complete, accurate and up-to-date;	(a) verify that~~*, in respect of all or a representative sample of the uniform resource locators on the list referred to in paragraph 1*~~, the conditions of Article 36(1), point (b), are met, including by carrying out checks to verify in cooperation with the EU Centre that the list is complete, accurate and up-to-date;	~~*(a) verify that, in respect of all or a representative sample of the uniform resource locators on the list referred to in paragraph 1, the conditions of Article 36(1), point (b), are met, including by carrying out checks to verify in cooperation with the EU Centre that the list is complete, accurate and up-to-date;*~~	*deleted*
Article 16(2), second subparagraph, point (b)				
362	*(b)* require the provider to submit, within a reasonable time period set by that Coordinating Authority, the	(b) require the provider to submit, within a reasonable time period set by that Coordinating Authority,	~~*(b) require the provider to submit, within a reasonable time period set by that Coordinating Authority, the*~~	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	necessary information, in particular regarding the accessing or attempting to access by users of the child sexual abuse material indicated by the uniform resource locators, regarding the provider's policy to address the risk of dissemination of the child sexual abuse material and regarding the provider's financial and technological capabilities and size;	~~the~~***any*** necessary information, in particular regarding the ***apparent*** accessing or attempting to access by users of the child sexual abuse material indicated by the uniform resource locators~~, regarding the provider's policy to address the risk of dissemination of the child sexual abuse material and regarding the provider's financial and technological capabilities and size~~;	~~necessary information, in particular regarding the accessing or attempting to access by users of the child sexual abuse material indicated by the uniform resource locators, regarding the provider's policy to address the risk of dissemination of the child sexual abuse material and regarding the provider's financial and technological capabilities and size;~~	
Article 16(2), second subparagraph, point (c)				
363	*(c)* request the EU Centre to provide the necessary information, in particular explanations and assurances regarding the accuracy of the uniform resource locators in indicating child sexual abuse material, regarding the quantity and nature of that material and regarding the verifications by the EU Centre and the audits referred to in Article 36(2) and Article 46(7), respectively;	(c) request the EU Centre to provide the necessary information, in particular explanations and assurances regarding the accuracy of the uniform resource locators in indicating ***known*** child sexual abuse material, regarding the quantity and nature of that material and regarding the verifications by the EU Centre and the audits referred to in Article 36(2) and Article 46(7), respectively;	~~*(c) request the EU Centre to provide the necessary information, in particular explanations and assurances regarding the accuracy of the uniform resource locators in indicating child sexual abuse material, regarding the quantity and nature of that material and regarding the verifications by the EU Centre and the audits referred to in Article 36(2) and Article 46(7), respectively;*~~	*deleted*
Article 16(2), second subparagraph, point (d)				
364	*(d)* request any other relevant public authority or relevant experts or entities to provide the necessary information.	(d) request any other relevant public authority or relevant experts or entities to provide the necessary information.	~~*(d) request any other relevant public authority or relevant experts or entities to provide the necessary information.*~~	*deleted*
Article 16(3)				
365	*3.*The Coordinating Authority of establishment shall, before requesting the issuance of the	3.The Coordinating Authority of establishment shall, before requesting the issuance of the	~~*3.The Coordinating Authority of establishment shall, before requesting the issuance of the*~~	3.The Coordinating Authority of establishment shall, before requesting the issuance of the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority.	blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority.	~~blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority.~~	blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority. Text Origin: EP Mandate
Article 16(4), first subparagraph				
G 366	4.The Coordinating Authority of establishment shall request the issuance of the blocking order, and the competent judicial authority or independent authority shall issue the blocking order, where it considers that the following conditions are met:	4.The Coordinating Authority of establishment ~~shall~~***may*** request the issuance of the blocking order, and the competent judicial authority ~~or independent authority~~ shall issue the blocking order, where it considers that ***all*** the following conditions are ***simultaneously*** met:	4.~~The Coordinating Authority of establishment shall request the issuance of the~~ ***A*** blocking order~~,~~ ~~and the competent judicial authority or independent authority~~ shall ~~issue the blocking order,~~***be issued*** where ~~it considers that~~ the following conditions are met:	4.~~The Coordinating Authority of establishment shall request the issuance of the~~ ***A*** blocking order~~,~~ ~~and the competent judicial authority or independent authority~~ shall ~~issue the blocking order,~~***be issued*** where ~~it considers that~~***all of*** the following conditions are met: ITM (4.05): Provisionally agreed. Text Origin: CY PCY - drafting
Article 16(4), first subparagraph, point (a)				
G 367	(a) there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to access the child sexual abuse material indicated by the uniform resource locators;	(a) ~~there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to access~~ the child sexual abuse material ~~indicated by the uniform resource locators~~***cannot reasonable be***	(a) ~~there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to~~***other equally effective and less intrusive measures than blocking cannot be taken to prevent*** access ~~the~~***to*** child	(a) ~~there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to~~***other equally effective and less intrusive measures than blocking cannot be taken to prevent*** access ~~the~~***to*** child

COUNCIL EXCLUSIVE OBTAINED BY A PUBLIC ACCESS

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		removed at source and the material is still online;	sexual abuse material ~~*indicated by the uniform resource locators*~~***or if it is likely that such measure will fail***;	sexual abuse material ~~*indicated by the uniform resource locators;*~~**;** Text Origin: CY PCY - drafting
Article 16(4), first subparagraph, point (b)				
G 368	(b) the blocking order is necessary to prevent the dissemination of the child sexual abuse material to users in the Union, having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination;	(b) the blocking order is necessary to prevent the dissemination of the child sexual abuse material to users in the Union, having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination;	(b) the blocking order is necessary to prevent the dissemination of ~~*the*~~ child sexual abuse material ~~*to users*~~ in the Union, having regard ~~*in particular to the quantity and nature of that material,*~~ ***to*** the need to protect the rights of the victims ~~*and the existence and implementation by the provider of a policy to address the risk of such dissemination*~~ ***;***	(b) the blocking order is necessary to prevent the dissemination of the child sexual abuse material to users in the Union~~*, having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination*~~; See recital 32. Text Origin: CY PCY - drafting
Article 16(4), first subparagraph, point (c)				
G 369	(c) the uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material;	(c) ***the exact***~~*the*~~ uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material;	~~*(c) the uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material;*~~	(c) ***the exact***~~*the*~~ uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material; Text Origin: EP Mandate
Article 16(4), first subparagraph, point (d)				
G 370	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of

OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business.	those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business~~.~~ **;**	those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business.	those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business. Text Origin: EP Mandate
Article 16(4), first subparagraph, point (da)				
G 370a		***(da) it is technically feasible for the provider, without undermining web traffic encryption and without collateral blocking of access to lawful content accessible via other uniform resource locators.***		*deleted* *EP AM to be covered in a recital. Linked to line 392a.* Text Origin: CY PCY - drafting
Article 16(4), second subparagraph				
G *371*	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and circumstances of the case at hand, including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3.	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and circumstances of the case at hand, including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3.	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and circumstances of the case at hand~~,~~ ~~*including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3*~~ **.**	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and circumstances of the case at hand, including ~~*any information obtained pursuant to paragraph 2 and*~~ the views of the provider submitted in accordance with paragraph 3. Text Origin: CY PCY - drafting
Article 16(5)				
G 372	5.The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial or independent administrative authority when issuing the blocking order, shall:	5.The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial ~~*or independent administrative authority*~~ when issuing the blocking order, shall:	5.~~*The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial or independent administrative authority when issuing the*~~***A*** blocking order~~,~~ shall:	5.~~*The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial or independent administrative authority when issuing the*~~***A*** blocking order~~,~~ shall:

COTEXTE OBTAINED BY EU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 16(5), point (a)				
373	(a) specify effective and proportionate limits and safeguards necessary to ensure that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary;	(a) specify effective and proportionate limits and safeguards necessary to ensure that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary;	(a) specify ~~*effective and proportionate*~~ limits ~~*and safeguards*~~ necessary to ensure ***that a blocking order is targeted and*** that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary;	(a) specify effective and proportionate limits ~~*and safeguards*~~ necessary to ensure ***that a blocking order is targeted and*** that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary; Text Origin: CY PCY - drafting
Article 16(5), point (b)				
374	(b) subject to paragraph 6, ensure that the period of application remains limited to what is strictly necessary.	(b) subject to paragraph 6, ensure that the period of application remains limited to what is strictly necessary.	(b) subject to paragraph 6, ensure that the period of application remains limited to what is strictly necessary.	(b) subject to paragraph 6, ensure that the period of application remains limited to what is strictly necessary. Text Origin: Commission Proposal
Article 16(6), first subparagraph				
375	6.The Coordinating Authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date.	6.The Coordinating Authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date.	6.The ~~*Coordinating*~~***issuing*** authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date.	6.The ~~*Coordinating*~~***issuing*** authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date. Text Origin: CY PCY - drafting
Article 16(6), second subparagraph				
376	The period of application of blocking orders shall not exceed five years.	The period of application of blocking orders shall not exceed five years***, but it can be renewed afterwards if necessary***.	The period of application of blocking orders shall not exceed five years.	The period of application of blocking orders shall not exceed five years***, but it can be extended if necessary and justified***. Text Origin: CY PCY - drafting

CONTEXTO OBTAINED BY · OBTENUDO POR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 16(7), first subparagraph				
377	7.In respect of the blocking orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating Authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders occurred and, in particular, whether the conditions of paragraph 4 continue to be met.	7.In respect of the blocking orders that the competent judicial ~~authority or independent administrative~~ authority issued at its request, the Coordinating Authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders occurred and, in particular, whether the conditions of paragraph 4 continue to be met.	7.~~In respect of the blocking orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating~~***The issuing*** authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders ***have*** occurred and~~, in particular,~~ whether the conditions of paragraph 4 continue to be met.	7.~~In respect of the blocking orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating~~***The issuing*** authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders ***have*** occurred and~~, in particular,~~ whether the conditions of paragraph 4 continue to be met. Text Origin: CY PCY - drafting
Article 16(7), second subparagraph				
378	That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the blocking order the modification or revocation of such order, where necessary in the light of the outcome of that assessment or to take account of justified requests or the reports referred to in Article 18(5) and (6), respectively. The provisions of this Section shall apply to such requests, mutatis mutandis.	That Coordinating Authority shall request to the competent judicial ~~authority or independent administrative~~ authority that issued the blocking order the modification or revocation of such order, where necessary in the light of the outcome of that assessment or to take account of justified requests or the reports referred to in Article 18(5) and (6), respectively. The provisions of this Section shall apply to such requests, mutatis mutandis.	~~That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the blocking order the modification or revocation of such order,~~ Where necessary in the light of the outcome of that assessment or~~ to take account of justified requests or~~ ***other relevant information, including information obtained through*** the reports referred to in Article~~ 18(5) and (6)~~ ***17(5a)*** ,~~ respectively. The provisions of this Section~~ ***an order*** shall ~~apply to such requests, mutatis mutandis~~***be modified or reversed by the issuing authority, where relevant at the request of the Coordinating Authority***.	~~That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the blocking order the modification or revocation of such order,~~ Where necessary in the light of the outcome of that assessment or ~~to take account of justified requests or~~***any other relevant information, including that obtained through*** the reports referred to in Article ~~18(5) and (6), respectively. The provisions of this Section~~***17(5)(a) or otherwise submitted by the provider, an order*** shall ~~apply to such requests, mutatis mutandis~~***be modified or reversed by the issuing authority***.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 17				
379	Article 17 Additional rules regarding blocking orders	Article 17 Additional rules regarding blocking orders	Article 17 Additional rules regarding blocking orders	Article 17 Additional rules regarding blocking orders Text Origin: Commission Proposal
Article 17(1)				
380	1.The Coordinating Authority of establishment shall issue the blocking orders referred to in Article 16 using the template set out in Annex VII. Blocking orders shall include:	1.The Coordinating Authority of establishment shall issue the blocking orders referred to in Article 16 using the template set out in Annex VII. Blocking orders shall include:	1.~~The Coordinating Authority of establishment shall issue the~~ ***A*** blocking ~~orders referred to in Article 16~~***order shall be issued*** using the template set out in Annex VII. Blocking orders shall include:	1.~~The Coordinating Authority of establishment shall issue the~~ ***A*** blocking ~~orders referred to in Article 16~~***order shall be issued*** using the template set out in Annex VII. Blocking orders shall include: Text Origin: CY PCY - drafting
Article 17(1), point (a)				
381	(a) the reference to the list of uniform resource locators, provided by the EU Centre, and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6);	(a) the reference to the list of uniform resource locators, provided by the EU Centre, and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6);	(a) ***where applicable,*** the reference to the list of uniform resource locators, provided by the EU Centre, ~~and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6)~~;	(a) the reference to the list of uniform resource locators, provided by the EU Centre, and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) ~~and, where applicable, the reporting requirements set pursuant to Article 18(6)~~; Text Origin: CY PCY - drafting
Article 17(1), point (b)				
382	(b) identification details of the competent judicial authority or the independent administrative authority	(b) identification details of the competent judicial authority or the independent administrative authority	(b) identification details of the ~~competent judicial authority or the independent administrative~~	(b) identification details of the ~~competent judicial authority or the independent administrative~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	issuing the blocking order and authentication of the blocking order by that authority;	issuing the blocking order and authentication of the blocking order by that authority;	authority issuing the blocking order and authentication of the blocking order by that authority;	authority issuing the blocking order and authentication of the blocking order by that authority; Text Origin: CY PCY - drafting
Article 17(1), point (c)				
383	(c) the name of the provider and, where applicable, its legal representative;	(c) the name of the provider and, where applicable, its legal representative;	(c) the name of the provider and, where applicable, its legal representative;	(c) the name of the provider and, where applicable, its legal representative; Text Origin: Commission Proposal
Article 17(1), point (d)				
384	(d) the specific service in respect of which the detection order is issued;	(d) the specific service in respect of which the detection order is issued;	(d) ***clear information enabling the provider to identify and locate the child sexual abuse material and*** the specific service in respect of which the ~~*detection*~~ ***blocking*** order is issued;	(d) the specific service in respect of which the ~~*detection*~~***blocking*** order is issued; Text Origin: CY PCY - drafting
Article 17(1), point (e)				
385	(e) the start date and the end date of the blocking order;	(e) the start date and the end date of the blocking order;	(e) the start date and the end date of the blocking order;	(e) the start date and the end date of the blocking order; Text Origin: Commission Proposal
Article 17(1), point (ea)				
385a			***(ea) the limits referred to in Article 16(5);***	*deleted* Text Origin: CY PCY - drafting
Article 17(1), point (f)				
386	*(f)* a sufficiently detailed statement of reasons explaining why the	(f) a sufficiently detailed statement of reasons explaining why the	(f) a sufficiently detailed statement of reasons explaining why the	(f) a sufficiently detailed statement of reasons explaining why the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	blocking order is issued;	blocking order is issued;	blocking order is issued;	blocking order is issued; Text Origin: Commission Proposal
Article 17(1), point (fa)				
386a			***(fa)the information necessary for the application, where relevant, of paragraphs 4a, 5, and 5a;***	*deleted* *Text Origin: CY PCY - drafting*
Article 17(1), point (g)				
387	*(g)* a reference to this Regulation as the legal basis for the blocking order;	(g) a reference to this Regulation as the legal basis for the blocking order;	(g) a reference to this Regulation as the legal basis for the blocking order;	(g) a reference to this Regulation as the legal basis for the blocking order; Text Origin: Commission Proposal
Article 17(1), point (h)				
388	(h) the date, time stamp and electronic signature of the judicial authority or the independent administrative authority issuing the blocking order;	(h) the date, time stamp and electronic signature of the judicial authority or the independent administrative authority issuing the blocking order;	(h) the date, time stamp and electronic signature of the ~~*judicial authority or the independent administrative*~~***competent*** authority issuing the blocking order;	(h) the date, time stamp and electronic signature of the ~~*judicial authority or the independent administrative*~~ authority issuing the blocking order; Text Origin: CY PCY - drafting
Article 17(1), point (i)				
389	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress. Text Origin: Commission

OBTAINED BY CONTEXT

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 17(2)				
390	2.The competent judicial authority or independent administrative authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	2.The competent judicial ~~*authority or independent administrative*~~ authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	2.The competent ~~*judicial authority or independent administrative*~~ authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	2.The ~~*competent judicial authority or independent administrative*~~ authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24. Text Origin: CY PCY - drafting
Article 17(3)				
391	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1) ***by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order***, to the Coordinating Authority ~~*of establishment*~~ ***in the Member State in which the order was issued*** and to the EU Centre, through the system established in accordance with Article 39(2).	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority ~~*of establishment*~~***in the Member State in which the order was issued*** and to the EU Centre, through the system established in accordance with Article 39(2). Text Origin: CY PCY - drafting
Article 17(4)				
392	4.The blocking order shall be drafted in the language declared by the provider pursuant to Article 23(3).	4.The blocking order shall be drafted in the language declared by the provider pursuant to Article 23(3).	4.The blocking order shall be ~~*drafted in the language*~~***transmitted in any of the official languages*** declared by the provider pursuant to	4.The blocking order shall be drafted in ***any of the languages*** ~~*the language*~~ declared by the provider pursuant to Article 23(3).

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Article 23(3).	Text Origin: CY PCY - drafting
Article 17(4a)				
392a			***4a. If the provider cannot execute the blocking order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex VIII.***	***4a. If the provider cannot execute the blocking order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex VIII.*** Linked to line 370a. Text Origin: CY PCY - drafting
Article 17(5)				
393	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex VIII.	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex VIII.	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification ~~*to the Coordinating*~~ ***from the*** authority ~~*of establishment,*~~ ***issuing the order*** using the template set out in Annex VIII.	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification ~~*to the Coordinating*~~ ***from the*** authority ~~*of establishment,*~~ ***issuing the order*** using the template set out in Annex VIII. Text Origin: CY PCY - drafting
Article 17(5a), first subparagraph				
393a			***5a. The provider shall, without undue delay and using the template set out in Annex IX, inform the***	***5a. The provider shall, without undue delay and using the template set out in Annex IX, inform the***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			issuing authority of the measures taken to execute the blocking order, indicating, in particular, whether the provider has prevented access to child sexual abuse material.	***issuing authority of the measures taken to execute the blocking order, indicating, in particular, whether the provider has prevented access to child sexual abuse material.*** Text Origin: Council Mandate
Article 17(5a), second subparagraph				
393b			***The authority issuing the order shall require the provider to report to it at regular intervals on the measures taken and their functioning to execute a blocking order, including the effective and proportionate limitations and safeguards provided for.***	*deleted*
Article 17(5a), third subparagraph				
393c			***Upon request of the issuing authority, the provider shall also provide, without undue delay, such reports or any other information relating to the execution of the blocking order needed for the purpose of the assessment referred to in Article 16(7).***	***Upon request of the issuing authority, the provider shall also provide, without undue delay, any other information relating to the execution of the blocking order needed for the purpose of the assessment referred to in Article 16(7).*** Text Origin: Council Mandate
Article 17(6)				
394	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII and VIII where necessary to improve the templates in view of relevant	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII and VIII where necessary to improve the templates in view of relevant	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII ~~*and VIII*~~***, VIII and IX*** where necessary to improve the templates in view of	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII ~~*and VIII*~~***, VIII and IX*** where necessary to improve the templates in view of

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	technological developments or practical experiences gained.	technological developments or practical experiences gained.	relevant technological developments or practical experiences gained.	relevant technological developments or practical experiences gained. Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 18				
395	Article 18 Redress, information and reporting of blocking orders	Article 18 Redress, information and reporting of blocking orders	Article 18 Redress~~,~~ ***and provision of*** information ~~*and reporting of blocking orders*~~	Article 18 Redress, ***provision of*** information and reporting of blocking orders Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 18(1)				
396	1.Providers of internet access services that have received a blocking order, as well as users who provided or were prevented from accessing a specific item of material indicated by the uniform resource locators in execution of such orders, shall have a right to effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the competent judicial authority or independent administrative authority that issued the blocking order.	1.Providers of internet access services that have received a blocking order, as well as users who provided or were prevented from accessing a specific item of material indicated by the uniform resource locators in execution of such orders, shall have a right to effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the competent judicial authority ~~*or independent administrative authority*~~ that issued the blocking order.	1.Providers of internet access services that have received a blocking order~~*, as well as*~~ ***and*** users who provided ~~*or were prevented from accessing a specific item of*~~ ***blocked*** material ~~*indicated by the uniform resource locators in execution of such orders,*~~ shall have a right to effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the ~~*competent judicial authority or independent administrative*~~ authority that issued the blocking order.	1.Providers of internet access services that have received a blocking order ***issued in accordance with Article 16***, as well as ***the*** users who provided ***the material*** or were prevented from accessing ~~*a specific item of*~~***the blocked*** material ~~*indicated by the uniform resource locators in execution of such orders*~~, shall have ~~*a*~~***the*** right to ***an*** effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the ~~*competent judicial authority or independent administrative*~~ authority that issued the blocking order. Trilogue (29.06.): Provisionally agreed.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 18(1a)				
396a			***1a. If the order is reversed as a result of a redress procedure, the provider shall without undue delay reinstate access to the material, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	*deleted*
Article 18(2), first subparagraph				
397	*2.*When the blocking order becomes final, the competent judicial authority or independent administrative authority that issued the blocking order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the blocking order becomes final, the competent judicial ~~*authority or independent administrative*~~ authority that issued the blocking order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the blocking order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the blocking order shall, without undue delay, transmit a copy thereof ***and copies of information it has received pursuant to Article 17 (4a) to (5a)*** ~~*to*~~ the Coordinating Authority ~~*of establishment*~~. The Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, transmit ~~*a copy*~~ ***copies*** thereof to all other Coordinating Authorities ***and the EU Centre*** through the system established in accordance with Article 39(2).	2.When the blocking order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the blocking order shall, without undue delay, transmit a copy thereof ***and copies of the information it has received pursuant to Article 17(4a) to (5a)*** to the Coordinating Authority ~~*of establishment. The*~~***. That*** Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, ~~*transmit*~~***forward*** a copy ~~*thereof*~~***of the order and any related information*** to all other Coordinating Authorities ***and to the EU Centre*** through the system established in accordance with Article 39(2). Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 18(2), second subparagraph				
398	For the purpose of the first subparagraph, a blocking order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a blocking order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a blocking order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the ~~removal~~***blocking*** order following an appeal.	For the purpose of the first subparagraph, a blocking order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the ~~removal~~***blocking*** order following an appeal. Text Origin: CY PCY - drafting
Article 18(3)				
399	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it~~, within a reasonable timeframe,~~ complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner. Text Origin: CY PCY - drafting
Article 18(4)				
400	4.Where a provider prevents users from accessing the uniform resource locators pursuant to a blocking order issued in accordance with Article 17, it shall take reasonable measures to inform the users of the following:	4.Where a provider prevents users from accessing the uniform resource locators pursuant to a blocking order issued in accordance with Article 17, it shall take reasonable measures to inform the users of the following:	4.Where a provider prevents users from accessing the ~~uniform resource locators~~ ***content*** pursuant to a blocking order ~~issued in accordance with Article 17~~, it shall take reasonable measures to inform ~~the~~***those*** users of the following:	4.Where a provider prevents users from accessing ~~the~~ uniform resource locators pursuant to a blocking order issued in accordance with Article ~~17~~***16***, it shall ~~take reasonable measures to~~***without undue delay,*** inform ~~the~~***those*** users of the following:

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 18(4), point (a)				
401	(a) the fact that it does so pursuant to a blocking order;	(a) the fact that it does so pursuant to a blocking order;	(a) the fact that it does so pursuant to a blocking order ***and the reasons for doing so***;	(a) the fact that it does so pursuant to a blocking order; Text Origin: Commission Proposal
Article 18(4), point (b)				
402	(b) the reasons for doing so, providing, upon request, a copy of the blocking order;	(b) the reasons for doing so, providing, upon request, a copy of the blocking order;	~~*(b) the reasons for doing so, providing, upon request, a copy of the blocking order;*~~	(b) the reasons for ~~*doing so*~~***the blocking***, providing~~*, upon request,*~~ a copy of the blocking order ***upon the user's request***; Text Origin: CY PCY - drafting
Article 18(4), point (c)				
403	(c) the users' right of judicial redress referred to in paragraph 1, their rights to submit complaints to the provider through the mechanism referred to in paragraph 3 and to the Coordinating Authority in accordance with Article 34, as well as their right to submit the requests referred to in paragraph 5.	(c) the users' right of judicial redress referred to in paragraph 1, their rights to submit complaints to the provider through the mechanism referred to in paragraph 3 and to the Coordinating Authority in accordance with Article 34, as well as their right to submit the requests referred to in paragraph 5.	(c) the~~*users'*~~ right of ***users who provided the blocked material to*** judicial redress referred to in paragraph 1, ~~*their rights*~~***the right of users*** to submit complaints to the provider through the mechanism referred to in paragraph 3 and to the Coordinating Authority in accordance with Article 34~~*, as well as their right to submit the requests referred to in paragraph 5*~~.	(c) the users' right of judicial redress referred to in paragraph 1~~*,*~~ ~~*their rights*~~ ***and*** to submit complaints ~~*to the provider through the mechanism referred to in paragraph 3 and*~~ to the Coordinating Authority in accordance with Article 34~~*, as well as their right to submit the requests referred to in paragraph 5*~~. Text Origin: CY PCY - drafting
Article 18(5), first subparagraph				
404	5.The provider and the users referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess whether	5.The provider and the users referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess whether	~~*5.The provider and the users referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess*~~	5.The provider~~*and the users*~~ referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required reasonable measures to execute the blocking order,	users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required reasonable measures to execute the blocking order,	~~*whether users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required reasonable measures to execute the blocking order,*~~	whether users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required reasonable measures to execute the blocking order, Trilogue (29.06.): Provisionally agreed. Lines 404-405 do not appear for removal orders. Are they necessary - is this not covered by line 378? "Where necessary in the light of the outcome of that assessment or any other relevant information, including that obtained through the reports referred to in Article [17(5)(a)/18(5) and (6)], an order shall be modified or reversed by the issuing authority. " Text Origin: EP Mandate
Article 18(5), second subparagraph				
G 405	The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the	The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the	~~*The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the*~~	The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	provider or the user submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre.	provider or the user submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre.	~~provider or the user submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre.~~	provider ~~or the user~~ submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre. Trilogue (29.06.): Provisionally agreed. Text Origin: EP Mandate
Article 18(6)				
G 406	6. Where the period of application of the blocking order exceeds 24 months, the Coordinating Authority of establishment shall require the provider to report to it on the measures taken to execute the blocking order, including the safeguards provided for, at least once, halfway through the period of application.	6. Where the period of application of the blocking order exceeds 24 months, the Coordinating Authority of establishment shall require the provider to report to it on the measures taken to execute the blocking order, including the safeguards provided for, at least once, halfway through the period of application.	~~6. Where the period of application of the blocking order exceeds 24 months, the Coordinating Authority of establishment shall require the provider to report to it on the measures taken to execute the blocking order, including the safeguards provided for, at least once, halfway through the period of application.~~	*deleted* *ITM (4.05.): Mirror Art. 15 (lines 342-355a)* *ITM (3.06.): For provisional agreement* *Is this additional requirement needed?* G
Section 5a				
G *406a*			***Section 5a Delisting obligations***	***Section 5a Delisting obligations*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate G
Article 18a				
G 406b			***Article 18a Delisting orders***	***Article 18a Delisting orders*** Trilogue (29.06.): Provisionally agreed. G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 18a(1)				
G 406c			***1.The competent authority of each Member State shall have the power to issue a delisting order, subject to any requirements of national law as referred to in the paragraph 1a, requiring a provider of an online search engine to take reasonable measures to delist an online location where child sexual abuse material can be found from appearing in search results in all Member States. The competent authorities may make use of the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.***	***1.The competent authority of each Member State shall have the power to issue a delisting order, subject to any requirements of national law as referred to in the paragraph 1a, requiring a provider of an online search engine to take reasonable measures to delist an online location where child sexual abuse material can be found from appearing in search results in all Member States. The competent authorities may make use of the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18a(2)				
G 406d			***2.By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent***	***1a. By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent***

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	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement	
						authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.		***authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	
Article 18a(3)									
G	406e					***3.The provider shall execute the delisting order as soon as possible and in any event within 24 hours of receipt thereof. The provider shall take the necessary measures to ensure that it is capable of reinstating the delisted online location to appear in search results in accordance with Article 18c(2).***		***2.The provider shall execute the delisting order as soon as possible and in any event within 24 hours of receipt thereof.*** ***If the order is reversed as a result of the redress procedure in accordance with Article 18c, the provider shall, without undue delay, take the necessary measures to ensure that the delisted online location appears in search results. This is without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	G
Article 18a(4)									
G	406f					***4.A delisting order shall be issued***		***3.A delisting order shall be issued***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			where the following conditions are met:	***where the following conditions are met:*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	
Article 18a(4), point (a)					
G 406g			***(a) the delisting is necessary to prevent the dissemination of the child sexual abuse material in the Union, having regard in particular to the need to protect the rights of the victims;***	***(a) the delisting is necessary to prevent the dissemination of the child sexual abuse material in the Union, having regard in particular to the need to protect the rights of the victims;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18a(4), point (b)					
G 406h			***(b) URLs specified in the delisting order correspond, in a sufficiently reliable manner, to online locations where child sexual abuse material can be found.***	***(b) URLs specified in the delisting order correspond, in a sufficiently reliable manner, to online locations where child sexual abuse material can be found.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18a(5), first subparagraph					
G 406i			***5. The issuing authority shall specify in the delisting order the period during which it applies, indicating the start date and the end date.***	***4. The issuing authority shall specify in the delisting order the period during which it applies, indicating the start date and the end date.***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18a(5), second subparagraph				
G 406j			***The period of application of delisting orders shall not exceed five years.***	***The period of application of delisting orders shall not exceed five years.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18a(6), first subparagraph				
G 406k			***6.The Coordinating Authority or the issuing authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the delisting orders have occurred and whether the conditions of paragraph 4 continue to be met.***	***5.The Coordinating Authority or the issuing authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the delisting orders have occurred and whether the conditions of paragraph 3 continue to be met.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18a(6), second subparagraph				
G 406l			***Where necessary in the light of the outcome of that assessment or information of the reports referred to in Article 18b(6) an order may be modified or reversed by the issuing authority, where relevant at the request of the Coordinating Authority.***	***Where necessary in the light of the outcome of that assessment or information of the reports referred to in Article 18b(6) an order may be modified or reversed by the issuing authority, where relevant at the request of the Coordinating Authority.***

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	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement	
								Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	
Article 18b									
G	406m					***Article 18aa*** ***Procedure for cross-border delisting orders***		***Article 18aa*** ***Procedure for cross-border delisting orders*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18b(1)									
G	406n					***1.Subject to Article 18a, where the provider of an online search engine does not have its main establishment or legal representative in the Member State of the authority that issued the delisting order, that authority shall, simultaneously submit through the Coordinating Authority a copy of the delisting order to the Coordinating Authority of establishment.***		***1.Subject to Article 18a, where the provider of an online search engine does not have its main establishment or legal representative in the Member State of the authority that issued the delisting order, that authority shall, simultaneously submit through the Coordinating Authority a copy of the delisting order to the Coordinating Authority of establishment.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18b(2), first subparagraph									
G	406o					***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the delisting order in accordance with paragraph 1, scrutinise the delisting order to***		***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the delisting order in accordance with paragraph 1, scrutinise the delisting order to***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.	***determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18b(2), second subparagraph				
G 406p			***Where that Coordinating Authority finds such an infringement, it shall, within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.***	***Where that Coordinating Authority finds such an infringement, it shall, within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18b(3)				
G 406q				***2a. Providers of online search engines shall have the right to submit, within 48 hours of receiving a delisting order, a reasoned request to the Coordinating Authority of establishment to scrutinise the delisting order as referred to in the first subparagraph of paragraph 2 of this Article. The Coordinating Authority of establishment shall, within 72 hours of receiving the request, adopt a reasoned decision following its scrutiny of the delisting order, setting out its***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				findings as to whether there is an infringement. Trilogue (29.06.): Provisionally agreed.
Article 18b(4)				
G 406r			***3.Where a provider of an online search engine receives a delisting order as referred to in paragraph 1, it shall take the measures provided for in Article 18a as well as the necessary measures to be able to reinstate the delisted online location to appear in search results, in accordance with paragraph 4 of this Article.***	***3.Where a provider of an online search engine receives a delisting order as referred to in paragraph 1, it shall take the measures provided for in Article 18a as well as the necessary measures to be able to reinstate the delisted online location to appear in search results, in accordance with paragraph 4 of this Article.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18b(5)				
G 406s			***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of an online search engine concerned shall without undue delay reinstate the delisted online location to appear in search results, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of an online search engine concerned shall without undue delay reinstate the delisted online location to appear in search results, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
Article 18b(6), first subparagraph					
G 406t			***5.By way of derogation from Article 18a(1) and from paragraphs 1 and 2 of this Article, a Member State in which the provider of an online search engine has its main establishment or in which its legal representative resides or is established may decide that delisting orders issued by the competent authorities of other Member States are to be transmitted through the Coordinating Authority of that Member State. That Member State shall inform the Commission of its decision and of its reasons therefor. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.***	***5.By way of derogation from Article 18a(1) and from paragraphs 1 and 2 of this Article, a Member State may decide that delisting orders addressed to providers established on its territory and issued by the competent authorities of another Member State shall be transmitted through the Coordinating Authority of establishment. That Member State shall inform the Commission of its decision and of its reasons therefor. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18b(6), second subparagraph					
G 406u			***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a delisting order, as referred to in the first subparagraph, transmit that delisting order to the provider of the online search engine, unless it adopts a reasoned decision within that 72 hour period that that delisting order seriously or manifestly infringes this Regulation or the fundamental rights and***	***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a delisting order, as referred to in the first subparagraph, transmit that delisting order to the provider of the online search engine, unless it adopts a reasoned decision within that 72 hour period that that delisting order seriously or manifestly infringes this Regulation or the fundamental rights and***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of the online search engine.	***freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of the online search engine.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18b(7)				
G	406v		***6. The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second subparagraph of paragraph 2 or the second subparagraph of paragraph 5, inform the Coordinating Authority of the Member State whose authority issued the delisting order of its intention to adopt the decision and of the reasons therefor.***	***6. The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second subparagraph of paragraph 2 or the second subparagraph of paragraph 5, inform the Coordinating Authority of the Member State whose authority issued the delisting order of its intention to adopt the decision and of the reasons therefor. Where the decision finds an infringement pursuant to paragraph 2 or 2a of this Article, the delisting order shall cease to have legal effects.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18b(8), first subparagraph				
G	406w		***7. Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay,***	***7. Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay,***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			transmit that decision, to the Coordinating Authority of the Member State whose authority issued the delisting order, the provider of the online search engine and the EU Centre.	***transmit that decision, to the Coordinating Authority of the Member State whose authority issued the delisting order, the provider of the online search engine and the EU Centre.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	
Article 18b(8), second subparagraph					
G	406x		***Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 5, it shall, without delay, transmit that decision to the Coordinating Authority of the Member State whose authority issued the delisting order and the EU Centre.***	***Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 5, it shall, without delay, transmit that decision to the Coordinating Authority of the Member State whose authority issued the delisting order and the EU Centre.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c					
G	406y		***Article 18b*** ***Additional rules regarding delisting orders***	***Article 18b*** ***Additional rules regarding delisting orders*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1)					
G	406z		***1.A delisting order shall be issued***	***1.A delisting order shall be issued***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			using the template set out in Annex X. Delisting orders shall include:	***using the template set out in Annex X. Delisting orders shall include:*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(1), point (a)				
G 406aa			***(a) where applicable, the reference to the list of uniform resource locators, provided by the EU Centre,***	***(a) where applicable, the reference to the list of uniform resource locators, provided by the EU Centre,*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(1), point (b)				
G 406ab			***(b) identification details of the authority issuing the delisting order and authentication of the order by that authority;***	***(b) identification details of the authority issuing the delisting order and authentication of the order by that authority;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(1), point (c)				
G 406ac			***(c) the name of the provider and, where applicable, its legal representative;***	***(c) the name of the provider and, where applicable, its legal representative;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(1), point (d)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G 406ad			***(d) clear information enabling the provider to identify and locate the child sexual abuse material and the specific service in respect of which the delisting order is issued;***	***(d) clear information enabling the provider to identify and locate the child sexual abuse material and the specific service in respect of which the delisting order is issued;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1), point (e)					
G 406ae			***(e) the start and end date of the delisting;***	***(e) the start and end date of the delisting;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1), point (f)					
G 406af			***(f) a sufficiently detailed statement of reasons explaining why the delisting order is issued;***	***(f) a sufficiently detailed statement of reasons explaining why the delisting order is issued;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1), point (g)					
G 406ag			***(g) the information necessary for the application, where relevant, of paragraphs 4, 5, and 6;***	***(g) the information necessary for the application, where relevant, of paragraphs 4, 5, and 6;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1), point (h)					

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G 406ah			***(h) a reference to this Regulation as the legal basis for delisting;***	***(h) a reference to this Regulation as the legal basis for delisting;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1), point (i)					
G 406ai			***(i) the date, time stamp and electronic signature of the competent authority issuing the delisting order;***	***(i) the date, time stamp and electronic signature of the competent authority issuing the delisting order;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(1), point (j)					
G 406aj			***(j) easily understandable information about the redress available, including information about redress to a court and about the time periods applicable to such redress.***	***(j) easily understandable information about the redress available, including information about redress to a court and about the time periods applicable to such redress.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18c(2), first subparagraph					
G 406ak			***2. The competent authority issuing the delisting order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.***	***2. The competent authority issuing the delisting order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.***	G

contexte OBTAINED BY NUPAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(2), second subparagraph				
406al			***The delisting order shall be transmitted to the provider's point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order to the Coordinating Authority in the Member State in which the order was issued and to the EU Centre, through the system established in accordance with Article 39(2).***	***The delisting order shall be transmitted to the provider's point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order to the Coordinating Authority in the Member State in which the order was issued and to the EU Centre, through the system established in accordance with Article 39(2).*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(3)				
406am			***3. The delisting order shall be transmitted in any of the official languages declared by the provider pursuant to Article 23(3).***	***3. The delisting order shall be transmitted in any of the official languages declared by the provider pursuant to Article 23(3).*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(4)				
406an			***4. If the provider cannot execute the***	***4. If the provider cannot execute the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			delisting order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex XI.	***delisting order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex XI.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(5)				
G 406ao			***5.If the provider cannot execute the delisting order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification from the authority issuing the order, using the template set out in Annex XI.***	***5.If the provider cannot execute the delisting order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification from the authority issuing the order, using the template set out in Annex XI.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(6), first subparagraph				
G 406ap			***6.The provider shall, without undue delay and using the template set out in Annex XII, inform the issuing authority of the measures taken to execute the delisting order, indicating, in particular, whether the provider has prevented search***	***6.The provider shall, without undue delay and using the template set out in Annex XII, inform the issuing authority of the measures taken to execute the delisting order, indicating, in particular, whether the provider has prevented search***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			results for the online location with child sexual abuse material to appear.	***results for the online location with child sexual abuse material to appear.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(6), second subparagraph				
406aq			***The authority issuing the order may require the provider to report to it regularly on the measures taken to execute a delisting order.***	***The authority issuing the order may require the provider to report to it regularly on the measures taken to execute a delisting order.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18c(7)				
406ar			***7. The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes X, XI and XII where necessary to improve the templates in view of relevant technological developments or practical experiences gained.***	***7. The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes X, XI and XII where necessary to improve the templates in view of relevant technological developments or practical experiences gained.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18d				
406as			***Article 18c*** ***Redress and provision of information***	***Article 18c*** ***Redress and provision of information***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 18d(1)				
406at			***1.Providers of online search engines that have received a delisting order and users that provided the material to a delisted online location shall have a right to effective redress. That right shall include the right to challenge the delisting order before the courts of the Member State of the authority that issued the delisting order.***	***1.Providers of online search engines that have received a delisting order issued in accordance with Article 18a and users who provided the material to a delisted online location, shall have a right to effective redress. That right shall include the right to challenge the delisting order before the courts of the Member State of the authority that issued the delisting order.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 18d(2)				
406au			***2.If the order is reversed as a result of a redress procedure, the provider shall without undue delay reinstate the delisted online location to appear in search results, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	*deleted* *Trilogue (29.06.): Provisionally agreed.*
Article 18d(3), first subparagraph				
406av			***3.When the delisting order becomes final, the issuing authority shall, without undue delay, transmit a copy thereof and information it has***	***3.When the delisting order becomes final, the authority that issued the delisting order shall, without undue delay, transmit a copy thereof and***

.contex OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			received pursuant to Article 18b (4) to (6) to the Coordinating Authority. The Coordinating Authority shall then, without undue delay, transmit copies thereof to all other Coordinating Authorities and the EU Centre through the system established in accordance with Article 39(2).	***copies of the information it has received pursuant to Article 18b (4) to (6) to the Coordinating Authority of the Member State of the authority issuing the delisting order which shall, without undue delay, forward a copy of the order and any related information to all other Coordinating Authorities and the EU Centre through the system established in accordance with Article 39(2).*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	
Article 18d(3), second subparagraph					
G	406aw		***For the purpose of the first subparagraph, a delisting order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the delisting order following an appeal.***	***For the purpose of the first subparagraph, a delisting order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the delisting order following an appeal.*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate	G
Article 18d(4)					
G	406ax		***4.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it complaints about***	***4.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	***time-frame, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 18d(5)				
G 406ay			***5. Where a provider prevents users from obtaining search results for child sexual abuse material corresponding to an online location pursuant to a delisting order, it shall take reasonable measures to inform those users of the following:***	***5. Where a provider prevents users from obtaining search results for child sexual abuse material corresponding to an online location pursuant to a delisting order issued under Article 18a, it shall, without undue delay, inform those users of the following:*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 18d(5), point (a)				
G 406az			***(a) the fact that it does so pursuant to a delisting order and the reasons for doing so;***	***(a) the fact that it does so pursuant to a delisting order;*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 18d(5), point (b)				
G 406ba			***(b) the right of users that provided the material to a delisted online location to judicial redress referred***	***(b) the reasons for the delisting of the search results, providing a copy of the delisting order upon the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			to in paragraph 1 and users' right to submit complaints to the Coordinating Authority in accordance with Article 34.	***user's request;*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting	
Article 18d(5), point (c)					
G	406bb			***(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.*** Trilogue (29.06.): Provisionally agreed.	G
Section 6					
G	407	Section 6 Additional provisions	Section 6 Additional provisions	Section 6 Additional provisions Text Origin: Commission Proposal	G
Article 19					
G	408	Article 19 Liability of providers	Article 19 Liability of providers	Article 19 Liability of providers Text Origin: Commission Proposal	G
Article 19, first paragraph					
Y	409	Providers of relevant information society services shall not be liable for child sexual abuse offences solely because they carry out, in good faith, the necessary activities to comply with the requirements of this Regulation, in particular activities aimed at detecting, identifying,	Providers of relevant information society services shall not be liable for child sexual abuse offences solely because they carry out, in good faith ***and in a diligent manner***, the necessary activities to comply with the requirements of this Regulation, in particular activities	Providers of relevant information society services shall not be liable for child sexual abuse offences ~~*solely because*~~ ***if and insofar as*** they carry out, in good faith, ~~*the necessary*~~ activities to comply with ~~*the requirements of*~~ this Regulation, in particular activities aimed at	Providers of relevant information society services shall not be liable for child sexual abuse offences solely because they carry out, in good faith ***and in a diligent manner***, the necessary activities to comply with the requirements of this Regulation, in particular activities	Y

contexte OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	removing, disabling of access to, blocking or reporting online child sexual abuse in accordance with those requirements.	aimed at detecting, identifying, removing, disabling of access to, blocking, or reporting online child sexual abuse in accordance with those requirements.	~~detecting,~~ ***~~assessing and mitigating risk, ,~~*** identifying, ***reporting***, removing, disabling ~~of~~ access to, blocking or ~~reporting~~ ***delisting from search results*** online child sexual abuse ~~in accordance with those requirements.~~.	aimed at detecting, ***assessing and mitigating risk,*** identifying, ***reporting***, removing, disabling ~~of~~ access to, blocking, ***or delisting from search results*** ~~or reporting~~ online child sexual abuse in accordance with those requirements. ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate
Article 20				
G 410	Article 20 Victims' right to information	Article 20 Victims' right to information	Article 20 Victims' right to information	Article 20 ~~Victims'~~ Right to information Text Origin: Commission Proposal
Article 20(1), first subparagraph				
G 411	1.Persons residing in the Union shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where they reside, information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. Persons with disabilities shall have the right to ask and receive such an information in a manner accessible to them.	1.~~Persons residing in the Union~~***Victims*** shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where they reside~~,~~ ***or a Coordinating Authority of their choice*** information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. ~~Persons with disabilities~~***The right to information shall cover both occasional information as well as periodic***	1.Persons residing in the Union shall have the right to receive, upon their request, from the Coordinating Authority ~~designated by~~ ***in*** the Member State where they reside, information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. Persons with disabilities shall have the right to ask and receive such an information in a manner accessible to them.	1.Persons residing in ***the Union and Union citizens residing outside*** the Union shall have the right to receive, upon their request, from the Coordinating Authority ~~designated by~~***in*** the Member State where they reside ***or the Member State of their citizenship***, information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. Persons ~~with disabilities~~ shall have the right to ask and receive such ~~an~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		information on a weekly, monthly or yearly basis. ***Victims*** shall have the right to ask and receive such an information in ***the language indicated by that person, in a confidential, age-appropriate,*** ~~*a manner*~~ accessible ~~*to them*~~***, understandable and gender-sensitive manner***. ***The information in question shall be provided within a reasonable period of time.***		information in a manner accessible to them. ***The information in question shall be provided without undue delay and, where this has been indicated in the request, annually, until the person that made the request notifies the Coordinating Authority that he or she no longer wishes to receive the information.***
Article 20(1), first subparagraph a				
G 411a		***For the purpose of this Regulation, parents and guardians or legal representatives shall be entitled to exercise the rights of victims on their behalf where the victim is under 18 years of age or legally incompetent.***		*deleted* *EP will drop amendments to relevant recitals.*
Article 20(1), second subparagraph				
G *412*	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the ~~*person*~~***victim*** making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request. Text Origin: Council Mandate
Article 20(1), a				
G 412a		***Where victims indicate in their request the preference for a periodic information, the***		*deleted* *Text Origin: EP Mandate*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Coordinating Authority shall provide periodically the victim, with the information referred to in paragraph 3. Victims may terminate such a request for periodic information at any time by notifying the competent Coordinating Authority.		
Article 20(2)				
413	*2.*The request referred to in paragraph 1 shall indicate:	2.The request referred to in paragraph 1 shall indicate:	2.The request referred to in paragraph 1 shall indicate:	2.The request referred to in paragraph 1 shall indicate: Text Origin: Commission Proposal
Article 20(2), point (a)				
414	(a) the relevant item or items of known child sexual abuse material;	(a) the relevant item or items of known child sexual abuse material;	(a) the relevant item or items of known child sexual abuse material;	(a) the relevant item or items of known child sexual abuse material; Text Origin: Commission Proposal
Article 20(2), point (b)				
415	(b) where applicable, the individual or entity that is to receive the information on behalf of the person making the request;	(b) where applicable, the individual or entity ***formally assisting or representing the victim*** that is to receive the information on behalf of the person making the request;	(b) where applicable, the individual or entity that is to receive the information on behalf of the person making the request;	(b) ~~*where applicable, the individual or entity that is to receive the information on behalf*~~***the identity*** of the person making the request; Text Origin: CY Acting Pcy2
Article 20(2), point (ba)				
415a				***(ba) where applicable, the individual or entity that is to receive the information on behalf of the person making the request;***
Article 20(2), point (c)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
416	(c) sufficient elements to demonstrate the identity of the person making the request.	(c) sufficient elements to ~~demonstrate~~***verify that the child sexual abuse material matches*** the identity of the ~~person~~***victim*** making the request~~.~~***;***	(c) sufficient elements to demonstrate the identity of the person making the request.	~~(c)~~***(d)*** sufficient elements to demonstrate ***that the item or items referred to in letter (a) depict or represent*** ~~the identity of~~ the person making the request~~.~~***, whether fully or partially;*** Text Origin: CY Acting Pcy2
Article 20(2), point (ca)				
416a		***(ca) an indication of whether the request is occasional or covers a certain time period.***		***(ca) whether the information is to be provided once or annually.***
Article 20(3)				
417	3.The information referred to in paragraph 1 shall include:	3.The information referred to in paragraph 1 shall include:	3.The information referred to in paragraph 1 shall include:	3.The information referred to in paragraph 1 shall include: Text Origin: Commission Proposal
Article 20(3), point (-a)				
417a	(a) the identification of the provider that submitted the report; Moved reference text	~~(a)~~***(-a)*** the identification of the provider that submitted the report; Copy-Delete: row 418		*deleted* Text Origin: EP Mandate
Article 20(3), point (d)				
417b	*(d)* whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i). Moved reference text	~~(d)~~***(-b)*** whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i). Copy-Delete: row 421		*deleted*
Article 20(3), point (-c)				
417c	*(c)* whether the EU Centre	~~(c)~~***(-c)*** whether the EU Centre		

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	forwarded the report in accordance with Article 48(3) and, if so, to which authorities; Moved reference text	forwarded the report in accordance with Article 48(3) and, if so, to which authorities; Copy-Delete: row 420		*deleted*
Article 20(3), point (b)				
417d	*(b)* the date of the report; Moved reference text	~~*(b)*~~ ***(-d)*** the date of the report; Copy-Delete: row 419		*deleted*
Article 20(3), point (a)				
418	*(a)* the identification of the provider that submitted the report;	*deleted*	*(a)* the identification of the provider that submitted the report;	(a) the identification of the provider that submitted the report; Text Origin: Commission Proposal
Article 20(3), point (b)				
419	(b) the date of the report;	*deleted*	*(b)* the date of the report;	(b) the date of the report; Text Origin: Commission Proposal
Article 20(3), point (c)				
420	(c) whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to which authorities;	*deleted*	*(c)* whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to which authorities;	(c) whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to which authorities; Text Origin: Commission Proposal
Article 20(3), point (d)				
421	(d) whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i).	*deleted*	*(d)* whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i).	(d) whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i).

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 20(3a)				
G 421a		***3a. Victims shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where they reside or the Coordinating Authority of their choice information regarding victims' rights, support and assistance. The information shall be age-appropriate, accessible, understandable and gender-sensitive and shall include:***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point a				
G *421b*		***(a) the type of support they can obtain and from whom, including, where relevant, basic information about access to medical support, any specialist support, including emotional, psychological or social support, and alternative accommodation***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point b				
G *421c*		***(b) the procedures for making complaints with regard to a criminal offence and their role in connection with such procedures;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point c				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
421d		***(c) how and under what conditions they can obtain protection, including protection measures;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point d				
421e		***(d) how and under what conditions they can access legal advice, legal aid and any other sort of advice legal assistance;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point e				
421f		***(e) how and under what conditions they can access compensation;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point f				
421g		***(f) how and under what conditions they are entitled to interpretation and translation.***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 21				
422	Article 21 Victims' right of assistance and support for removal	Article 21 Victims' right of assistance and support for removal	Article 21 Victims' right of assistance and support for removal	Article 21 ~~*Victims'*~~ Right of assistance and support for removal Text Origin: Commission Proposal
Article 21(1)				
423	1.Providers of hosting services shall	1.Providers of hosting services shall	1.Providers of hosting services shall	1.Providers of hosting services shall

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	provide reasonable assistance, on request, to persons residing in the Union that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider.	provide reasonable assistance, on request, to ~~*persons residing in the Union*~~***victims*** that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider. ***That support shall be provided in a timely manner.***	provide ~~*reasonable*~~ assistance, on request, to persons residing in the Union that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider.	provide ~~*reasonable*~~ assistance, on request, to persons residing in ***the Union and to Union citizens residing outside*** the Union that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider. ***That assistance shall be provided without undue delay.*** Text Origin: CY Acting Pcy2
Article 21(2), first subparagraph				
G 424	2.Persons residing in the Union shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where the person resides, support from the EU Centre when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. Persons with disabilities shall have the right to ask and receive any information relating to such support in a manner accessible to them.	2.~~*Persons residing in the Union*~~***To that end, victims*** shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where ~~*the person*~~***they*** resides ***or from the Coordinating Authority of their choice***, support from the EU Centre when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. ~~*Persons with disabilities*~~***Victims*** shall have the right to ~~*ask and*~~ receive any information relating to such support in a ~~*manner*~~***confidential, easily understandable and*** accessible ***manner*** to them. ***The support shall be provided by staff specifically trained to interact with victims and***	2.Persons residing in the Union shall have the right to receive~~*, upon their request, from the Coordinating Authority designated by the Member State where the person resides,*~~ support from the EU Centre ***upon their request, to and via the Coordinating Authority in the Member State where they reside*** when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. Persons with disabilities shall have the right to ask and receive any information relating to such support in a manner accessible to them.	2.Persons residing in ***the Union and Union citizens residing outside*** the Union shall have the right to receive, ~~*upon their*~~***if they so*** request~~*, from the Coordinating Authority designated by the Member State where the person resides*~~, support from the EU Centre when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. ***All such requests for support shall be made via the Coordinating Authority of the Member State where they reside or of the Member State of their citizenship.*** Persons ~~*with disabilities*~~ shall have the right to ask and receive ~~*any*~~***such*** information ~~*relating to such support*~~ in a manner accessible to them. G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		be able to address the specific needs and vulnerabilities of victims.		Text Origin: CY Acting Pcy2	
Article 21(2), second subparagraph					
G	425	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the ~~person~~***victim*** making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request. Text Origin: Council Mandate	G
Article 21(3)					
G	426	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material.	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material ***and any other relevant information***.	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material ***and, if available, any other relevant information linked to these items***. Text Origin: EP Mandate	G
Article 21(4)					
G	427	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable:	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable:	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable: Text Origin: Commission Proposal	G
Article 21(4), point (a)					
G	428	(a) support in connection to requesting the provider's assistance referred to in paragraph 1;	(a) support in connection to requesting the provider's assistance referred to in paragraph 1;	~~(a) support in connection to requesting the provider's assistance referred to in paragraph 1;~~	(a) support in connection to requesting the provider's assistance referred to in paragraph 1; Text Origin: Commission	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 21(4), point (b)				
429	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1);	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1);	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1);	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1); Text Origin: Commission Proposal
Article 21(4), point (c)				
430	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2);	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2);	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2);	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2); Text Origin: Commission Proposal
Article 21(4), point (d)				
431	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the service, with a view to the issuance of a removal order pursuant to Article 14.	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the ***provider's*** service, with a view to the issuance of a removal order pursuant to Article 14.	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the service, with a view to the issuance of a removal order pursuant to Article 14.	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the ***provider's*** service, with a view to the issuance of a removal order pursuant to Article 14. Text Origin: EP Mandate
Article 22				
432	Article 22 Preservation of information	Article 22 Preservation of information	Article 22 Preservation of information	Article 22 Preservation of information

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY PCY - drafting
Article 22(1), first subparagraph				
433	1.Providers of hosting services and providers of interpersonal communications services shall preserve the content data and other data processed in connection to the measures taken to comply with this Regulation and the personal data generated through such processing, only for one or more of the following purposes, as applicable:	1.Providers of hosting services and providers of interpersonal communications services shall preserve the content data and other data processed in connection to the measures taken to comply with this Regulation and the personal data generated through such processing, only for one or more of the following purposes, as applicable:	1.Providers of hosting services and providers of interpersonal communications services shall preserve the content data and other data processed ~~*in connection to*~~ ***that is necessary for taking*** the measures ~~*taken*~~ to comply with this Regulation and the personal data generated through such processing, ~~*only for one or more of*~~***when*** the following ***measures have been taken or for the*** purposes ***of complaints or redress procedures***, as applicable:	1.Providers of ~~*hosting services and providers of interpersonal communications*~~***relevant information society*** services shall preserve the content data and other data processed ~~*in connection to*~~***that is necessary for taking*** the measures ~~*taken*~~ to comply with this Regulation ~~*and*~~***including*** the personal data generated through such processing, only ~~*for*~~***when*** one or more of the following ~~*purposes, as applicable*~~***measures have been taken or for the purpose of ongoing complaints or redress procedures***: Text Origin: CY PCY - drafting
Article 22(1), first subparagraph, point (a)				
434	(a) executing a detection order issued pursuant to Article 7, or a removal order issued pursuant to Article 14;	(a) executing a detection order issued pursuant to Article 7, or a removal order issued pursuant to Article 14;	(a) executing ~~*a detection order issued pursuant to Article 7, or*~~ a removal order issued pursuant to Article 14 ***or a blocking order pursuant to Article 16 or a delisting order pursuant to Article 18a***;	(a) executing ~~*a detection*~~***an*** order issued pursuant to ~~*Article 7, or a removal order issued pursuant to Article 14*~~***this Regulation***; Text Origin: CY PCY - drafting
Article 22(1), first subparagraph, point (b)				
435	(b) reporting potential online child sexual abuse to the EU Centre pursuant to Article 12;	(b) reporting potential online child sexual abuse to the EU Centre pursuant to Article 12;	(b) reporting ***information that indicate*** potential online child sexual abuse to the EU Centre pursuant to Article 12;	(b) reporting potential online child sexual abuse to the EU Centre pursuant to ~~*Article 12*~~***Articles 12 and 13***; Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 22(1), first subparagraph, point (c)				
436	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned;	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned;	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned;	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned; Text Origin: Commission Proposal
Article 22(1), first subparagraph, point (d)				
437	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation;	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation;	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation~~;~~**.**	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation; Text Origin: EP Mandate
Article 22(1), first subparagraph, point (e)				
438	(e) responding to requests issued by competent law enforcement authorities and judicial authorities in accordance with the applicable law, with a view to providing them with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences, insofar as the content data and other data relate to a report that the provider has submitted to the EU Centre pursuant to Article 12.	(e) responding to requests issued by competent law enforcement authorities and judicial authorities in accordance with the applicable law, with a view to providing them with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences, insofar as the content data and other data relate to a report that the provider has submitted to the EU Centre pursuant to Article 12. ***All such requests shall be logged.***	~~*(e)*~~***1a.*** ~~*responding to requests*~~ ***Upon a request*** issued by ***a*** competent ~~*law enforcement authorities and judicial authorities in accordance with the applicable law, with a view to providing them*~~ ***authority , providers shall provide the requesting authority*** with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences ***or the handling of complaints or administrative or judicial redress proceedings***, insofar as the content data and other data ~~*relate to a report that the provider has submitted to the EU Centre*~~	(e) responding to requests issued by competent ~~*law enforcement authorities and judicial*~~ authorities in accordance with the applicable ***national or Union*** law, with a view to providing them with the ***strictly*** necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences ***or for the handling of complaints or of administrative or judicial redress procedures***, insofar as the content data and other data relate to a report that the provider has submitted to the EU Centre pursuant to ~~*Article 12.*~~ ***Articles 12 and 13.***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~pursuant to Article 12~~***have been preserved for one of the purposes laid down in paragraph 1***.	Text Origin: EP Mandate
Article 22(1), second subparagraph				
439	As regards the first subparagraph, point (a), the provider may also preserve the information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse for the execution of a detection order issued to it in accordance with Article 7. However, it shall not store any personal data for that purpose.	As regards the first subparagraph, point (a), the provider ***who uses its own detection*** may also preserve the ***fully anonymised*** information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse for the execution of a detection order issued to it in accordance with Article 7. ~~However, it shall not store any~~***No*** personal data ***shall be retained*** for that purpose.	~~As regards the first subparagraph, point (a), the provider may also preserve the information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse for the execution of a detection order issued to it in accordance with Article 7. However, it shall not store any personal data for that purpose.~~	As regards the first subparagraph, ~~point (a)~~***points (a) and (b)***, the provider may also preserve the information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse ~~for the execution of a detection order issued to it in accordance with Article 7. However, it shall not store any~~ ***No*** personal data ***shall be retained*** for that purpose. Text Origin: CY PCY - drafting
Article 22(2), first subparagraph				
440	2.Providers shall preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the reporting or of the removal or disabling of access, whichever occurs first.	2.Providers shall ***securely*** preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the reporting or of the removal or disabling of access, whichever occurs first.	2.Providers shall preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the ~~reporting or of the removal or disabling of access, whichever occurs first~~***measures taken that led to the obligation to preserve the information . They shall subsequently irrevocably delete the information***.	2.Providers shall preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the ~~reporting or of the removal or disabling of access, whichever occurs first~~***measures taken that led to the obligation to preserve the information. They shall subsequently delete the information***. Text Origin: Council Mandate
Article 22(2), second subparagraph				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
441	They shall, upon request from the competent national authority or court, preserve the information for a further specified period, set by that authority or court where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d).	They shall, upon request from the competent national authority or court, preserve the information for a further specified period, set by that authority or court where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d).	~~They~~Providers shall, upon request from the competent ~~national~~ authority ~~or court~~, preserve the information for a further specified period, set by ~~that~~the requesting authority ~~or court~~ where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d).	~~They~~Providers shall, upon request from ~~the~~a competent authority, in accordance with the applicable national ~~authority or court~~or Union law, preserve the information for a further specified period, set by ~~that~~the requesting authority ~~or court~~ where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d). Text Origin: Council Mandate
Article 22(2), third subparagraph				
442	Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the information can be accessed and processed only for the purpose for which it is preserved, that a high level of security is achieved and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary.	Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to state of art appropriate technical and organisational ~~safeguards~~measures. Those safeguards shall ensure, in particular, that the information can be accessed and processed only for the purpose for which it is preserved, that unauthorised access to and unauthorised transfers of such personal data and other data are prevented, that a high level of security is achieved, all access to the data is logged, and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary.	3. Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the information can be accessed and processed only for the purpose for which it is preserved, that a high level of security is achieved and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary.	Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to appropriate technical and organisational ~~safeguards~~measures. Those ~~safeguards~~measures shall ensure, in particular, that the information can be accessed and processed only for the purpose for which it is preserved, that a high level of security is achieved, all access to the data is logged, and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those ~~safeguards~~measures and adjust them where necessary. Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 23				
443	Article 23 Points of contact	Article 23 Points of contact	Article 23 Points of contact	Article 23 Points of contact Text Origin: Commission Proposal
Article 23(1)				
444	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation.	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation.	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation.	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation. Text Origin: Commission Proposal
Article 23(2)				
445	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers.	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers.	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers.	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers. Text Origin: Commission Proposal
Article 23(3), first subparagraph				
446	3.The providers shall specify in the information referred to in paragraph	3.The providers shall specify in the information referred to in paragraph	3.The providers shall specify in the information referred to in paragraph	3.The providers shall specify in the information referred to in paragraph

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	2 the official language or languages of the Union, which can be used to communicate with their points of contact.	2 the official language or languages of the Union, which can be used to communicate with their points of contact.	2 the official language or languages of the Union, which can be used to communicate with their points of contact.	2 the official language or languages of the Union, which can be used to communicate with their points of contact. Text Origin: Commission Proposal
Article 23(3), second subparagraph				
447	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established.	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established.	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established.	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established. Text Origin: Commission Proposal
Article 24				
448	Article 24 Legal representative	Article 24 Legal representative	Article 24 Legal representative	Article 24 Legal representative Text Origin: Commission Proposal
Article 24(1)				
449	1.Providers of relevant information society services which do not have their main establishment in the Union shall designate, in writing, a natural or legal person as its legal representative in the Union.	1.Providers of relevant information society services which do not have their main establishment in the Union***, but which offer services in the Union,*** shall designate, in writing, a natural or legal person as its legal representative in the Union.	1.Providers of relevant information society services which do not have their main establishment in the Union shall designate, in writing, a natural or legal person as its legal representative in the Union ***for the purposes of this Regulation***.	1.Providers of relevant information society services which do not have their main establishment in the Union***, but which offer services in the Union,*** shall designate, in writing, a natural or legal person as its legal representative in the Union. Text Origin: EP Mandate
Article 24(2)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
450	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services.	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services.	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services.	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services. Text Origin: Commission Proposal
Article 24(3)				
451	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of decisions issued in relation to this Regulation, including detection orders, removal orders and blocking orders.	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of decisions issued in relation to this Regulation, including detection orders, removal orders and blocking orders.	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of ***orders and*** decisions issued in relation to this Regulation, including ~~*detection orders,*~~ removal orders ~~*and*~~, blocking orders ***and delisting orders***.	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of ***orders and*** decisions issued in relation to this Regulation~~*, including detection orders, removal orders and blocking orders*~~. Text Origin: Council Mandate
Article 24(4)				
452	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and comply with the decisions referred to in paragraph 3.	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and comply with the decisions referred to in paragraph 3.	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and ***to*** comply with the ***orders and*** decisions referred to in paragraph 3.	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and ***to*** comply with the ***orders and*** decisions referred to in paragraph 3. Text Origin: Council Mandate
Article 24(5)				

CONTEXTE

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
453	5.The designated legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider.	5.The designated legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider.	5.The ~~*designated*~~ legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider.	5.The designated legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider. Text Origin: EP Mandate
Article 24(6)				
454	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the EU Centre. They shall ensure that that information is up to date and publicly available.	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the EU Centre. They shall ensure that that information is up to date and publicly available.	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the EU Centre. ~~*They*~~***The provider*** shall ensure that that information is up to date and publicly available.	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the EU Centre. ~~*They*~~***The provider*** shall ensure that that information is up to date and publicly available. Text Origin: Council Mandate
Article 24(7)				
455	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union.	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union.	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union.	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union. Text Origin: Commission Proposal
CHAPTER III				
456	CHAPTER III	CHAPTER III	CHAPTER III	CHAPTER III

coreNote STAINED BY GROUND

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	SUPERVISION, ENFORCEMENT AND COOPERATION	SUPERVISION, ENFORCEMENT AND COOPERATION	SUPERVISION, ENFORCEMENT AND COOPERATION	SUPERVISION, ENFORCEMENT AND COOPERATION Text Origin: Commission Proposal
Section 1				
G 457	Section 1 Coordinating Authorities for child sexual abuse issues	Section 1 Coordinating Authorities for child sexual abuse issues	Section 1 ~~*Coordinating*~~ Authorities ~~*for child sexual abuse issues*~~***of the Member States***	Section 1 Coordinating Authorities ~~*for child sexual abuse issues*~~***and other competent authorities of the Member States*** Text Origin: Commission Proposal
Article 25				
G 458	Article 25 Coordinating Authorities for child sexual abuse issues and other competent authorities	Article 25 Coordinating Authorities for child sexual abuse issues and other competent authorities	Article 25 Coordinating Authorities ~~*for child sexual abuse issues*~~ and other competent authorities	Article 25 Coordinating Authorities for child sexual abuse issues and other competent authorities Text Origin: EP Mandate
Article 25(1)				
459	1.Member States shall, by [Date - two months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application and enforcement of this Regulation ('competent authorities').	1.Member States shall, by [Date - two months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application and enforcement of this Regulation ('competent authorities').	1.Member States shall, by [~~*Date - two*~~ ***eighteen*** months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application, ***supervision*** and enforcement of this Regulation ~~*('competent authorities')*~~.	1.Member States shall, by [~~*Date - two*~~ ***/ eighteen*** months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application, ***supervision*** and enforcement of this Regulation ~~*('competent authorities')*~~. Trilogue (29.06.): ON HOLD due to links to Art. 89 (entry into application) Text Origin: Council Mandate
Article 25(2), first subparagraph				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
460	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority').	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority'). ***Where they designate only one competent authority, that competent authority shall be the Coordinating Authority.***	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority'). ***Where Member States designate only one competent authority, that competent authority shall be the Coordinating Authority.***	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority'). ***Where they designate only one competent authority, that competent authority shall be the Coordinating Authority.*** Text Origin: EP Mandate
Article 25(2), second subparagraph				
461	The Coordinating Authority shall be responsible for all matters related to application and enforcement of this Regulation in the Member State concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities.	The Coordinating Authority shall be responsible for all matters related to ***the*** application and enforcement of this Regulation in the Member State concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities.	The Coordinating Authority shall be responsible for all matters related to ***the*** application and enforcement of this Regulation in the Member State concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities.	The Coordinating Authority shall be responsible for all matters related to ***the*** application and enforcement of this Regulation in the Member State concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities. Text Origin: Council Mandate
Article 25(2), third subparagraph				
462	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of those matters and for contributing to the effective, efficient and consistent application and enforcement of this Regulation throughout the Union.	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of those matters ***including prevention and combating of child sexual abuse, issuing of recommendations and good practices on improving digital skills and competences, education and awareness raising campaigns***	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of ~~those~~ ***all*** matters ~~and for contributing~~***relating*** to the ~~effective, efficient and consistent~~ application***, supervision*** and enforcement of this Regulation ~~throughout the Union.~~***.***	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of ~~those~~ ***all*** matters ~~and for contributing~~***relating*** to the ~~effective, efficient and consistent~~ application***, supervision*** and enforcement of this Regulation ~~throughout the Union.~~***.*** Text Origin: Council Mandate

CONFIDENTIAL
DRAWN BY ARTIFICIAL INTELLIGENCE

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		and the organisation of regular training activities for officials dealing with cases which involve children. The Coordinating Authority shall in any event be responsible ~~*and*~~ for contributing to the effective, efficient and consistent application and enforcement of this Regulation throughout the Union.		
Article 25(3)				
G 463	3.Where a Member State designates more than one competent authority in addition to the Coordinating Authority, it shall ensure that the respective tasks of those authorities and of the Coordinating Authority are clearly defined and that they cooperate closely and effectively when performing their tasks. The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.	3.Where a Member State designates more than one competent authority in addition to the Coordinating Authority, it shall ensure that the respective tasks of those authorities and of the Coordinating Authority are clearly defined and that they cooperate closely and effectively when performing their tasks. The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.	3.Where a Member State designates more than one competent authority ~~*in addition to the Coordinating Authority*~~, it shall ensure that the respective tasks of those authorities ***including those*** ~~*and*~~ of the Coordinating Authority**,** are clearly defined and that they cooperate closely and effectively when performing their tasks. ~~*The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.*~~**.**	3.Where a Member State designates more than one competent authority ~~*in addition to the Coordinating Authority*~~, it shall ensure that the respective tasks of those authorities ***including those*** ~~*and*~~ of the Coordinating Authority**,** are clearly defined and that they cooperate closely and effectively when performing their tasks. ~~*The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.*~~**.** Text Origin: Council Mandate
Article 25(4)				
G 464	4.Within one week after the designation of the Coordinating Authorities and any other competent authorities pursuant to paragraph 1, Member States shall make publicly available, and communicate to the	4.Within one week after the designation of the Coordinating Authorities and any other competent authorities pursuant to paragraph 1, Member States shall make publicly available, and communicate to the	4.Within one week after the designation of the ***competent authorities, including the*** Coordinating Authorities ~~*and any other competent authorities pursuant to paragraph 1*~~ , Member States	4.Within one week after the designation of the ***competent authorities, including the*** Coordinating Authorities ~~*and any other competent authorities pursuant to paragraph 1*~~ , Member States

OBTAINED BY CONSILIUM

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Commission and the EU Centre, the name of their Coordinating Authority. They shall keep that information updated.	Commission and the EU Centre, the name of their Coordinating Authority. They shall keep that information updated.	shall make publicly available, and communicate to the Commission and the EU Centre, the ~~name of~~***names of those authorities as well as*** their ~~Coordinating Authority~~***respective tasks or sectors***. They shall keep that information updated.	shall make publicly available, and communicate to the Commission and the EU Centre, the ~~name of~~***names of those authorities as well as*** their ~~Coordinating Authority~~***respective tasks or sectors***. They shall keep that information updated. Text Origin: Council Mandate
Article 25(5)				
G 465	5.Each Member State shall ensure that a contact point is designated or established within the Coordinating Authority's office to handle requests for clarification, feedback and other communications in relation to all matters related to the application and enforcement of this Regulation in that Member State. Member States shall make the information on the contact point publicly available and communicate it to the EU Centre. They shall keep that information updated.	5.Each Member State shall ensure that a contact point is designated or established within the Coordinating Authority's office to ***efficiently*** handle requests for clarification, feedback and other communications in relation to all matters related to the ***objectives*** application and enforcement of this Regulation in that Member State***, including communication with trusted organisations providing assistance to victims, education and awareness raising***. Member States shall make the information on the contact point ~~publicly available~~***widely accessible through gender-sensitive and age-appropriate online and offline awareness raising campaigns*** and communicate ~~it~~***this information*** to the EU Centre. They shall keep that information updated.	5.~~Each~~ Member ~~State~~***States*** shall ~~ensure that~~ ***establish*** a contact point ~~is designated or established~~ within ~~the~~***their*** Coordinating Authority's office to handle requests for clarification, feedback and other communications in relation to all matters related to the application and enforcement of this Regulation ~~in that Member State~~. Member States shall make the information on the contact point publicly available and communicate it to the EU Centre. They shall keep that information updated.	5.~~Each~~ Member ~~State~~***States*** shall ~~ensure that~~ ***establish*** a contact point ~~is designated or established~~ within ~~the~~***their*** Coordinating Authority's office to handle requests for clarification, feedback and other communications in relation to all matters related to the application and enforcement of this Regulation ~~in that Member State~~. Member States shall make the information on the contact point publicly available and ***widely accessible, and*** communicate it to the EU Centre. They shall keep that information updated. Text Origin: CY Acting Pcy2 G
Article 25(6)				
466	6.Within two weeks after the	6.Within two weeks after the	6.~~Within two weeks after the~~	6.[Within two weeks after the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	designation of the Coordinating Authorities pursuant to paragraph 2, the EU Centre shall set up an online register listing the Coordinating Authorities and their contact points. The EU Centre shall regularly publish any modification thereto.	designation of the Coordinating Authorities pursuant to paragraph 2, the EU Centre shall set up an online ***public*** register listing the Coordinating Authorities and their contact points. The EU Centre shall regularly publish any modification thereto.	~~*designation of the Coordinating Authorities pursuant to paragraph 2,*~~ The EU Centre shall***, by [eighteen months and two weeks from the date of entry into force of this Regulation]*** set up an online register listing ***the competent authorities, including*** the Coordinating Authorities and their contact points***, designated pursuant to paragraphs 1, 2 and 5***. The EU Centre shall regularly publish any modification thereto.	designation of the Coordinating Authorities pursuant to paragraph 2~~,~~***.*** The EU Centre shall***, by [eighteen months and two weeks from the date of entry into force of this Regulation]*** set up an online ***public*** register listing ***the competent authorities, including*** the Coordinating Authorities and their contact points***, designated pursuant to paragraphs 1, 2 and 5***. The EU Centre shall regularly publish any modification thereto. ITM 23.02: ON HOLD (linked to period of application) Text Origin: Council Mandate
Article 25(7)				
G 467	7.Coordinating Authorities may, where necessary for the performance of their tasks under this Regulation, request the assistance of the EU Centre in carrying out those tasks, in particular by requesting the EU Centre to:	7.Coordinating Authorities may, where necessary for the performance of their tasks under this Regulation, request the assistance of the EU Centre in carrying out those tasks, in particular by requesting the EU Centre to:	7.~~*Coordinating*~~***Competent*** authorities~~-~~ may, where necessary for the performance of their tasks under this Regulation, request ***through the Coordinating Authority,*** the assistance of the EU Centre in carrying out those tasks, in particular***,*** by requesting the EU Centre to:	7.Coordinating Authorities***, and other competent authorities through the Coordinating Authorities,*** may, where necessary for the performance of their tasks under this Regulation, request the assistance of the EU Centre in carrying out those tasks, in ~~*particular by requesting*~~***accordance with this Regulation.*** ***Other competent authorities may request the assistance of*** the EU Centre ~~*to:*~~***directly in situations of urgent operational need. Those authorities shall inform the*** G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Coordinating Authorities about such requests. Text Origin: Council Mandate
Article 25(7), point (a)				
468	(a) provide certain information or technical expertise on matters covered by this Regulation;	(a) provide certain information or technical expertise on matters covered by this Regulation, ***including knowledge and expertise on appropriate prevention techniques against child sexual abuse***;	(a) provide certain information or technical expertise on matters covered by this Regulation;	*deleted*
Article 25(7), point (aa)				
468a		***(aa) provide information and expertise on gender-sensitive and age-appropriate victim assistance and support and prevention of online child sexual abuse;***		*deleted*
Article 25(7), point (b)				
469	*(b)* assist in assessing, in accordance with Article 5(2), the risk assessment conducted or updated or the mitigation measures taken by a provider of hosting or interpersonal communication services under the jurisdiction of the Member State that designated the requesting Coordinating Authority;	(b) assist in assessing, in accordance with Article 5(2), the risk assessment conducted or updated or the mitigation measures taken by a provider of ***number-independent*** hosting or interpersonal communication services under the jurisdiction of the Member State that designated the requesting Coordinating Authority;	(b) assist in assessing, in accordance with Article 5(2), the risk assessment conducted or updated or the mitigation measures taken by a provider of hosting or interpersonal ~~*communication*~~***communications*** services under the jurisdiction of the Member State that designated the requesting ~~*Coordinating*~~***competent*** authority ;	*deleted*
Article 25(7), point (c)				
470	*(c)* verify the possible need to request competent national	(c) verify the possible need to request competent national	~~*(c) verify the possible need to request competent national*~~	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	authorities to issue a detection order, a removal order or a blocking order in respect of a service under the jurisdiction of the Member State that designated that Coordinating Authority;	authorities to issue a detection order, a removal order or a blocking order in respect of a service under the jurisdiction of the Member State that designated that Coordinating Authority;	~~*authorities to issue a detection order, a removal order or a blocking order in respect of a service under the jurisdiction of the Member State that designated that Coordinating Authority;*~~	
Article 25(7), point (d)				
G *471*	*(d)* verify the effectiveness of a detection order or a removal order issued upon the request of the requesting Coordinating Authority.	(d) verify the effectiveness of a detection order or a removal order issued upon the request of the requesting Coordinating Authority.	~~*(d) verify the effectiveness of a detection order or a removal order issued upon the request of the requesting Coordinating Authority.*~~	*deleted* G
Article 25(8)				
G *472*	*8.*The EU Centre shall provide such assistance free of charge and in accordance with its tasks and obligations under this Regulation and insofar as its resources and priorities allow.	8.The EU Centre shall provide**,** ***without undue delay,*** such assistance free of charge and in accordance with its tasks and obligations under this Regulation and insofar as its resources and priorities allow.	~~*8.The EU Centre shall provide such assistance free of charge and in accordance with its tasks and obligations under this Regulation and insofar as its resources and priorities allow.*~~	8.The EU Centre shall provide**,** ***without undue delay,*** such assistance free of charge and in accordance with its tasks and obligations under this Regulation and insofar as its resources and priorities allow. Text Origin: EP Mandate G
Article 25(8a)				
G 472a		***8a. Coordinating Authorities shall, where necessary for the performance of their tasks under this Regulation and in order to promote the generation and sharing of knowledge and best practices in accordance with Article 43(6), cooperate with organisations and networks with expertise on matters related to the prevention and combating of online child sexual***		*deleted* G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		abuse, including civil society organisations and semi-public organisations and professional organisations of practitioners.		
Article 25(9)				
473	*9.*The requirements applicable to Coordinating Authorities set out in Articles 26, 27, 28, 29 and 30 shall also apply to any other competent authorities that the Member States designate pursuant to paragraph 1.	9.The requirements applicable to Coordinating Authorities set out in Articles 26, 27, 28, 29 and 30 shall also apply to any other competent authorities that the Member States designate pursuant to paragraph 1.	~~*9.The requirements applicable to Coordinating Authorities set out in Articles 26, 27, 28, 29 and 30 shall also apply to any other competent authorities that the Member States designate pursuant to paragraph 1.*~~	*deleted*
Article 26				
474	Article 26 Requirements for Coordinating Authorities	Article 26 Requirements for Coordinating Authorities	Article 26 Requirements for ~~*Coordinating*~~ ***competent*** authorities	Article 26 Requirements for Coordinating Authorities ***and other competent authorities*** Text Origin: CY Acting Pcy2
Article 26(1)				
475	1.Member States shall ensure that the Coordinating Authorities that they designated perform their tasks under this Regulation in an objective, impartial, transparent and timely manner, while fully respecting the fundamental rights of all parties affected. Member States shall ensure that their Coordinating Authorities have adequate technical, financial and human resources to carry out their tasks.	1.Member States shall ensure that the Coordinating Authorities that they designated perform their tasks under this Regulation in an objective, impartial, transparent and timely manner, while fully respecting the fundamental rights of all parties affected. ~~*Member States*~~***They*** shall ***also*** ensure that their Coordinating Authorities ~~*have adequate*~~***perform their tasks with utmost respect and sensitivity towards victims and their legal representatives. Member States***	1.Member States shall ensure that the ~~*Coordinating*~~***competent*** authorities~~,~~ that they ***have*** designated ~~*perform*~~ ***carry out*** their tasks under this Regulation in an objective~~, impartial, transparent and timely~~ ***and non-discriminatory*** manner, while fully respecting~~the~~ fundamental rights ~~*of all parties affected*~~. Member States shall ensure that~~their Coordinating~~ ***those*** authorities have adequate technical, financial and human resources to carry out their tasks.	1.Member States shall ensure that the Coordinating Authorities ***and other competent authorities*** that they ***have*** designated, perform their ~~*tasks under*~~***duties and exercise their powers objectively, impartially and in the interest of the effective application of*** this Regulation ~~*in an objective, impartial, transparent and timely manner*~~***. The Coordinating Authorities and other competent authorities shall be subject to proportionate accountability requirements***, while fully respecting

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		shall also ensure provide their Coordinating Authorities with all necessary resources, including sufficient technical, financial and human resources to ***efficiently*** carry out their tasks.		~~*the*~~ fundamental rights ~~*of all parties affected*~~. Member States shall ensure that ~~*their Coordinating*~~***those*** authorities have ~~*adequate*~~***appropriate*** technical, financial and human resources to ***efficiently*** carry out their tasks. Trilogue (29.06.): Provisionally agreed. Text Origin: CY Acting Pcy2
Article 26(1a)				
475a			***Those authorities shall not seek or take instructions from any other body in relation to carrying out their tasks under this Regulation.***	***1a. The Coordinating Authorities and other competent authorities shall not seek or take instructions from any other body in relation to the carrying out of their tasks under this Regulation. This shall not prevent supervision in accordance with national law.*** Trilogue (29.06.): Provisionally agreed. Text Origin: CY Acting Pcy2
Article 26(2)				
476	2.When carrying out their tasks and exercising their powers in accordance with this Regulation, the Coordinating Authorities shall act with complete independence. To that aim, Member States shall ensure, in particular, that they:	2.When carrying out their tasks and exercising their powers in accordance with this Regulation, the Coordinating Authorities shall act with complete independence. To that aim, Member States shall ensure, in particular, that they:	~~*2.When carrying out their tasks and exercising their powers in accordance with this Regulation, the Coordinating Authorities shall act with complete independence. To that aim, Member States shall ensure, in particular, that they:*~~	Trilogue (29.06.): Provisionally agreed.
Article 26(2), point (a)				
477	(a) are legally and functionally	(a) are legally and functionally	~~*(a) are legally and functionally*~~	(a) ~~*are legally and functionally*~~

eContexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	independent from any other public authority;	independent from any other public authority;	~~*independent from any other public authority;*~~	~~*independent from any other public authority;*~~ Trilogue (29.06.): Provisionally agreed.
Article 26(2), point (b)				
G 478	(b) have a status enabling them to act objectively and impartially when carrying out their tasks under this Regulation;	(b) have a status enabling them to act objectively and impartially when carrying out their tasks under this Regulation;	~~*(b) have a status enabling them to act objectively and impartially when carrying out their tasks under this Regulation;*~~	Trilogue (29.06.): Provisionally agreed.
Article 26(2), point (c)				
G 479	(c) are free from any external influence, whether direct or indirect;	(c) are free from any external influence, whether direct or indirect;	~~*(c) are free from any external influence, whether direct or indirect;*~~	Trilogue (29.06.): Provisionally agreed.
Article 26(2), point (d)				
G 480	(d) neither seek nor take instructions from any other public authority or any private party;	(d) neither seek nor take instructions from any other public authority or any private party;	~~*(d) neither seek nor take instructions from any other public authority or any private party;*~~	Trilogue (29.06.): Provisionally agreed.
Article 26(2),				
G 481	(e) are not charged with tasks relating to the prevention or combating of child sexual abuse, other than their tasks under this Regulation.	*deleted*	~~*(e) are not charged with tasks relating to the prevention or combating of child sexual abuse, other than their tasks under this Regulation.*~~	*deleted* *Text Origin: Commission Proposal*
Article 26(3)				
G *482*	*3.*Paragraph 2 shall not prevent supervision of the Coordinating Authorities in accordance with national constitutional law, to the extent that such supervision does not affect their independence as required under this Regulation.	3.Paragraph 2 shall not prevent supervision of the Coordinating Authorities in accordance with national constitutional law, to the extent that such supervision does not affect their independence as required under this Regulation.	3.Paragraph ~~2~~ ***1*** shall not prevent supervision of the ~~*Coordinating*~~ ***competent*** authorities in accordance with national ~~*constitutional law, to the extent that such supervision does not affect their independence as required under this Regulation*~~ ***law***.	*deleted* *Text Origin: Council Mandate*
Article 26(4)				

COUNCIL EX OBTAINED BY OBSERVER

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 483	*4.*The Coordinating Authorities shall ensure that relevant members of staff have the required qualifications, experience and technical skills to perform their duties.	4.The Coordinating Authorities shall ensure that relevant members of staff have the required qualifications, experience***, integrity*** and technical skills to perform their duties.	4.The ~~*Coordinating*~~***competent*** authorities shall ensure that ~~*relevant members of*~~ ***their*** staff have the required qualifications, experience***,*** and technical skills to ~~*perform their duties*~~ ***carry out the application, supervision and enforcement under this Regulation***.	4.The Coordinating ***Authorities and other competent*** authorities shall ensure that ~~*relevant members of*~~***their*** staff have the required qualifications, experience***, integrity*** and technical skills to ~~*perform their duties*~~ ***carry out the application, supervision and enforcement under this Regulation***. Text Origin: CY Acting Pcy2
Article 26(5)				
G 484	5.The management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects.	5.***Without prejudice to national or the Union law regulating whistleblower protection,*** the management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects.	5.The management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects.	5.The management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects. EP text to be addressed in Art. 1(3). Text Origin: Council Mandate
Section 2				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
485	Section 2 Powers of Coordinating Authorities	Section 2 Powers of Coordinating Authorities	Section 2 Powers of ~~Coordinating~~ ***competent*** authorities ***of Member States***	Section 2 Powers of ~~Coordinating~~***competent*** authorities ***of Member States*** Text Origin: Council Mandate
Article 27				
486	Article 27 Investigatory powers	Article 27 Investigatory powers	Article 27 Investigatory ***and enforcement*** powers	Article 27 Investigatory ***and enforcement*** powers Text Origin: Council Mandate
Article 27(1)				
487	1. Where needed for carrying out their tasks, Coordinating Authorities shall have the following powers of investigation, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	1. ~~Where needed for carrying out their tasks,~~ Coordinating Authorities shall have the following ***investigatory*** powers ~~of investigation,~~ in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	1. Where needed ~~for carrying~~***in order to carry*** out their tasks ***under this Regulation, competent*** ~~Coordinating~~ authorities ***shall have*** the following powers of investigation, in respect of ***conduct by*** providers of relevant information society services under the jurisdiction of ~~the~~ ***their*** Member State ~~that designated them:~~***:***	1. Where needed ~~for carrying~~***in order to carry*** out their tasks ***under this Regulation, competent*** ~~Coordinating~~ authorities ***shall have*** the following powers of investigation, in respect of ***conduct by*** providers of relevant information society services under the jurisdiction of ~~the~~ ***their*** Member State ~~that designated them:~~***:*** Text Origin: CY Acting Pcy2
Article 27(1), point (a)				
488	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information within a reasonable time	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information within a reasonable time	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information ~~within a reasonable time~~	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information ~~within a reasonable time~~

Contexte OBTAINED BY DELETION

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	period;	period;	~~period~~***without undue delay***;	~~period~~***without undue delay***; Text Origin: Council Mandate
Article 27(1), point (b)				
489	(b) the power to carry out on-site inspections of any premises that those providers or the other persons referred to in point (a) use for purposes related to their trade, business, craft or profession, or to request other public authorities to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement of this Regulation in any form, irrespective of the storage medium;	(b) the power to carry out ***remote or*** on-site inspections of any premises that those providers or the other persons referred to in point (a) use for purposes related to their trade, business, craft or profession, or ***the power*** to request ~~other public authorities~~***the competent judicial authority of the Member State that designated it*** to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement of this Regulation in any form, irrespective of the storage medium;	(b) the power to carry out ~~on-site~~ ***, or to request a judicial authority to order,*** inspections of any premises that those providers or ~~the other~~***those*** persons ~~referred to in point (a)~~ use for purposes related to their trade, business, craft or profession, or to request other public authorities to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement ~~of this Regulation~~ in any form, irrespective of the storage medium;	(b) the power to carry out ~~on-site~~ ***, or to request a judicial authority to order,*** inspections of any premises that those providers or ~~the other~~***those*** persons ~~referred to in point (a)~~ use for purposes related to their trade, business, craft or profession, or to request other public authorities to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement ~~of this Regulation~~ in any form, irrespective of the storage medium; Text Origin: Council Mandate
Article 27(1), point (c)				
490	(c) the power to ask any member of staff or representative of those providers or the other persons referred to in point (a) to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers;	(c) the power to ask any member of staff or representative of those providers or the other persons referred to in point (a) to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers;	(c) the power to ask any member of staff or representative of those providers or ~~the other~~ ***those*** persons ~~referred to in point (a)~~ to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers ***by any technical means***;	(c) the power to ask any member of staff or representative of those providers or ~~the other~~ ***those*** persons ~~referred to in point (a)~~ to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers ***by any technical means***; Text Origin: Council Mandate
Article 27(1), point (d)				
491	(d) the power to request	(d) the power to request	(d) the power to request	(d) the power to request

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	information, including to assess whether the measures taken to execute a detection order, removal order or blocking order comply with the requirements of this Regulation.	information, including to assess whether the measures taken to execute a detection order, removal order or blocking order comply with the requirements of this Regulation.	information, including to assess whether the measures taken to ***effectively mitigate the risk of online child sexual abuse or*** execute a ~~*detection order,*~~ removal order ~~*or*~~**,** blocking ***order or delisting*** order comply with the requirements of this Regulation.	information, including to assess whether the measures taken to ***effectively mitigate the risk of online child sexual abuse or*** execute ~~*a detection order, removal order or blocking*~~***an*** order comply with the requirements of this Regulation. ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: Council Mandate
Article 27(2)				
G 492	2.Member States may grant additional investigative powers to the Coordinating Authorities.	*deleted*	~~*2.Member States may grant additional investigative powers to the Coordinating Authorities.*~~	*deleted* G
Article 28				
G *493*	Article 28 Enforcement powers	Article 28 Enforcement powers	~~*Article 28*~~ ~~*Enforcement powers*~~	~~*Article 28*~~ ~~*Enforcement powers*~~ Text Origin: Council Mandate G
Article 28(1)				
G 494	1.Where needed for carrying out their tasks, Coordinating Authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	1.~~*Where needed for carrying out their tasks,*~~ Coordinating Authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	~~*1*~~***2***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~ ***their*** Member State ~~*that designated them*~~:	~~*1*~~***2***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~ ***their*** Member State ~~*that designated them*~~: Text Origin: CY Acting Pcy2 G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 28(1), point (a)				
495	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding;	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding;	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding;	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding; Text Origin: Commission Proposal
Article 28(1), point (b)				
496	(b) the power to order the cessation of infringements of this Regulation and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end;	(b) the power to order ***specific measures to bring about*** the cessation of infringements of this Regulation and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end;	(b) the power to order the cessation of infringements ~~*of this Regulation*~~ and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end ***or to request a judicial authority to do so***;	(b) the power to order the cessation of infringements ~~*of this Regulation*~~ and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end ***or to request a judicial authority to do so***; Text Origin: Council Mandate
Article 28(1), point (c)				
497	(c) the power to impose fines, or request a judicial authority in their Member State to do so, in accordance with Article 35 for infringements of this Regulation, including non-compliance with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(c) the power to impose fines~~, *or request a judicial authority in their Member State to do so,*~~ in accordance with Article 35 for infringements of this Regulation, including non-compliance with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(c) the power to impose fines, or request a judicial authority in their Member State to do so, in accordance with Article 35***, for failure to comply with*** ~~*for infringements of*~~ this Regulation, including ~~*non-compliance with*~~ any of the orders issued pursuant to ~~*Article 27 and to point (b)*~~***paragraph 1*** of this ~~*paragraph*~~***Article***;	(c) the power to impose fines, or request a judicial authority in their Member State to do so, in accordance with Article 35***, for failure to comply with*** ~~*for infringements of*~~ this Regulation, including ~~*non-compliance with*~~ any of the orders issued pursuant to ~~*Article 27 and to point (b)*~~***paragraph 1*** of this ~~*paragraph*~~***Article***; Text Origin: Council Mandate
Article 28(1), point (d)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
498	(d) the power to impose a periodic penalty payment in accordance with Article 35 to ensure that an infringement of this Regulation is terminated in compliance with an order issued pursuant to point (b) of this paragraph or for failure to comply with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(d) the power to impose a periodic penalty payment in accordance with Article 35 to ensure that an infringement of this Regulation is terminated in compliance with an order issued pursuant to point (b) of this paragraph or for failure to comply with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(d) the power to impose a periodic penalty payment***, or to request a judicial authority to do so,*** in accordance with Article 35**,** to ensure that an infringement ~~*of this Regulation*~~ is terminated in compliance with an order issued pursuant to point (b) of this ~~*paragraph*~~***subparagraph*** or for failure to comply with any of the orders issued pursuant to ~~*Article 27 and to point (b)*~~***paragraph 1*** of this ~~*paragraph*~~***Article.*** ;	(d) the power to impose a periodic penalty payment***, or to request a judicial authority to do so,*** in accordance with Article 35**,** to ensure that an infringement ~~*of this Regulation*~~ is terminated in compliance with an order issued pursuant to point (b) of this ~~*paragraph*~~***subparagraph*** or for failure to comply with any of the orders issued pursuant to ~~*Article 27 and to point (b)*~~***paragraph 1*** of this ~~*paragraph*~~***Article.*** ; Text Origin: Council Mandate
Article 28(1), point (e)				
499	(e) the power to adopt interim measures to avoid the risk of serious harm.	(e) the power to adopt ***appropriate, reasonable, and proportionate*** interim measures to ~~*avoid the risk of*~~***prevent*** serious harm.	(e) the power to adopt interim measures ***or to request the competent national judicial authority to do so,*** to avoid the risk of serious harm.	(e) the power to adopt interim measures ***or to request the competent national judicial authority to do so,*** to avoid the risk of serious harm. Text Origin: Council Mandate
Article 28(1), point (ea)				
499a			***As regards point (b) of the first subparagraph of this paragraph, the competent authorities shall take into account the assessment and the determination of a significant remaining risk with respect to parts or components of a service referred to in Article 5(2) when imposing such remedies, which may include:***	*deleted*
Article 28(1), point (eb)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 499b			***(i) re-conducting or updating the risk assessment in accordance with Article 3, including, where appropriate, by modifying the methodology used to conduct the risk assessment, and report thereon in accordance with Article 5;***	*deleted* G
Article 28(1), point (ec)				
G 499c			***(ii) reinforcing the provider's internal processes or the internal supervision of the functioning of the service;***	*deleted* G
Article 28(1), point (ed)				
G 499d			***(iii)initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of interpersonal communications services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 22 of Regulation (EU) 2022/2065;***	*deleted* G
Article 28(1), point (ee)				
G 499e			***(iv) initiating or adjusting functionalities that enable users to notify online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;***	*deleted* G
Article 28(1), point (ef)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	499f		***(v) initiating or adjusting functionalities that enable users to control what information about them is shared to other users and how other users may contact them, and introducing default suitable privacy settings for users who are children;***	*deleted*
	Article 28(1), point (eg)			
	499g		***(vi) initiating or adjusting functionalities that provide information to users about notification mechanisms and direct users to helplines and trusted organisations, where users detect material or conversations indicating potential online child sexual abuse;***	*deleted*
	Article 28(1), point (eh)			
	499h		***(vii) initiating or adjusting functionalities that allow the providers to collect statistical data to better assess the risks and the effectiveness of the mitigation measures; those data shall not include any personal data.***	*deleted*
	Article 28(1), point (ei)			
	499i		***The competent authority may request the EU Centre for an opinion on technical aspects of the remedies that it intends to impose pursuant to point (b) of the first subparagraph of this paragraph.***	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 28(1), point (ej)				
499j			***A provider that is required to perform the actions specified in points (ii) to (vii) of point (b) of the first subparagraph of this paragraph, shall, within a period set by the competent authority, re-conduct or update the risk assessment in accordance with Article 3 so as to take account of those actions, and report thereon in accordance with Article 5. In the report on the re-conducted or updated risk assessment the provider shall also specify and explain the actions performed pursuant to this subparagraph.***	*deleted*
Article 28(1), point (ek)				
499k			***The competent authority shall set a reasonable period, that may deviate from the periods specified in Articles 3(4) and 5(1) taking into account the complexity of the required actions, for the performance of the actions including the reporting specified in point (b) of the first subparagraph of this paragraph.***	*deleted*
Article 28(2)				
500	*2.*Member States may grant additional enforcement powers to the Coordinating Authorities.	*deleted*	~~*2.Member States may grant additional enforcement powers to the Coordinating Authorities.*~~	*deleted*
Article 28(3)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
501	*3.*As regards paragraph 1, points (c) and (d), Coordinating Authorities shall have the enforcement powers set out in those points also in respect of the other persons referred to in Article 27, for failure to comply with any of the orders issued to them pursuant to that Article.	3.As regards paragraph 1, points (c) and (d), Coordinating Authorities shall have the enforcement powers set out in those points also in respect of the other persons referred to in Article 27, for failure to comply with any of the orders issued to them pursuant to that Article.	As regards ~~*paragraph 1,*~~ points (c) and (d) ***of the first subparagraph of this paragraph, competent*** ~~*Coordinating*~~ authorities ~~-~~ shall have the enforcement powers set out in those points ~~*also*~~ in respect of the other persons referred to in ~~*Article 27*~~***paragraph 1***, for failure to comply with any of the orders issued to them pursuant to that ~~*Article*~~***paragraph*** .	~~*3.*~~As regards ~~*paragraph 1,*~~ points (c) and (d) ***of the first subparagraph of this paragraph, competent*** ~~*Coordinating*~~ authorities ~~-~~ shall have the enforcement powers set out in those points ~~*also*~~ in respect of the other persons referred to in ~~*Article 27*~~***paragraph 1***, for failure to comply with any of the orders issued to them pursuant to that ~~*Article*~~***paragraph***. Text Origin: CY Acting Pcy2
Article 28(4)				
502	4.They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable time period, the fines or periodic payments that may be imposed for failure to comply and redress possibilities.	4.They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable time period, the fines or periodic payments that may be imposed for failure to comply and redress possibilities.	They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable ~~*time*~~ period, the fines or periodic payments that may be imposed for failure to comply and ~~*redress*~~***the*** possibilities ***for redress***.	~~*4.*~~They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable ~~*time*~~ period, the fines or periodic payments that may be imposed for failure to comply and ~~*redress*~~***the*** possibilities ***for redress***. Text Origin: Council Mandate
Article 28(3a)				
502a				***3.For the purposes of the enforcement of Articles 3 to 6 of this Regulation with respect to providers of hosting services, Chapter IV of Regulation (EU) 2022/2065 shall apply, and any references therein to compliance with the relevant provisions of Regulation (EU) 2022/2065. To the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				extent that powers are conferred upon the Commission under Chapter IV of Regulation (EU) 2022/2065, those powers shall also cover the application of Articles 3 to 6 of this Regulation. Written exchange (10.11.) - For further discussion.
Article 29				
503	Article 29 Additional enforcement powers	Article 29 Additional enforcement powers	~~*Article 29*~~ ~~*Additional enforcement powers*~~	~~*Article 29*~~ ~~*Additional enforcement powers*~~ Text Origin: Council Mandate
Article 29(1)				
504	1.Where needed for carrying out their tasks, Coordinating Authorities shall have the additional enforcement powers referred to in paragraph 2, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them, provided that:	1.~~*Where needed for carrying out their tasks,*~~ Coordinating Authorities shall have the additional enforcement powers referred to in paragraph 2~~,~~ in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them, provided that:	~~*1*~~***3***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall ~~*have the additional enforcement powers referred to in paragraph 2*~~, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~***their*** Member State ~~*that designated them, provided that:*~~***,*** ***where***	~~*1*~~***3a***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall ~~*have the additional enforcement powers referred to in paragraph 2*~~, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~***their*** Member State ~~*that designated them, provided that:*~~***,*** ***where*** Text Origin: CY Acting Pcy2
Article 29(1), point (a)				
505	(a) all other powers pursuant to Articles 27 and 28 to bring about the cessation of an infringement of this Regulation have been exhausted;	*deleted*	~~*(a)*~~ all other powers pursuant to ~~*Articles 27 and 28*~~***this Article*** to bring about the cessation of an infringement ~~*of this Regulation*~~ have been exhausted~~*;*~~	~~*(a)*~~ all other powers pursuant to ~~*Articles 27 and 28*~~***this Article*** to bring about the cessation of an infringement ~~*of this Regulation*~~ have been exhausted~~*;*~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 29(1), point (b)				
506	(b) the infringement persists;	(b) ~~the~~***an*** infringement ***of this Regulation*** persists; ***and***	~~(b)~~ ***and*** the infringement ~~persists;~~***has not been remedied or is continuing and is***	~~(b)~~ ***and*** the infringement ~~persists;~~***has not been remedied or is continuing and is*** Text Origin: Council Mandate
Article 29(1), point (c)				
507	(c) the infringement causes serious harm which cannot be avoided through the exercise of other powers available under Union or national law.	(c) the infringement causes serious harm which cannot be avoided through the exercise of other powers available under Union or national law.	~~(c) the infringement causes~~***causing*** serious harm which cannot be avoided through the exercise of other powers available under Union or national law~~.~~***, also have the power to take the following measures:***	~~(c) the infringement causes~~***causing*** serious harm which cannot be avoided through the exercise of other powers available under Union or national law~~.~~***, also have the power to take the following measures:*** Text Origin: Council Mandate
Article 29(2)				
508	2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:	2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:	~~2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:~~	~~2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:~~ Text Origin: EP Mandate
Article 29(2), point (a)				
509	(a) require the management body of the providers to examine the situation within a reasonable time period and to:	(a) require the management body of the providers to examine the situation within a reasonable time period and to:	(a) ***to*** require the management body of the providers***, without undue delay,*** to examine the situation ~~within a reasonable time period and to:~~***,***	(a) ***to*** require the management body of the providers***, without undue delay,*** to examine the situation ~~within a reasonable time period and to:~~***,*** Text Origin: Council Mandate
Article 29(2), point (a)(i)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
510	(i) adopt and submit an action plan setting out the necessary measures to terminate the infringement;	(i) adopt and submit an action plan setting out the necessary measures to terminate the infringement;	~~(i)~~ adopt and submit an action plan setting out the necessary measures to terminate the infringement;	~~(i)~~ adopt and submit an action plan setting out the necessary measures to terminate the infringement; Text Origin: Council Mandate
Article 29(2), point (a)(ii)				
511	(ii) ensure that the provider takes those measures;	(ii) ensure that the provider takes those measures;	~~(ii)~~ ensure that the provider takes those measures; ***and***	~~(ii)~~ ensure that the provider takes those measures; ***and*** Text Origin: Council Mandate
Article 29(2), point (a)(iii)				
512	(iii)report on the measures taken;	(iii)report on the measures taken;	~~(iii)~~report on the measures taken;	~~(iii)~~report on the measures taken; Text Origin: Council Mandate
Article 29(2), point (b)				
513	(b) request the competent judicial authority or independent administrative authority of the Member State that designated the Coordinating Authority to order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place, where the Coordinating Authority considers that:	(b) request the competent judicial ~~authority or independent administrative~~ authority of the Member State that designated the Coordinating Authority to order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place, where the Coordinating Authority considers that:	(b) ***where the competent authorities consider that a provider of relevant information society services has not sufficiently complied with the requirements of point (a) of the first subparagraph of this paragraph, that the infringement has not been remedied or is continuing and is causing serious harm, and that that infringement entails a criminal offence involving a threat to the life or safety of persons or the infringement results in the regular and structural facilitation of child sexual abuse offences, to*** request ***that*** the competent judicial authority or ***other*** independent administrative authority of ~~*the*~~ ***its*** Member State ~~*that designated the Coordinating*~~	(b) ***where the competent authorities consider that a provider of relevant information society services has not sufficiently complied with the requirements of point (a) of the first subparagraph of this paragraph, that the infringement has not been remedied or is continuing and is causing serious harm, and that that infringement entails a criminal offence involving a threat to the life or safety of persons or the infringement results in the regular and structural facilitation of child sexual abuse offences, to*** request ***that*** the competent judicial authority or ***other*** independent administrative authority of ~~*the*~~ ***its*** Member State ~~*that designated the Coordinating*~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~*Authority to*~~ order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place~~, *where the Coordinating Authority considers that:*~~.	~~*Authority to*~~ order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place~~, *where the Coordinating Authority considers that:*~~. Text Origin: Council Mandate
Article 29(2), point (b)(i)				
514	(i) the provider has not sufficiently complied with the requirements of point (a);	(i) the provider has not sufficiently complied with the requirements of point (a);	~~*(i) the provider has not sufficiently complied with the requirements of point (a);*~~	*deleted*
Article 29(2), point (b)(ii)				
515	*(ii)* the infringement persists and causes serious harm;	(ii) the infringement persists and causes serious harm; ***and***	~~*(ii) the infringement persists and causes serious harm;*~~	*deleted*
Article 29(2), point (b)(iii)				
516	*(iii)*the infringement results in the regular and structural facilitation of child sexual abuse offences.	(iii)the infringement results in the regular and structural facilitation of child sexual abuse offences.	~~*(iii)the infringement results in the regular and structural facilitation of child sexual abuse offences.*~~	*deleted*
Article 29(3), first subparagraph				
517	*3.*The Coordinating Authority shall, prior to submitting the request referred to in paragraph 2, point (b), invite interested parties to submit written observations on its intention to submit that request within a reasonable time period set by that Coordinating Authority. That time	3.The Coordinating Authority shall, prior to submitting the request referred to in paragraph 2, point (b), invite interested parties to submit written observations on its intention to submit that request within a reasonable time period set by that Coordinating Authority. That time	The ~~*Coordinating Authority*~~ ***competent authorities*** shall, prior to submitting the request referred to in ~~*paragraph 2*~~ , point (b) ***of the first subparagraph of this paragraph***, invite interested parties to submit written observations ~~*on its intention to submit that request*~~ within a	3.The ~~*Coordinating Authority*~~ ***competent authorities*** shall, prior to submitting the request referred to in ~~*paragraph 2,*~~ point (b) ***of the first subparagraph of this paragraph***, invite interested parties to submit written observations ~~*on its intention to submit that request*~~ within a

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	period shall not be less than two weeks.	period shall not be less than two weeks.	~~*reasonable time*~~ period ~~*set by that Coordinating Authority. That time period*~~***that*** shall not be less than two weeks***, describing the measures that it intends to request and identifying the intended addressee or addressees thereof. The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings before the competent judicial authority or other independent administrative authority.***	~~*reasonable time*~~ period ~~*set by that Coordinating Authority. That time period*~~***that*** shall not be less than two weeks***, describing the measures that it intends to request and identifying the intended addressee or addressees thereof. The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings before the competent judicial authority or other independent administrative authority.*** Text Origin: CY Acting Pcy2
Article 29(3), second subparagraph				
G	518 The invitation to submit written observations shall:	The invitation to submit written observations shall:	~~*The invitation to submit written observations shall:*~~	*deleted*
Article 29(3), second subparagraph, point (a)				
G	*519* *(a)* describe the measures that it intends to request;	(a) describe the measures that it intends to request;	~~*(a) describe the measures that it intends to request;*~~	*deleted*
Article 29(3), second subparagraph, point (b)				
G	*520* *(b)* identify the intended addressee or addressees thereof.	(b) identify the intended addressee or addressees thereof.	~~*(b) identify the intended addressee or addressees thereof.*~~	*deleted*
Article 29(3), third subparagraph				
G	*521* The provider, the intended addressee or addressees and any other third	The provider, the intended addressee or addressees and any other third	~~*The provider, the intended addressee or addressees and any other third*~~	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	party demonstrating a legitimate interest shall be entitled to participate in the proceedings regarding the request.	party demonstrating a legitimate interest shall be entitled to participate in the proceedings regarding the request.	~~*party demonstrating a legitimate interest shall be entitled to participate in the proceedings regarding the request.*~~	
Article 29(4), first subparagraph				
522	*4.* Any measure ordered upon the request referred to in paragraph 2, point (b), shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned.	4. Any measure ordered upon the request referred to in paragraph 2, point (b), shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned.	Any measure ordered ~~*upon the request referred to in paragraph 2, point (b),*~~ shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned.	4. Any measure ordered ~~*upon the request referred to in paragraph 2, point (b),*~~ shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned. Text Origin: Council Mandate
Article 29(4), second subparagraph				
523	The temporary restriction shall apply for a period of four weeks, subject to the possibility for the competent judicial authority, in its order, to allow the Coordinating Authority to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority.	The temporary restriction shall apply for a period of four weeks, subject to the possibility for the competent judicial ~~*authority, in its order, to allow the Coordinating*~~ authority to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority.	The ~~*temporary*~~ restriction ***of access*** shall ~~*apply*~~***be*** for a period of four weeks, subject to the possibility for the competent judicial authority ***or other independent administrative authority of the Member State***, in its order, to allow the ~~*Coordinating Authority*~~ ***competent authorities*** to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority ***or other independent administrative authority***.	The ~~*temporary*~~ restriction ***of access*** shall ~~*apply*~~***be*** for a period of four weeks, subject to the possibility for the competent judicial authority ***or other independent administrative authority of the Member State***, in its order, to allow the ~~*Coordinating Authority*~~ ***competent authorities*** to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority ***or other independent administrative authority***. Text Origin: Council Mandate
Article 29(4), third subparagraph				
524	The Coordinating Authority shall	The Coordinating Authority shall	***The competent authorities referred***	***The competent authorities referred***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	only extend the period where it considers, having regard to the rights and legitimate interests of all parties affected by the restriction and all relevant facts and circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to it, that both of the following conditions have been met:	only extend the period where it considers, having regard to the rights and legitimate interests of all parties affected by the restriction and all relevant facts and circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to it, that both of the following conditions have been met:	***to in the second subparagraph of this paragraph*** ~~*The Coordinating Authority*~~ shall only extend the period where ~~*it considers*~~, having regard to the rights and ~~*legitimate*~~ interests of all parties affected by ~~*the*~~ ***that*** restriction and all relevant ~~*facts and*~~ circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to ~~*it*~~***them , they consider*** that both of the following conditions have been met:	***to in the second subparagraph of this paragraph*** ~~*The Coordinating Authority*~~ shall only extend the period where ~~*it considers*~~, having regard to the rights and ~~*legitimate*~~ interests of all parties affected by ~~*the*~~ ***that*** restriction and all relevant ~~*facts and*~~ circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to ~~*it*~~***them , they consider*** that both of the following conditions have been met: Text Origin: CY Acting Pcy2
Article 29(4), third subparagraph, point (a)				
525	(a) the provider has failed to take the necessary measures to terminate the infringement;	(a) the provider has failed to take the necessary ***and proportionate*** measures to terminate the infringement;	(a) the provider has failed to take the necessary measures to terminate the infringement;	(a) the provider has failed to take the necessary measures to terminate the infringement; Text Origin: Council Mandate
Article 29(4), third subparagraph, point (b)				
526	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist.	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist.	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist.	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist. Text Origin: Commission Proposal
Article 29(4), fourth subparagraph				

EXPLANATORY MEMORANDUM

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
527	Where the Coordinating Authority considers that those two conditions have been met but it cannot further extend the period pursuant to the second subparagraph, it shall submit a new request to the competent judicial authority, as referred to in paragraph 2, point (b).	Where the Coordinating Authority considers that those two conditions have been met but it cannot further extend the period pursuant to the second subparagraph, it shall submit a new request to the competent judicial authority, as referred to in paragraph 2, point (b).	Where the ~~*Coordinating*~~ ***competent*** authority**,** considers that ~~*those two*~~***the*** conditions ***set out in the points (a) and (b) of the fifth subparagraph of this paragraph*** have been met but it cannot further extend the period pursuant to the ~~*second*~~***fourth*** subparagraph ***of this paragraph***, it shall submit a new request to the ~~*competent*~~ ***judicial authority or other independent administrative*** authority, as referred to in ***point (b) of the first subparagraph of this*** paragraph ~~*2, point (b)*~~.	Where the ~~*Coordinating*~~ ***competent*** authority**,** considers that ~~*those two*~~***the*** conditions ***set out in the points (a) and (b) of the fifth subparagraph of this paragraph*** have been met but it cannot further extend the period pursuant to the ~~*second*~~***fourth*** subparagraph ***of this paragraph***, it shall submit a new request to the ~~*competent*~~ ***judicial authority or other independent administrative*** authority, as referred to in ***point (b) of the first subparagraph of this*** paragraph ~~*2, point (b)*~~. Text Origin: CY Acting Pcy2
Article 30				
528	Article 30 Common provisions on investigatory and enforcement powers	Article 30 Common provisions on investigatory and enforcement powers	~~*Article 30*~~ ~~*Common provisions on investigatory and enforcement powers*~~	~~*Article 30*~~ ~~*Common provisions on investigatory and enforcement powers*~~ Text Origin: Council Mandate
Article 30(1)				
529	1.The measures taken by the Coordinating Authorities in the exercise of their investigatory and enforcement powers referred to in Articles 27, 28 and 29 shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the infringement of this Regulation or	1.The measures taken by the Coordinating Authorities in the exercise of their investigatory and enforcement powers referred to in Articles 27, 28 and 29 shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the infringement of this Regulation or	~~*1*~~***4***. The measures taken by the ~~*Coordinating*~~ ***competent*** authorities in the exercise of their investigatory and enforcement powers ~~*referred to in Articles 27, 28 and 29*~~ ***listed in paragraphs 1, 2 and 3*** shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the	~~*1*~~***4***. The measures taken by the ~~*Coordinating*~~ ***competent*** authorities in the exercise of their investigatory and enforcement powers ~~*referred to in Articles 27, 28 and 29*~~ ***listed in paragraphs 1, 2 and 3*** shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned, where applicable.	suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned, where applicable.	infringement ~~of this Regulation~~ or suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned~~,~~ where ~~applicable~~***relevant***.	infringement ~~of this Regulation~~ or suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned~~,~~ where ~~applicable~~***relevant***. Text Origin: CY Acting Pcy2
Article 30(2)				
G 530	2.Member States shall ensure that any exercise of the investigatory and enforcement powers referred to in Articles 27, 28 and 29 is subject to adequate safeguards laid down in the applicable national law to respect the fundamental rights of all parties affected. In particular, those measures shall only be taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all parties affected.	2.Member States shall ensure that any exercise of the investigatory and enforcement powers referred to in Articles 27, 28 and 29 is subject to adequate safeguards laid down in the applicable national law to respect the fundamental rights of all parties affected. In particular, those measures shall ~~only~~ be ***targeted and precise, and*** taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all parties affected.	~~2~~***5***. Member States ***shall lay down specific rules and procedures for the exercise of the powers pursuant to paragraphs 1, 2 and 3 and*** shall ensure that any exercise of ~~the investigatory and enforcement~~ ***those*** powers ~~referred to in Articles 27, 28 and 29~~ is subject to adequate safeguards laid down in the applicable national law ~~to respect the fundamental rights of all parties affected~~***in compliance with the Charter and with the general principles of Union law*** . In particular, those measures shall only be taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all ~~parties~~ affected ***parties***.	~~2~~***5***. Member States ***shall lay down specific rules and procedures for the exercise of the powers pursuant to paragraphs 1, 2 and 3 and*** shall ensure that any exercise of ~~the investigatory and enforcement~~ ***those*** powers ~~referred to in Articles 27, 28 and 29~~ is subject to adequate safeguards laid down in the applicable national law ~~to respect the fundamental rights of all parties affected~~***in compliance with the Charter and with the general principles of Union law*** . In particular, those measures shall only be taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all ~~parties~~ affected ***parties***. Text Origin: Council Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 31				
531	Article 31 Searches to verify compliance	Article 31 Searches to verify compliance	Article 31 Searches to verify compliance	Article 31 Searches to verify compliance Text Origin: Commission Proposal
Article 31, first paragraph				
532	Coordinating Authorities shall have the power to carry out searches on publicly accessible material on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify whether the providers of hosting services under the jurisdiction of the Member State that designated the Coordinating Authorities comply with their obligations under this Regulation.	Coordinating Authorities shall have the power to carry out searches on publicly accessible ~~material~~ ***content*** on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify whether the providers of hosting services under the jurisdiction of the Member State that designated the Coordinating Authorities comply with their obligations under this Regulation.	~~Coordinating~~***The competent*** authorities ~~-~~ shall have the power to carry out searches on publicly accessible material on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify whether the providers of hosting services under the jurisdiction of the Member State that designated the ~~Coordinating~~***competent*** authorities comply with their obligations under this Regulation.	~~Coordinating~~***The competent*** authorities ~~-~~ shall have the power to carry out searches on publicly accessible material on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify whether the providers of hosting services under the jurisdiction of the Member State that designated the ~~Coordinating~~***competent*** authorities comply with their obligations under this Regulation. Text Origin: CY Acting Pcy2
Article 32				
533	Article 32 Notification of known child sexual abuse material	Article 32 Notification of known child sexual abuse material	*deleted*	Article 32 Notification of known child sexual abuse material Text Origin: Commission Proposal
Article 32, first paragraph				
534	Coordinating Authorities shall have	Coordinating Authorities shall have		Coordinating Authorities shall have

COUNCIL OBTAINED BY NGO

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the power to notify providers of hosting services under the jurisdiction of the Member State that designated them of the presence on their service of one or more specific items of known child sexual abuse material and to request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	the power to notify providers of hosting services under the jurisdiction of the Member State that designated them of the presence on their service of one or more specific items of known child sexual abuse material and to request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	*deleted*	the power ***to send a referral*** to notify providers of hosting services under the jurisdiction of the Member State that designated ***them, alerting*** them of the presence on their service of one or more specific items of known child sexual abuse material and to request them to remove or disable access to that item or those items, for the providers' voluntary consideration.
Article 32, second paragraph				
535	The request shall clearly set out the identification details of the Coordinating Authority making the request and information on its contact point referred to in Article 25(5), the necessary information for the identification of the item or items of known child sexual abuse material concerned, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The request shall clearly set out the identification details of the Coordinating Authority making the request and information on its contact point referred to in Article 25(5), the necessary information for the identification of the item or items of known child sexual abuse material concerned, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	*deleted*	*deleted*
Section 3				
536	*Section 3* Other provisions on enforcement	Section 3 Other provisions on enforcement	Section 3 Other provisions on enforcement	Section 3 Other provisions on enforcement Text Origin: Commission Proposal
Article 33				
537	Article 33	Article 33	Article 33	Article 33

eTexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Jurisdiction	Jurisdiction	Jurisdiction	Jurisdiction Text Origin: Commission Proposal
Article 33(1)				
G 538	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation.	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation.	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation.	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation. Text Origin: Commission Proposal
Article 33(2), first subparagraph				
G 539	2.A provider of relevant information society services which does not have an establishment in the Union shall be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established.	2.A provider of relevant information society services which does not have an establishment in the Union shall be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established.	2.A provider of relevant information society services which does not have an establishment in the Union shall be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established.	2.A provider of relevant information society services which does not have an establishment in the Union shall be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established. Text Origin: Commission Proposal
Article 33(2), second subparagraph				
G 540	Where a provider failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle	Where a provider ***which does not have its main establishment in the Union*** failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall	Where a provider failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle	Where a provider failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle

COTEXT OBTAINED BY PARLY PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	of ne bis in idem is respected.	inform all other Member States and ensure that the principle of ne bis in idem is respected.	of ne bis in idem is respected.	of ne bis in idem is respected. Text Origin: Council Mandate
Article 34				
G 541	Article 34 Right of users of the service to lodge a complaint	Article 34 Right of users of the service to lodge a complaint	Article 34 Right ~~of users of the service~~ to lodge a complaint	Article 34 Right of users of the service to lodge a complaint Text Origin: Commission Proposal
Article 34(1)				
G 542	1.Users shall have the right to lodge a complaint alleging an infringement of this Regulation affecting them against providers of relevant information society services with the Coordinating Authority designated by the Member State where the user resides or is established.	1.Users ***and any body, organisation or association mandated to exercise the rights conferred by this Regulation on their behalf*** shall have the right to lodge a complaint alleging an infringement of this Regulation affecting them against providers of relevant information society services with the Coordinating Authority designated by the Member State ~~where the user resides or is established~~***of his or her habitual residence, place of work or place of the alleged infringement***.	1.Users ***and any body, organisation or association mandated to exercise the rights conferred by this Regulation on their behalf*** shall have the right to lodge a complaint ~~alleging an infringement of this Regulation affecting them~~ against providers of relevant information society services ***alleging an infringement of this Regulation*** with the Coordinating Authority ~~designated by~~ ***in*** the Member State where the user ~~resides or is~~***is located or*** established.	1.Users shall have the right to lodge a complaint alleging an infringement of this Regulation affecting them against providers of relevant information society services with the Coordinating Authority designated by the Member State where the user ~~resides or is~~***is located or*** established. ***The Coordinating Authorities shall process the complaints without undue delay.*** Text Origin: CY Acting Pcy2
Article 34(1a)				
G 542a		***1a. The Coordinating Authority with which the complaint has been lodged shall inform the complainant and the provider on the progress and the outcome of the complaint in accordance with national law.***		*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 34(1b)				
542b		***1b. Directive (EU) 2019/1937 of the European Parliament and of the Council shall apply to the reporting of breaches of this Regulation and the protection of persons reporting such breaches.***		*deleted* *Movedto Art. 1(3).*
Article 34(1c)				
542c		***1c. The Coordinating Authority shall offer easy to use mechanism to anonymously submit information about infringements of this Regulation.***		*deleted*
Article 34(2)				
543	*2.*Coordinating Authorities shall provide child-friendly mechanisms to submit a complaint under this Article and adopt a child-sensitive approach when handling complaints submitted by children, taking due account of the child's age, maturity, views, needs and concerns.	2.Coordinating Authorities shall provide ~~*child-friendly*~~***age-appropriate and accessible*** mechanisms to submit a complaint under this Article and adopt ~~*a child-sensitive*~~***an age-appropriate and gender-sensitive*** approach when handling complaints ~~*submitted by children,*~~ taking due account of the ~~*child'*~~***complainant's*** age, maturity, views, needs and concerns. ***Coordinating Authorities shall diligently process the complaints.***	2.Coordinating Authorities shall provide child-friendly mechanisms to submit a complaint under this Article and adopt a child-sensitive approach when handling complaints submitted by children, taking due account of the child's age, maturity, views, needs and concerns.	2.Coordinating Authorities shall provide child-friendly mechanisms to submit a complaint under this Article and adopt a child-sensitive approach when handling complaints submitted by children, taking due account of the child's age, maturity, views, needs and concerns. Text Origin: Commission Proposal
Article 34(3), first subparagraph				
544	3.The Coordinating Authority receiving the complaint shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of	3.The Coordinating Authority receiving the complaint shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of	3.The Coordinating Authority ~~*receiving the complaint*~~ shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of	3.The Coordinating Authority receiving the complaint shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	establishment.	establishment ***of the provider***. ***In this case paragraph 1a shall apply to the Coordinating Authority of establishment mutandis mutandis.***	establishment***, accompanied, where appropriate, by its reasoning***.	establishment***, accompanied, where considered appropriate, by an opinion***. ***The Coordinating Authority of establishment shall inform the provider and the Coordinating Authority receiving the complaint of the progress and outcome of the complaint in accordance with national law and without undue delay. After obtaining such information, the Coordinating Authority receiving the complaint shall inform the complainant of the progress and outcome of the complaint in accordance with national law and without undue delay.*** Text Origin: Council Mandate
Article 34 a				
544a		***Judicial remedy and compensation Users and any body, organisation or association mandated to exercise the rights conferred by this Regulation on their behalf shall have the right to seek, in accordance with Union and national law, judicial remedy, including the right to compensation for any damage or loss suffered due to an infringement of the obligations under this Regulation.***		*deleted*
Article 34(3), second subparagraph				
545	Where the complaint falls under the	Where the complaint falls under the	Where the complaint falls under the	Where the complaint falls under the

Contexte OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	responsibility of another competent authority of the Member State that designated the Coordinating Authority receiving the complaint, that Coordinating Authority shall transmit it to that other competent authority.	responsibility of another competent authority of the Member State that designated the Coordinating Authority receiving the complaint, that Coordinating Authority shall transmit it to that other competent authority.	responsibility of another competent authority ~~of the~~**in its** Member State ~~that designated~~ **,** the Coordinating Authority receiving the ~~complaint, that Coordinating Authority shall~~**complaintshall** transmit it to that ~~other competent~~ **,** authority.	responsibility of another competent authority ~~of the~~**in its** Member State ~~that designated~~ **,** the Coordinating Authority receiving the complaint~~, that Coordinating Authority~~ shall transmit it to that ~~other competent~~ authority. Text Origin: Council Mandate
Article 34(3a)				
545a			**3a. During these proceedings, both parties shall have the right to be heard and receive appropriate information about the status of the complaint, in accordance with national law.**	*deleted*
Article 34a				
545b			**Article 34a Representation**	**Article 34a Representation** Text Origin: Council Mandate
Article 34a(1)				
545c			**1. Without prejudice to Directive (EU) 2020/1828 or to any other type of representation under national law, users of relevant information society services shall at least have the right to mandate a body, organisation or association to exercise the rights conferred by this Regulation on their behalf, provided the body, organisation or association meets all of the following conditions:**	**1. Without prejudice to Directive (EU) 2020/1828 or to any other type of representation under national law, users of relevant information society services shall at least have the right to mandate a parent, guardian, legal representative or other body, organisation or association to exercise the rights conferred by this Regulation on their behalf, provided the body, organisation or association meets**

contexte OBTAINED BY VOTEWATCH

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				all of the following conditions: Text Origin: Council Mandate
Article 34a(1), point (a)				
545d			***(a) it operates on a non-profit basis;***	***(a) it operates on a non-profit basis;*** Text Origin: Council Mandate
Article 34a(1), point (b)				
545e			***(b) it has been properly constituted in accordance with the law of a Member State;***	***(b) it has been properly constituted in accordance with the law of a Member State;*** Text Origin: Council Mandate
Article 34a(1), point (c)				
545f			***(c) its statutory objectives include a legitimate interest in ensuring that this Regulation is complied with.***	***(c) its statutory objectives include a legitimate interest in ensuring that this Regulation is complied with.*** Text Origin: Council Mandate
Article 34a(2)				
545g			***2.Providers of relevant information society services shall take the necessary technical and organisational measures to ensure that complaints submitted by bodies, organisations or associations referred to in paragraph 1 of this Article on behalf of users through the mechanisms referred to in Article 34 are processed and decided upon with priority and without undue***	***2.Providers of relevant information society services shall take the necessary technical and organisational measures to ensure that complaints submitted by bodies, organisations or associations referred to in paragraph 1 of this Article on behalf of users through the mechanisms referred to in Article 34 are processed and decided upon with priority and without undue***

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			delay.	***delay.*** Text Origin: Council Mandate
Article 34b				
545h				***Article 34b*** ***Compensation*** Text Origin: CY Acting Pcy2
Article 34b, first paragraph				
545i				***Users shall have the right to seek, in accordance with Union and national law, compensation from providers of relevant information society services, in respect of any damage or loss suffered due to an infringement by those providers of their obligations under this Regulation.*** Text Origin: CY Acting Pcy2
Article 35				
546	Article 35 Penalties	Article 35 Penalties	Article 35 Penalties	Article 35 Penalties Text Origin: Commission Proposal
Article 35(1), first subparagraph				
547	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the necessary measures to ensure that they are implemented.	the necessary measures to ensure that they are implemented.	the necessary measures to ensure that they are implemented ***in accordance with Article 27***.	the necessary measures to ensure that they are implemented ***in accordance with Article 27***. Text Origin: Council Mandate
Article 35(1), second subparagraph				
G 548	The penalties shall be effective, proportionate and dissuasive. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them.	The penalties shall be effective, proportionate and dissuasive. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them.	~~*The*~~ Penalties shall be effective, proportionate and dissuasive***, taking into account the risk categorisation of services laid down in Article 5(2)***. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them.	~~*The*~~ Penalties shall be effective, proportionate and dissuasive. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them. Trilogue (29.06.): Provisionally agreed. Text Origin: EP Mandate
Article 35(2)				
G 549	2.Member States shall ensure that the maximum amount of penalties imposed for an infringement of this Regulation shall not exceed 6 % of the annual income or global turnover of the preceding business year of the provider.	2.Member States shall ensure that the maximum amount of penalties imposed for an infringement of this Regulation shall not exceed 6 % of the annual ~~*income or global*~~***worldwide*** turnover of the preceding business year of the provider.	2.Member States shall ensure that the maximum amount of penalties ***that may be*** imposed for ***a failure to comply with an obligation laid down in*** ~~*an infringement of*~~ this Regulation shall***-*** not exceed 6 % of the annual ~~*income or global*~~ ***worldwide*** turnover of the ***providers concerned in the*** preceding ~~*business year*~~***financial year. Member States shall ensure that the maximum amount*** of the ~~*provider.*~~***penalty that may be imposed***	2.Member States shall ensure that the maximum amount of penalties ***that may be*** imposed for ***a failure to comply with an obligation laid down in*** ~~*an infringement of*~~ this Regulation shall***-*** not exceed 6 % of the annual ~~*income or global*~~ ***worldwide*** turnover of the ***providers concerned in the*** preceding ~~*business year*~~***financial year. Member States shall ensure that the maximum amount*** of the ~~*provider.*~~***penalty that may be imposed*** Text Origin: Council Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 35(3)				
550	3.Penalties for the supply of incorrect, incomplete or misleading information, failure to reply or rectify incorrect, incomplete or misleading information or to submit to an on-site inspection shall not exceed 1% of the annual income or global turnover of the preceding business year of the provider or the other person referred to in Article 27.	3.Penalties for the supply of incorrect, incomplete or misleading information, failure to reply or rectify incorrect, incomplete or misleading information or to submit to an on-site inspection shall not exceed 1% of the annual ~~*income or global*~~***worldwide*** turnover of the preceding business year of the provider or the other person referred to in Article 27.	~~*3.Penalties*~~ for the supply of incorrect, incomplete or misleading information ***and failure*** ~~*or*~~ to submit to an ~~*on-site*~~ inspection shall ***not*** exceed 1% of the annual income or ~~*global*~~***worldwide*** turnover of the ~~*preceding business year of the*~~ provider or ~~*the other*~~ person ~~*referred to in Article 27*~~***concerned in the preceeding financial year***.	~~*3.Penalties*~~ for the supply of incorrect, incomplete or misleading information ***and failure*** ~~*or*~~ to submit to an ~~*on-site*~~ inspection shall ***not*** exceed 1% of the annual income or ~~*global*~~***worldwide*** turnover of the ~~*preceding business year of the*~~ provider or ~~*the other*~~ person ~~*referred to in Article 27*~~***concerned in the preceeding financial year***. Text Origin: Council Mandate
Article 35(4)				
551	4.Member States shall ensure that the maximum amount of a periodic penalty payment shall not exceed 5 % of the average daily global turnover of the provider or the other person referred to in Article 27 in the preceding financial year per day, calculated from the date specified in the decision concerned.	4.Member States shall ensure that the maximum amount of a periodic penalty payment shall not exceed 5 % of the average daily ~~*global*~~***worldwide*** turnover of the provider or the other person referred to in ***point (a) of*** Article ~~*27*~~***27(1), point (a)*** in the preceding financial year per day, calculated from the date specified in the decision concerned.	~~*4*~~***3***. Member States shall ensure that the maximum amount of a periodic penalty payment shall ***not*** exceed 5 % of the average daily ~~*global*~~***worldwide*** turnover ***or income*** of the provider ~~*or the other person referred to in Article 27*~~ in the preceding financial year per day, calculated from the date specified in the decision concerned.	~~*4*~~***3***. Member States shall ensure that the maximum amount of a periodic penalty payment shall ***not*** exceed 5 % of the average daily ~~*global*~~***worldwide*** turnover ***or income*** of the provider ~~*or the other person referred to in Article 27*~~ in the preceding financial year per day, calculated from the date specified in the decision concerned. Text Origin: Council Mandate
Article 35(5)				
552	5.Member States shall ensure that, when deciding whether to impose a penalty and when determining the type and level of penalty, account is	5.Member States shall ensure that, when deciding whether to impose a penalty and when determining the type and level of penalty, account is	~~*5*~~***4***. Member States shall ensure that ***the competent authorities***, when deciding whether to impose a penalty and when determining the	~~*5*~~***4***. Member States shall ensure that ***the competent authorities***, when deciding whether to impose a penalty and when determining the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	taken of all relevant circumstances, including:	taken of all relevant circumstances, including:	type and level of penalty, account is taken of all relevant circumstances, including:	type and level of penalty, account is taken of all relevant circumstances, including: Text Origin: Council Mandate
Article 35(5), point (a)				
553	(a) the nature, gravity and duration of the infringement;	(a) the nature, gravity and duration of the infringement;	(a) the nature, gravity and duration of the infringement;	(a) the nature, gravity and duration of the infringement; Text Origin: Commission Proposal
Article 35(5), point (b)				
554	(b) whether the infringement was intentional or negligent;	(b) whether the infringement was intentional or negligent;	(b) whether the infringement was intentional or negligent;	(b) whether the infringement was intentional or negligent; Text Origin: Commission Proposal
Article 35(5), point (c)				
555	(c) any previous infringements by the provider or the other person;	(c) any previous infringements by the provider or the other person;	(c) ~~any~~ previous infringements by the provider or the other person;	(c) ~~any~~ previous infringements by the provider or the other person; Text Origin: Council Mandate
Article 35(5), point (d)				
556	(d) the financial strength of the provider or the other person;	(d) the financial strength of the provider or the other person;	(d) the financial strength of the provider or the other person;	(d) the financial strength of the provider or the other person; Text Origin: Commission Proposal
Article 35(5), point (e)				
557	(e) the level of cooperation of the provider or the other person;	(e) the level of cooperation of the provider or the other person;	(e) the level of cooperation of the provider or the other person ***with the competent authorities***;	(e) the level of cooperation of the provider or the other person ***with the competent authorities***; Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 35(5), point (f)				
558	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise;	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise;	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise;	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise; Text Origin: Commission Proposal
Article 35(5), point (g)				
559	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by it to comply with this Regulation.	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by it to comply with this Regulation.	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by ~~it~~***the provider*** to comply with this Regulation.	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by ~~it~~***the provider*** to comply with this Regulation. Text Origin: Council Mandate
Section 4				
560	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation Text Origin: Commission Proposal
Article 36				
561	Article 36 Identification and submission of online child sexual abuse	Article 36 Identification and submission of online child sexual abuse	Article 36 Identification and submission of online child sexual abuse	Article 36 Identification and submission of online child sexual abuse Text Origin: Commission Proposal
Article 36(1), first subparagraph				
562	1. Coordinating Authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with	1. Coordinating Authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with	1. ~~Coordinating~~ ***Competent*** authorities shall submit to the EU Centre, without undue delay and through the system established in	1. Coordinating Authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Article 39(2):	Article 39(2):	accordance with Article 39(2):	Article 39(2): Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 36(1), first subparagraph, point (a)				
G 563	(a) specific items of material and transcripts of conversations that Coordinating Authorities or that the competent judicial authorities or other independent administrative authorities of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material or the solicitation of children, as applicable, for the EU Centre to generate indicators in accordance with Article 44(3);	(a) specific items of material and transcripts of conversations that Coordinating Authorities or that the competent judicial authorities or other independent administrative authorities of a Member State ***subject to judicial validation*** have identified, after a diligent assessment, as constituting child sexual abuse material or the solicitation of children, as applicable, for the EU Centre to generate indicators in accordance with Article 44(3);	(a) specific items ~~*of material and transcripts of conversations that Coordinating*~~ ***that competent*** authorities ~~*or that the competent judicial authorities or other independent administrative authorities*~~ of a Member State have identified, after a diligent assessment***, subject to adequate oversight by judicial authorities***, as constituting child sexual abuse material or the solicitation of children, as applicable, for the EU Centre to generate indicators in accordance with Article 44(3);	(a) specific items ~~*of material and transcripts of conversations that Coordinating Authorities or that the*~~***that*** competent ~~*judicial authorities or other independent administrative*~~ authorities of a Member State have identified, after a diligent assessment***, subject to judicial oversight***, as constituting child sexual abuse material or the solicitation of children, as applicable, for the EU Centre to generate indicators in accordance with Article 44(3); Text Origin: Council Mandate
Article 36(1), first subparagraph, point (b)				
G 564	(b) exact uniform resource locators indicating specific items of material that Coordinating Authorities or that competent judicial authorities or other independent administrative authorities of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material, hosted by providers of hosting services not offering services in the Union, that	(b) exact uniform resource locators indicating specific items of material that Coordinating Authorities or that competent judicial authorities or other independent administrative authorities of a Member State ***subject to judicial validation*** have identified, after a diligent assessment, as constituting child sexual abuse material, hosted by providers of hosting services not	(b) exact uniform resource locators indicating ~~*specific items of material that Coordinating Authorities or*~~ ***the electronic location of the information*** that competent ~~*judicial*~~ authorities ~~*or other independent administrative authorities*~~ of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material, ~~*hosted by providers of hosting services not*~~	(b) exact uniform resource locators indicating ~~*specific items of material that Coordinating Authorities or*~~***the electronic location of the information*** that competent ~~*judicial authorities or other independent administrative*~~ authorities of a Member State***, subject to judicial oversight,*** have identified, after a diligent assessment, as constituting child sexual abuse material~~*, hosted*~~

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	cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction, for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3).	offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction, for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3).	~~*offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction,*~~ for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3)~~.~~ ***;***	~~*by providers of hosting services not offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction*~~, for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3). Text Origin: Council Mandate
Article 36(1), second subparagraph				
G 565	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive, without undue delay, the material identified as child sexual abuse material, the transcripts of conversations identified as the solicitation of children, and the uniform resource locators, identified by a competent judicial authority or other independent administrative authority than the Coordinating Authority, for submission to the EU Centre in accordance with the first subparagraph.	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive ***in a secure manner***, without undue delay, the material identified as child sexual abuse material, the transcripts of conversations identified as the solicitation of children, and the uniform resource locators, identified by a competent judicial authority or other independent administrative authority than the Coordinating Authority, for submission to the EU Centre in accordance with the first subparagraph.	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive, without undue delay, the material identified as child sexual abuse material, the ~~*transcripts*~~***extracts*** of conversations identified as the solicitation of children~~,~~ and the uniform resource locators, identified by a competent ~~*judicial*~~ authority ~~*or other independent administrative authority than the Coordinating Authority*~~, for submission to the EU Centre in accordance with the first subparagraph.	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive ***in a secure manner through the system or systems established in acccordance with Article 39(2)***, without undue delay, the material identified as child sexual abuse material, the ~~*transcripts*~~***extracts*** of conversations identified as the solicitation of children, and the uniform resource locators, identified by a competent ~~*judicial authority or other independent administrative authority than the Coordinating*~~ authority, for submission to the EU Centre in accordance with the first subparagraph. Text Origin: CY Acting Pcy2 G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
Article 36(1a)								
G	565a					***1a. By deviation from paragraph 1, last subparagraph, Member States may decide that the submission to the EU Centre, in accordance with the requirements specified in points (a) and (b) of paragraph 1, can be carried out by the competent authorities without undue delay and through the system established in accordance with Article 39(2). Where a Member State is making use of this possibility, the competent authority shall inform the Coordinating Authority of all the correspondence with the EU Centre.***		***1a. By derogation from paragraph 1, last subparagraph, Member States may decide that the submission to the EU Centre, in accordance with the requirements specified in points (a) and (b) of paragraph 1, can be carried out by the competent authorities without undue delay and through the system established in accordance with Article 39(2). Where a Member State is making use of this possibility, the competent authority shall inform the Coordinating Authority of all the correspondence with the EU Centre.*** Trilogue (29.06.): Provisionally agreed (linked to line 639). Text Origin: Council Mandate
Article 36(2)								
G	566	2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, Coordinating Authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to the		2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, Coordinating Authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to the		2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, ~~*Coordinating*~~ ***competent*** authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to		2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, ~~*Coordinating*~~ ***competent*** authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	EU Centre in accordance with that paragraph.	EU Centre in accordance with that paragraph.	the EU Centre in accordance with that paragraph.	the EU Centre in accordance with that paragraph. Text Origin: Council Mandate
Article 36(3)				
567	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of children, the Coordinating Authority submits the material to the EU Centre, in accordance with that paragraph, within one month from the date of reception of the report or, where the assessment is particularly complex, two months from that date.	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of children, the Coordinating Authority submits the material to the EU Centre, in accordance with that paragraph, within one month from the date of reception of the report or, where the assessment is particularly complex, two months from that date.	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of children, the ~~*Coordinating*~~ ***competent*** authority submits the material to the EU Centre, in accordance with that paragraph, within ~~*one month*~~ ***two months*** from the date of reception of the report or, where the assessment is particularly complex, ~~*two*~~ ***six*** months from that date.	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of children, the Coordinating authority submits the material to the EU Centre, in accordance with that paragraph, within ~~*one month*~~***three months*** from the date of reception of the report~~*, where the assessment is particularly complex, two months from that date*~~. Trilogue (29.06.): Provisionally agreed Text Origin: Council Mandate
Article 36(4)				
568	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph.	sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph. ***Member States shall establish effective procedures that such material, including any associated data, which does not constitute child sexual abuse material or solicitation of children, is deleted from the records and databases at the Coordinating Authority and the Member States law enforcement authorities.***	sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph.	sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph.
Article 37				
G 569	Article 37 Cross-border cooperation among Coordinating Authorities	Article 37 Cross-border cooperation among Coordinating Authorities	Article 37 Cross-border cooperation among Coordinating Authorities	Article 37 Cross-border cooperation among Coordinating Authorities Text Origin: Commission Proposal
Article 37(1), first subparagraph				
G 570	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation, it shall request the Coordinating Authority of establishment to assess the matter and take the necessary investigatory	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation, it shall request the Coordinating Authority of establishment to assess the matter and take the necessary investigatory	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation ***in a manner negatively affecting the users of the service in the Member State of that Coordinating***	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation ***in a manner negatively affecting the users of the service in the Member State of that Coordinating***

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	and enforcement measures to ensure compliance with this Regulation.	and enforcement measures to ensure compliance with this Regulation.	***Authority, it may*** ~~*, it shall*~~ request the Coordinating Authority of establishment to assess the matter and ***to*** take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	***Authority, it may*** ~~*, it shall*~~ request the Coordinating Authority of establishment to assess the matter and ***to*** take the necessary investigatory and enforcement measures to ensure compliance with this Regulation. Text Origin: Council Mandate
Article 37(1), second subparagraph				
571	Where the Commission has reasons to suspect that a provider of relevant information society services infringed this Regulation in a manner involving at least three Member States, it may recommend that the Coordinating Authority of establishment assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	Where the Commission has reasons to suspect that a provider of relevant information society services infringed this Regulation in a manner involving at least three Member States, it may recommend that the Coordinating Authority of establishment assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	~~*Where the Commission has reasons to suspect that a provider of relevant information society services infringed this Regulation in a manner involving at least three Member States, it may recommend that the Coordinating Authority of establishment assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.*~~	*deleted*
Article 37(2)				
572	*2.*The request or recommendation referred to in paragraph 1 shall at least indicate:	2.The request or recommendation referred to in paragraph 1 shall at least indicate:	2.~~*The*~~ ***A*** request ~~*or recommendation referred to in*~~ ***pursuant to*** paragraph 1 shall ***be duly reasoned and*** at least indicate:	2.~~*The*~~ ***A*** request ~~*or recommendation referred to in*~~ ***pursuant to*** paragraph 1 shall ***be duly reasoned and*** at least indicate: Text Origin: Council Mandate
Article 37(2), point (a)				
573	(a) the point of contact of the provider as set out in Article 23;	(a) the point of contact of the provider as set out in Article 23;	(a) the point of contact of the provider as set out in Article 23;	(a) the point of contact of the provider as set out in Article 23; Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 37(2), point (b)				
574	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request, or the Commission suspects, that the provider infringed this Regulation;	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request, or the Commission suspects, that the provider infringed this Regulation;	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request~~, or the Commission~~ suspects, that the provider infringed this Regulation ***including the description of the negative effects of the alleged infringement***;	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request~~, or the Commission~~ suspects, that the provider infringed this Regulation ***including the description of the negative effects of the alleged infringement***; Text Origin: Council Mandate
Article 37(2), point (c)				
575	(c) any other information that the Coordinating Authority that sent the request, or the Commission, considers relevant, including, where appropriate, information gathered on its own initiative and suggestions for specific investigatory or enforcement measures to be taken.	(c) any other information that the Coordinating Authority that sent the request, or the Commission, considers relevant, including, where appropriate, information gathered on its own initiative and suggestions for specific investigatory or enforcement measures to be taken.	(c) any other information that the Coordinating Authority that sent the request~~, or the Commission,~~ considers relevant, including, where appropriate, information gathered on its own initiative~~and~~ ***or*** suggestions for specific investigatory or enforcement measures to be taken, ***including interim measures***.	(c) any other information that the Coordinating Authority that sent the request~~, or the Commission,~~ considers relevant, including, where appropriate, information gathered on its own initiative~~and~~ ***or*** suggestions for specific investigatory or enforcement measures to be taken, ***including interim measures***. Text Origin: Council Mandate
Article 37(3), first subparagraph				
576	3.The Coordinating Authority of establishment shall assess the suspected infringement, taking into utmost account the request or recommendation referred to in paragraph 1.	3.The Coordinating Authority of establishment shall assess the suspected infringement, taking into utmost account the request or recommendation referred to in paragraph 1.	3.The Coordinating Authority of establishment shall ~~assess the suspected infringement, taking into~~***take*** utmost account ***of the requests pursuant to***~~the request or recommendation referred to in~~ paragraph 1 ***of this Article***.	3.The Coordinating Authority of establishment shall ~~assess the suspected infringement, taking into~~***take*** utmost account ***of the requests pursuant to***~~the request or recommendation referred to in~~ paragraph 1 ***of this Article***. Text Origin: Council Mandate

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Article 37(3), second subparagraph				
577	Where it considers that it has insufficient information to asses the suspected infringement or to act upon the request or recommendation and has reasons to consider that the Coordinating Authority that sent the request, or the Commission, could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided.	Where it considers that it has insufficient information to asses the suspected infringement or to act upon the request or recommendation and has reasons to consider that the Coordinating Authority that sent the request, or the Commission, could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided.	Where it considers that it has insufficient information to ~~*asses the suspected infringement or to*~~ act upon the request ~~*or recommendation*~~ and has reasons to consider that the Coordinating Authority that sent the request ~~*, or the Commission,*~~ could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided.	Where it considers that it has insufficient information to ~~*asses the suspected infringement or to*~~ act upon the request ~~*or recommendation*~~ and has reasons to consider that the Coordinating Authority that sent the request ~~*, or the Commission,*~~ could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided. Text Origin: Council Mandate
Article 37(4)				
578	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request or recommendation referred to in paragraph 1, communicate to the Coordinating Authority that sent the request, or the Commission, the outcome of its assessment of the suspected infringement, or that of any other competent authority pursuant to national law where relevant, and, where applicable, an explanation of the investigatory or enforcement measures taken or envisaged in relation thereto to ensure compliance with this Regulation.	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request or recommendation referred to in paragraph 1, communicate to the Coordinating Authority that sent the request, or the Commission, the outcome of its assessment of the suspected infringement, or that of any other competent authority pursuant to national law where relevant, and, where applicable, ~~*an explanation*~~***details*** of the investigatory or enforcement measures taken or envisaged in relation thereto to ensure compliance with this Regulation.	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request ~~*or recommendation referred to in*~~ ***pursuant to*** paragraph 1, communicate to the Coordinating Authority that sent the request ~~*, or the Commission, the outcome of its*~~ ***the*** assessment of the suspected infringement, ~~*or that of any other competent authority pursuant to national law where relevant, and, where applicable,*~~***and*** an explanation of the investigatory or enforcement measures taken or envisaged***, if any,*** in relation thereto to ensure compliance with this Regulation.	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request ~~*or recommendation referred to in*~~ ***pursuant to*** paragraph 1, communicate to the Coordinating Authority that sent the request ~~*, or the Commission, the outcome of its*~~ ***the*** assessment of the suspected infringement, ~~*or that of any other competent authority pursuant to national law where relevant, and, where applicable,*~~***and*** an explanation of the investigatory or enforcement measures taken or envisaged***, if any,*** in relation thereto to ensure compliance with this Regulation.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 38				
579	Article 38 Joint investigations	Article 38 Joint investigations	Article 38 Joint investigations	Article 38 Joint investigations Text Origin: Commission Proposal
Article 38(1), first subparagraph				
580	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several Member States.	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several Member States. ***Those investigations shall also take place on the darkweb.***	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several Member States.	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several Member States. EP provides text for recital. Text Origin: Council Mandate
Article 38(1), second subparagraph				
581	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation.	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation.	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation.	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation. Text Origin: Commission Proposal
Article 38(2)				

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582	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation.	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation.	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation.	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation. Text Origin: Commission Proposal
Article 38a				
582a			***Article 38a Mutual assistance***	***Article 38a Mutual assistance*** Text Origin: Council Mandate
Article 38a(1)				
582b			***1.The Coordinating Authorities and the other competent authorities of the Member States shall cooperate closely and provide each other with mutual assistance in order to apply this Regulation in a consistent and efficient manner. Mutual assistance shall include, in particular, exchange of information in accordance with this Article and the duty of the Coordinating Authority to inform all the other Coordinating Authorities about the opening of an investigation and the intention to take a final decision, including its assessment, in respect of a specific provider of a relevant information***	***1.The Coordinating Authorities and the other competent authorities of the Member States shall cooperate closely and provide each other with mutual assistance in order to apply this Regulation in a consistent and efficient manner. Mutual assistance shall include, in particular, exchange of information in accordance with this Article and the duty of the Coordinating Authority to inform all the other Coordinating Authorities about the opening of an investigation and the intention to take a final decision, including its assessment, in respect of a specific provider of a relevant information***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			society service.	***society service.*** Text Origin: Council Mandate
Article 38a(2)				
G 582c			***2. For the purpose of an investigation, a Coordinating Authority may request a Coordinating Authority in another Member State to provide specific information in its possession as regards a specific provider of relevant information society services or to exercise their investigative powers referred to in Article 27(1) with regard to specific information located in its Member State. Where appropriate, the Coordinating Authority receiving the request may involve other competent authorities or other public authorities of the Member State in question.***	***2. For the purpose of an investigation, a Coordinating Authority may request a Coordinating Authority in another Member State to provide specific information in its possession as regards a specific provider of relevant information society services or to exercise their investigative powers referred to in Article 27(1) with regard to specific information located in its Member State. Where appropriate, the Coordinating Authority receiving the request may involve other competent authorities or other public authorities of the Member State in question.*** Text Origin: Council Mandate
Article 38a(3), first subparagraph				
G 582d			***3. The Coordinating Authority receiving the request pursuant to paragraph 2 shall comply with such request and inform the requesting Coordinating Authority about the action taken, without undue delay, unless:***	***3. The Coordinating Authority receiving the request pursuant to paragraph 2 shall comply with such request and inform the requesting Coordinating Authority about the action taken, without undue delay, unless:*** Text Origin: Council Mandate
Article 38a(3), first subparagraph, point (a)				

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		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	582e			***(a) the scope or the subject matter of the request is not sufficiently specified, justified or proportionate in view of the investigative purposes; or***	***(a) the scope or the subject matter of the request is not sufficiently specified, justified or proportionate in view of the investigative purposes; or*** Text Origin: Council Mandate	G
	Article 38a(3), first subparagraph, point (b)					
G	582f			***(b) neither the requested Coordinating Authority nor other competent authority or other public authority of that Member State is in possession of the requested information nor can have access to it; or***	***(b) neither the requested Coordinating Authority nor other competent authority or other public authority of that Member State is in possession of the requested information nor can have access to it; or*** Text Origin: Council Mandate	G
	Article 38a(3), first subparagraph, point (c)					
G	582g			***(c) the request cannot be complied with without infringing Union or national law.***	***(c) the request cannot be complied with without infringing Union or national law.*** Text Origin: Council Mandate	G
	Article 38a(3), second subparagraph					
G	582h			***The Coordinating Authority receiving the request shall justify its refusal by submitting a reasoned reply, within the period set out in the first subparagraph.***	***The Coordinating Authority receiving the request shall justify its refusal by submitting a reasoned reply, within the period set out in the first subparagraph.*** Text Origin: Council Mandate	G
	Article 39					
G	583	Article 39	Article 39	Article 39	Article 39	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	General cooperation and information-sharing system	General cooperation and information-sharing system	~~General~~ Cooperation**, *coordination*** and information-sharing system	~~General~~ Cooperation**, *coordination*** and information-sharing system Text Origin: Council Mandate
Article 39(1)				
584	1.Coordinating Authorities shall cooperate with each other, any other competent authorities of the Member State that designated the Coordinating Authority, the Commission, the EU Centre and other relevant Union agencies, including Europol, to facilitate the performance of their respective tasks under this Regulation and ensure its effective, efficient and consistent application and enforcement.	1.Coordinating Authorities shall cooperate with each other, any other competent authorities of the Member State that designated the Coordinating Authority, the Commission, the EU Centre**,** and other relevant Union agencies, including ~~*Europol,*~~ to facilitate the performance of their respective tasks under this Regulation and ensure its effective, efficient and consistent application and enforcement.	1.~~*Coordinating*~~***Competent*** authorities~~-~~ shall ***sincerely*** cooperate with each other, ~~*any other competent authorities of the Member State that designated the Coordinating Authority*~~, the Commission, the EU Centre and other relevant Union agencies, including Europol, to facilitate the performance of their respective tasks under this Regulation and ***to*** ensure its effective, efficient and consistent application and enforcement**, *without prejudice to the possibility for Member States to provide for cooperation mechanisms and regular exchanges of views between the competent authorities where relevant for the performance of their respective tasks in accordance with this Regulation***.	1.~~*Coordinating*~~***Competent*** authorities shall ***sincerely*** cooperate with each other~~, *any other competent authorities of the Member State that designated the Coordinating Authority*~~, the Commission, the EU Centre and other relevant Union agencies~~, *including Europol,*~~ to facilitate the performance of their respective tasks under this Regulation**, *to*** ~~*and*~~ ensure its effective, efficient and consistent application and enforcement**, *and to avoid interference with criminal investigations in different Member States and duplication of efforts***. ***Where Member States provide in their national law for cooperation mechanisms and regular exchanges between their competent authorities, those competent authorities shall be subject to the obligation set out in the first paragraph.*** Text Origin: CY Acting Pcy2
Article 39(1a)				
584a			***1a. The authorities and agencies***	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			referred to in paragraph 1 shall, including with the support from the EU Centre, coordinate their work for the performance of their respective tasks under this Regulation, with a view to ensuring its effective, efficient and consistent application and enforcement and avoiding interference with criminal investigations in different Member States and duplication of efforts.	*deleted*
Article 39(1b)				
584b				***1aa. The Commission and the Coordinating Authorities and other competent authorities designated under this Regulation shall closely cooperate with each other and with the Digital Services Coordinators designated under Article 49 of Regulation (EU) 2022/2065 to ensure a coherent enforcement of this Regulation and Regulation (EU) 2022/2065, in particular to avoid that the same conduct is sanctioned more than once for the infringement of the obligations laid down in this Regulation or under Regulation (EU) 2022/2065.*** ***In the context of this cooperation, with the exception provided for in paragraph 3 of Article 27, competent authorities designated under this Regulation shall remain in charge of the enforcement of the specific obligations set out in this***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Regulation. Written exchange (10.11.) - For further discussion.
Article 39(1c)				
584c			***1b. To facilitate the implementation of this Regulation, Member States shall put in place national strategies to prevent and combat online child sexual abuse and exploitation by [2 years after the entry into force of this Regulation] that shall be updated every 5 years. These national strategies shall also ensure effective coordination and cooperation of the Member States with the EU Centre and the Commission. The national strategies shall be transmitted to the EU Centre to facilitate the sharing of best practices.***	***1b. Member States shall put in place national strategies to prevent and combat child sexual abuse by [2 years after the entry into force of this Regulation].*** ***These national strategies shall facilitate the implementation of this Regulation and shall, in particular:*** ***(a) ensure effective coordination and cooperation with the EU Centre and the Commission;*** ***(b) promote cooperation with organisations and networks with expertise in matters related to child sexual abuse; and*** ***(c) include the development of standards of best practice and guidance, including on victim support, education and awareness-raising.*** ***The strategies shall be updated every five years and transmitted to the EU Centre in order to facilitate the sharing of best practices.***
Article 39(2)				
585	2.The EU Centre shall establish and	2.The EU Centre shall establish and	2.The EU Centre shall establish and	2.The EU Centre shall establish and

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	maintain one or more reliable and secure information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	maintain one or more reliable and secure information sharing systems ***subject to highest state of art technical and organisational safeguards, such as the software provided by eu-LISA pursuant to Regulation (EU) 2023/969,*** supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	maintain one or more reliable and secure information sharing systems supporting communications between ~~Coordinating~~***competent*** authorities~~,~~ the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	maintain one or more reliable and secure information sharing systems***, subject to the state of art technical and organisational safeguards,*** supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services. Text Origin: EP Mandate
Article 39(2a)				
G 585a			***2a. The information sharing system or systems referred to in paragraph 2 shall facilitate compliance with the obligations set out in Article 83(2) by enabling automated collection and easy retrieval of relevant statistical information.***	***2a. The information sharing system or systems referred to in paragraph 2 shall facilitate compliance with the obligations set out in Article 83(2) by enabling automated collection and easy retrieval of relevant statistical information.*** Trilogue (29.06.) - Provisionally agreed. Text Origin: Council Mandate
Article 39(3)				
G 586	3.The Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing systems referred to in paragraph 2 for all relevant communications pursuant to this	3.The Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing systems referred to in paragraph 2 for all relevant communications pursuant to this	3.The ~~Coordinating~~***competent*** authorities , the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing ***system or*** systems referred to in paragraph 2 for all relevant communications	3.The ~~Coordinating~~***competent*** authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing ***system or*** systems referred to in paragraph 2 for all relevant communications

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Regulation.	Regulation.	pursuant to this Regulation.	pursuant to this Regulation. Text Origin: Council Mandate
Article 39(4)				
587	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 87.	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 87.	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing ***system or*** systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 87.	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing ***system or*** systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 87. Text Origin: Council Mandate
Article 39(4a)				
587a		***4a. The Coordinating Authorities shall share information, best practice standards and guidance on the prevention and combating of child sexual abuse and solicitation of children.***		*deleted*
CHAPTER IV				
588	CHAPTER IV EU CENTRE TO PREVENT AND COMBAT CHILD SEXUAL ABUSE	CHAPTER IV EU CENTRE ~~*TO PREVENT AND COMBAT*~~***FOR*** CHILD ~~*SEXUAL ABUSE*~~ ***PROTECTION***	CHAPTER IV EU CENTRE TO PREVENT AND COMBAT CHILD SEXUAL ABUSE	CHAPTER IV EU CENTRE ~~*TO PREVENT AND COMBAT*~~***FOR THE PROTECTION OF CHILDREN FROM*** CHILD SEXUAL ABUSE ITM 15.01 (Arts. 40 to 57) Text Origin: EP Mandate

OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Section 1				
589	Section 1 Principles	Section 1 Principles	Section 1 Principles	Section 1 Principles Text Origin: Commission Proposal
Article 40				
590	Article 40 Establishment and scope of action of the EU Centre	Article 40 Establishment and scope of action of the EU Centre	Article 40 Establishment and scope of action of the EU Centre	Article 40 Establishment and scope of action of the EU Centre Text Origin: Commission Proposal
Article 40(1)				
591	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre on Child Sexual Abuse, is established.	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre ~~on~~***for*** child ~~*Sexual Abuse*~~***protection***, is established.	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre on Child Sexual Abuse, is established.	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre ~~on~~***for the Protection of Children from*** Child Sexual Abuse, is established.
Article 40(2)				
592	2.The EU Centre shall contribute to the achievement of the objective of this Regulation by supporting and facilitating the implementation of its provisions concerning the detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse and gather and share information and expertise and facilitate cooperation between relevant public and private parties in connection to the prevention and combating of child sexual abuse, in particular online.	2.The EU Centre shall contribute to the achievement of the ~~*objective*~~***objectives*** of this Regulation by supporting and facilitating the implementation of its provisions concerning the detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse***. The EU Centre shall*** ~~*and*~~ gather and share ***anonymised*** information***, gender-, and age-disaggregated statistics,*** and expertise***, educational materials and best practices*** and facilitate cooperation between relevant public	2.The EU Centre shall contribute to the achievement of the objective of this Regulation by supporting and facilitating the implementation of its provisions concerning the ~~*detection*~~***risk mitigation,*** , reporting, removal or disabling of access to, and blocking of online child sexual abuse and ~~*gather and share*~~***by gathering and sharing*** information***, knowledge*** and expertise***; supporting activities and facilitating*** ~~*and facilitate*~~ cooperation between relevant public and private parties in connection to the prevention and	2.The EU Centre shall contribute to the achievement of the ~~*objective*~~***objectives*** of this Regulation by supporting and facilitating the implementation of its provisions ~~*concerning the detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse and gather and share information and expertise and facilitate cooperation between relevant public and private parties in connection to the prevention and combating of child sexual abuse, in particular online*~~.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		and private parties in connection to the prevention and combating of child sexual abuse, in particular online. ***It shall promote and ensure the appropriate support and assistance to victims.***	combating of child sexual abuse, in particular online.	
Article 41				
593	Article 41 Legal status	Article 41 Legal status	Article 41 Legal status	Article 41 Legal status Text Origin: Commission Proposal
Article 41(1)				
594	1.The EU Centre shall be a body of the Union with legal personality.	1.The EU Centre shall be a body of the Union with legal personality.	1.The EU Centre shall be a body of the Union with legal personality.	1.The EU Centre shall be a body of the Union with legal personality. Text Origin: Commission Proposal
Article 41(2)				
595	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings. Text Origin: Commission Proposal
Article 41(3)				
596	3.The EU Centre shall be represented by its Executive Director.	3.The EU Centre shall be represented by its Executive Director.	3.The EU Centre shall be represented by its Executive Director.	3.The EU Centre shall be represented by its Executive Director.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 42				
597	Article 42 Seat	Article 42 Seat	Article 42 Seat	Outside the scope of negotiations Text Origin: Commission Proposal
Article 42, first paragraph				
598	The seat of the EU Centre shall be The Hague, The Netherlands.	The seat of the EU Centre shall be ~~*The Hague, The Netherlands*~~**..**.	The seat of the EU Centre shall be ~~*The Hague, The Netherlands.*~~***[].***	Outside the scope of negotiations
Article 42, first paragraph a				
598a		***The choice of the location of the seat of the EU Centre shall be made in accordance with the ordinary legislative procedure, based on the following criteria:***		Outside the scope of negotiations
Article 42, first paragraph a, point a				
598b		***a) it shall not affect the EU Centre's execution of its tasks and powers, the organisation of its governance structure, the operation of its main organisation, or the main financing of its activities;***		Outside the scope of negotiations
Article 42, first paragraph a, point b				
598c		***b) it shall ensure that the EU Centre is able to recruit the high-qualified and specialised staff it requires to perform the tasks provided by this Regulation;***		Outside the scope of negotiations
Article 42, first paragraph a, point c				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
598d		***c) it shall ensure that it can be set up on site upon the entry into force of this Regulation;***		Outside the scope of negotiations
Article 42, first paragraph a, point d				
598e		***d) it shall ensure appropriate accessibility of the location, the existence of adequate education facilities for the children of staff members, appropriate access to the labour market, social security and medical care for both children and spouses;***		Outside the scope of negotiations
Article 42, first paragraph a, point e				
598f		***e) it shall ensure a balanced geographical distribution of EU institutions, bodies and agencies across the Union;***		Outside the scope of negotiations
Article 42, first paragraph a, point f				
598g		***f) it shall enable close cooperation with EU institutions, bodies and agencies but it shall be independent of any of the aforementioned;***		Outside the scope of negotiations
Article 42, first paragraph a, point g				
598h		***g) it shall ensure sustainability and digital security and connectivity with regards to physical and IT infrastructure and working conditions.***		Outside the scope of negotiations
Section 2				
599	Section 2 Tasks	Section 2 Tasks	Section 2 Tasks	Section 2 Tasks

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		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
					Text Origin: Commission Proposal	
Article 43						
G	600	Article 43 Tasks of the EU Centre	Article 43 Tasks of the EU Centre	Article 43 Tasks of the EU Centre	Article 43 Tasks of the EU Centre Text Origin: Commission Proposal	G
Article 43, first paragraph						
G	601	The EU Centre shall:	The EU Centre shall:	The EU Centre shall:	***The tasks of*** the EU Centre ~~*shall*~~***include the following***: Text Origin: Commission Proposal	G
Article 43, first paragraph, point (1)						
G	602	(1) facilitate the risk assessment process referred to in Section 1 of Chapter II, by:	(1) facilitate the risk assessment process referred to in Section 1 of Chapter II, by:	(1) facilitate the risk assessment ~~*process*~~***and risk mitigation measures*** referred to in Section 1 of Chapter II, by:	~~*(1) facilitate the risk assessment process referred to in Section 1 of Chapter II, by:*~~***deleted***	G
Article 43, first paragraph, point (1)(a)						
Y	603	(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, including by collecting and providing relevant information, expertise and best practices, taking into account advice from the Technology Committee referred to in Article 66;	(a) supporting the Commission in the preparation of the guidelines referred to in Article ~~*3(8)*~~***3(6)***, Article 4(5), Article 6(4) and Article 11, including by collecting and providing relevant ***gender-sensitive and age-appropriate*** information, expertise and best practices, taking into account advice, from the Technology Committee referred to in Article 66 ***and from the Victims' Rights and Survivors Consultative Forum referred to in Article 66a***	(a) supporting the Commission in the preparation of the guidelines referred to in Article ~~*3(8)*~~***3(6)***, Article 4(5), ***and*** Article 6(4) ~~*and Article 11*~~, including by collecting and providing relevant information, expertise and best practices, taking into account advice from the Technology Committee referred to in Article 66;	(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, including by collecting and providing*~~***assisting providers of*** relevant information~~*, expertise and best practices, taking into account advice from the Technology Committee referred to in Article 66*~~ ***society services with the performance of the tasks and obligations provided for in this***	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		new where applicable;		***Regulation, including risk assessment and mitigation, detection, reporting, removal, blocking, delisting, and the provision of information and assistance***; ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE
Article 43, first paragraph, point (1)(b)				
G 604	(b) upon request from a provider of relevant information services, providing an analysis of anonymised data samples for the purpose referred to in Article 3(3);	(b) upon request from a provider of relevant information services, providing an analysis of ~~*anonymised*~~***methodology for risk assessment or, where appropriate, performing a test on anonymized*** data samples for the purpose referred to in Article 3(3);	(b) upon request from a provider of relevant information services, providing an analysis of anonymised data samples for the purpose referred to in Article 3(3) ***and assisting in identifying and assessing technical aspects of specific mitigation measures pursuant to Article 4(3a)***;	(b) ~~*upon request from a provider of*~~***assisting the*** relevant ~~*information services, providing an analysis of anonymised data samples for the purpose referred to in Article 3(3)*~~***authorities of the Member States and the Commission with the performance of the tasks provided for in this Regulation***; G
Article 43, first paragraph, point (1)(ba)				
G 604a			***(ba) upon request from the competent authority, providing an opinion on technical aspects of the possible actions that it intends to impose pursuant to point (b) of the first subparagraph of Article 27(2);***	***(c) cooperating with relevant Union agencies and bodies, third countries, international organisations and partner organisations on the prevention and combating of online child sexual abuse;*** G
Article 43, first paragraph, point (1)(bb)				
G 604b			***(bb) upon request from the Coordinating Authority of establishment, assisting in evaluating the effectiveness of the***	***(d) creating, operating and maintaining databases of indicators and reports of online child sexual abuse;*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			mitigation measures taken by the provider, evaluating the remaining risk and evaluating the self-assessment by the provider for the risk categorisation pursuant to Article 5(2);	
Article 43, first paragraph, point (1)(bc)				
G 604c			***(bc) keep a record of the decisions by the Coordinating Authorities of establishment on the risk categorisation of services notified to the EU Centre pursuant to Article 5(2).***	***(e) making technologies available to providers of relevant information society services for the identification of online child sexual abuse;*** G
Article 43, first paragraph, point (1)(bd)				
G 604d				***(f) collecting, analysing, and making available to relevant stakeholders information and expertise;*** G
Article 43, first paragraph, point (1)(be)				
G 604e				***(g) participating in research, surveys and studies on matters related to the prevention and combating of online child sexual abuse;*** G
Article 43, first paragraph, point (1)(bf)				
604f				***(h) generating statistics on own-initiative searches, detection, reporting, removal, blocking and delisting of online child sexual abuse;*** ITM (12.10.): For provisional agreement

contexte OBTAINED BY - OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				subject to agreement on detection package.
Article 43, first paragraph, point (1)(bg)				
604g				***(i) engaging in dialogue and cooperation with relevant stakeholders to raise public awareness of, as well as and promoting measures to prevent and combat online child sexual abuse and to assist and support victims of online child sexual abuse, including by creating, operating and maintaining the online European Child Protection Platform established by this Regulation.***
Article 43, first paragraph, point (2)				
605	(2) facilitate the detection process referred to in Section 2 of Chapter II, by:	(2) facilitate the detection process referred to in Section 2 of Chapter II, by:	(2) facilitate the ~~*detection process referred to in Section 2 of Chapter II, by:*~~***voluntary activities of providers in line with Regulation (EU) 2021/1232 , by***	*deleted*
Article 43, first paragraph, point (2)(a)				
606	*(a)* providing the opinions on intended detection orders referred to in Article 7(3), first subparagraph, point (d);	(a) providing the opinions on intended detection orders referred to in Article 7(3), first subparagraph, point (d);	~~*(a) providing the opinions on intended detection orders referred to in Article 7(3), first subparagraph, point (d);*~~	*deleted*
Article 43, first paragraph, point (2)(b)				
607	*(b)* maintaining and operating the databases of indicators referred to in Article 44;	(b) maintaining and operating the databases of indicators referred to in Article 44;	(b) maintaining and operating the databases of indicators referred to in Article 44;	*deleted* *Text Origin: Commission*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 43, first paragraph, point (2)(c)				
608	*(c)* giving providers of hosting services and providers of interpersonal communications services that received a detection order access to the relevant databases of indicators in accordance with Article 46;	(c) giving providers of hosting services and providers of ***number-independent,*** interpersonal communications services that received a detection order access to the relevant databases of indicators in accordance with Article 46;	(c) giving providers ~~*of hosting services and providers of*~~ ***of number-independent*** interpersonal communications services ~~*that received a detection order*~~ access to the relevant databases of indicators in accordance with Article 46;	*deleted*
Article 43, first paragraph, point (2)(d)				
609	*(d)* making technologies available to providers for the execution of detection orders issued to them, in accordance with Article 50(1);	(d) making technologies available to providers for the execution of detection orders issued to them, in accordance with Article 50(1);	(d) making technologies available to providers ~~*for the execution of detection orders issued to them*~~, in accordance with Article 50(1);	*deleted*
Article 43, first paragraph, point (3)				
610	*(3)* facilitate the reporting process referred to in Section 3 of Chapter II, by:	(3) facilitate the reporting process referred to in Section 3 of Chapter II, by:	(3) facilitate the reporting process referred to in Section 3 of Chapter II, by:	*deleted* Text Origin: Commission Proposal
Article 43, first paragraph, point (3)(a)				
611	*(a)* maintaining and operating the database of reports referred to in Article 45;	(a) maintaining and operating the database of reports referred to in Article 45;	(a) maintaining and operating the database of reports referred to in Article 45;	*deleted* Text Origin: Commission Proposal
Article 43, first paragraph, point (3)(b)				
612	*(b)* assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48;	(b) assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48;	(b) assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48;	*deleted* Text Origin: Commission Proposal
Article 43, first paragraph, point (4)				

CONTEXT OBTAINED BY: OSTINFO.FR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
613	*(4)* facilitate the removal process referred to in Section 4 of Chapter II and the other processes referred to in Section 5 and 6 of that Chapter, by:	(4) facilitate the removal process referred to in Section 4 of Chapter II and the other processes referred to in Section 5 and 6 of that Chapter, by:	(4) facilitate the removal process referred to in Section 4 of Chapter II and the other processes referred to in Section 5, ***5a*** and 6 of that Chapter, by:	*deleted*
Article 43, first paragraph, point (4)(a)				
614	*(a)* receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1);	(a) receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1);	(a) receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1);	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (4)(aa)				
614a			***(aa) receiving decisions on a cross-border removal order transmitted to it pursuant to Article 14a(5);***	*deleted*
Article 43, first paragraph, point (4)(ab)				
614b		***(aa) conduct searches on publicly accesible content on hosting services for known child sexual abuse material in accordance with Article 49.1(ba);***		*deleted*
Article 43, first paragraph, point (4)(ac)				
614c			***(ab) receiving copies of final removal orders and thereto connected information transmitted to it pursuant to Article 15(2);***	*deleted*
Article 43, first paragraph, point (4)(b)				
615	*(b)* cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in	~~*(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in*~~	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Article 16(2);	Article 16(2);	~~*Article 16(2);*~~	
Article 43, first paragraph, point (4)(c)				
616	*(c)* receiving and processing the blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing the blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing the blocking orders transmitted to it pursuant to Article 17(3);	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (4)(ca)				
616a			***(ca) receiving copies of final blocking orders and thereto connected information transmitted to it pursuant to Article 18(2);***	*deleted*
Article 43, first paragraph, point (4)(cb)				
616b			***(cb) receiving the delisting orders transmitted to it pursuant to Article 18b(2);***	*deleted*
Article 43, first paragraph, point (4)(cc)				
616c			***(cc) receiving copies of final delisting orders and thereto connected information transmitted to it pursuant to Article 18c(3);***	*deleted*
Article 43, first paragraph, point (4)(d)				
617	*(d)* providing information and support to victims in accordance with Articles 20 and 21;	(d) providing information ***assistance*** and support to victims in accordance with Articles 20 and 21;	(d) providing information and support to victims in accordance with Articles 20 and 21;	*deleted*
Article 43, first paragraph, point (4)(e)				
618	*(e)* maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with	*deleted* *Text Origin: Commission Proposal*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Article 23(2) and Article 24(6);	Article 23(2) and Article 24(6);	Article 23(2) and Article 24(6);	
Article 43, first paragraph, point (5)				
619	*(5)* support the Coordinating Authorities and the Commission in the performance of their tasks under this Regulation and facilitate cooperation, coordination and communication in connection to matters covered by this Regulation, by:	(5) support the Coordinating Authorities and the Commission in the performance of their tasks under this Regulation and facilitate cooperation, coordination and communication in connection to matters covered by this Regulation, by:	(5) support ***the competent authorities, including*** the Coordinating Authorities, and the Commission in the performance of their tasks under this Regulation and facilitate cooperation, coordination and communication in connection to matters covered by this Regulation, by:	*deleted*
Article 43, first paragraph, point (5)(a)				
620	*(a)* creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(a) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(a) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (5)(b)				
621	*(b)* providing assistance to the Coordinating Authorities as provided for in Article 25(7);	(b) providing assistance to the Coordinating Authorities as provided for in Article 25(7);	(b) providing assistance to the ~~*Coordinating*~~***competent*** authorities ~~*as provided for in Article 25(7)*~~ ***free of charge and in accordance with its tasks under this Regulation*** ;	*deleted*
Article 43, first paragraph, point (5)(c)				
622	*(c)* assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(c) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(c) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (5)(d)				
623	*(d)* creating, maintaining and	(d) creating, maintaining and	(d) creating, maintaining and	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	operating the information-sharing system referred to in Article 39;	operating the information-sharing system referred to in Article 39;	operating the information-sharing system referred to in Article 39;	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (5)(e)				
G *624*	*(e)* assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation;	(e) assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation;	(e) assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation;	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (5)(f)				
G *625*	*(f)* providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks;	(f) providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks;	(f) providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks;	*deleted* *Text Origin: Commission Proposal*
Article 43, first paragraph, point (6)				
G *626*	*(6)* facilitate the generation and sharing of knowledge with other Union institutions, bodies, offices and agencies, Coordinating Authorities or other relevant authorities of the Member States to contribute to the achievement of the objective of this Regulation, by:	(6) facilitate the generation and sharing of knowledge ***and best practices,*** with other Union institutions, bodies, offices and agencies, Coordinating Authorities or other relevant authorities of the Member States to contribute to the achievement of the objective of this Regulation, by:	(6) facilitate the generation and sharing of knowledge with other Union institutions, bodies, offices and agencies, ***competent authorities including*** Coordinating Authorities, or other relevant authorities of the Member States to contribute to the achievement of the objective of this Regulation, by:	*deleted*
Article 43, first paragraph, point (6)(a)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
627	*(a)* collecting, recording, analysing and providing information, providing analysis based on anonymised and non-personal data gathering, and providing expertise on matters regarding the prevention and combating of online child sexual abuse, in accordance with Article 51;	(a) collecting, recording, analysing and providing information, providing analysis based on anonymised and non-personal data gathering, ~~*and providing expertise on matters regarding the prevention and combating of online child sexual abuse,*~~ ***including gender-, sex-and age-disaggregated data*** in accordance with Article 51;	(a) collecting, recording, analysing and providing information, providing analysis based on anonymised and non-personal data gathering, and providing expertise on matters regarding the prevention and combating of online child sexual abuse, in accordance with Article 51;	*deleted*
Article 43, first paragraph, point (6)(aa)				
627a		***(aa) providing assistance, expertise and coordination on matters regarding the prevention and combating of online child sexual abuse in order to support them when taking measures or formulating courses of action within their respective spheres of competence;***		*deleted*
Article 43, first paragraph, point (6)(ab)				
627b		***(ab) supporting the development of age-appropriate and gender-sensitive awareness-raising and prevention campaigns, educational and intervention programs, tools and materials, taking with a specific focus on vulnerable groups, in order to enhance digital literacy among users and to equip children and adults, including parents and educators, with adequate skills for detecting potential malicious behavior online and to contribute to***		*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		ensure safe use of the internet by children.		
Article 43, first paragraph, point (6)(ac)				
627c		***(ac) facilitating the drafting of recommendations and guidelines for providers on prevention and mitigation of child sexual abuse, in particular in the digital space and taking into account technological developments.***		*deleted*
Article 43, first paragraph, point (6)(b)				
628	*(b)* supporting the development and dissemination of research and expertise on those matters and on assistance to victims, including by serving as a hub of expertise to support evidence-based policy;	(b) supporting the development and dissemination of research and expertise on those matters and on assistance ***and support*** to victims***, taking into account the gender and age dimension and operating in a way that minimises risks to victims, specially children***, including by***:*** ***i)*** serving as a hub of expertise to support evidence-based policy ***and by linking researchers to practitioners***; ***ii) acting on behalf of supporting victims in liaising with other relevant authorities of the Member States for reparations and all other victim support programmes;*** ***iii) referring victims to the appropriate national child protection services and to pro bono legal support services;*** ***iv) facilitating access to qualified health care support services,***	(b) supporting the development and dissemination of research and expertise on those matters and on assistance to victims, including by serving as a hub of expertise to support evidence-based policy ***and by inviting other Union institutions, bodies, offices and agencies, competent authorities including Coordinating Authorities, or other relevant authorities of the Member States to share information about relevant prevention initiatives***;	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		including mental health and psychological support; ***v) supporting the collaboration of victim support services and elaborating best practices***		
Article 43, first paragraph, point (6)(ba)				
628a			***(ba) making available the knowledge referred to in points (a) and (b) in the database referred to in Article 50(4), and in accordance with Article 51;***	*deleted*
Article 43, first paragraph, point (6)(c)				
629	*(c)* drawing up the annual reports referred to in Article 84.	(c) drawing up the annual reports referred to in Article 84.	(c) drawing up the annual reports referred to in Article 84~~.~~***;***	*deleted* Text Origin: Council Mandate
Article 43, first paragraph, point (6)(ca)				
629a		***(ca) create, maintain and operate the online European Child Protection Platform established by Article 54a.***		*deleted*
Article 43, first paragraph, point (6a)				
629b			***7.develop or facilitate the further development of technologies to mitigate the risk of online child sexual abuse in accordance with Article 50(1a);***	*deleted*
Article 43, first paragraph, point (6b)				
629c			***8.develop a communication strategy and promote the dialogue with relevant stakeholders such as civil***	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			society organisations, law enforcement and providers of hosting services or interpersonal communications services to raise public awareness of and promote measures to prevent and combat online child sexual abuse.	
Article 44				
630	Article 44 Databases of indicators	Article 44 ***European Union*** Databases of ***hashes and*** indicators	Article 44 Databases of indicators	Article 44 ***European Union*** databases of indicators Recitals: EP TO DO (include in recitals an explanation that indicators include hashes).
Article 44(1)				
631	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse:	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse:	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse:	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse: Text Origin: Commission Proposal
Article 44(1), point (a)				
632	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1); Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 44(1), point (b)				
633	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1); Text Origin: Commission Proposal
Article 44(1), point (c)				
634	(c) indicators to detect the solicitation of children.	(c) indicators to detect the solicitation of children.	(c) indicators to detect the solicitation of children.	(c) indicators to detect the solicitation of children. Text Origin: Commission Proposal
Article 44(2)				
635	2.The databases of indicators shall solely contain:	2.The databases of indicators shall solely contain:	2.The databases of indicators shall solely contain:	2.The databases of indicators shall solely contain: Text Origin: Commission Proposal
Article 44(2), point (a)				
636	(a) relevant indicators, consisting of digital identifiers to be used to detect the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;	(a) relevant indicators, consisting of digital identifiers to be used to detect the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and ***number-independent*** interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;	(a) relevant indicators, consisting of digital identifiers ~~*to be used to detect the dissemination*~~ of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;	(a) relevant indicators, consisting of digital identifiers to be used to detect the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and ***number-independent*** interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				ITM (12.10.): For provisional agreement subject to agreement on the detection package.. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 44(2), point (b)				
637	(b) as regards paragraph 1, point (a), the relevant indicators shall include a list of uniform resource locators compiled by the EU Centre in accordance with paragraph 3;	(b) as regards paragraph 1, point (a), the relevant indicators shall include a list of uniform resource locators compiled by the EU Centre in accordance with paragraph 3;	(b) as regards paragraph 1, point (a), the relevant indicators shall include ~~*a list*~~ ***lists*** of uniform resource locators compiled by the EU Centre in accordance with paragraph 3 ***for the purpose of, respectively, the issuance of blocking orders in accordance with Article 16 and the issuance of delisting orders in accordance with Article 18a***;	(b) as regards paragraph 1, point (a), the relevant indicators shall include a list of uniform resource locators compiled by the EU Centre in accordance with paragraph 3 ***for the purpose of this Regulation***; Text Origin: CY Acting Pcy2
Article 44(2), point (c)				
638	(c) the necessary additional information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children.	(c) the necessary additional information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children.	(c) the necessary additional information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children.	(c) the necessary additional information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children. Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 44(3), first subparagraph				
639	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the Coordinating Authorities or the courts or other independent authorities of the Member States, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a).	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the Coordinating Authorities or the courts or other independent authorities of the Member States ***subject to judicial validation***, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a).	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the ~~*Coordinating Authorities or the courts or other independent*~~ ***competent*** authorities of the Member States, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a)***, or by other competent authorities pursuant to Article 36(1a)***.	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the ~~*Coordinating Authorities or the courts or other independent*~~***competent*** authorities of the Member States***, subject to judicial oversight***, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a)***, or by other competent authorities pursuant to Article 36(1a)***. Trilogue (29.06.): Provisionally agreed. Text Origin: CY Acting Pcy2
Article 44(3), second subparagraph				
640	The EU Centre shall compile the list of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b).	The EU Centre shall compile the list of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b).	The EU Centre shall compile ~~*the list*~~ ***lists*** of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b) ***for the purpose of, respectively, the issuance of blocking orders in accordance of Article 16 and the issuance of delisting orders in accordance with Article 18a***.	The EU Centre shall compile the list of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b) ***for the purpose of this Regulation***. Text Origin: CY Acting Pcy2
Article 44(4)				
641	4.The EU Centre shall keep records of the submissions and of the	4.The EU Centre shall keep records of the submissions and of the	4.The EU Centre shall keep records of the submissions and of the	4.The EU Centre shall keep records of the submissions and of the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	process applied to generate the indicators and compile the list referred to in the first and second subparagraphs. It shall keep those records for as long as the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.	process applied to generate the indicators and compile the list referred to in the first and second subparagraphs. It shall keep those records for as long as the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.	process applied to generate the indicators and compile the ~~list~~**lists** referred to in the first and second subparagraphs. It shall keep those records for ~~as long as~~ **no longer than** the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.	process applied to generate the indicators and compile the list referred to in the first and second subparagraphs. It shall keep those records for as long as **but no longer than** the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.
Article 44(4a)				
641a		**4a. The EU Centre shall ensure through all technical means available that the databases of indicators are secure and the content cannot be altered by any other actor.**		*deleted*
Article 45				
642	Article 45 Database of reports	Article 45 Database of reports	Article 45 Database of reports	Article 45 Database of reports Text Origin: Commission Proposal
Article 45(1)				
643	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of **number-independent** interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of **number-independent** interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Auxiliary 1
Article 45(2)				
644	2.The database of reports shall contain the following information:	2.The database of reports shall contain the following information:	2.The database of reports shall contain the following information:	2.The database of reports shall contain the following information: Text Origin: Commission Proposal
Article 45(2), point (a)				
645	(a) the report;	(a) the report;	(a) the report;	(a) the report; Text Origin: Commission Proposal
Article 45(2), point (b)				
646	(b) where the EU Centre considered the report manifestly unfounded, the reasons and the date and time of informing the provider in accordance with Article 48(2);	*deleted*	*(b)* where the EU Centre considered the report manifestly unfounded, the reasons and the date and time of informing the provider in accordance with Article 48(2);	*deleted* *Trilogue 16.04.: Provisionally agreed that manifestly unfounded reports should not be kept by the EU Centre. Pcy suggests deletation.* *Text Origin: CY Acting Pcy2*
Article 45(2), point (ba)				
646a				*deleted*
Article 45(2), point (c)				
647	*(c)* where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it	(c) where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it	(c) where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it	(c) where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis;	forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis;	forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis;	forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis; Text Origin: Commission Proposal
Article 45(2), point (d)				
G 648	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5);	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5);	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5);	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5); Text Origin: Commission Proposal
Article 45(2), point (e)				
G 649	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material;	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material;	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material;	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material; Text Origin: Commission Proposal
Article 45(2), point (f)				
G 650	(f) where applicable, information on the EU Centre's request to the Coordinating Authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the	(f) where applicable, information on the EU Centre's request to the Coordinating Authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the	(f) where applicable, information on the EU Centre's request to the ~~Coordinating~~ ***competent*** authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the	(f) where applicable, information on the EU Centre's request to the ~~Coordinating~~ ***competent*** authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	report relates;	report relates;	report relates;	report relates; Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 45(2), point (g)				
651	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material.	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material.	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material.	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material. Text Origin: Commission Proposal
Article 45(2), subparagraph 1				
651a		***Where the EU Centre considered the report unfounded, all data shall be anonymized and in case of videos or images only a cryptographic hash value from the reported file, the reasons and the date and time of informing the provider in accordance with Article 48(2) shall be stored;***		***(ga) Where the EU Centre is informed by the Coordinating Authority pursuant to Article 36(4) that reports forwarded by the EU Centre to the Coordinating Authority are unfounded, the EU Centre shall ensure that those reports are deleted from the database of reports.***
Article 46				
652	Article 46 Access, accuracy and security	Article 46 Access, accuracy and security	Article 46 Access, accuracy and security	Article 46 Access, accuracy and security Text Origin: Commission Proposal
Article 46(1)				
653	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	entitled to process the data contained in the databases referred to in Articles 44 and 45.	entitled to process the data contained in the databases referred to in Articles 44 and 45.	entitled to process the data contained in the databases referred to in Articles 44 and 45.	entitled to process the data contained in the databases referred to in Articles 44 and 45. Text Origin: Commission Proposal
Article 46(2)				
654	2.The EU Centre shall give providers of hosting services, providers of interpersonal communications services and providers of internet access services access to the databases of indicators referred to in Article 44, where and to the extent necessary for them to execute the detection or blocking orders that they received in accordance with Articles 7 or 16. It shall take measures to ensure that such access remains limited to what is strictly necessary for the period of application of the detection or blocking orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein.	2.The EU Centre shall give providers of hosting services, providers of interpersonal communications services and providers of internet access services access to the databases of indicators referred to in Article ~~44~~***44(1) points (a) and (b)***, where and to the extent necessary for them to execute the detection ~~*or*~~**,** blocking orders that they received in accordance with Articles ~~*7 or 16. It*~~***5a, 7, 16. The EU Centre*** shall take measures to ensure that such access remains limited to what is strictly necessary for the period of application of the detection ~~*or*~~**,** blocking orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein.	2.The EU Centre shall give providers of hosting services, providers of interpersonal communications services ~~*and*~~**,** providers of internet access services ***and providers of online search engines*** access to the databases of indicators referred to in Article 44, where and to the extent necessary for them to ***carry out voluntary activities under Regulation (EU) 2021/1232 or*** execute the ~~*detection or*~~ blocking orders that they received in accordance with ~~*Articles 7 or 16*~~***Article16***. It shall take measures to ensure that such access remains limited to what is strictly necessary for the period of application of the ~~*detection or*~~***activities under Regulation (EU) 2021/1232or*** blocking orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein.	2.The EU Centre shall give providers of ~~*hosting*~~***relevant information society*** services~~*,*~~ ~~*providers of interpersonal communications services and providers of internet access services*~~ access to the databases of indicators referred to in Article 44, where and to the extent necessary for them to ***carry out own-initiative searches or to*** execute ~~*the detection or blocking*~~ orders ~~*that they received in accordance with Articles 7 or 16*~~***under this Regulation***. It shall take measures to ensure that such access remains limited to what is strictly necessary for the period of application of the ~~*detection or blocking*~~***own-initiative searches or*** orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein. ITM 12.10.: subject to agreement on detection package.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Linked to voluntary detection/detection orders Text Origin: Council Mandate
Article 46(3)				
G 655	3.The EU Centre shall give Coordinating Authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation.	3.The EU Centre shall give Coordinating Authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation.	3.The EU Centre shall give ~~*Coordinating*~~ ***competent*** authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation.	3.The EU Centre shall give ~~*Coordinating*~~ ***competent*** authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation. Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate G
Article 46(4)				
G 656	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating suspected child sexual abuse offences.	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating suspected child sexual abuse offences.	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating suspected child sexual abuse offences.	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating ~~*suspected*~~ child sexual abuse offences. Text Origin: Commission Proposal G
Article 46(5)				
G 657	5.The EU Centre shall give Europol access to the databases of reports referred to in Article 45, where and	5.The EU Centre shall give Europol access to the databases of reports ***which it considered not unfounded***	5.The EU Centre shall give Europol access to the databases of reports referred to in Article 45, where and	5.The EU Centre shall give Europol access to the databases of reports referred to in Article 45, where and G

Contexte UNAINED BY PARTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	to the extent necessary for the performance of its tasks of assisting investigations of suspected child sexual abuse offences	***as*** referred to in Article 45, where and to the extent necessary for the performance of its tasks of assisting investigations of ~~*suspected*~~ child sexual abuse offences.	to the extent necessary for the performance of its tasks of assisting investigations of suspected child sexual abuse offences	to the extent necessary for the performance of its tasks of assisting investigations of ~~*suspected*~~ child sexual abuse offences
Article 46(6), first subparagraph				
658	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the detection order or the blocking order, as applicable.	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the detection order or the blocking order, as applicable.	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the ~~*detection order*~~ ***voluntary activities under Regulation (EU) 2021/1232*** or the blocking order, as applicable.	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the ~~*detection order*~~***search plan*** or the ~~*blocking*~~***relevant*** order, as applicable. ITM 12.10.: subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 46(6), second subparagraph				
659	The EU Centre shall diligently assess those requests and only grant access where it considers that the requested access is necessary for and proportionate to the specified purpose.	The EU Centre shall diligently assess those requests ***on a case-by-case basis*** and only grant access where it considers that the requested access is necessary for and proportionate to the specified	The EU Centre shall diligently assess those requests and only grant access where it considers that the requested access is necessary for and proportionate to the specified purpose.	The EU Centre shall diligently assess those requests ***on a case-by-case basis*** and only grant access where it considers that the requested access is necessary for and proportionate to the specified

OBTAINED BY · GDPR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		purpose, ***and in accordance with the Union law***. ***Where it considers that an access request by Europol is necessary and proportionate, it shall transmit the relevant data via an available secure exchange communication tool, such as the Secure Information Exchange Network Application (SIENA).***		purpose, ***and in accordance with Union law***. Text Origin: CY Acting Pcy2
Article 46(7)				
660	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, detection and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, detection and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, ~~*detection*~~***detecting*** and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, ~~*detection*~~***detecting*** and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 46(8)				
661	8.The EU Centre shall ensure that the data contained in the databases referred to in Articles 44 and 45 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 by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.	8.The EU Centre shall ensure that the data contained in the databases referred to in Articles 44 and 45 is stored in a secure manner and that the storage is subject to ~~appropriate~~***highest state of the art*** technical and organisational safeguards***, that ensure an effective supervision***. Those safeguards shall ensure, in particular, that the data can be accessed and processed only by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.	8.The EU Centre shall ensure that the data contained in the databases referred to in Articles 44 and 45 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 by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.	8.The EU Centre shall ensure ***through all appropriate technical means available*** that the data contained in the databases referred to in Articles 44 and 45 is stored in a secure manner and that the storage is subject to ~~appropriate~~***the state of the art*** technical and organisational safeguards***, that ensure an effective supervision***. Those safeguards shall ensure, in particular, that the data can be accessed and processed only by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.
Article 47				
662	Article 47 Delegated acts relating to the databases	Article 47 Delegated acts relating to the databases	Article 47 Delegated acts relating to the databases	Article 47 Delegated acts relating to the databases Text Origin: Commission Proposal
Article 47, first paragraph				
663	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:

OBTAINED BY - OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 47, first paragraph, point (a)				
664	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2);	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2);	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2);	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2); Text Origin: Commission Proposal
Article 47, first paragraph, point (b)				
665	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3);	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3);	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3);	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3); Text Origin: Commission Proposal
Article 47, first paragraph, point (c)				
666	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1);	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1);	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1);	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1); Text Origin: Commission Proposal
Article 47, first paragraph, point (d)				
667	(d) access to the databases referred	(d) ***the modalities of the*** access to	(d) access to the databases referred	(d) ***the modalities of the*** access to

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	to in Articles 44 and 45, including the modalities of the access referred to in Article 46(1) to (5), the content, processing and assessment of the requests referred to in Article 46(6), procedural matters related to such requests and the necessary measures referred to in Article 46(6);	the databases referred to in Articles 44 and 45~~, including the modalities of the access referred to~~ in ***accordance with*** Article 46(1) to (5), the content, processing and assessment of the requests ~~referred to~~ in ***accordance with*** Article 46(6), procedural matters related to such requests and the necessary measures ~~referred to~~ in ***accordance with*** Article 46(6);	to in Articles 44 and 45, including the modalities of the access referred to in Article 46(1) to (5), the content, processing and assessment of the requests referred to in Article 46(6), procedural matters related to such requests and the necessary measures referred to in Article 46(6);	the databases referred to in Articles 44 and 45~~, including the modalities of the access referred to~~ in ***accordance with*** Article 46(1) to (5), the content, processing and assessment of the requests ~~referred to~~ in ***accordance with*** Article 46(6), procedural matters related to such requests and the necessary measures ~~referred to~~ in ***accordance with*** Article ~~46(6)~~***46(7) to (8)***; Text Origin: CY Acting Pcy2
Article 47, first paragraph, point (e)				
668	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8).	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8).	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8).	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8). Text Origin: Commission Proposal
Article 48				
669	Article 48 Reporting	Article 48 Reporting	Article 48 Reporting	Article 48 Reporting Text Origin: Commission Proposal
Article 48(1)				

CONTEXTO OBTAINED BY EU INFO

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
670	1.The EU Centre shall expeditiously assess and process reports submitted by providers of hosting services and providers of interpersonal communications services in accordance with Article 12 to determine whether the reports are manifestly unfounded or are to be forwarded.	1.The EU Centre shall expeditiously ***and accurately*** assess and process reports submitted by providers of hosting services and providers of ***number-independent,*** interpersonal communications services in accordance with Article 12 to determine whether the reports are ~~*manifestly*~~ unfounded or ~~*are to be forwarded*~~ ***not.***	1.The EU Centre shall expeditiously assess and process reports submitted by providers of hosting services and providers of interpersonal communications services in accordance with Article 12 to determine whether the reports are manifestly unfounded or are to be forwarded.	1.The EU Centre shall expeditiously ***and diligently*** assess and process reports submitted by providers of hosting services and providers of ***number-independent*** interpersonal communications services in accordance with Article 12 to determine whether the reports are manifestly unfounded or are to be forwarded.
Article 48(2)				
671	2.Where the EU Centre considers that the report is manifestly unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded.	2.Where the EU Centre considers that the report is ~~*manifestly*~~ unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded.	2.Where the EU Centre considers that the report is manifestly unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded.	2.Where the EU Centre considers that the report is manifestly unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded***, and delete the report thereafter***. Text Origin: Council Mandate
Article 48(3), first subparagraph				
672	3.Where the EU Centre considers that a report is not manifestly unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.	3.Where***, after a thorough legal and factual assessment,*** the EU Centre considers that a report is not ~~*manifestly*~~ unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.	3.Where ***there are reasonsable grounds for*** the EU Centre ~~*considers that a*~~ ***to consider that the*** report is not manifestly unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.	3.Where ***there are reasonable grounds for*** the EU Centre ~~*considers that a*~~***to consider that the*** report is not manifestly unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY Acting Pcy2
Article 48(3), first subparagraph a				
672a				***Where the EU Centre is informed that the material contained in a report does not constitute child sexual abuse material or the solicitation of children in accordance with Article 36(4), it shall inform Europol accordingly.***
Article 48(3), second subparagraph				
673	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities.	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty ***by a thorough factual assessment***, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities~~.~~	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities.	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities. Text Origin: Council Mandate
Article 48(4)				
674	4.Where a provider that submitted the report has indicated that the report requires urgent action, the EU Centre shall assess and process that report as a matter of priority and, where it forwards the report in accordance with paragraph 3 and it considers that the report requires	4.Where a provider that submitted the report has indicated that the report requires urgent action, the EU Centre shall assess and process that report as a matter of priority and, where it forwards the report in accordance with paragraph 3 and it considers that the report requires	4.~~*Where a provider that submitted the report has indicated that the report requires urgent action,*~~ The EU Centre shall ~~*assess and process that report*~~***perform the assessment and processing referred to in paragraphs 1, 2 and 3 of this Article*** as a matter of priority ~~*and*~~***in***	4.~~*Where a provider that submitted the report has indicated that the report requires urgent action,*~~ The EU Centre shall ~~*assess and process that report*~~***perform the assessment and processing referred to in paragraphs 1, 2 and 3 of this Article*** as a matter of priority ~~*and*~~***in respect***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	urgent action, shall ensure that the forwarded report is marked as such.	urgent action, shall ensure that the forwarded report is marked as such.	***respect of reports submitted in accordance with Article 13(2), first subparagraph. In particular***, where ***there are reasonable grounds for the EU Centre to consider that the report is founded and that there is likely to be an imminent threat to the life or safety of a child including when the report indicates ongoing abuse, it shall immediately forward the report in accordance with paragraph 3, marking it as requiring urgent action.*** ***In other cases, it shall forward*** ~~*it forwards*~~ the report in accordance with paragraph 3 ***without such marking and inform the provider that submitted*** ~~*and it considers that*~~ the report ~~*requires urgent action, shall ensure that the forwarded report is marked as such*~~***and the competent authority, indicating in all cases the outcome of the assessment and the reasons explaining that outcome***.	***of reports submitted in accordance with Article 13(2), first subparagraph.*** Where ***there are reasonable grounds for the EU Centre to consider that the report is likely related to an emergency case, it shall immediately forward*** ~~*it forwards*~~ the report in accordance with paragraph 3***, marking it as requiring*** ~~*and it considers that the report requires*~~ urgent action~~*, shall ensure that the forwarded report is marked as such.*~~**.** Text Origin: Council Mandate
Article 48(5)				
675	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information.	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information.	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information.	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information. Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 48(6)				
676	6. Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall:	6. Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall:	6. Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall:	6. Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall: Text Origin: Commission Proposal
Article 48(6), point (a)				
677	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so;	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so;	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so;	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so; Text Origin: Commission Proposal
Article 48(6), point (b)				
678	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so.	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so.	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so.	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so. Text Origin: Commission Proposal

CONTEXTE OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 48(7)				
679	7.The time periods referred to in the first subparagraph, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary to avoid interference with the relevant activities and does not exceed 18 months.	7.The time periods referred to in ~~the first subparagraph~~**paragraph 6**, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary ***and proportionate to safeguard the prevention, detection, investigation and prosecution of child sexual abuse offences in a specific case These time periods shall not in any case*** ~~to avoid interference with the relevant activities and does not~~ exceed ~~18~~***12*** months.	7.The time periods referred to in ~~the first subparagraph~~**paragraph 6**, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary to avoid interference with the relevant activities and does not exceed 18 months***, as well as constitute necessary and proportionate restrictions and respect the essence of the rights of the victims***.	7.The time periods referred to in ~~the first subparagraph~~**paragraph 6**, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary ***and proportionate to safeguard the prevention, detection, investigation and prosecution of child sexual abuse offences and protect the rights of the victims in a specific case. These time periods shall*** ~~to avoid interference with the relevant activities and does~~ not exceed 18 months. Text Origin: CY Acting Pcy2
Article 48(8)				
680	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof.	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof.	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof.	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof. Text Origin: Commission

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 49				
681	Article 49 Searches and notification	Article 49 Searches and notification	Article 49 Searches and notification	Article 49 Searches and notification Text Origin: Commission Proposal
Article 49(1)				
682	1.The EU Centre shall have the power to conduct searches on hosting services for the dissemination of publicly accessible child sexual abuse material, using the relevant indicators from the database of indicators referred to in Article 44(1), points (a) and (b), in the following situations:	1.The EU Centre shall have the power to conduct searches ***of publicly accessible content*** on hosting services for ~~*the dissemination of publicly accessible*~~ child sexual abuse material, using the relevant indicators from the database of indicators referred to in Article 44(1), points (a) and (b), in the following situations:	1.The EU Centre shall have the power to conduct searches on hosting services for the dissemination of publicly accessible child sexual abuse material, using the relevant indicators from the ~~*database*~~***databases*** of indicators referred to in Article 44(1), points (a) and (b), in the following situations:	1.The EU Centre shall have the power to conduct searches ~~*on hosting services for the dissemination*~~ of publicly accessible ***content on hosting services in order to detect the dissemination of*** child sexual abuse material, using the relevant indicators from the database of indicators referred to in Article 44(1), points (a) and (b), in the following situations: Trilogue (29.09.): Provisionally agreed to include known and new CSAM in the scope. Text Origin: EP Mandate
Article 49(1), point (a)				
683	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point (c);	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point (c);	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point (c);	(a) where so requested ***by a Coordinating Authority*** to support ~~*a victim*~~***depicted persons who are subject to child sexual abuse*** by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				material depicting the ~~victim~~***person***, in accordance with Article 21(4), point ~~(c)~~***(b)***; Text Origin: Commission Proposal
Article 49(1), point (b)				
684	(b) where so requested to assist a Coordinating Authority by verifying the possible need for the issuance of a detection order or a removal order in respect of a specific service or the effectiveness of a detection order or a removal order that the Coordinating Authority issued, in accordance with Article 25(7), points (c) and (d), respectively.	(b) where so requested to assist a Coordinating Authority by verifying the possible need for the issuance of a detection order or a removal order in respect of a specific service or the effectiveness of a detection order or a removal order that the Coordinating Authority issued, in accordance with Article 25(7), points (c) and (d), respectively.	(b) where so requested to assist a ~~Coordinating~~ ***competent*** authority by verifying the possible need for the issuance of ~~a detection order or~~ a removal order in respect of a specific service ~~or the effectiveness of a detection order or a removal order that the Coordinating Authority issued~~ , in accordance with Article 25(7), ~~points (c) and (d), respectively~~ ***point (c) ;***	(b) where so requested***, in accordance with Article 25(7),*** to assist a Coordinating Authority ***or, where relevant, other competent authorities*** by verifying the possible need for the issuance of a detection order or a removal order in respect of a specific service or the effectiveness of a detection order or a removal order ~~that the Coordinating Authority~~ issued~~, in accordance with Article 25(7), points (c) and (d), respectively.~~***;***
Article 49(1), point (ba)				
684a		***(ba) proactively on its own initiative for known child sexual abuse material. The European Data Protection Board shall issue guidelines regarding the compliance with Regulation (EU) 2016/679 of existing and future technologies that are used for this purpose.***		***(ba) on its own initiative, to support competent authorities in ensuring that hosting service providers comply with their obligations under this Regulation.***
Article 49 (1 a new)				
684b		***1a The technologies used by the EU Centre to conduct the searches***		***1a. The EU Centre shall comply with the relevant provisions of***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		referred to in paragraph 1 shall comply with the requirements set out in Article 10 (3).		***Regulation (EU) 2018/1725 when conducting the searches referred to in paragraph 1 and shall conduct those searches by installing and operating technologies that shall comply with the requirements set out in Article 10.***
Article 49(1), point (bc)				
684c				***Searches conducted pursuant to paragraph 1(ba) shall be duly justified and targeted in non-discriminatory manner. Such searches shall be documented, in particular by keeping logs, and subject to regular internal audits. Before undertaking searches pursuant to paragraph 1(ba) the EU Centre shall establish, in consultation with the Commission and with the European Data Protection Supervisor, internal guidelines setting out a search plan and specific organisational and technical procedures and safeguards.***
Article 49(2), first subparagraph				
685	2.The EU Centre shall have the power to notify, after having conducted the searches referred to in paragraph 1, providers of hosting services of the presence of one or more specific items of known child sexual abuse material on their services and request them to remove	2.The EU Centre shall ~~*have the power to*~~ notify, after having conducted the searches referred to in paragraph 1 ***(a) and (b)***, providers of hosting services of the presence of one or more specific items of known child sexual abuse material on their services and request them to remove	2.The EU Centre shall have the power to notify, after having conducted the searches referred to in paragraph 1, providers of hosting services of the presence of one or more specific items of known child sexual abuse material on their services and request them to remove	2.~~*The EU Centre shall have the power to notify,*~~ After having conducted the searches referred to in paragraph 1***(ba) and having consulted the relevant Coordinating Authority which shall examine whether notifying the provider interferes with activities for the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	or disable access to that item or those items, for the providers' voluntary consideration.	or disable access to that item or those items, for the providers' voluntary consideration.	or disable access to that item or those items, for the providers' voluntary consideration.	***investigation and prosecution of child sexual abuse offences, the EU Centre shall have the power to notify*** providers of hosting services of the presence of one or more specific items of ~~*known*~~***potential*** child sexual abuse material on their services ~~*and request them to remove or disable access to that item or those items, for the*~~. Providers ~~*' voluntary consideration*~~ ***shall take this notification into account for the purpose of their obligations under Articles 12 and 13***. Text Origin: CY Acting Pcy2
Article 49(2), second subparagraph				
G 686	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The ~~*request*~~***notification*** shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the ~~*request. The request shall also clearly state that it is for the provider's voluntary consideration.*~~***notification.*** Text Origin: Commission Proposal
Article 49(2), second subparagraph a				
G 686a		***After having conducted the searches referred to in paragraph 1 (ba), the EU Centre shall notify the competent Coordinating Authority***		*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		which shall request the provider to remove or disable access to that item or those items pursuant to Article 32 or request a removal order pursuant to Article 14.			
Article 49(3)					
687	*3.*Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall not submit a notice, for as long as necessary to avoid such interference but no longer than 18 months.	3.Where ~~*so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for*~~***it is necessary and proportionate to safeguard*** the prevention, detection, investigation and prosecution of child sexual abuse offences ***in a specific case and where requested by a competent law enforcement authority of a Member State***, the EU Centre shall not ~~*submit a notice, for as long as necessary to avoid such interference but*~~***proceed according to paragraph 2. This non-submission shall be in any case*** no longer than ~~*18*~~***12*** months.	3.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall not submit a notice, for as long as necessary to avoid such interference but no longer than 18 months.	3.Where ~~*so requested by a competent law enforcement*~~***a request is received by the EU Centre from a Coordinating*** Authority ***within one month of the launch of the consultation in accordance with paragraph 2, the EU Centre shall not submit a notification to the provider, for as long as necessary but no longer than 18 months,*** ~~*of a Member State in order*~~ to avoid interfering with activities for the ~~*prevention, detection,*~~ investigation and prosecution of child sexual abuse offences~~*, the EU Centre shall not submit a notice, for as long as necessary to avoid such interference but no longer than 18 months*~~.	
Article 50					
688	Article 50 Technologies, information and expertise	Article 50 Technologies, information and expertise	Article 50 Technologies, information and expertise	Article 50 Technologies, information and expertise Text Origin: Commission Proposal	
Article 50(1), first subparagraph					
689	1.The EU Centre shall make	1.The EU Centre shall make	1.The EU Centre shall make	1.The EU Centre shall make	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	available technologies that providers of hosting services and providers of interpersonal communications services may acquire, install and operate, free of charge, where relevant subject to reasonable licensing conditions, to execute detection orders in accordance with Article 10(1).	available technologies that providers of hosting services and providers of ***number-independent*** interpersonal communications services may acquire, install and operate, free of charge, where relevant subject to reasonable licensing conditions, to execute detection orders in accordance with Article 10(1). ***The EU Centre shall make available tools, technologies and relevant best practices for the implementation of the mitigation measures referred to in Article 4 of this Regulation. The EU Centre shall make publicly available the relevant information related to the making available of these technologies or tools, including the names of the manufacturers of the technologies***	available technologies that providers of hosting services and providers of interpersonal communications services may acquire, install and operate, free of charge, where relevant subject to reasonable licensing conditions~~, to execute detection orders in accordance with Article 10(1)~~ ***to mitigate the risk of the dissemination of child sexual abuse material and the solicitation of children on their services***. .	available technologies that providers of hosting services and providers of ***number-independent*** interpersonal communications services may ~~acquire, install and operate,~~***use*** free of charge ***or***, where relevant, subject to reasonable licensing conditions, to ~~execute detection orders in accordance with Article 10(1)~~***identify online child sexual abuse or to mitigate the risk of online child sexual abuse on their services***. ITM (12.11.): Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE
Article 50(1), second subparagraph				
690	To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article 10(2).	To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article 10(2).	~~*To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article 10(2).*~~	To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article ~~*10(2)*~~***10***. ***The EU Centre shall make publicly available the lists of such technologies, including the manufacturers of these technologies.*** ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 50(1), third subparagraph				
691	Before including specific technologies on those lists, the EU Centre shall request the opinion of its Technology Committee and of the European Data Protection Board. The Technology Committee and the European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay.	Before including specific technologies on those lists, the EU Centre shall request the ~~opinion~~***opinions*** of its Technology Committee and ***Victims' Rights and Survivors Consultative Forum, and through the European Commission, the opinion*** of the European Data Protection Board. The Technology Committee, ***the Victims' Consultative Forum*** and the European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay. ***Where the EU Centre substantially deviates from those opinions, it shall inform, where applicable, the Technology Committee, the Victims' Rights and Survivors Consultative Forum, or the European Data Protection Board and the Commission thereof, specifying the points where it deviated and the main reasons for***	Before ***making available*** ~~including~~ specific technologies ~~on those lists~~, the EU Centre shall request the opinion of its Technology Committee and of the European Data Protection Board. The Technology Committee and the European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay.	Before including specific technologies on those lists, the EU Centre shall request the ~~opinion~~***opinions*** of its Technology Committee and ***the Victims Consultative Forum, and through the Commission, the opinion*** of the European Data Protection Board. The Technology Committee, ***the Victims Consultative Forum*** and the European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee, ***the Victims Consultative Forum*** and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay. ***Where the EU Centre substantially deviates from those opinions, it shall inform, where applicable, the Technology Committee, the Victims Consultative Forum, or the European Data Protection Board and the Commission thereof, specifying the points where it deviated and the reasons for that***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		that deviation.		***deviation.*** ITM (12.10.) -Provisionally agreed FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate
Article 50(1a)				
691a			***1a. The EU Centre shall, in cooperation with Coordinating Authorities, providers of hosting services and providers of interpersonal communications services and, where relevant, independent experts, develop or facilitate the further development of technologies to mitigate the risk of online child sexual abuse, including the solicitation of children.***	*deleted*
Article 50(2)				
692	*2.*The EU Centre shall collect, record, analyse and make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular:	2.The EU Centre shall collect, record, ***aggregate,*** analyse and ***proactively*** make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular:	2.The EU Centre shall collect, record, analyse and make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular:	2.The EU Centre shall collect, record, ***aggregate,*** analyse and ***proactively*** make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular: Text Origin: EP Mandate
Article 50(2), point (a)				
693	(a) information obtained in the performance of its tasks under this Regulation concerning detection,	(a) information obtained in the performance of its tasks under this Regulation concerning detection,	(a) information obtained in the performance of its tasks under this Regulation concerning	(a) information obtained in the performance of its tasks under this Regulation concerning

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
	reporting, removal or disabling of access to, and blocking of online child sexual abuse;	reporting, removal or disabling of access to, and blocking of online child sexual abuse;	~~detection~~***mitigating risks, detecting***, reporting, ~~removal~~***removing*** or disabling of access to, and blocking of online child sexual abuse;	~~detection~~***mitigating risks, detecting***, reporting, ~~removal~~***removing*** or disabling of access to, and blocking of online child sexual abuse***, as well as assistance and support in accordance with Articles 20 and 21***; Text Origin: Council Mandate	
Article 50(2), point (b)					
G	694 (b) information resulting from the research, surveys and studies referred to in paragraph 3;	(b) information resulting from the research, surveys and studies referred to in paragraph 3;	(b) information resulting from the research, surveys and studies referred to in paragraph 3;	(b) information resulting from the research, surveys and studies referred to in paragraph 3; Text Origin: Commission Proposal	G
Article 50(2), point (c)					
G	695 (c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres and civil society organisations.	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres***,*** ***hotlines, helplines*** and civil society organisations.	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres and civil society organisations~~.~~***;***	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres***,*** and civil society organisations***, including hotlines and helplines***. Text Origin: EP Mandate	G
Article 50(2), point (ca)					
Y	695a		***d.information on available technologies and tools.***	*deleted* *ITM (12.10.) -Provisionally agreed*	Y

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				FOR ENDORSEMENT AT TRILOGUE
Article 50(2), point (cb)				
695b		***(ca) information obtained in the performance of its tasks under this Regulation concerning victim assistance and support.***		*deleted*
Article 50(3)				
696	*3.*Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission.	3.Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission. ***The outcome of the research, surveys and studies referred to in this paragraph, including its analysis thereof, shall be made publicly available.***	3.Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission.	3.Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies***, taking into account age, gender, vulnerable groups and national specificities***, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission. Text Origin: CY Acting Pcy2
Article 50(3a), first subparagraph				
696a			***3a. The EU Centre shall keep a database encompassing all research, surveys and studies, involving public EU or national resources, as referred to in paragraphs 2 and 3 and the information resulting thereof. That database shall not contain any personal data other than information identifying the authors***	***3a. The EU Centre shall keep a database encompassing all research, surveys and studies, involving public EU or national resources, as referred to in paragraphs 2 and 3 and the information resulting thereof. That database shall not contain any personal data other than information identifying the authors***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			and any other persons having contributed to the research, survey and studies.	***and any other persons having contributed to the research, survey and studies.*** Text Origin: CY Acting Pcy2	
Article 50(3a), second subparagraph					
G 696b			***The competent authorities may consult this database where necessary for the performance of their tasks under this Regulation.***	***The competent authorities may consult this database where necessary for the performance of their tasks under this Regulation.*** Text Origin: CY Acting Pcy2	G
Article 50(3a), third subparagraph					
G 696c			***The EU Centre may decide to provide the appropriate level of access for consultation of this database to other entities and individuals upon reasoned request, if the requesting entities and individuals can justify that such access could contribute to the achievement of the objectives of this Regulation.***	***The EU Centre may decide to provide the appropriate level of access for consultation of this database to other entities and individuals upon reasoned request, if the requesting entities and individuals can justify that such access could contribute to the achievement of the objectives of this Regulation.*** Text Origin: CY Acting Pcy2	G
Article 50(3b)					
G 696d		***3a. The EU Centre shall support Member States and the Coordinating Authorities in conducting research, taking into account age, gender, vulnerable groups and national specificities. The collected knowledge shall serve as a tool to elaborate prevention***		*deleted* Text Origin: CY Acting Pcy2	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		methods adapted and implemented by Coordinating Authorities in each Member State.		
Article 50(4)				
697	*4.*The EU Centre shall provide the information referred to in paragraph 2 and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof, and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority. Where appropriate, the EU Centre shall make such information publicly available.	4.The EU Centre shall provide the information referred to in paragraph 2 ~~*and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof,*~~ and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority. Where appropriate, the EU Centre shall make such information publicly available.	4.The EU Centre shall provide the information referred to in paragraph 2 and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof, and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority. Where appropriate, the EU Centre shall make such information publicly available.	4.The EU Centre shall provide the information referred to in paragraph 2 and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof, and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority. ~~*Where appropriate,*~~ The EU Centre shall make such information publicly available***, unless this would undermine the proper functioning of this Regulation***. Text Origin: CY Acting Pcy2
Article 50(5)				
698	5.The EU Centre shall develop a communication strategy and promote dialogue with civil society organisations and providers of hosting or interpersonal communication services to raise public awareness of online child	5.The EU Centre shall develop a communication strategy and promote dialogue ***and cooperation*** with civil society organisations***, hotlines, helplines, public authorities, and relevant information society*** ~~*and providers of*~~	~~*5.The EU Centre shall develop a communication strategy and promote dialogue with civil society organisations and providers of hosting or interpersonal communication services to raise public awareness of online child*~~	5.The EU Centre shall develop a communication strategy and promote dialogue ***and cooperation with relevant stakeholders*** ~~*with civil society organisations and providers of hosting or interpersonal communication services*~~ to raise

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	sexual abuse and measures to prevent and combat such abuse.	~~*hosting or interpersonal communication*~~ services to raise public awareness of online child sexual abuse and measures to prevent and combat such abuse. ***Communication campaigns shall be easily understandable and accessible to all children, their families and educators in formal and non-formal education in the Union, aiming to improve digital literacy and ensure a safe digital environment for children. Communication campaigns shall take into account the gender dimension of the crime and the contributions of the Victims' Rights and Survivors Consultative Forum.***	~~*sexual abuse and measures to prevent and combat such abuse.*~~	public awareness of ~~*online child sexual abuse*~~ and ***promote*** measures to prevent and combat ~~*such*~~***online child sexual*** abuse. ***The communication strategy shall include campaigns targeted towards children, families and educators, aiming to improve digital literacy and a safe digital environment for children.*** Recital should include examples of relevant stakeholders and reference to gender dimension. Text Origin: CY Acting Pcy2
Article 50(5a)				
Y	698a	***5a. The EU Centre shall support the development of technologies to detect the dissemination of online child sexual material, having regard to the requirements of this Regulation and in particular those under Article 10(3), and make them, free and open source, available for relevant information society services. The EU Centre shall make publicly available the relevant information related to the support it provides, including the names of the manufacturers of the technologies.***		***5a. The EU Centre shall, in cooperation with Coordinating Authorities, providers of hosting services and providers of number-independent interpersonal communication services and, where relevant, independent experts, develop or support the development of technologies that providers may use in accordance with paragraph 1.*** ITM (12.11.): Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE

EXTE NOT VOTED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Section 3				
699	Section 3 Processing of information	Section 3 Processing of information	Section 3 Processing of information	Section 3 Processing of information Text Origin: Commission Proposal
Article 51				
700	Article 51 Processing activities and data protection	Article 51 Processing activities and data protection	Article 51 Processing activities and data protection	Article 51 Processing activities and data protection Text Origin: Commission Proposal
Article 51(1)				
701	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data.	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data.	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data.	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data. Text Origin: Commission Proposal
Article 51(2)				
702	2.The EU Centre shall process personal data as strictly necessary for the purposes of:	2.The EU Centre shall process personal data as strictly necessary for the purposes of:	2.The EU Centre shall process personal data as strictly necessary for the purposes of:	2.The EU Centre shall process personal data as strictly necessary for the purposes of: Text Origin: Commission Proposal
Article 51(2), point (a)				
703	(a) providing the opinions on intended detection orders referred to in Article 7(3);	(a) providing the opinions on intended detection orders referred to in Article 7(3);	~~(a) providing the opinions on intended detection orders referred to in Article 7(3);~~	(a) providing the opinions on intended detection orders referred to in Article 7(3); ITM (12.10.):subject to agreement on the detection package.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 51(2), point (b)				
704	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2); Text Origin: Commission Proposal
Article 51(2), point (c)				
705	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3); Text Origin: Commission Proposal
Article 51(2), point (d)				
706	(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 victims' rights to information and assistance;	(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 victims' rights to information and assistance; Text Origin: Commission Proposal
Article 51(2), point (e)				
707	(e) maintaining up-to-date records of contact points and legal representatives of providers of	(e) maintaining up-to-date records of contact points and legal representatives of providers of	(e) maintaining up-to-date records of contact points and legal representatives of providers of	(e) maintaining up-to-date records of contact points and legal representatives of providers of

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	relevant information society services as provided in accordance with Article 23(2) and Article 24(6); Text Origin: Commission Proposal
Article 51(2), point (f)				
708	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6); Text Origin: Commission Proposal
Article 51(2), point (g)				
709	(g) providing assistance to Coordinating Authorities in accordance with Article 25(7);	(g) providing assistance to Coordinating Authorities in accordance with Article 25(7);	(g) providing assistance to Coordinating Authorities in accordance with Article 25(7);	(g) providing assistance to Coordinating Authorities ***and other competent authorities*** in accordance with Article 25(7); Text Origin: Commission Proposal
Article 51(2), point (h)				
710	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37; Text Origin: Commission Proposal
Article 51(2), point (i)				
711	(i) create, maintain and operate the databases of indicators referred to in	(i) create, maintain and operate the databases of indicators referred to in	(i) create, maintain and operate the databases of indicators referred to in	(i) create, maintain and operate the databases of indicators referred to in

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Article 44;	Article 44;	Article 44;	Article 44; Text Origin: Commission Proposal
Article 51(2), point (j)				
712	(j) create, maintain and operate the database of reports referred to in Article 45;	(j) create, maintain and operate the database of reports referred to in Article 45;	(j) create, maintain and operate the database of reports referred to in Article 45;	(j) create, maintain and operate the database of reports referred to in Article 45; Text Origin: Commission Proposal
Article 51(2), point (k)				
713	(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 databases of indicators and of reports in accordance with Article 46;	(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 databases of indicators and of reports in accordance with Article 46; Text Origin: Commission Proposal
Article 51(2), point (l)				
714	(l) performing data quality control measures in accordance with Article 46(7);	(l) performing data quality control measures in accordance with Article 46(7);	(l) performing data quality control measures in accordance with Article 46(7);	(l) performing data quality control measures in accordance with Article 46(7); Text Origin: Commission Proposal
Article 51(2), point (m)				
715	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48;	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48;	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48;	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48; Text Origin: Commission Proposal
Article 51(2), point (n)				

contexte OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
716	(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 victims;	(n) cooperating with Europol***, other Union agencies and bodies,*** ~~and~~ partner ***organisations, third countries and international*** organisations in accordance with Articles 53***, 53a, 54 and 54a*** ~~and 54~~, including on tasks related to the identification of victims;	(n) cooperating with Europol***, other Union agencies and bodies,*** ~~and~~ partner ***organisations, third countries and international*** organisations in accordance with Articles 53***, 53a, 54 and 54a*** ~~and 54~~, including on tasks related to the identification of victims; Text Origin: CY Acting Pcy2
Article 51(2), point (o)				
717	(o) generating statistics in accordance with Article 83.	(o) generating statistics in accordance with Article 83.	(o) generating statistics in accordance with Article 83.	(o) generating statistics in accordance with Article 83. Text Origin: Commission Proposal
Article 51(3)				
718	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.	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.	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.	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. Text Origin: Commission Proposal
Article 51(4)				
719	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	4.It shall ensure that the personal data is stored in a secure manner and that the storage is subject to ~~appropriate~~***highest state of the art,*** technical and organisational safeguards***. Security requirements for data security pursuant to Article***	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	4.It shall ensure that the personal data is stored in a secure manner and that the storage is subject to ~~appropriate~~***the state of the art*** technical and organisational safeguards. Those safeguards shall ensure, in particular, that the

contexte OBTAINED BY DEFENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	***88 of Regulation (EU) 2018/1725, Article 32 of Regulation (EU) 767/2008, Article 16 of Regulation (EU) 1987/2006, Article 16 of Regulation (EU) 2018/1862 and Article 34 of Regulation (EU) 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.	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.	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. Text Origin: EP Mandate
Article 51(a)				
719a		***Article 51a Logging***		***deleted***
Article 51(a) first paragraph				
719b		***1. The EU Centre shall provide for logs to be kept for at least the following processing operations, in relation to tasks performed under this Regulation: collection, alteration, consultation, disclosure including transfers, combination and erasure.***		***4a. The EU Centre shall keep logs for any of the following processing operations, in automated processing systems: collection, alteration, consultation, disclosure including transfers, combination and erasure of personal data in performance of its tasks under this Regulation.*** Text Origin: EP Mandate
Article 51(a) second paragraph				

COMTEXTE OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
719c		***2. The logs of consultation and disclosure shall make possible to establish the justification, date and time of such operations and, as far as possible, the identification of the person who consulted or disclosed the data, and the identity of the recipients of such data.***		*deleted*
Article 51(a) third paragraph				
719d		***3. The logs shall be used solely for verification of the lawfulness of processing, self-monitoring, ensuring the integrity and security of the personal data.***		***The logs shall be used solely for verification of the lawfulness of processing, self-monitoring, ensuring the integrity and security of the personal data. Such logs shall be deleted after three years unless they are required for ongoing control.*** Text Origin: EP Mandate
Article 51(a) fourth paragraph				
719e		***4. The EU Centre shall make the logs available to the relevant data protection supervisory authority on request.***		***The EU Centre shall make the logs available to the European Data Protection Supervisor on request.*** Text Origin: EP Mandate
Section 4				
720	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation Text Origin: Commission Proposal
Article 52				
721	Article 52 Contact officers	Article 52 Contact officers	Article 52 Contact officers	Article 52 Contact officers

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 52(1)				
722	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer.	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer.	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer.	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer. Text Origin: Commission Proposal
Article 52(2)				
723	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 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).	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 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).	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 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).	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 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). Text Origin: Commission

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 52(3)				
724	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks.	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks.	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks.	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks. Text Origin: Commission Proposal
Article 52(4)				
725	4.Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them.	4.~~*Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other*~~ Costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them. ***Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of office space in the building and adequate equipment for them to perform their duties.***	4.Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them.	4.~~*Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other*~~ Costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them. ***Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of office space in the building and adequate equipment for them to perform their duties.*** Text Origin: EP Mandate
Article 53				

COUNCIL PUBLIC

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
726	Article 53 Cooperation with Europol	Article 53 Cooperation with Europol	Article 53 Cooperation with Europol	Article 53 Cooperation with Europol Text Origin: Commission Proposal
Article 53(1)				
727	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol.	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol.	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol.	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol. Text Origin: Commission Proposal
Article 53(2), first subparagraph				
728	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.	2.Europol ~~and~~***shall provide*** the EU Centre ~~*shall provide each other with the fullest possible*~~***with*** access to relevant information and information systems, where ***deemed strictly*** necessary for the performance of ~~*their respective*~~***the EU Centre's*** tasks and in accordance with the acts of Union law regulating ~~*such*~~***that. Any*** access ***to personal data processed in Europol's information systems shall be granted only on a case-by-case basis, upon submission of an explicit and justified request, which documents the specific purpose. Europol shall be required to diligently assess those requests and only transmit personal data to the EU Centre where strictly necessary and***	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.	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. ***In this context, any access of personal data shall be granted in accordance with the relevant Union law and only on a case by-case basis upon submission of an explicit and justified request.*** Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		proportionate to the specified purpose. The EU Centre shall provide Europol with access to relevant information where deemed strictly necessary for the performance of Europol's tasks. Any access to personal data processed in the EU Centre's information systems shall be granted only on a case-by-case basis, upon submission of an explicit and justified request, which documents the specific purpose. The EU Centre shall be required to diligently assess those requests and only transmit personal data to Europol where strictly necessary and proportionate to the specified purpose. That access and subsequent transmission of personal data shall only take place via an available secure exchange communication tool, such as the Secure Information Exchange Network Application (SIENA).		
Article 53(2), second subparagraph				
G 729	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*	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* G

.contexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 53(3)				
730	*3.*The terms of cooperation and working arrangements shall be laid down in a memorandum of understanding.	3.The terms of cooperation and working arrangements shall be laid down in a ***publically accessible*** memorandum of understanding.	3.The terms of cooperation and working arrangements shall be laid down in a memorandum of understanding.	3.The terms of cooperation and working arrangements shall be laid down in a ***publicly available*** memorandum of understanding, ***unless this publication would undermine the proper functioning of this Regulation***. Text Origin: EP Mandate
Article 53a				
730a			***Article 53a*** ***Cooperation with other Union agencies and bodies***	***Article 53a*** ***Cooperation with other Union agencies and bodies*** Text Origin: CY Acting Pcy2
Article 53a(1)				
730b			***1.In addition to the obligation to cooperate with Europol in accordance with Article 53, where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with other Union agencies and bodies, in particular the EU Agency for Fundamental Rights, the European Union Agency for Cybersecurity, the European Data Protection Supervisor and the European Data Protection Board in accordance with the respective mandates of the EU Centre and those other Union agencies and bodies.***	***1.In addition to the obligation to cooperate with Europol in accordance with Article 53, where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with other Union agencies and bodies, in particular the EU Agency for Fundamental Rights, the European Union Agency for Cybersecurity, the European Data Protection Supervisor and the European Data Protection Board in accordance with the respective mandates of the EU Centre and those other Union agencies and bodies.*** Text Origin: CY Acting Pcy2

.conTexte OBTAINED BY CURIA PATENTUM

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 53a(2)				
730c			***2.The EU Centre may conclude memoranda of understanding with Union agencies and bodies referred to in paragraph 1, laying down the terms of cooperation.***	***2.The EU Centre may conclude memoranda of understanding with Union agencies and bodies referred to in paragraph 1, laying down the terms of cooperation. These memoranda of understanding shall be made publicly available, unless this would undermine the proper functioning of this Regulation.*** Text Origin: CY Acting Pcy2
Article 54				
731	Article 54 Cooperation with partner organisations	Article 54 Cooperation with partner organisations	Article 54 Cooperation with partner organisations	Article 54 Cooperation with partner organisations Text Origin: Commission Proposal
Article 54(1)				
732	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.	1.Where necessary for the performance of its tasks under this Regulation, the EU Centre ~~*may*~~***shall*** cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, ***and victim support,*** including civil society organisations and semi-public organisations ***acting in the public interest, and professional organisations of practioners***.	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.	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, ***and victim support,*** including civil society organisations and semi-public organisations ***acting in the public interest***. Text Origin: EP Mandate
Article 54(2)				

Contexte

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
733	2.The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation.	2.The EU Centre may conclude ***publically accessible*** memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation.	2.The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation***, including on data sharing***.	2.The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation. ***These memoranda of understanding shall be made publicly available, unless this would undermine the proper functioning of this Regulation.*** Text Origin: Council Mandate
Article 54(2a)				
733a		***2a. The EU Centre shall cooperate with other organizations and bodies carrying out, in other jurisdictions, similar functions on matters related to the prevention and combating of online child sexual abuse and victim support, as well as in order to avoid potential duplication of reporting obligations for providers.***		*deleted*
Article 54(a)				
733b		***Article 54a Establishment of an online European Child Protection Platform***		***Article 54a Establishment of an online European Child Protection Platform*** Recital: Stress that duplication of existing structures should be avoided to the extent possible (CNS to prepare). Text Origin: CY Acting Pcy2
Article 54(a) first paragraph				
733c		***1. The EU Centre shall create,***		***1. The EU Centre shall create,***

OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		maintain and operate an online platform for the presentation of information about Member States hotlines and helplines ('Child Protection Platform'). That platform may also be used for the promotion of awareness-raising and prevention campaigns. The platform shall be accessible 24 hours a day and seven days a week in all Union languages and shall be child-friendly, age-appropriate and accessible.		***maintain and operate an online platform for the presentation of information about Member States hotlines and helplines ('Child Protection Platform'). That platform may also be used for the promotion of awareness-raising and prevention campaigns. The platform shall be accessible 24 hours a day and seven days a week in all Union languages and shall be child-friendly, age-appropriate and accessible.*** Text Origin: CY Acting Pcy2
Article 54(a) second paragraph				
G 733d		***2. Providers of hosting services and providers of number-independent interpersonal communications services shall, where relevant in order to fulfil their tasks as laid down in Article 4 paragraph 1 point (cc) of this Regulation, make reference to the Platform.***		***2. Providers of relevant information society services shall, where relevant in order to fulfil their tasks as laid down in Article 4 paragraph 1 point (cc) of this Regulation, make reference to the Platform.*** Text Origin: CY Acting Pcy2
Article 54b				
G 733e			***Article 54a*** ***Cooperation with third countries and international organisations***	***Article 54b*** ***Cooperation with third countries and international organisations*** Provisionally agreed (Trilogue 26.02) with accompanying recital. Text Origin: CY Acting Pcy2

contexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 54b(1), first subparagraph				
733f			***1.In so far as is necessary in order to achieve the objectives set out in this Regulation, and without prejudice to the respective competences of the Member States and the institutions of the Union, the EU Centre may cooperate with the competent authorities of third countries or with international organisations.***	***1.In so far as is necessary in order to achieve the objectives set out in this Regulation, and without prejudice to the respective competences of the Member States and the institutions of the Union, the EU Centre may cooperate with the competent authorities of third countries or with international organisations.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Article 54b(1), second subparagraph				
733g			***To this end, the EU Centre may, subject to prior approval by the Commission, establish working arrangements with the authorities of third countries or international organisations. These arrangements shall not create legal obligations incumbent on the Union and its Member States.***	***To this end, the EU Centre shall, subject to prior approval by the Commission, establish working arrangements with the authorities of third countries or international organisations. These arrangements shall not create legal obligations incumbent on the Union and its Member States.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Article 54b(2), first subparagraph				
733h			***2.The EU Centre shall be open to the participation in its work of third countries that have entered into agreements with the Union to this***	***2.The EU Centre shall be open to the participation in its work of third countries that have entered into agreements with the Union to this***

contexte OBTAINED BY EU-LEX

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			effect.	***effect.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Article 54b(2), second subparagraph				
733i			***Under the relevant provisions of the agreements referred to in the first subparagraph, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the EU Centre, including provisions relating to participation in the initiatives undertaken by the EU Centre, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.***	***Under the relevant provisions of the agreements referred to in the first subparagraph, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the EU Centre, including provisions relating to participation in the initiatives undertaken by the EU Centre, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Article 54b(3)				
733j			***3. The Management Board shall adopt a strategy for relations with third countries or international organisations concerning matters for which the EU Centre is competent. The Commission shall ensure that the EU Centre operates within its mandate and the existing insitutional framework by***	***3. The Management Board shall adopt a strategy for relations with third countries or international organisations concerning matters for which the EU Centre is competent. The Commission shall ensure that the EU Centre operates within its mandate and the existing institutional framework by***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			concluding an appropriate working arrangement with the EU Centre's Executive Director.	***concluding an appropriate working arrangement with the EU Centre's Executive Director.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Section 5				
734	Section 5 Organisation	Section 5 Organisation	Section 5 Organisation	Section 5 Organisation Text Origin: Commission Proposal
Article 55				
735	Article 55 Administrative and management structure	Article 55 Administrative and management structure	Article 55 Administrative and management structure	Article 55 Administrative and management structure Text Origin: Commission Proposal
Article 55, first paragraph				
736	The administrative and management structure of the EU Centre shall comprise:	The administrative and management structure of the EU Centre shall comprise:	The administrative and management structure of the EU Centre shall comprise:	The administrative and management structure of the EU Centre shall comprise: Text Origin: Commission Proposal
Article 55, first paragraph, point (a)				
737	(a) a Management Board, which shall exercise the functions set out in Article 57;	(a) a Management Board, which shall exercise the functions set out in Article 57;	(a) a Management Board, which shall exercise the functions set out in Article 57;	(a) a Management Board, which shall exercise the functions set out in Article 57; Text Origin: Commission Proposal
Article 55, first paragraph, point (b)				

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
738	(b) an Executive Board which shall perform the tasks set out in Article 62;	(b) an Executive Board which shall perform the tasks set out in Article 62;	~~(b) an Executive Board which shall perform the tasks set out in Article 62;~~	*deleted*
Article 55, first paragraph, point (c)				
739	*(c)* an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64;	(c) an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64;	(c) an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64;	(c) an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64; Text Origin: Commission Proposal
Article 55, first paragraph, point (d)				
740	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66.	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66.	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66.	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66. Text Origin: Commission Proposal
Article 55, first paragraph, point (da)				
740a		***(da) a Victims' Rights and Survivors Consultative Forum which shall exercise the tasks set out in Article 66a.***		***(da) a Victims Consultative Forum which shall exercise the tasks set out in Article 66a.*** Text Origin: EP Mandate
Article 55, first paragraph, point (db)				
740b		***(db) a Fundamental Rights Officer, which shall exercise the tasks set out in Art. 66b.***		***(db) a Fundamental Rights Officer, which shall exercise the tasks set out in Art. 66b.*** Text Origin: EP Mandate
Article 55, first paragraph, subparagraph 1				
740c		***When appointing the members that compose these bodies, all parties involved shall aim for an***		***When appointing the members that compose these bodies, all parties involved shall aim for an***

OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		appropriate gender representation.		***appropriate gender representation.*** Text Origin: EP Mandate
1				
741	1 Part 1: Management Board	1 Part 1: Management Board	1 Part 1: Management Board	1 Part 1: Management Board Text Origin: Commission Proposal
Article 56				
742	Article 56 Composition of the Management Board	Article 56 Composition of the Management Board	Article 56 Composition of the Management Board	Article 56 Composition of the Management Board Text Origin: Commission Proposal
Article 56(1)				
743	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.	1.The Management Board shall be composed of one representative from each Member State ~~*and two*~~***, one*** representatives of the Commission, ***one independent representative designated by the European Parliament,*** all as members with voting rights.	1.The Management Board shall be composed of one representative from each Member State and ~~*two representatives*~~***one representative*** of the Commission, all as members with voting rights.	1.The Management Board shall be composed of one representative from each Member State and ~~*two representatives*~~***one representative*** of the Commission, all ~~*as members with*~~***of whom shall be*** voting ~~*rights*~~***members***. Text Origin: Council Mandate
Article 56(2), first subparagraph				
744	2.The Management Board shall also include one independent expert observer designated by the European Parliament, without the right to vote.	2.~~*The Management Board shall also include one independent expert observer designated by the European Parliament, without the right to vote.*~~***deleted***	2.The Management Board shall also include one independent expert observer designated by the European Parliament, without the right to vote.	2.The Management Board shall also include one independent expert observer designated by the European Parliament, ~~*without the right to vote*~~***who shall be a non-voting member***. Text Origin: Commission

eContexte OBTAINED BY TENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 56(2), first subparagraph a				
744a		***One member of the Victims' Rights and Survivors Consultative Forum as established in Art. 66a shall attend the meetings of the Management Board as an observer, without the right to vote.*** ***The Technological Committee shall designate a representative to attend the meetings of the Management Board as an observer on matters related to technologies.***		*deleted* Text Origin: EP Mandate
Article 56(2), second subparagraph				
745	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.	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.	Europol may designate a representative to attend the meetings of the Management Board as an observer on matters involving Europol, ***without the right to vote,*** at the request of the Chairperson of the Management Board.	*deleted* Text Origin: Council Mandate
Article 56(3)				
746	*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 ~~his/her~~***their*** absence.	3.Each member of the Management Board shall have an alternate. The alternate shall represent the member in his/her absence.	3.~~Each member~~***Members*** of the Management Board shall have an alternate. ~~The alternate~~***Alternates*** shall represent the ~~member in his/her~~***members in their*** absence. Text Origin: EP Mandate
Article 56(4)				
747	4.Members of the Management	4.Members of the Management	4.Members of the Management	4.Members of the Management

EOTexte RETAINED BY THE EP

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	Board and their alternates shall be appointed in the light of their knowledge in the field of ***preventing and*** combating child sexual abuse ***and victim support***, taking into account ~~*relevant managerial, administrative and budgetary skills*~~***their expertise and professional records***. 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*~~***ensure that gender balance*** between men and women ***is achieved*** on the Management Board.	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*~~***competencies***. 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.	Board and their alternates shall be appointed in the light of their knowledge ***either*** in the field of ***preventing and*** combating child sexual abuse ***or in victim support***, taking into account relevant managerial, administrative and budgetary ~~*skills*~~***competencies, and their expertise and professional records***. 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.*~~ Text Origin: CY Acting Pcy2
Article 56(5)				
748	5.The term of office for members and their alternates shall be four years. That term may be renewed.	5. The term of office for members and their alternates shall be four years. That term may be renewed ***only once***.	5.The term of office for members and their alternates shall be four years. That term may be renewed.	5. The term of office for members and their alternates shall be four years. That term may be renewed ***only once***. Text Origin: EP Mandate
Article 57				
749	Article 57 Functions of the Management Board	Article 57 ~~*Functions*~~***Tasks*** of the Management	Article 57 Functions of the Management Board	Article 57 ~~*Functions*~~***Tasks*** of the Management

COTEC OBTAINED BY OBSTRUCTION

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Board		Board Text Origin: EP Mandate
Article 57(1)				
750	1.The Management Board shall:	1.The Management Board shall:	1.The Management Board shall:	1.The Management Board shall: Text Origin: Commission Proposal
Article 57(1), point (a)				
751	(a) give the general orientations for the EU Centre's activities;	*deleted*	*(a)* give the general orientations for the EU Centre's activities;	(a) give the general orientations for the EU Centre's activities; Text Origin: Council Mandate
Article 57(1), point (aa)				
751a			***(aa) be responsible for the overall planning and the execution of the tasks conferred on the EU Centre pursuant to Article 43, and it shall adopt all the decisions of the EU Centre;***	***(aa) be responsible for the overall planning and the execution of the tasks conferred on the EU Centre pursuant to this Regulation, and it shall adopt all the decisions of the EU Centre;*** Text Origin: Council Mandate
Article 57(1), point (ab)				
751b		***(aa) adopt the draft Single Programming Document referred to in Article 66d before its submission to the Commission for its opinion;***		***(ab) adopt the draft Single Programming Document in accordance with Article 66c and shall transmit it for information to the European Parliament, the Council and the Commission by 31 January the following year, as well as adopt and transmit any other updated version of the document;***
Article 57(1), point (ac)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
751c		***(ab) adopt, having requested the opinion of the Commission and the European Parliament, the Agency's Single Programming Document by a majority of two-thirds of the members entitled to vote in accordance with Article 56 for the following year, as well as any other updated version of the document;***		*deleted* Text Origin: EP Mandate
Article 57(1), point (ad)				
751d		***(ac) adopt by a majority of two-thirds of the members entitled to vote, the annual budget of the EU Centre and exercise other tasks in respect of the EU Centre's budget;***		***(ad) adopt the draft annual budget of the EU Centre and exercise other functions in respect of the EU Centre's budget;***
Article 57(1), point (ae)				
751e		***(ad) assess and adopt, by a majority of two-thirds of the members entitled to vote, a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and send it, by 1 July each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make the consolidated annual activity report public;***		***(ae) assess and adopt a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and transmit it, by 1 July of each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make it public;***
Article 57(1), point (af)				
751f		***(ae) adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented,***		***(af)adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented;***

eTexte CONSULTED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		an efficiency gains and synergies strategy with other Union decentralised agencies and bodies, a strategy for cooperation with third countries and/or international organisations, and a strategy for the organisational management and internal control systems;		
Article 57(1), point (ag)				
G 751g		***(af) exercise, with respect to the staff of the EU Centre, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the Authority Empowered to Conclude a Contract of Employment [1a] ("the appointing authority powers");*** ***1a. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)***		***(ag) exercise, with respect to the staff of the EU Centre, the appointing authority powers;*** G
Article 57(1), point (ah)				
G 751h		***(ag) adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article***		***(ah) adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article*** G

eTexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		110(2) of the Staff Regulations;		*110(2) of the Staff Regulations;*
Article 57(1), point (ai)				
751i		*(ah) appoint the Executive Director and remove him/her from office, in accordance with Article 65;*		*(ai) appoint the Executive Director and remove him/her from office, in accordance with Article 65;*
Article 57(1), point (aj)				
751j		*(ai) 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 the Officer's duties;*		*(aj) 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;*
Article 57(1), point (ak)				
751k		*(aj) adopt the financial rules applicable to the EU Centre;*		*(ak) adopt the financial rules applicable to the EU Centre;*
Article 57(1), point (al)				
751l		*(ak) take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification;*		*(al) take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification;*
Article 57(1), point (am)				
751m		*(al) appoint a Data Protection Officer in accordance with Regulation (EU) 2018/1725;*		*(am) appoint a Data Protection Officer;*
Article 57(1), point (an)				
751n		*(am) adopt internal guidelines further specifying the procedures*		*(an) adopt internal guidelines further specifying the procedures*

eContexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		for the processing of information in accordance with Article 51;		***for the processing of personal data in accordance with Article 51, after consulting the European Data Protection Supervisor;***
Article 57(1), point (b)				
G 752	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities;	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities;	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities;	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities; Text Origin: Commission Proposal
Article 57(1), point (c)				
G 753	(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;	(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***, the Victims' Rights and Survivors Consultative Forum*** 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;	(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;	(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*~~***Technology*** Committee***, the Victims Consultative Forum*** 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; Text Origin: EP Mandate
Article 57(1), point (d)				
G 754	(d) adopt the assessment of performance of the Executive Board referred to in Article 61(2);	*deleted*	~~*(d) adopt the assessment of performance of the Executive Board referred to in Article 61(2);*~~	*deleted*
Article 57(1), point (e)				
G *755*	*(e)* adopt and make public its Rules of Procedure;	(e) adopt and make public its Rules of Procedure;	(e) adopt and make public its Rules of Procedure;	(e) adopt and make public its Rules of Procedure;

OBTAINED BY CONTEXTE

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 57(1), point (f)				
756	(f) appoint the members of the Technology Committee, and of any other advisory group it may establish;	(f) appoint the members of the Technology Committee, ***of the Victims' Consultative Forum*** and of any other advisory group it may establish;	(f) appoint the members of the Technology Committee, and of any other advisory group it may establish;	(f) appoint the members of the Technology Committee, ***of the Victims Consultative Forum*** and of any other advisory group it may establish; Text Origin: EP Mandate
Article 57(1), point (fa)				
756a			***(fa) consult the Victims Board in all cases where, in the performance of its tasks pursuant to points (a) and (h), interests of victims are concerned;***	***(fa) consult the Victims Consultative Forum with regards to the obligations referred to in points (aa) and (h) of this Article.***
Article 57(1), point (fb)				
756b		***(fa) designate the Fundamental Rights Officer referred to in Article 66b;***		***(fb) designate the Fundamental Rights Officer referred to in Article 66b;*** Text Origin: EP Mandate
Article 57(1), point (g)				
757	(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;	(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;	~~(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;~~	(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; ITM (12.10.): subject to agreement on detection package.

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 57(1), point (h)				
758	(h) adopt and regularly update the communication and dissemination plans referred to in Article 77(3) based on an analysis of needs.	(h) adopt and regularly update the communication and dissemination plans referred to in Article 77(3) based on an analysis of needs.	(h) adopt and regularly update the communication and dissemination plans referred to in Article 77(3) based on an analysis of needs~~.~~**;**	(h) adopt and regularly update the communication and dissemination plans referred to in Article 77(3) based on an analysis of needs~~.~~**;** Text Origin: Council Mandate
Article 57(1), point (ha)				
758a			***(ha) adopt, by 30 November of each year, the draft Single Programming Document, and shall transmit it for information to the European Parliament, the Council and the Commission by 31 January the following year, as well as any other updated version of the document;***	*deleted*
Article 57(1), point (hb)				
758b		***(ha) consult the Victims' Rights and Survivors Consultative Forum as regards the obligations referred to in points (aa) and (h) of this Article.***		*deleted*
Article 57(1), point (hc)				
758c			***(hb) adopt the draft annual budget of the EU Centre and exercise other functions in respect of the EU Centre's budget;***	*deleted*
Article 57(1), point (hd)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
758d		***(hb) authorise the conclusion of memoranda of understanding referred to in Article 53(3) and Article 54(2).***		***(hd) authorise the conclusion of memoranda of understanding referred to in Articles 53(3), 53a(2) and 54(2);***
Article 57(1), point (he)				
758e			***(hc) assess and adopt a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and send it, by 1 July of each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make the consolidated annual activity report public;***	*deleted*
Article 57(1), point (hf)				
758f			***(hd) adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations, and a strategy for the organisational management and internal control systems;***	*deleted*
Article 57(1), point (hg)				
758g			***(he) With respect to the powers referred to in paragraph 2, 1 points (af) and (ag) of this Article, the Management Board shall adopt, in accordance with Article 110(2) of***	***(hg) With respect to the powers mentioned in paragraph 2 point (m) and (n), the Management Board shall adopt, in accordance with Article 110(2) of the Staff***

OBTAINED BY TRENDWATCHING

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to sub-delegate those powers.	***Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to sub-delegate those powers.***
Article 57(1), point (hh)				
G 758h				***(hh) In exceptional circumstances, the Management Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director;***
Article 57(1), point (hi)				
G 758i			***(hf) exercise, with respect to the staff of the EU Centre, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the EU Centre Empowered to Conclude a Contract of Employment[1] ("the appointing authority powers");*** ***1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of***	*deleted*

.contexto OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)	
Article 57(1), point (hj)				
758j			***(hg) adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110(2) of the Staff Regulations;***	*deleted*
Article 57(1), point (hk)				
758k			***(hh) appoint the Executive Director and remove him/her from office, in accordance with Article 65;***	*deleted*
Article 57(1), point (hl)				
758l			***(hi)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;***	*deleted*
Article 57(1), point (hm)				
758m			***(hj)ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European***	***(hm) ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European***

contox OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Anti-Fraud Office (OLAF);	***Anti-Fraud Office (OLAF) and from the European Public Prosecutor's Office (EPPO);*** Text Origin: CY Acting Pcy2
Article 57(1a)				
G 758n				***1a. The Management Board may establish an Executive Board composed of [up to four/five] representatives of the Management Board, including its chairperson, and a representative of the Commission, to assist it and the Executive Director with regard to:*** ***(a) ensuring adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from OLAF investigations;*** ***(b) deciding on matters provided for in the financial rules adopted pursuant to Article 68 that are not reserved to the Management Board by this Regulation;*** ***(c) monitoring and supervising the implementation of the decisions of the Management Board, with a view to reinforcing supervision of administrative and budgetary management; and*** ***(d) taking certain provisional decisions on administrative matters, including the suspension of the***

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				delegation of the appointing authority powers and budgetary matters on behalf of the Management Board, when necessary because of urgency. ***If established, the Executive Board shall adopt (a) rules for the prevention and management of conflicts of interest in respect of its members, and (b) its rules of procedure. The Executive Board shall take decisions by absolute majority of its members.***
Article 57(1a), point (a)				
G	758o		***(hk) adopt the financial rules applicable to the EU Centre;***	*deleted*
Article 57(1a), point (b)				
G	*758p*		***(hl)take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification;***	*deleted*
Article 57(1a), point (c)				
G	*758q*		***(hm) appoint a Data Protection Officer;***	*deleted*
Article 57(1a), point (d)				
G	*758r*		***(hn) adopt internal guidelines further specifying the procedures for the processing of information in accordance with Article 51, after***	*deleted*

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			consulting the European Data Protection Supervisor;	
Article 57(1a), point (e)				
758s			***(ho) authorise the conclusion of memoranda of understanding referred to in Articles 53(3), 53a(2) and 54(2);***	*deleted*
Article 57(1a), point (f)				
758t			***(hp) authorise the conclusion of working arrangements referred to in Article 54a.***	*deleted*
Article 57(1b)				
758u			***1a. With respect to the powers mentioned in paragraph 2 point (m) and (n), the Management Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to sub-delegate those powers.***	*deleted*
Article 57(1c)				
758v			***1b. In exceptional circumstances, the Management Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by***	*deleted*

contexte OBTAINED BY EDRi

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.	
Article 57(1d)				
758w		***1a. With respect to the powers referred to in paragraph 2, 1 points (af) and (ag) of this Article, the Management Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to subdelegate those powers.***		*deleted*
Article 57(1e)				
758x		***1b. In exceptional circumstances, the Management Board may decide to temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.***		*deleted*
Article 58				
759	Article 58 Chairperson of the Management	Article 58 Chairperson of the Management	Article 58 Chairperson of the Management	Article 58 Chairperson of the Management

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Board	Board	Board	Board ITM 15.01 (Arts. 40 to 57) Text Origin: Commission Proposal
Article 58(1), first subparagraph				
760	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board.	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board.	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board.	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board. Text Origin: Commission Proposal
Article 58(1), second subparagraph				
761	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 ~~*if he/she is prevented from attending to his/her duties*~~***when necessary***.	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 ~~*if he/she is prevented from attending to his/her duties*~~***in his/her absence***. Text Origin: Commission Proposal
Article 58(2)				
762	2.The term of office of the Chairperson and the deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall	2.The term of office of the Chairperson and the deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall	2.The term of office of the Chairperson and the Deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall	2.The term of office of the Chairperson and the deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall

OBTAINED BY ARTICLE 19

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	automatically expire on that date.	automatically expire on that date.	automatically expire on that date.	automatically expire on that date. Text Origin: Commission Proposal
Article 58(2a)				
762a			***2a. The detailed procedure for the election of the Chairperson and the Deputy Chairperson shall be set out in the rules of procedure of the Management Board.***	***2a. The detailed procedure for the election of the Chairperson and the Deputy Chairperson shall be set out in the rules of procedure of the Management Board.*** Text Origin: Council Mandate
Article 59				
763	Article 59 Meetings of the Management Board	Article 59 Meetings of the Management Board	Article 59 Meetings of the Management Board	Article 59 Meetings of the Management Board Text Origin: Commission Proposal
Article 59(1)				
764	1.The Chairperson shall convene the meetings of the Management Board.	1.The Chairperson shall convene the meetings of the Management Board.	1.The Chairperson shall convene the meetings of the Management Board.	1.The Chairperson shall convene the meetings of the Management Board. Text Origin: Commission Proposal
Article 59(2)				
765	2.The Executive Director shall take part in the deliberations, without the right to vote.	2.The Executive Director shall take part in the deliberations, without the right to vote.	2.The Executive Director shall take part in the deliberations, without the right to vote.	2.The Executive Director shall take part in the deliberations, without the right to vote. Text Origin: Commission Proposal
Article 59(3)				
766	3.The Management Board shall hold at least two ordinary meetings a	3.The Management Board shall hold at least two ordinary meetings a	3.The Management Board shall hold at least two ordinary meetings a	3.The Management Board shall hold at least two ordinary meetings a

coreu OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.	year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.	year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.	year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members. Text Origin: Commission Proposal
Article 59(4)				
G 767	4.The Management Board may invite any person whose opinion may be of interest to attend its meetings as an observer.	4.The Management Board may invite any person whose opinion may be of interest to attend its meetings as an observer ***on matters related to a specific item on the Management Board's agenda***.	4.The Management Board may invite any person whose opinion may be of interest to attend its meetings as an observer, ***including representatives of the Victims Board***.	4.The Management Board may invite any person whose opinion may be ~~*of interest*~~***relevant for the discussion*** to attend its ~~*meetings as an*~~***meeting as a non-voting*** observer ***on matters related to a specific item on the Management Board's agenda, including Europol***. ***The Management Board shall invite the Technology Committee and the Victims Consultative Forum as observers to meetings on matters concerning these bodies' tasks under this Regulation.*** Text Origin: EP Mandate
Article 59(5)				
G 768	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts.	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts.	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts, ***including representatives of the Victims Board***.	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts. Text Origin: EP Mandate
Article 59(6)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
769	6.The EU Centre shall provide the secretariat for the Management Board.	6.The EU Centre shall provide the secretariat for the Management Board.	6.The EU Centre shall provide the secretariat for the Management Board.	6.The EU Centre shall provide the secretariat for the Management Board. Text Origin: Commission Proposal
Article 60				
770	Article 60 Voting rules of the Management Board	Article 60 Voting rules of the Management Board	Article 60 Voting rules of the Management Board	Article 60 Voting rules of the Management Board Text Origin: Commission Proposal
Article 60(1)				
771	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members.	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members.	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members ***with voting rights***.	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members ***with voting rights***. Text Origin: Council Mandate
Article 60(2)				
772	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***, including the Chairperson and the Deputy Chairperson,*** shall have one vote. In the absence of a member, ~~his/her~~***the*** alternate ***member*** shall be entitled to exercise ~~his/her~~***the*** right to vote.	2.Each member shall have one vote. In the absence of a member ***with the right to vote***, his/her alternate shall be entitled to exercise his/her right to vote.	2.Each member***, including the Chairperson and the Deputy Chairperson,*** shall have one vote. In the absence of a member ***with the right to vote***, his/her alternate shall be entitled to exercise his/her right to vote. Text Origin: Council Mandate
Article 60(3)				
773	3.The Executive Director shall not take part in the voting.	3.The Executive Director shall not take part in the voting.	3.The Executive Director shall not take part in the voting.	3.The Executive Director shall not take part in the voting.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 60(4)				
774	4.The Management Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	4.The Management Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	4.The Management Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	4.The Management Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member. Text Origin: Commission Proposal
2				
775	2 Part 2: Executive Board	2 Part 2: Executive Board		*deleted*
Article 61				
776	Article 61 Composition and appointment of the Executive Board	Article 61 Composition and appointment of the Executive Board	*deleted*	*deleted*
Article 61(1), first subparagraph				
777	*1.*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	1.The Executive Board shall be ***gender-balanced and*** composed of the Chairperson and the Deputy Chairperson of the Management Board, ~~*two*~~***three*** other members appointed by the Management Board from among its members with the right to vote ~~*and*~~, two representatives of the Commission ***and the independent representative of the European Parliament*** to the	*deleted*	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Chairperson of the Executive Board.	Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board. ***All parties shall ensure that gender balance between men and women is achieved on the Executive Board.***		
Article 61(1), second subparagraph				
778	The Executive Director shall participate in meetings of the Executive Board without the right to vote.	The Executive Director shall participate in meetings of the Executive Board without the right to vote. ***The Executive Board may invite other observers to attend its meetings.***	*deleted*	*deleted*
Article 61(2)				
779	*2.*The term of office of members of the Executive Board shall be four years. In the course of the 12 months preceding the end of the four-year term of office of the Chairperson and five members of the Executive Board, the Management Board or a smaller committee selected among Management Board members including a Commission representative shall carry out an assessment of performance of the Executive Board. The assessment shall take into account an evaluation of the Executive Board members' performance and the EU Centre's future tasks and challenges. Based on the assessment, the Management Board may extend their term of	2.The term of office of members of the Executive Board shall be four years. ~~*In the course of the 12 months preceding the end of the four-year term of office of the Chairperson and five members of the Executive Board, the Management Board or a smaller committee selected among Management Board members including a Commission representative shall carry out an assessment of performance of the Executive Board. The assessment shall take into account an evaluation of the Executive Board members' performance and the EU Centre's future tasks and challenges. Based on the assessment, the Management Board may extend their term of*~~	*deleted*	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	office once.	~~*office once.*~~		
Article 62				
780	Article 62 Tasks of the Executive Board	Article 62 Tasks of the Executive Board	*deleted*	*deleted*
Article 62(1)				
781	*1.* The Executive Board shall be responsible for the overall planning and the execution of the tasks conferred on the EU Centre pursuant to Article 43. The Executive Board shall adopt all the decisions of the EU Centre with the exception of the decisions that shall be taken by the Management Board in accordance with Article 57.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2)				
782	*2.* In addition, the Executive Board shall have the following tasks:	2. ~~*In addition,*~~ The Executive Board shall have the following tasks:	*deleted*	*deleted*
Article 62(2), point (a)				
783	*(a)* adopt, by 30 November of each year, on the basis of a proposal by the Executive Director, the draft Single Programming Document, and shall transmit it for information to the European Parliament, the Council and the Commission by 31 January the following year, as well as any other updated version of the document;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (b)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
784	*(b)* adopt the draft annual budget of the EU Centre and exercise other functions in respect of the EU Centre's budget;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (c)				
785	*(c)* assess and adopt a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and send it, by 1 July each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make the consolidated annual activity report public;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (d)				
786	*(d)* adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations, and a strategy for the organisational management and internal control systems	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (e)				
787	*(e)* adopt rules for the prevention and management of conflicts of interest in respect of its members;	(e) adopt rules for the prevention and management of conflicts of interest in respect of its members;	*deleted*	*deleted*
Article 62(2), point (f)				

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 788	*(f)* adopt its rules of procedure;	(f) adopt its rules of procedure;	*deleted*	*deleted* G
Article 62(2), point (g)				
G 789	*(g)* exercise, with respect to the staff of the EU Centre, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the EU Centre Empowered to Conclude a Contract of Employment[1] ("the appointing authority powers"); 1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal* G
Article 62(2), point (h)				
G 790	*(h)* adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110(2) of the Staff Regulations;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal* G
Article 62(2), point (i)				
G 791	*(i)* appoint the Executive Director and remove him/her from office, in accordance with Article 65;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal* G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 62(2), point (j)				
792	*(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;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (k)				
793	*(k)* ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF);	(k) ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF);	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (l)				
794	*(l)* adopt the financial rules applicable to the EU Centre;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (m)				
795	*(m)* take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification.	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (n)				
796	*(n)* appoint a Data Protection Officer;	*deleted*	*deleted*	*deleted* Text Origin: Commission

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 62(2), point (o)				
797	*(o)* adopt internal guidelines further specifying the procedures for the processing of information in accordance with Article 51, after consulting the European Data Protection Supervisor;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (p)				
798	*(p)* authorise the conclusion of memoranda of understanding referred to in Article 53(3) and Article 54(2).	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (pa)				
798a		***(pa) decide on matters provided for in the financial rules adopted pursuant to Article 68 that are not reserved to the Management Board by this Regulation;***		*deleted*
Article 62(2), point (pb)				
798b		***(pb) without prejudice to the responsibilities of the Executive Director, as set out in Article 64, monitor and supervise the implementation of the decisions of the Management Board, with a view to reinforcing supervision of administrative and budgetary management.***		*deleted*
Article 62(3)				
799	*3.* With respect to the powers			

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	mentioned in paragraph 2 point (g) and (h), the Executive Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to sub-delegate those powers.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(4)				
800	*4.*In exceptional circumstances, the Executive Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(5)				
801	*5.*Where necessary because of urgency, the Executive Board may take certain provisional decisions on behalf of the Management Board, in particular on administrative management matters, including the suspension of the delegation of the appointing authority powers and budgetary matters.	5.Where necessary because of urgency, the Executive Board may take certain provisional decisions on behalf of the Management Board, in particular on administrative management matters, including the suspension of the delegation of the appointing authority powers and budgetary matters.	*deleted*	*deleted*
Article 63				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
802	Article 63 Voting rules of the Executive Board	Article 63 Voting rules of the Executive Board	*deleted*	*deleted*
Article 63(1)				
803	*1.* The Executive Board shall take decisions by simple majority of its members. Each member of the Executive Board shall have one vote. The Chairperson shall have a casting vote in case of a tie.	1. The Executive Board shall take decisions by simple majority of its members. Each member of the Executive Board shall have one vote. The Chairperson shall have a casting vote in case of a tie.	*deleted*	*deleted*
Article 63(2), first subparagraph				
804	*2.* The representatives of the Commission shall have a right to vote whenever matters pertaining to Article 62(2), points (a) to (l) and (p) are discussed and decided upon. For the purposes of taking the decisions referred to in Article 62(2), points (f) and (g), the representatives of the Commission shall have one vote each. The decisions referred to in Article 62(2), points (b) to (e), (h) to (l) and (p), may only be taken if the representatives of the Commission casts a positive vote. For the purposes of taking the decisions referred to in Article 62(2), point (a), the consent of the representatives of the Commission shall only be required on the elements of the decision not related to the annual and multi-annual working programme of the EU Centre.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 63(2), second subparagraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
805	The Executive Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	*deleted*	*deleted*	*deleted*
3				
806	*3* Part 3: Executive Director	3 Part 3: Executive Director	3 Part 3: Executive Director	3 Part 3: Executive Director Text Origin: Commission Proposal
Article 64				
807	Article 64 Responsibilities of the Executive Director	Article 64 Responsibilities of the Executive Director	Article 64 Responsibilities of the Executive Director	Article 64 Responsibilities of the Executive Director Text Origin: Commission Proposal
Article 64(1)				
808	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board.	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board.	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board.	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board. Text Origin: Commission Proposal
Article 64(1a)				
808a		***1a. Without prejudice to the powers of the Commission, of the Management Board and of the Executive Board, the Executive Director shall be independent in the performance of the duties and shall***		***1a. Without prejudice to the powers of the Commission and of the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		neither seek nor take instructions from any government nor from any other body.		***from any government nor from any other body.*** Provisionally agreed (Trilogue 26.02) Text Origin: EP Mandate
Article 64(2)				
809	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.	2.The Executive Director shall report to the European Parliament on the performance of ~~his/her~~***the Executive Director's*** duties when invited to do so. The Council may invite the Executive Director to report on the performance of ~~his/her~~***the Executive Director's*** duties.	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.	2.The Executive Director shall report to the European Parliament on the performance of ~~his/her~~***the Executive Director's*** duties when invited to do so. The Council may invite the Executive Director to report on the performance of ~~his/her~~***the Executive Director's*** duties. Text Origin: EP Mandate
Article 64(3)				
810	3.The Executive Director shall be the legal representative of the EU Centre.	3.The Executive Director shall be the legal representative of the EU Centre.	3.The Executive Director shall be the legal representative of the EU Centre.	3.The Executive Director shall be the legal representative of the EU Centre. Text Origin: Commission Proposal
Article 64(4)				
811	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for:	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for:	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for:	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for: Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 64(4), point (a)				
812	(a) the day-to-day administration of the EU Centre;	(a) the day-to-day administration of the EU Centre;	(a) the day-to-day administration of the EU Centre;	(a) the day-to-day administration of the EU Centre; Text Origin: Commission Proposal
Article 64(4), point (b)				
813	(b) preparing decisions to be adopted by the Management Board;	(b) preparing decisions to be adopted by the Management Board;	(b) preparing decisions to be adopted by the Management Board;	(b) preparing decisions to be adopted by the Management Board; Text Origin: Commission Proposal
Article 64(4), point (c)				
814	(c) implementing decisions adopted by the Management Board;	(c) implementing decisions adopted by the Management Board;	(c) implementing decisions adopted by the Management Board;	(c) implementing decisions adopted by the Management Board; Text Origin: Commission Proposal
Article 64(4), point (d)				
815	(d) preparing the Single Programming Document and submitting it to the Executive Board after consulting the Commission;	(d) preparing the Single Programming Document and submitting it to the ~~Executive~~***Management*** Board after consulting the Commission;	(d) preparing the Single Programming Document and submitting it to the ~~Executive~~ ***Management*** Board after consulting the Commission;	(d) preparing the Single Programming Document and submitting it to the ~~Executive~~***Management*** Board after consulting the Commission; Text Origin: EP Mandate
Article 64(4), point (e)				
816	(e) implementing the Single Programming Document and reporting to the Executive Board on its implementation;	(e) implementing the Single Programming Document and reporting to the ~~Executive~~***Management*** Board on its implementation;	(e) implementing the Single Programming Document and reporting to the ~~Executive~~ ***Management*** Board on its implementation;	(e) implementing the Single Programming Document and reporting to the ~~Executive~~***Management*** Board on its implementation; Text Origin: EP Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 64(4), point (ea)				
816a		***(ea) implementing gender mainstreaming and gender budgeting in all areas, including drafting a gender action plan (GAP);***		*deleted*
Article 64(4), point (f)				
817	*(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;	(f) preparing the Consolidated Annual Activity Report (CAAR) on the EU Centre's activities ***including the activities of the Technology Committee and the Victims' Rights and Survivors Consultative Forum*** and presenting it to the ~~*Executive*~~***Management*** Board for assessment and~~–~~ adoption;	(f) preparing the Consolidated Annual Activity Report ~~*(CAAR)*~~ on the EU Centre's activities and presenting it to the ~~*Executive*~~ ***Management*** Board for assessment and~~–~~ adoption;	(f) preparing the Consolidated Annual Activity Report ~~*(CAAR)*~~ on the EU Centre's activities ***including the activities of the Technology Committee and the Victims Consultative Forum*** and presenting it to the ~~*Executive*~~***Management*** Board for assessment and~~–~~ adoption; Text Origin: EP Mandate
Article 64(4), point (g)				
818	(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;	(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***, the European Parliament*** and regularly to the Management Board and the Executive Board;	(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*~~;	(g) preparing an action plan following-up ***on*** 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)*~~ ***OLAF and EPPO*** and reporting on progress twice a year to the Commission, and regularly to the Management Board ~~*and the Executive Board*~~; Text Origin: EP Mandate
Article 64(4), point (h)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
819	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative, including financial penalties;	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative, including financial penalties;	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and~~, where appropriate, by imposing effective, proportionate and dissuasive administrative, including financial penalties;~~ ***by reporting any criminal conduct in respect of which the EPPO could exercise its competence in accordance with Article 24 of Regulation (EU) 2017/1939.***	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative ***penalties***, including financial penalties; Text Origin: CY Acting Pcy2
Article 64(4), point (i)				
820	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the Executive Board for approval;	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the ~~Executive~~***Management*** Board for approval;	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the ~~Executive~~ ***Management*** Board for approval;	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the ~~Executive~~***Management*** Board for approval; Text Origin: EP Mandate
Article 64(4), point (j)				
821	(j) preparing draft financial rules	(j) preparing draft financial rules	(j) preparing draft financial rules	(j) preparing draft financial rules

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	applicable to the EU Centre;	applicable to the EU Centre;	applicable to the EU Centre;	applicable to the EU Centre; Text Origin: Commission Proposal
Article 64(4), point (k)				
G 822	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget;	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget;	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget;	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget; Text Origin: Commission Proposal
Article 64(4), point (l)				
G 823	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding.	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding.	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding.	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding. Text Origin: Commission Proposal
Article 64(4), point (m)				
G 824	(m) implementing the annual work programme of the EU Centre under the control of the Executive Board;	(m) implementing the annual work programme of the EU Centre under the control of the ~~*Executive*~~***Management*** Board;	(m) implementing the annual work programme of the EU Centre under the control of the ~~*Executive*~~ ***Management*** Board;	(m) implementing the annual work programme of the EU Centre under the control of the ~~*Executive*~~***Management*** Board; Text Origin: EP Mandate
Article 64(4), point (n)				
G 825	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;	the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;	the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;	the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67; Text Origin: Commission Proposal
Article 64(4), point (o)				
826	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters;	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters;	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters;	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters; Text Origin: Commission Proposal
Article 64(4), point (p)				
827	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance.	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance.	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance.	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance. Text Origin: Commission Proposal
Article 64(4), point (pa)				
827a		***(pa) authorise the conclusion of memoranda of understanding, others than the referred to in Article 53(3) and Article 54(2), after having informed the Management Board.***		*deleted*
Article 64(5)				
828	*5.*Where exceptional circumstances so require, the Executive Director may decide to locate one or more	5.Where exceptional circumstances so require, the Executive Director may decide to locate one or more	5.Where exceptional circumstances so require, the Executive Director may decide to locate one or more	5.Where exceptional circumstances so require, the Executive Director may decide to locate one or more

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EXAMINED BY THE EU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner. Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded.	staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner ***according to the principles of good governance***. Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded.	staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner. Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded.	staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner ***according to the principles of good administration***. Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded. Text Origin: EP Mandate
Article 64(5a)				
828a			***5a. Without prejudice to the powers of the Commission and of the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.***	*deleted*
Article 65				

COTEAE OBTAINED BY THE COUNCIL

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
829	Article 65 Executive Director	Article 65 Executive Director	Article 65 Executive Director	Article 65 Executive Director Text Origin: Commission Proposal
Article 65(1)				
830	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants.	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants.	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants.	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants. Text Origin: Commission Proposal
Article 65(2)				
831	2.The Executive Director shall be appointed by the Executive Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure.	2.The Executive Director shall be appointed by the ~~*Executive*~~***Management*** Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure. ***Before appointment, the candidates proposed by the Commission shall be invited to make a statement before the competent committee or committees of the European Parliament and answer questions put by its or their members. Following such statements, the European Parliament shall adopt an opinion setting out its views and may indicate a preferred candidate. The Management Board shall appoint by common accord with the European Parliament the Executive***	2.The Executive Director shall be appointed by the ~~*Executive*~~***Management*** Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure.	2.The Executive Director shall be appointed by the ~~*Executive*~~***Management*** Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure. ***Before appointment, the candidates proposed by the Commission shall be invited to make a statement before the competent committee or committees of the European Parliament and answer questions put by its or their members. Following such statements, the European Parliament shall adopt an opinion setting out its views and may indicate a preferred candidate.*** Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Director.		
Article 65(3)				
832	3.For the purpose of concluding the contract with the Executive Director, the EU Centre shall be represented by the Chairperson of the Executive Board.	3.For the purpose of concluding the contract with the Executive Director, the EU Centre shall be represented by the Chairperson of the ~~*Executive*~~***Management*** Board.	3.For the purpose of concluding the contract with the Executive Director, the EU Centre shall be represented by the Chairperson of the ~~*Executive*~~ ***Management*** Board.	3.For the purpose of concluding the contract with the Executive Director, the EU Centre shall be represented by the Chairperson of the ~~*Executive*~~***Management*** Board. Text Origin: EP Mandate
Article 65(4)				
833	4.The term of office of the Executive Director shall be five years. Six months before the end of the Executive Director's term of office, the Commission shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges.	4.The term of office of the Executive Director shall be five years.~~*Six months before the end of the Executive Director's term of office, the Commission shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges.*~~	4.The term of office of the Executive Director shall be five years. Six months before the end of the Executive Director's term of office, the ***Management Board, with the support of the*** Commission, shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges.	4.The term of office of the Executive Director shall be five years. Six months before the end of the Executive Director's term of office, the ***Management Board, with the support of the*** Commission, shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges. Text Origin: Council Mandate
Article 65(5)				
834	5.The Executive Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five years.	5.The ~~*Executive*~~***Management*** Board, acting on a proposal from the Commission ~~*that takes into account the assessment referred to in paragraph 3,*~~ may extend the term of office of the Executive Director once, for no more than five years.	5.The ~~*Executive*~~ ***Management*** Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five years.	5.The ~~*Executive*~~ ***Management*** Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph ~~*3*~~***4***, may extend the term of office of the Executive Director once, for no more than five years. Text Origin: Council Mandate
Article 65(6)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
835	6.An Executive Director whose term of office has been extended may not participate in another selection procedure for the same post at the end of the overall period.	6.An Executive Director whose term of office has been extended ~~may~~***shall*** not participate in another selection procedure for the same post at the end of the overall period.	6.An Executive Director whose term of office has been extended may not participate in another selection procedure for the same post at the end of the overall period.	6.An Executive Director whose term of office has been extended ~~may~~***shall*** not participate in another selection procedure for the same post at the end of the overall period. Text Origin: EP Mandate
Article 65(7)				
836	7.The Executive Director may be dismissed only upon a decision of the Executive Board acting on a proposal from the Commission.	7.The Executive Director may be dismissed only upon a decision of the ~~Executive~~***Management*** Board acting on a proposal from the Commission.	7.The Executive Director may be dismissed only upon a decision of the ~~Executive~~ ***Management*** Board ~~acting on a proposal from the Commission~~.	7.The Executive Director may be dismissed only upon a decision of the ~~Executive~~***Management*** Board, acting on ***either*** a proposal from the Commission ***or on a request submitted by at least one third of the voting members of the Management Board***. Text Origin: EP Mandate
Article 65(8)				
837	8.The Executive Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights.	8.The ~~Executive~~***Management*** Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights.	8.The ~~Executive~~ ***Management*** Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights.	8.The ~~Executive~~ ***Management*** Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights. Text Origin: Council Mandate
Subsection 5: Technology Committee				
838	Subsection 5: Technology Committee	Subsection 5: Technology Committee	Subsection 5: ~~Technology Committee~~ ***Technology Committee and Victims Board***	Subsection 5: ~~Technology Committee~~ ***Technology Committee and Victims Consultative Forum*** Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 66				
839	Article 66 Establishment and tasks of the Technology Committee	Article 66 Establishment and tasks of the Technology Committee	Article 66 Establishment and tasks of the Technology Committee	Article 66 Establishment and tasks of the Technology Committee Text Origin: Commission Proposal
Article 66(1)				
840	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.	1.The Technology Committee shall consist of technical experts ***on all matters related to the technologies relevant for the purposes of this Regulation*** appointed by the Management Board in view of their excellence and their independence, ***ensuring that gender balance is respected***, following the publication of a call for expressions of interest in the Official Journal of the European Union.	1.The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence ~~and~~, their independence, ***and particular area of expertise, to ensure a complete and varied set of skills and expertise*** following the publication of a call for expressions of interest in the Official Journal of the European Union.	1.The Technology Committee shall consist of ~~technical~~ experts ***on matters related to the technologies relevant for the purposes of this Regulation,*** appointed by the Management Board in view of their excellence ***in a particular area*** and their independence, ~~following the publication of~~ ***to ensure a complete and varied set of skills and expertise.*** A call for expressions of interest ***for the members of Technology Committee shall be published*** in the Official Journal of the European Union. Text Origin: Council Mandate
Article 66(1a)				
840a			***Member States may nominate up to four technical experts each, of which the Management Board shall select a maximum of two per Member State.***	***In response to that call for expressions of interest, each Member State shall nominate one or more candidates that meet the requirements set out in the first subparagraph. From among the candidates nominated by each Member State, the Management Board shall appoint one member***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				per Member State. Text Origin: Council Mandate
Article 66(1b)				
840b			***The Commission and Europol may nominate up to two technical experts each, from which the Management Board shall select one of each.***	*deleted* Text Origin: Council Mandate
Article 66(1c)				
840c			***The Management Board may appoint up to eleven additional experts beyond those nominated by Member States, or appointed by the Commission and Europol. These experts nominated by Member States are not seconded national experts but experts mandated by Member States to perform technical expertise missions on an ad hoc basis upon request by the Management Board.***	***To ensure the required range of expertise, the Management Board may appoint up to five additional members from individual experts who responded to the call for expressions of interest and meet the requirements set out in the first subparagraph.*** Text Origin: Council Mandate
Article 66(1d)				
840d			***The experts of the Technology Committee shall act in the general interest, observing the principles of neutrality and transparency.***	*deleted* Text Origin: Council Mandate
Article 66(1e)				
840e			***1a. The Technology Committee shall be organised in working groups specialised in assessing specific categories of technologies***	*deleted* Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			or types of technologies used to prevent and combat online child sexual abuse. Those working groups may call on external experts on an ad hoc basis.	
Article 66(2)				
841	*2.*Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public. Text Origin: Commission Proposal
Article 66(3)				
842	3.The members of the Committee shall be independent and shall act in the public interest. The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	3.The members of the Committee shall be independent and shall act in the public interest. The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	3.~~*The members of the Committee shall be independent and shall act in the public interest.*~~ The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	3.The members of the Committee shall ~~*be independent and shall*~~ act in the ~~*public*~~***general*** interest***, observing the principles of neutrality and transparency***.~~–~~ The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website. Text Origin: Commission Proposal
Article 66(4)				
843	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	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	4.When a member no longer meets the criteria of ~~*independence*~~***acting in the general interest, neutrality or transparency in the framework of his/her mandate*** , he or she shall	4.When a member no longer meets the criteria of ~~*independence*~~***acting in the general interest, neutrality or transparency in the framework of his/her mandate*** , he or she shall

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	a proposal of at least one third of its members or of the Commission, 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 for ordinary members.	inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or ~~of~~ ***the member appointed by*** the Commission, ~~a lack of independence~~ ***that the member is no longer acting in the general interest, or that he or she does not meet the neutrality or transparency criteria*** and revoke the ~~person~~***appointment of that member. In that case, a replacement shall be appointed for the remainder of the mandate of the member*** concerned~~. The Management Board shall appoint a new member for the remaining term of office~~ in accordance with the procedure ~~for ordinary members~~***described in paragraph 1*** .	inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or ~~of~~ ***the member appointed by*** the Commission, ~~a lack of independence~~ ***that the member is no longer acting in the general interest, or that he or she does not meet the neutrality or transparency criteria*** and revoke the ~~person~~***appointment of that member. In that case, a replacement shall be appointed for the remainder of the mandate of the member*** concerned~~. The Management Board shall appoint a new member for the remaining term of office~~ in accordance with the procedure ~~for ordinary members~~***described in paragraph 1*** . Text Origin: Council Mandate
Article 66(5)				
G 844	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be renewable once.	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be 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, the member shall be replaced for the remainder of the term by a member appointed by the***	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be renewable once.	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be 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 the term of office, the member shall be replaced for the remainder of the term by a new member appointed by the*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Management Board.		***Management Board.*** Text Origin: EP Mandate
Article 66(6)				
845	6.The Technology Committee shall	6.The Technology Committee shall	6.The Technology Committee shall	6.The Technology Committee shall Text Origin: Commission Proposal
Article 66(6), point (a)				
846	(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d);	(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d);	~~*(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d);*~~	(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d); ITM (12.10.): subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 66(6), point (aa)				
846a			***(aa) contribute to the EU Centre's activities related to the development, or facilitation of the development, of technologies to mitigate the risk of online child sexual abuse, in accordance with Article 50(1a);***	*deleted*
Article 66(6), point (b)				
847	*(b)* contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board, the Executive Board and the	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board, the Executive Board and the	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board, ~~*the Executive Board*~~ and the	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board~~,~~ ~~*the Executive Board*~~ and the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
	Executive Director, in respect of matters related to the use of technology;	Executive Director, in respect of matters related to the use of technology;	Executive Director, in respect of matters related to the use of technology;	Executive Director, in respect of matters related to the use of technology; Text Origin: EP Mandate	
Article 66(6), point (c)					
Y	848	(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.	(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.	(c) provide internally~~,~~ upon request, expertise on matters related to the use of technology for the ~~purposes of prevention and detection~~ ***purpose of mitigating the risk*** of child sexual abuse online~~.~~ ***;***	(c) provide internally, upon request, expertise on matters related to the use of technology for the purposes of prevention***, including risk mitigation,*** and detection of child sexual abuse online. ITM (12.10.) -Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate	Y
Article 66(6), point (ca)					
G	848a		***(ca) provide internally expertise after having involved the relevant working group or groups, on an ad hoc basis and at the request of the Management Board.***	***(ca) provide internally, upon request and on an ad hoc basis, expertise on any other matters related to technologies relevant under this Regulation.*** Text Origin: Council Mandate	G
Article 66(6), point (ca)					
G	848b		***(ca) introduce a regular reviewing and reporting process to assess and share expertise on the most recent technological innovations and developments related to detection technology.***		***(cb) provide the Management Board with regular reviews and assessments of the most recent technological innovations and developments relevant under this Regulation.***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: EP Mandate
Article 66 a				
848c		***Art. 66a*** ***Establishment and tasks of the Victims' Rights and Survivors Consultative Forum***	***Article 66a*** ***Appointment and tasks of the Victims Board***	***Article 66a*** ***Establishment and tasks of the Victims Consultative Forum*** Recital: Include reference to 'survivors in recitals (EP request) Text Origin: EP Mandate
Article 66(a), first paragraph				
848d		***1.The EU Centre shall establish a Consultative Forum to assist it by providing it with independent advice on victims related matters. The Consultative Forum shall act upon request of the Management Board or the Executive Director.***		***1.The EU Centre shall establish a Victims Consultative Forum to assist it through the provision of independent advice on victim related matters. The Consultative Forum shall act upon request of the Management Board or the Executive Director.*** Text Origin: EP Mandate
Article 66(a) second paragraph				
848e		***2.The Consultative Forum shall consist of a maximum of fifteen members. Members of the Consultative Forum will be appointed among victims of child sexual abuse and exploitation, both online and offline, as well as from representatives of organisations acting in the public interest against child sexual abuse and representing and promoting victims' and survivors' rights. They shall be***	***1.The Victims Board shall be comprised of adult victims of child sexual abuse and recognised experts in providing assistance to victims who, following a call for expressions of interest published in the Official Journal of the European Union, shall be appointed by the Management Board on the basis of their personal experience, expertise and independence.***	***2.The Victims Consultative Forum shall be composed of a maximum of fifteen members that are:*** ***(i) adults who were victims of child sexual abuse, (ii) experts in providing assistance or support to victims of child sexual abuse, and (iii) representatives of civil society organisations acting in the public interest against child sexual abuse and defending the rights of victims of child sexual abuse.***

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		appointed in view of their personal experience if applicable, expertise and scope of work by the Management Board following the publication of a call for expression of interest in the Official Journal of the European Union.		***The Management Board shall ensure that these groups are represented in the Victims Consultative Forum in a balanced way and appointed on the broadest possible geographical basis among nationals of Member States.*** ***The Members of the Victims Consultative Forum shall be appointed by the Management Board following a call for expressions of interest published in the Official Journal of the European Union, taking into account their experience, expertise and independence.***
Article 66(a) third paragraph				
G	848f	***3.Procedures concerning the appointment of the members of the Consultative Forum and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.***	***2.The procedures governing the appointment of the members of the Victims Board, its functioning and the conditions governing the transmission of information to the Victims Board shall be laid down in the Management Board's rules of procedure and shall be published.***	***3.The Management Board shall adopt and make public rules of procedure governing the appointment of the members of the Victims Consultative Forum and the transmission of information to the Victims Consultative Forum.***
Article 66(a) fourth paragraph				
G	848g	***4.The members of the Consultative Forum shall be independent and shall act in the public interest. The list of members of the Committee shall be made public and shall be updated by the EU Centre on its***	***3.The members of the Victims Board shall be independent in carrying out their tasks as members thereof and shall act in the interest of victims of online child sexual abuse. The EU Centre shall publish***	***4.The members of the Victims Consultative Forum shall be independent in carrying out their tasks and shall act in the interest of victims of child sexual abuse.***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		website.	***on its website and maintain updated the list of the members of the Victims Board.***	***The EU Centre shall publish on its website an updated list of the members of the Victims Consultative Forum in the case of individuals, only if they so consent.***	
Article 66(a) fifth paragraph					
G	848h	***5 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 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.***	***4.Members who cease to be independent shall inform the Management Board accordingly. In addition, the Management Board, at the proposal of at least one third of its members or of the member appointed by the Commission, may determine that a given member lacks sufficient independence and revoke the appointment. The Management Board shall appoint a replacement for the remainder of mandate of the member concerned, following the procedure referred to in paragraph 1.***	***5.Members who cease to be independent shall inform the Management Board.*** ***The Management Board, at the proposal of at least one third of its members or of the member appointed by the Commission, may determine that a given member lacks sufficient independence and revoke the appointment.*** ***The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.***	G
Article 66(a) sixth paragraph					
G	848i	***6 The mandates of members of the Victims' Rights and Survivors Consultative Forum shall be of four years. Those mandates shall be 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***	***5.The mandate of members of the Victims Board shall be four years. It may be renewed once by the Management Board.***	***6.The mandate of members of the Victims Consultative Forum shall be four years. It may be renewed once by the Management Board.*** ***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***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		of office, the member shall be replaced for the remainder of the term by a member appointed by the Management Board.		***before the expiry of the term of office, the member shall be replaced for the remainder of the term by a new member appointed by the Management Board.***
Article 66a(7)				
848j			***6.The Executive Director and the Management Board may consult the Victims Board in connection with all matters concerning victims of online child sexual abuse.***	*deleted*
Article 66(a) seventh paragraph				
848k		***7 The Consultative Forum shall:***	***7.The Victims Board has the following tasks:***	***7.The Victims Consultative Forum shall have the following tasks:***
Article 66a(7), point (a)				
848l			***(a) make the concerns of victims heard and represent their interests in connection to the work of the EU Centre;***	***(a) make the concerns of victims heard and represent their interests in connection to the work of the EU Centre;***
Article 66(a) seventh paragraph point b				
848m		***a provide the Management Board and the Executive Director with advice on any matter related to victims;***	***(b) advise the Management Board in matters referred to in Article 57 (1)(fa);***	***(b) provide the Management Board and the Executive Director with advice on any matter related to victims;***
Article 66(a) seventh paragraph point c				
848n		***b contribute to the EU Centre communication strategy referred to in Article 50 (5);***		***(c) contribute to the EU Centre communication strategy;***
Article 66(a) seventh paragraph point c				
848o		***c provide its opinion on the***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		technologies used to detect online child sexual abuse regarding their relevance to the conditions in which child sexual abuse is committed;		*deleted*
Article 66(a) seventh paragraph point d				
848p		***d maintain an open dialogue with the Management Board and the Executive Director on all matters related to victims, particularly on the protection of victims' rights;***	***(c) advise the Executive Director and the Management Board when consulted in accordance with paragraph 6;***	*deleted*
Article 66(a) seventh paragraph point f				
848q		***e contribute experience and expertise in preventing and combating child sexual abuse and victim support and assistance.***	***(d) contribute their experience and expertise to the work of the EU Centre as a knowledge hub as regards preventing and combating online child sexual abuse and assisting and supporting victims;***	***(f) contribute their experience and expertise to the work of the EU Centre as a knowledge hub with regards to preventing and combating child sexual abuse and to assisting and supporting victims of child sexual abuse;***
Article 66(a), point (g)				
848r			***(e) contribute to the work of the EU Centre in connection to European networks of victims of child sexual abuse.***	***(g) contribute to the cooperation of the EU Centre with networks of victims of child sexual abuse as set out in Article 54.***
Article 66(b)				
848s		***66b Fundamental Rights Officer***		***Article 66b Fundamental Rights Officer*** Text Origin: EP Mandate
Article 66(b) first paragraph				
848t		***1 1. The Management Board shall, upon a proposal of a list of three***		***1 The Management Board shall, upon a proposal made by the***

CONTEXT OBTAINED BY OBSERVATORY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		candidates made by the Executive Director, designate a Fundamental Rights Officer. The Fundamental Rights Officer may be a member of the existing staff of the EU Centre who received special training in fundamental rights law and practice.		***Executive Director, designate a Fundamental Rights Officer. The Fundamental Rights Officer may be a member of the existing staff of the EU Centre who received special training in fundamental rights law and practice.*** Text Origin: CY PCY - drafting	
Article 66(b) second paragraph					
G 848u		***2 The Fundamental Rights Officer shall perform the following tasks:***		***2 The Fundamental Rights Officer shall perform the following tasks:*** Text Origin: CY PCY - drafting	G
Article 66(b) second paragraph, point a					
G 848v		***(a) contribute to the EU Centre's fundamental rights strategy and the corresponding action plan, including by issuing recommendations for improving them;***		***(a) contribute to the EU Centre's fundamental rights strategy and the corresponding action plan, including by issuing recommendations for improving them;*** Text Origin: CY PCY - drafting	G
Article 66(b) second paragraph, point b					
G 848w		***(b) monitor the EU Centre's compliance with fundamental rights, including by conducting investigations into any of its activities;***		***(b) monitor the EU Centre's compliance with fundamental rights, including by conducting investigations into any of its activities;*** Text Origin: CY PCY - drafting	G
Article 66(b) second paragraph, point c					
G 848x		***(c) promote the EU Centre's***		***(c) promote the EU Centre's***	G

eTexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		respect of fundamental rights in the performance of its tasks;		***respect of fundamental rights in the performance of its tasks;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point d				
848y		***(d) advise the EU Centre where he or she deems it necessary or where requested on any activity of the EU Centre without impeding or delaying those activities;***		***(d) advise the EU Centre where he or she deems it necessary or where requested on any activity of the EU Centre without impeding or delaying those activities;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point e				
848z		***(e) provide non-binding opinions on working arrangements;***		***(e) provide non-binding opinions on working arrangements;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point f				
848aa		***(f) inform the Executive Director about possible violations of fundamental rights during activities of the EU Centre;***		***(f) inform the Executive Director about possible violations of fundamental rights during activities of the EU Centre;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point g				
848ab		***(g) perform any other tasks, where provided for by this Regulation.***		*deleted*
Article 66(b) third paragraph				
848ac		***3. The EU Centre shall ensure that the Fundamental Rights Officer does not receive any instructions***		***3. The EU Centre shall ensure that the Fundamental Rights Officer does not receive any instructions***

contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		regarding the exercise of his or her tasks and is able to act autonomously. The Fundamental Rights Officer shall have sufficient and adequate resources at his or her disposal necessary for the fulfilment of his or her tasks.		***regarding the exercise of his or her tasks and is able to act autonomously. The Fundamental Rights Officer shall have sufficient and adequate resources at his or her disposal necessary for the fulfilment of his or her tasks.*** Text Origin: CY PCY - drafting
Article 66(b) fourth paragraph,				
G 848ad		***4. The Fundamental Rights Officer shall report directly to the Executive Director and prepare annual reports on his or her activities, including the extent to which the activities of the EU Centre respect fundamental rights. Those reports shall be made available to the Management Board and a meaningful summary is made publicly available.***		***4. The Fundamental Rights Officer shall report directly to the Executive Director and prepare annual reports on his or her activities, including the extent to which the activities of the EU Centre respect fundamental rights. Those reports shall be made available to the Management Board and a meaningful summary is made publicly available.*** Text Origin: CY PCY - drafting
Article 66(b) fifth paragraph,				
G 848ae		***5 The Fundamental Rights Officer shall have access to all the appropriate information concerning respect for fundamental rights in all the activities of the Centre.***		***5 The Fundamental Rights Officer shall have access to all the appropriate information concerning respect for fundamental rights in all the activities of the Centre. The Fundamental Rights Officer shall keep the information in question confidential.*** Text Origin: CY PCY - drafting
Article 66(c)				

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OBTENU PAR · DETAINED BY

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	848af		***66 (c) Article 66c Budget***		*deleted*	G
	Article 66(c) first paragraph					
G	*848ag*		***1 1. Estimates of all revenue and expenditure for the EU Centre shall be prepared each financial year, which shall correspond to the calendar year, and shall be shown in the EU Centre's budget, which shall be balanced in terms of revenue and of expenditure.***		*deleted*	G
	Article 66(c) second paragraph					
G	*848ah*		***2 Without prejudice to other resources, the EU Centre's revenue shall comprise a contribution from the Union entered in the general budget of the Union.***		*deleted*	G
	Article 66(c) third paragraph					
G	*848ai*		***3 The EU Centre may benefit from Union funding in the form of delegation agreements or ad hoc grants in accordance with its financial rules referred to in Article 68 and with the provisions of the relevant instruments supporting the policies of the Union.***		*deleted*	G
	Article 66(c) fourth paragraph					
G	*848aj*		***4 The EU Centre's expenditure***			G

OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		shall include staff remuneration, administrative and infrastructure expenses, and operating costs, including the operating costs of the Technology Committee, the Victims' Rights and Survivors Consultative Forum and of any other advisory group it may establish for serving its purposes.		*deleted*
Article 66(c) fifth paragraph				
848ak		***5 Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments.***		*deleted*
Article 66(c) sixth paragraph				
848al		***6 The budget shall comply with the principle of gender mainstreaming and practice of gender budgeting shall be implemented.***		*deleted*
Article 66(d)				
848am		***66(d) Single Programming Document***		*deleted*
Article 66(d) first paragraph				
848an		***1 By 30 November of each year, the Management Board shall adopt a draft single programming document containing multi-annual and annual programming as***		*deleted* `Text Origin: CY PCY - drafting`

eContexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		well as all the documents listed in Article 32 of Commission Delegated Regulation (EU) 2019/715, based on a draft put forward by the Executive Director, after consulting the Technology Committee and the Victims' Rights and Survivors Consultative Forum, taking into account the opinion of the Commission, and in relation to multiannual programming after consulting the European Parliament. If the Management Board decides not to take into account elements of the opinion of the Commission or of the Technology Committee or the Victims' Rights and Survivors Consultative Forum, it shall provide a thorough justification therefor. The obligation to provide a thorough justification shall also apply to the elements raised by the European Parliament when it is consulted. The Management Board shall forward the draft Single Programming Document to the European Parliament, the Council and the Commission by 31 January of the following year. The Single Programming Document shall become definitive after final adoption of the general budget and if necessary shall be adjusted		

eTexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		accordingly.		
Article 66(d) second paragraph				
848ao		***2 The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraph 4 of this Article. It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year. Annual or multi-annual programming shall include the information about the Agency's planned research, surveys and studies referred to in Article 50(3).***		*deleted*
Article 66(d) third paragraph				
848ap		***3 The Management Board shall amend the adopted annual work programme when a new task is given to the Agency. Any substantial amendment to the***		*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make nonsubstantial amendments to the annual work programme to the Executive Director.		
Article 66(d) fourth paragraph				
G *848aq*		***4 The multi-annual work programme shall set out overall strategic programming including objectives, expected results and performance indicators. It shall also set out resource programming including multi-annual budget and staff. The resource programming shall be updated annually. The strategic programming shall be updated where appropriate, and in particular to address the outcome of the evaluation referred to in Article 85.***		*deleted* G
Article 66(d) fifth paragraph				
G *848ar*		***5 The multi-annual and annual work programmes shall be prepared in compliance with Article 32 of Delegated Regulation (EU) 2019/71***		*deleted* G
Section 6				

eContexte OBTENU PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
849	*Section 6* Establishment and Structure of the Budget	Section 6 Establishment and Structure of the Budget	Section 6 Establishment and Structure of the Budget	Section 6 ~~*Establishment and Structure of the Budget*~~ ***Financial Provisions*** Text Origin: CY PCY - drafting
Subsection 1				
850	Subsection 1 Single Programming Document	Subsection 1 Single Programming Document	Subsection 1 Single Programming Document	Subsection 1 Single Programming Document Text Origin: Commission Proposal
Article 66c				
850a				***Article 66c*** ***Annual and multiannual programming***
Article 66c(1)				
850b				***1. By 30 November of each year, the Management Board shall adopt, by a majority of two thirds of the members entitled to vote, a Single Programming Document containing a multiannual work programme and an annual work programme, based on a draft put forward by the Executive Director, after consulting the Technology Committee and the Victims Consultative Forum, taking into account the opinion of the Commission, and - in relation to the multiannual work programme, after consulting the European Parliament. If the Management Board decides not to take into***

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				account any elements of the opinion of the Commission, it shall provide a thorough justification for that decision. The obligation to provide a thorough justification shall also apply to any elements raised by the European Parliament when it is consulted. The Management Board shall forward the Single Programming Document to the European Parliament, the Council and the Commission.
Article 66c(2)				
G 850c				***2. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multiannual work programme.*** ***It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year.***
Article 66c(3), first subparagraph				
G 850d				***3. The Management Board shall amend the adopted annual work***

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				programme when a new task is given to the EU Centre.
Article 66c(3), second subparagraph				
850e				***Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make non-substantial amendments to the annual work programme to the Executive Director.***
Article 66c(4), first subparagraph				
850f				***4.The multiannual work programme shall set out overall strategic programming, including objectives, expected results and performance indicators. It shall also set out resource programming, including multiannual budget and staff.***
Article 66c(4), second subparagraph				
850g				***The resource programming shall be updated annually. The strategic programming shall be updated, where appropriate[, and in particular to address the outcome of the evaluation referred to in Article 85].***
Article 66c(5)				
850h				***5.The multiannual and annual work programmes shall be prepared***

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				in compliance with the framework financial regulation for bodies which are set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget, as provided for in Article 70 of Regulation (EU, Euratom) 2024/2509.
Article 67				
851	Article 67 Budget establishment and implementation	Article 67 Budget establishment and implementation	Article 67 ~~*Budget*~~ Establishment ~~*and implementation*~~***of the budget***	*deleted* *Copy-Delete: row 851*
Article 67(1)				
852	*1.*Each year the Executive Director shall draw up a draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including an establishment plan, and shall send it to the Executive Board.	1.Each year the Executive Director shall draw up a draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including an establishment plan, ***a gender impact analysis*** and shall ***use gender mainstreaming and gender budgeting and*** send it to the ~~*Executive*~~***Management*** Board.	1.Each year the Executive Director shall draw up a ***provisional*** draft ~~*statement of estimates*~~***estimate*** of the EU Centre's revenue and expenditure for the following financial year, including ~~*an*~~ ***the*** establishment plan, and shall send it to the ~~*Executive*~~ ***Management*** Board.	*deleted* *Copy-Delete: row 852*
Article 67(2)				
853	*2.*The Executive Board shall, on the basis of the draft statement of estimates, adopt a provisional draft estimate of the EU Centre's revenue and expenditure for the following financial year and shall send it to the	2.The ~~*Executive*~~***Management*** Board shall, on the basis of the draft statement of estimates, adopt a provisional draft estimate of the EU Centre's revenue and expenditure for the following financial year and	2.The ~~*Executive Board shall, on the basis of the draft statement of estimates, adopt a*~~ provisional draft estimate ***shall be based on the objectives and expected results*** of the ~~*EU Centre's revenue and*~~	*deleted* *Copy-Delete: row 853*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Commission by 31 January each year.	shall send it to the Commission by 31 January each year.	~~*expenditure for the following financial year*~~***annual programming document,*** and shall ~~*send it to the Commission by 31 January each year*~~***take into account the financial resources necessary to achieve those objectives and expected results, in accordance with the principle of performance-based budgeting***.	
Article 67(3)				
854	*3.*The Executive Board shall send the final draft estimate of the EU Centre's revenue and expenditure, which shall include a draft establishment plan, to the European Parliament, the Council and the Commission by 31 March each year.	3.The ~~*Executive*~~***Management*** Board shall send the final draft estimate of the EU Centre's revenue and expenditure, which shall include a draft establishment plan, to the European Parliament, the Council and the Commission by 31 March each year.	3.The ~~*Executive*~~ ***Management*** Board shall***, on the basis of the provisional draft estimate, adopt a*** ~~*send the final*~~ draft estimate of the EU Centre's revenue and expenditure~~*, which*~~ ***for the following financial year and*** shall ~~*include a draft establishment plan, to the European Parliament, the Council and*~~***send it to*** the Commission by 31 ~~*March*~~***January*** each year.	*deleted* *Copy-Delete: row 854*
Article 67(4)				
855	*4.*The Commission shall send the statement of estimates to the European Parliament and the Council, together with the draft general budget of the Union.	4.The Commission shall send the statement of estimates to the European Parliament and the Council, together with the draft general budget of the Union.	4.The Commission shall send the ~~*statement of estimates*~~***draft estimate*** to the ~~*European Parliament and the Council,*~~***budgetary authority*** together with the draft general budget of the Union. ***The draft estimate shall also be made available to the EU Centre.***	*deleted* *Copy-Delete: row 855*
Article 67(5)				
856	*5.*On the basis of the statement of	5.On the basis of the statement of	5.On the basis of the ~~*statement of*~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the European Parliament and the Council in accordance with Articles 313 and 314 of the Treaty on the Functioning of the European Union.	estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the European Parliament and the Council in accordance with Articles 313 and 314 of the Treaty on the Functioning of the European Union.	~~estimates~~***draft estimate***, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the ~~*European Parliament and the Council*~~***budgetary authority*** in accordance with Articles 313 and 314 ~~*of the Treaty on the Functioning of the European Union*~~***TFEU***.	*deleted* *Copy-Delete: row 856*
Article 67(5a)				
856a			***5a. The budgetary authority shall authorise the appropriations for the contribution from the general budget of the Union to the EU Centre.*** Provisionally agreed (ITM 23.01) (Moved to line 870g)	
Article 67(5b)				
856b			***5b. The budgetary authority shall adopt the EU Centre's establishment plan.*** Provisionally agreed (ITM 23.01) (Moved to line 870h).	
Article 67(5c)				
856c			***5c. The Management Board shall adopt the EU Centre's budget. It shall become final following the***	

.contex OBTAINED BY .GD

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			final adoption of the general budget of the Union and, if necessary, it shall be adjusted accordingly. Provisionally agreed (ITM 23.01) (Moved to line 870i).	
Article 67(5d)				
856d			***5d. For any building project likely to have significant implications for the budget of the EU Centre, Delegated Regulation (EU) 2019/715 shall apply.*** Provisionally agreed (ITM 23.01) (Moved to line 870j).	
Article 67(6)				
857	6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre.	6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre.	~~*6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre.*~~	*deleted* *Copy-Delete: row 857*
Article 67(7)				
858	*7.*The European Parliament and the Council shall adopt the EU Centre's establishment plan.	7.The European Parliament and the Council shall adopt the EU Centre's establishment plan.	~~*7.The European Parliament and the Council shall adopt the EU Centre's establishment plan.*~~	*deleted* *Copy-Delete: row 858*
Article 67(8)				
859	*8.*The EU Centre's budget shall be adopted by the Executive Board. It shall become final following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly.	8.The EU Centre's budget shall be adopted by the ~~*Executive*~~***Management*** Board ***by a majority of two-thirds of members entitled to vote***. It shall become final	~~*8.The EU Centre's budget shall be adopted by the Executive Board. It shall become final following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly.*~~	*deleted* *Copy-Delete: row 859*

CONTOME OBTAINED BY A FREEDOM OF INFORMATION REQUEST

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly.		
Article 67(9)				
860	*9.*The Executive Director shall implement the EU Centre's budget.	9.The Executive Director shall implement the EU Centre's budget.	~~*9.The Executive Director shall implement the EU Centre's budget.*~~	*deleted* *Copy-Delete: row 860*
Article 67(10)				
861	*10.* Each year the Executive Director shall send to the European Parliament and the Council all information relevant to the findings of any evaluation procedures.	10. Each year the Executive Director shall send to the European Parliament and the Council all information relevant to the findings of any evaluation procedures.	~~*10. Each year the Executive Director shall send to the European Parliament and the Council all information relevant to the findings of any evaluation procedures.*~~	*deleted* *Copy-Delete: row 861*
Article 68				
862	Article 68 Financial rules	Article 68 Financial rules	Article ~~*68*~~***70*** Financial rules	*deleted* *Copy-Delete: row 862*
Article 68, first paragraph				
863	The financial rules applicable to the EU Centre shall be adopted by the Executive Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent. _____	The financial rules applicable to the EU Centre shall be adopted by the ~~*Executive*~~***Management*** Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has	The financial rules applicable to the EU Centre shall be adopted by the ~~*Executive*~~ ***Management*** Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent.	*deleted* *Copy-Delete: row 863*

CONTEXT OBTAINED BY OBTENIDO

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	1. OJ L 122, 10.5.2019, p. 1.	given its prior consent. 1. OJ L 122, 10.5.2019, p. 1.	1. OJ L 122, 10.5.2019, p. 1.	
Article 68, first paragraph a				
863a			***The EU Centre shall establish and implement its budget in line with its financial rules and the Financial Regulation (EU) 2018/1046.*** Provisionally agreed (ITM 23.01) (Moved to line 880c)	
Subsection 2				
864	Subsection 2 Presentation, implementation and control of the budget	Subsection 2 Presentation, implementation and control of the budget	Subsection 2 Presentation, implementation and control of the budget	Subsection 2 Presentation, implementation and control of the budget Text Origin: Commission Proposal
Article 69				
865	Article 69 Budget	*deleted*	Article 69 ***Structure of the*** budget	Article 69 Budget Text Origin: Commission Proposal
Article 69(1)				
866	1.Estimates of all revenue and expenditure for the EU Centre shall be prepared each financial year, which shall correspond to the calendar year, and shall be shown in the EU Centre's budget, which shall be balanced in terms of revenue and of expenditure.	*deleted*	1.Estimates of all revenue and expenditure ~~*for*~~ ***of*** the EU Centre shall be prepared each financial year, ~~*which shall correspond to the calendar year,*~~ and shall be shown in the EU Centre's budget~~*, which*~~***. The financial year*** shall ~~*be balanced in terms of revenue and of*~~	1.Estimates of all revenue and expenditure ~~*for*~~***of*** the EU Centre shall be prepared each financial year, ~~*which shall correspond to the calendar year,*~~ and shall be shown in the EU Centre's budget~~*, which*~~***. The financial year*** shall ~~*be balanced in terms of revenue and of*~~

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~expenditure~~***correspond to the calendar year***.	~~expenditure~~***correspond to the calendar year***. Text Origin: Council Mandate
Article 69(1a)				
866a			***3.The EU Centre's budget shall be balanced in terms of revenue and of expenditure.***	***1a. The EU Centre's budget shall be balanced in terms of revenue and of expenditure.*** Text Origin: Council Mandate
Article 69(2)				
867	2.Without prejudice to other resources, the EU Centre's revenue shall comprise a contribution from the Union entered in the general budget of the Union.	*deleted*	2.Without prejudice to other resources, the EU Centre's revenue shall comprise ~~*a contribution from the Union entered in the general budget of the Union.*~~***:***	2.Without prejudice to other resources, the EU Centre's revenue shall comprise ~~*a contribution from the Union entered in the general budget of the Union.*~~***:*** Text Origin: Council Mandate
Article 69(2), point (a)				
867a			***(a) a contribution from the Union entered in the general budget of the Union;***	***(a) a contribution from the Union entered in the general budget of the Union;*** Text Origin: Council Mandate
Article 69(2), point (b)				
867b			***(b) any voluntary financial contribution from the Member States;***	***(b) any voluntary financial contribution from the Member States;*** Text Origin: Council Mandate
Article 69(2), point (c)				
867c			***(c) any contribution from third countries participating in the work***	***(c) any contribution from third countries participating in the work***

contexte OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			of the EU Centre, as provided for in Article 54a;	***of the EU Centre, as provided for in Article 54a;*** Text Origin: Council Mandate
Article 69(2), point (d)				
867d			***(d) possible Union funding in the form of delegation agreements or ad hoc grants in accordance with the EU Centre's financial rules referred to in Article 70 and with the provisions of the relevant instruments supporting the policies of the Union;***	***(d) possible Union funding in the form of contribution agreements or ad hoc grants in accordance with the EU Centre's financial rules referred to in Article [70a] and with the provisions of the relevant instruments supporting the policies of the Union;*** Text Origin: CY PCY - drafting
Article 69(2), point (e)				
867e			***(e) charges for publications and any service provided by the EU Centre.***	***(e) charges for publications and any service provided by the EU Centre.*** Text Origin: Council Mandate
Article 69(3)				
868	3.The EU Centre may benefit from Union funding in the form of delegation agreements or ad hoc grants in accordance with its financial rules referred to in Article 68 and with the provisions of the relevant instruments supporting the policies of the Union.	*deleted*	~~*3.The EU Centre may benefit from Union funding in the form of delegation agreements or ad hoc grants in accordance with its financial rules referred to in Article 68 and with the provisions of the relevant instruments supporting the policies of the Union.*~~	*deleted*
Article 69(4)				
869	*4.*The EU Centre's expenditure shall include staff remuneration,	*deleted*	4.***The expenditure of*** the EU Centre~~*'s expenditure*~~ shall include	4.***The expenditure of*** the EU Centre~~*'s expenditure*~~ shall include

OBTAINED BY · GD JAI.NU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	administrative and infrastructure expenses, and operating costs.		staff remuneration, administrative and infrastructure expenses, and ~~operating costs~~***operational expenditure***.	staff remuneration, administrative and infrastructure expenses, and ~~operating costs~~***operational expenditure, including that of the Technology Committee, the Victims Consultative Forum and of any advisory group it may establish***. Text Origin: CY PCY - drafting
Article 69(5)				
G 870	5.Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments.	*deleted*	~~*5.Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments.*~~	5.Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments. Text Origin: Commission Proposal
Article 69a				
G 870a	Article 67 Budget establishment and implementation Moved reference text			Article ~~67~~***69a*** ~~*Budget*~~ Establishment and implementation ***of the budget*** Copy-Delete: row 851 Text Origin: CY PCY - drafting
Article 69a(1)				
G 870b	1.Each year the Executive Director shall draw up a draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including an establishment plan, and shall send			1.Each year the Executive Director shall draw up a ***provisional*** draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including ~~*an*~~***the*** establishment plan,

contexte OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	it to the Executive Board. Moved reference text			and shall send it to the ~~Executive~~***Management*** Board. Copy-Delete: row 852 Text Origin: Council Mandate
Article 69a(2)				
G 870c	2.The Executive Board shall, on the basis of the draft statement of estimates, adopt a provisional draft estimate of the EU Centre's revenue and expenditure for the following financial year and shall send it to the Commission by 31 January each year. Moved reference text			*deleted* *Copy-Delete: row 853*
Article 69a(3)				
G *870d*	*3.*The Executive Board shall send the final draft estimate of the EU Centre's revenue and expenditure, which shall include a draft establishment plan, to the European Parliament, the Council and the Commission by 31 March each year. Moved reference text			3.The ~~*Executive*~~ ***Management*** Board shall***, on the basis of the draft estimate, adopt a provisional*** ~~*send the final*~~ draft estimate of the EU Centre's revenue and expenditure~~,~~ ~~*which*~~ ***for the following financial year and*** shall ~~*include a draft establishment plan, to the European Parliament, the Council and*~~***send it to*** the Commission by 31 ~~*March*~~***January*** each year. Copy-Delete: row 854 Text Origin: Council Mandate
Article 69a(4)				

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
870e	4.The Commission shall send the statement of estimates to the European Parliament and the Council, together with the draft general budget of the Union. Moved reference text			4.The Commission shall send the statement of estimates to the ~~*European Parliament and the Council,*~~***budgetary authority*** together with the draft general budget of the Union. ***The draft estimate shall also be made available to the EU Centre.*** Copy-Delete: row 855 Text Origin: Council Mandate
Article 69a(5)				
870f	5.On the basis of the statement of estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the European Parliament and the Council in accordance with Articles 313 and 314 of the Treaty on the Functioning of the European Union. Moved reference text			5.On the basis of the statement of estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the ~~*European Parliament and the Council*~~***budgetary authority*** in accordance with Articles 313 and 314 ~~*of the Treaty on the Functioning of the European Union*~~***TFEU***. Copy-Delete: row 856 Text Origin: Council Mandate
Article 69a(6)				
870g				***6.The budgetary authority shall authorise the appropriations for the contribution from the general***

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				budget of the Union to the EU Centre. Text Origin: Council Mandate
Article 69a(7)				
G 870h				***7. The budgetary authority shall adopt the EU Centre's establishment plan.*** Text Origin: Council Mandate
Article 69a(8)				
G 870i				***8. The Management Board shall adopt the EU Centre's budget by a two thirds majority. It shall become final following the final adoption of the general budget of the Union and, if necessary, it shall be adjusted accordingly.*** Text Origin: CY PCY - drafting
Article 69a(9)				
G 870j				***9. For any building project likely to have significant implications for the budget of the EU Centre, the framework financial regulation for bodies which are set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget, as provided for in Article 70 of Regulation (EU, Euratom) 2024/2509, shall apply.*** Text Origin: CY PCY - drafting

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 69a(10)				
870k	6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre. Moved reference text			*deleted* *Copy-Delete: row 857*
Article 69a(11)				
870l	*7.*The European Parliament and the Council shall adopt the EU Centre's establishment plan. Moved reference text			*deleted* *Copy-Delete: row 858*
Article 69a(12)				
870m	*8.*The EU Centre's budget shall be adopted by the Executive Board. It shall become final following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly. Moved reference text			*deleted* *Copy-Delete: row 859*
Article 69a(13)				
870n	*9.*The Executive Director shall implement the EU Centre's budget. Moved reference text			~~*9*~~***13***. The Executive Director shall implement the EU Centre's budget. Copy-Delete: row 860 Text Origin: EP Mandate
Article 69a(14)				
870o	10. Each year the Executive Director shall send to the European			~~*10*~~***14***.Each year the Executive Director shall send to the European

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Parliament and the Council all information relevant to the findings of any evaluation procedures. Moved reference text			Parliament and the Council all information relevant to the findings of any evaluation procedures. Copy-Delete: row 861 Text Origin: EP Mandate
Article 70				
871	Article 70 Presentation of accounts and discharge	Article 70 Presentation of accounts and discharge	Article ~~70~~69 Presentation of accounts and discharge	Article 70 Presentation of accounts and discharge Text Origin: Commission Proposal
Article 70(1)				
872	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1).	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1).	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1).	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1). Text Origin: Commission Proposal
Article 70(1a)				
872a			***1a. The EU Centre's accounting officer shall also provide the required accounting information for consolidation purposes to the Commission's accounting officer, in the manner and format required by the latter by 1 March of year N + 1.***	***1a. The EU Centre's accounting officer shall also provide the required accounting information for consolidation purposes to the Commission's accounting officer, in the manner and format required by the latter by 1 March of year N + 1.***

COUNCIL EXTE OBTAINED BY FOIA REQUEST

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 70(2)				
873	2.The EU Centre shall send a report on the budgetary and financial management for year N to the European Parliament, the Council and the Court of Auditors by 31 March of year N + 1.	2.The EU Centre shall send a report on the budgetary and financial management for year N to the European Parliament, the Council and the Court of Auditors by 31 March of year N + 1.	2.The EU Centre shall send ~~a~~ ***the*** report on the budgetary and financial management for year N to the European Parliament, the Council, ***the Commission*** and the Court of Auditors by 31 March of year N + 1.	2.The EU Centre shall send a report on the budgetary and financial management for year N to the European Parliament, the Council and the Court of Auditors by 31 March of year N + 1. Text Origin: Commission Proposal
Article 70(3)				
874	3.The Commission's accounting officer shall send the EU Centre's provisional accounts for year N, consolidated with the Commission's accounts, to the Court of Auditors by 31 March of year N + 1.	3.The Commission's accounting officer shall send the EU Centre's provisional accounts for year N, consolidated with the Commission's accounts, to the Court of Auditors by 31 March of year N + 1.	3.***On receipt of the Court of Auditor's observations on*** ~~The Commission's accounting officer shall send~~ the EU Centre's provisional accounts for year N, ~~consolidated with the Commission's~~***the EU Centre's accounting officer shall draw up the EU Centre's final*** accounts~~,~~ ***under his or her own responsibility. The Executive Director shall submit them*** to the ~~Court of Auditors by 31 March of year N + 1~~***Management Board for an opinion***.	3.The Commission's accounting officer shall send the EU Centre's provisional accounts for year N, consolidated with the Commission's accounts, to the Court of Auditors by 31 March of year N + 1. Text Origin: Commission Proposal
Article 70(3a)				
874a				***3a. On receipt of the Court of Auditor's observations on the EU Centre's provisional accounts for year N, the EU Centre's accounting officer shall draw up the EU Centre's final accounts under his or her own responsibility.***

CONTEXTO OBTAINED BY ASKTHEEU.EU

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 70(4)				
875	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N.	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N.	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N.	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N. Text Origin: Commission Proposal
Article 70(5)				
876	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission, the Court of Auditors and national parliaments, together with the Management Board's opinion.	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission, the Court of Auditors and national parliaments, together with the Management Board's opinion.	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission~~,~~ ***and*** the Court of Auditors ~~*and national parliaments*~~, together with the Management Board's opinion.	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission~~,~~ ***and*** the Court of Auditors ~~*and national parliaments*~~, together with the Management Board's opinion. Text Origin: Council Mandate
Article 70(6)				
877	6.The final accounts for year N shall be published in the Official Journal of the European Union by 15 November of year N + 1.	6.The final accounts for year N shall be published in the Official Journal of the European Union by 15 November of year N + 1.	6.***A link to the pages of the website containing*** the final accounts ~~*for year N*~~ ***of the EU Centre*** shall be published in the Official Journal of the European Union by 15 November of year N + 1.	6.***A link to the pages of the website containing*** the final accounts ~~*for year N*~~***of the EU Centre*** shall be published in the Official Journal of the European Union by 15 November of year N + 1. Text Origin: Council Mandate
Article 70(7)				
878	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report. He or she shall also send the reply to the Management Board.	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report. He or she shall also send the reply to the Management Board.	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report.~~*He or she*~~ ***The Executive Director*** shall also send~~*the*~~ ***this***	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report.~~*He or she*~~ ***The Executive Director*** shall also send~~*the*~~ ***this***

OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			reply to the Management Board ***and to the Commission***.	reply to the Management Board ***and to the Commission***. Text Origin: Council Mandate
Article 70(8)				
879	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N.	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N.	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N***, in accordance with Article 261(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council***.	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N. Text Origin: Commission Proposal
Article 70(9)				
880	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, grant a discharge to the Executive Director in respect of the implementation of the budget for year N.	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, grant a discharge to the Executive Director in respect of the implementation of the budget for year N.	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, ~~*grant*~~ ***give*** a discharge to the Executive Director in respect of the implementation of the budget for year N.	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, ~~*grant*~~ ***give*** a discharge to the Executive Director in respect of the implementation of the budget for year N. Text Origin: Council Mandate
Article 70a				
880a	Article 68 Financial rules Moved reference text			Article ~~*68*~~***70a*** Financial rules Copy-Delete: row 862 Text Origin: Commission Proposal

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 70a, first paragraph				
880b	The financial rules applicable to the EU Centre shall be adopted by the Executive Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent. 1. OJ L 122, 10.5.2019, p. 1. Moved reference text			The financial rules applicable to the EU Centre shall be adopted by the ~~Executive~~***Management*** Board after consultation with the Commission. They shall not depart from ~~Delegated~~***the framework financial regulation for bodies which are set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget, as provided for in Article 70 of*** Regulation (EU***, Euratom***) ~~2019/715~~[1]***2024/2509,*** unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent. ~~1. OJ L 122, 10.5.2019, p. 1.~~ Copy-Delete: row 863 Text Origin: EP Mandate
Article 70a, second paragraph				
880c				***The EU Centre shall establish and implement its budget in line with its financial rules and the Financial Regulation (EU, Euratom) 2024/2509.***
Section 7				
881	Section 7 Staff	Section 7 Staff	Section 7 Staff	Section 7 Staff Text Origin: Commission

.contexte OBTAINED BY · OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 71				
882	Article 71 General provisions	Article 71 General provisions	Article 71 General provisions	Article 71 General provisions Text Origin: Commission Proposal
Article 71(1)				
883	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation.	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation.	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation.	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation. Text Origin: Commission Proposal
Article 71(2)				
884	2.The Executive Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations.	2.The Executive Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations.	2.The ~~*Executive*~~ ***Management*** Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations.	2.The ~~*Executive*~~ ***Management*** Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations. Text Origin: Council Mandate
Article 71(3)				
885	3.The EU Centre staff, in particular those working in areas related to detection, reporting and removal of online child sexual abuse, shall have	3.The EU Centre staff, in particular those working in areas related to detection, reporting and removal of online child sexual abuse, shall have	3.The EU Centre staff, in particular those working in areas related to ***the risk mitigation,*** detection, reporting and removal of online child sexual	3.The EU Centre staff, in particular those working in areas related to ***the risk mitigation,*** detection, reporting and removal of online child sexual

OBTENUT PAR · OBTAINED BY

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	access to appropriate counselling and support services.	access to appropriate counselling and support services***, meeting any other possible physical or socio-psychological needs***.	abuse, shall have access to appropriate counselling and support services.	abuse, shall have access to appropriate counselling and support services ***to address mental health issues resulting from the performance of their professional tasks***. Text Origin: CY PCY - drafting
Article 72				
886	Article 72 Seconded national experts and other staff	Article 72 Seconded national experts and other staff	Article 72 Seconded national experts and other staff	Article 72 Seconded national experts and other staff Text Origin: Commission Proposal
Article 72(1)				
887	1.The EU Centre may make use of seconded national experts or other staff not employed by it.	1.The EU Centre may make use of seconded national experts or other staff not employed by it.	1.The EU Centre may make use of seconded national experts or other staff not employed by it.	1.The EU Centre may make use of seconded national experts or other staff not employed by it. Text Origin: Commission Proposal
Article 72(2)				
888	2.The Executive Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take into account the fact that	2.The Executive Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take into account the fact that	2.The ~~*Executive*~~ ***Management*** Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take	2.The ~~*Executive*~~ ***Management*** Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take

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Obtained by: CHUPAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the Executive Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff.	the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the Executive Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff.	into account the fact that the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the ~~*Executive*~~ ***Management*** Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff.	into account the fact that the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the ~~*Executive*~~ ***Management*** Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff. Text Origin: Council Mandate
Article 73				
G 889	Article 73 Privileges and immunities	Article 73 Privileges and immunities	Article 73 Privileges and immunities	Article 73 Privileges and immunities Text Origin: Commission Proposal
Article 73, first paragraph				
G 890	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff.	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff.	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff.	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff. Text Origin: Commission Proposal
Article 73, second paragraph				
G 891	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers.	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers.	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers.	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers. Text Origin: Commission Proposal
Article 74				
G 892	Article 74 Obligation of professional secrecy	Article 74 Obligation of professional secrecy	Article 74 Obligation of professional secrecy	Article 74 Obligation of professional secrecy Text Origin: Commission Proposal
Article 74(1)				
G 893	1.Members of the Management Board and the Executive Board, and all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased.	1.Members of the Management Board and the Executive Board, and all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased.	1.Members of the Management Board and ~~*the Executive Board, and*~~ all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased.	1.Members of the Management Board ~~*and the Executive Board,*~~ and all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased. Text Origin: CY PCY - drafting
Article 74(2)				
G 894	2.The Executive Board shall ensure that individuals who provide any	2.The Executive Board shall ensure that individuals who provide any	2.The ~~*Executive*~~ ***Management*** Board shall ensure that individuals	2.The ~~*Executive*~~***Management*** Board shall ensure that individuals who

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the Executive Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1.	service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the Executive Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1.	who provide any service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the ~~Executive~~ ***Management*** Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1.	provide any service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the ~~Executive~~***Management*** Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1. Text Origin: CY PCY - drafting
Article 74(3)				
G 895	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2. Text Origin: Commission Proposal
Article 74(4)				
G 896	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. 1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. 1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. 1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. 1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). Text Origin: Commission Proposal
Article 75				

CONTEXTE OBTAINED BY OBTAIN FOR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
897	Article 75 Security rules on the protection of classified and sensitive non-classified information	Article 75 Security rules on the protection of classified and sensitive non-classified information	Article 75 Security rules on the protection of classified and sensitive non-classified information	Article 75 Security rules on the protection of classified and sensitive non-classified information Text Origin: Commission Proposal
Article 75(1)				
898	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The Executive Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The Executive Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The ~~*Executive*~~ ***Management*** Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The ~~*Executive*~~***Management*** Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41). Text Origin: CY PCY - drafting
Article 75(2)				
899	2.Any administrative arrangement on the exchange of classified information with the relevant	2.Any administrative arrangement on the exchange of classified information with the relevant	2.Any administrative arrangement on the exchange of classified information with the relevant	2.Any administrative arrangement on the exchange of classified information with the relevant

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval.	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval.	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval.	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval. Text Origin: Commission Proposal
Section 8				
900	Section 8 General provisions	Section 8 General provisions	Section 8 General provisions	Section 8 General provisions Text Origin: Commission Proposal
Article 76				
901	Article 76 Language arrangements	Article 76 Language arrangements	Article 76 Language arrangements	Article 76 Language arrangements Text Origin: Commission Proposal
Article 76, first paragraph				
902	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. The translation services required for the functioning of the EU Centre shall be provided by the Translation Centre for the bodies of the European Union. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385/58).	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. The translation services required for the functioning of the EU Centre shall be provided by the Translation Centre for the bodies of the European Union. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385/58).	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. The translation services required for the functioning of the EU Centre shall be provided by the Translation Centre for the bodies of the European Union. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385/58).	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. ~~The~~ Translation ***and all other linguistic*** services required ~~for the functioning of~~***by*** the EU Centre***, other than interpretation,*** shall be provided by the Translation Centre for the Bodies of the European Union***, as established by Council Regulation (EC) No 2965/94***. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				385/58). Text Origin: CY PCY - drafting
Article 77				
903	Article 77 Transparency and communication	Article 77 Transparency and communication	Article 77 Transparency and communication	Article 77 Transparency and communication Text Origin: Commission Proposal
Article 77(1)				
904	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048.	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048.	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048.	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048. Text Origin: Commission Proposal
Article 77(2)				
905	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor.	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor.	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor.	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor. Text Origin: Commission Proposal
Article 77(3)				
906	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board. Text Origin: Commission Proposal
Article 78				
907	Article 78 Anti-fraud measures	Article 78 Anti-fraud measures	Article 78 Anti-fraud measures	Article 78 Anti-fraud measures Text Origin: Commission Proposal
Article 78(1)				
908	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1).	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1).	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1).	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1). Text Origin: Commission Proposal
Article 78(2)				
G 909	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement.	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement.	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement.	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement. Text Origin: Commission Proposal G
Article 78(3)				
G 910	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	EU Centre.	EU Centre.	EU Centre.	EU Centre. Text Origin: Commission Proposal
Article 78(4)				
911	4.OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2).	4.OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2).	4.OLAF may***, within the scope of its mandate,*** carry out investigations, ***which may also include*** ~~*including*~~ on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2).	4.OLAF may***, within the scope of its mandate,*** carry out investigations, ***which may also include*** ~~*including*~~ on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2). Text Origin: Council Mandate
Article 78(5)				
912	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences. Text Origin: Commission Proposal
Article 79				
G 913	Article 79 Liability	Article 79 Liability	Article 79 Liability	Article 79 Liability Text Origin: Commission Proposal
Article 79(1)				
G 914	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question.	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question.	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question.	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question. Text Origin: Commission Proposal
Article 79(2)				
G 915	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre.	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre.	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre.	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre. Text Origin: Commission Proposal
Article 79(3)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
916	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties. Text Origin: Commission Proposal
Article 79(4)				
917	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3.	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3.	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3.	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3. Text Origin: Commission Proposal
Article 79(5)				
918	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them. Text Origin: Commission Proposal
Article 80				
919	Article 80 Administrative inquiries	Article 80 Administrative inquiries	Article 80 Administrative inquiries	Article 80 Administrative inquiries Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 80, first paragraph				
920	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union. Text Origin: Commission Proposal
Article 81				
921	Article 81 Headquarters Agreement and operating conditions	Article 81 Headquarters Agreement and operating conditions	Article 81 Headquarters Agreement and operating conditions	Article 81 Headquarters Agreement and operating conditions Text Origin: Commission Proposal
Article 81(1)				
922	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director, members of the Executive Board, EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the approval of the	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director, members of the Executive Board, EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the approval of the	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director, ~~*members of the Executive Board,*~~ EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the approval of the	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director~~*, members of the Executive Board,*~~ ***and the*** EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the

CONTEXTE
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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Executive Board and no later than [2 years after the entry into force of this Regulation].	Executive Board and no later than [2 years after the entry into force of this Regulation].	~~Executive~~ ***Management*** Board and no later than [2 years after the entry into force of this Regulation].	approval of the ~~Executive~~***Management*** Board and no later than [2 years after the entry into force of this Regulation]. Provisionally agreed (Trilogue 26.02) Text Origin: CY PCY - drafting
Article 81(2)				
923	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections.	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections.	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections.	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections. Text Origin: Commission Proposal
Article 82				
924	Article 82 Start of the EU Centre's activities	Article 82 Start of the EU Centre's activities	Article 82 Start of the EU Centre's activities	Article 82 Start of the EU Centre's activities Text Origin: Commission Proposal
Article 82(1)				
925	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the Executive Board in accordance with	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the Executive Board in accordance with	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the ~~Executive~~ ***Management*** Board in	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the ~~Executive~~ ***Management*** Board in

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Article 65(2). For that purpose:	Article 65(2). For that purpose:	accordance with Article 65(2). For that purpose:	accordance with Article 65(2). For that purpose: Text Origin: Council Mandate
Article 82(1), point (a)				
G 926	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director;	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director;	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director;	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director; Text Origin: Commission Proposal
Article 82(1), point (b)				
G 927	(b) by derogation from Article 62(2)(g) and until the adoption of a decision as referred to in Article 62(4), the interim Executive Director shall exercise the appointing authority power;	(b) by derogation from Article 62(2)(g) and until the adoption of a decision as referred to in Article 62(4), the interim Executive Director shall exercise the appointing authority power;	(b) by derogation from Article 62(2)(g) and until the adoption of a decision as referred to in Article 62(4), the interim Executive Director shall exercise the appointing authority power;	(b) by derogation from Article ~~62(2)(g)~~ ***57(1)(ag)*** and until the adoption of a decision as referred to in Article ~~62(4)~~ ***57(1)(hh)***, the interim Executive Director shall exercise the appointing authority power; Text Origin: Commission Proposal
Article 82(1), point (c)				
G 928	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director;	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director;	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials ***and national experts seconded to the Commission*** to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director;	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director; Text Origin: Council Mandate

CONTEXTE OBTAINED BY LOBBYFACT

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 82(1), point (d)				
929	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the Executive Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan.	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the Executive Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan.	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the ~~*Executive*~~ ***Management*** Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan.	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the ~~*Executive*~~ ***Management*** Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan. Text Origin: Council Mandate
CHAPTER V				
930	CHAPTER V DATA COLLECTION AND TRANSPARENCY REPORTING	CHAPTER V DATA COLLECTION AND TRANSPARENCY REPORTING	CHAPTER V DATA COLLECTION AND TRANSPARENCY REPORTING	CHAPTER V DATA COLLECTION AND TRANSPARENCY REPORTING Text Origin: Commission Proposal
Article 83				
931	Article 83 Data collection	Article 83 Data collection	Article 83 Data collection	Article 83 Data collection Text Origin: Commission Proposal
Article 83(1), first subparagraph				
932	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:	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	1.Providers of ~~*hosting services, providers of interpersonal communications*~~***relevant information society*** services ***that were subject to orders issued under Articles 14, 16 and 18a*** ~~*and providers of internet access services*~~ shall collect data on the following	1.Providers of ~~*hosting services, providers of interpersonal communications*~~***relevant information society*** services ~~*and providers of internet access services*~~***that were subject to orders issued under this Regulation*** shall collect data on the following topics

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		request:	topics and make that information available to the EU Centre upon request:	and make that information available to the EU Centre upon request: Text Origin: CY PCY - drafting
Article 83(1), first subparagraph, point (a)				
933	(a) where the provider has been subject to a detection order issued in accordance with Article 7:	(a) where the provider has been subject to a detection order issued in accordance with Article 7:	~~(a) where the provider has been subject to a detection order issued in accordance with Article 7:~~	(a) where the provider has been subject to a detection order issued in accordance with Article 7: ITM (12.10.): subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 83(1), first subparagraph, point (a), first indent				
934	- the measures taken to comply with the order, including the technologies used for that purpose and the safeguards provided;	- the measures taken to comply with the order, including the technologies used for that purpose and the safeguards provided;	~~- the measures taken to comply with the order, including the technologies used for that purpose and the safeguards provided;~~	- the measures taken to comply with the order, including the technologies used for that purpose and the safeguards provided; ITM (12.10.) -Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate
Article 83(1), first subparagraph, point (a), second indent				
935	- 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 ~~online~~ child sexual abuse ***material, including the rates of false positives and negatives and confirmed positives and negatives,***	~~- 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~~***number and ratio of errors (false positives)*** of the technologies deployed to detect ***[***online***]*** child sexual abuse ***[material],*** and measures taken to prevent or remedy any errors;

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		and measures taken to prevent or remedy any errors;		ITM (12.10.): subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 83(1), first subparagraph, point (a), third indent				
Y	936	- 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;	- 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;	~~- *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;*~~	- 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; ITM (12.10.) -Provisionally agreed. FOR ENDORSEMENT AT TRILOGUE Text Origin: EP Mandate	Y
Article 83(1), first subparagraph, point (b)				
G	937	(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	(b) the number of removal orders issued to the provider in accordance with Article 14 and the average time, ***upon the moment the provider receives the***	(b) the number of removal orders, ***including the number of cross-border removal orders,*** issued to the provider in accordance with Article 14 and ***Article 14a and*** the average	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	sexual abuse material in question;	***order,*** needed for removing or disabling access to the item or items of child sexual abuse material in question;	~~*for removing or disabling access*~~ to the ~~*item or items of child sexual abuse material in question*~~***procedure for cross-border removal orders referred to in Article 14a.*** ;	time***, upon the receipt of the order,*** needed ***by the provider*** for removing or disabling access to the item or items of child sexual abuse material in question; Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 83(1), first subparagraph, point (c)				
938	(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;	(c) the total number of items of child sexual abuse material ***when possible gender-and age-disaggregated*** 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;	(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;	(c) the total number of items of child sexual abuse material***, when possible disaggregated by sex and age,*** 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; Text Origin: CY PCY - drafting
Article 83(1), first subparagraph, point (d)				
939	(d) the number of blocking orders issued to the provider in accordance with Article 16;	(d) the number of blocking orders issued to the provider in accordance with Article 16;	(d) the number of blocking orders issued to the provider in accordance with Article 16;	(d) the number of blocking orders issued to the provider in accordance with Article 16; Text Origin: Commission Proposal
Article 83(1), first subparagraph, point (da)				
939a			***(da) the number of delisting orders issued to the provider in accordance***	***(da) the number of delisting orders, including the number of***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			with Article 18a, indicating the number of those orders that were subject to the procedure for cross-border delisting orders referred to in Article 18aa;	***cross-border delisting orders, issued to the provider in accordance with Article 18a and Article 18aa and the average time, upon the receipt of the order, needed by the provider for delisting an online location where child sexual abuse material can be found;*** Trilogue (29.06.): Provisionally agreed. Text Origin: Council Mandate
Article 83(1), first subparagraph, point (e)				
940	(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) 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), ***Article 17(4a) or (5)*** or Article ~~*17(5)*~~***18b(4) or (5)***, together with the ~~*grounds therefor*~~***reasons therefore***;	(e) the number of instances in which the provider ~~*invoked Article 8(3), Article 14(5) or (6) or Article 17(5)*~~***did not execute the order due to force majeure, de facto impossibility not attributable to the provider, insufficient information, or errors***, together with the ~~*grounds*~~***reasons*** therefor; Text Origin: Council Mandate
Article 83(1), second subparagraph				
940a				***Providers of relevant information society services that carried out own-initiative searches under Article [Z] shall collect data on the following topics and make that information available to the EU Centre upon request:*** ITM (12.10.): subject to agreement on the detection package.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 83(1), second subparagraph, point (a)				
940b				***(a) the type and volumes of data processed under Article [Z];*** ITM (12.10.): subject to agreement on the detection package.
Article 83(1), second subparagraph, point (b)				
940c				***(b) the number of cases of [online] child sexual abuse/[material] identified, [differentiating between child sexual abuse material and solicitation of children];*** ITM (12.10.): subject to agreement on the detection package.
Article 83(1), second subparagraph, point (c)				
940d				***(c) the number of cases in which a user has lodged a complaint with the internal redress mechanism or with a judicial or administrative authority and the outcome of such complaints;*** ITM (12.10.): subject to agreement on the detection package.
Article 83(1), second subparagraph, point (d)				
940e				***(d) the numbers and ratios of errors (false positives) of the different technologies used; the measures applied to limit the error rate and the error rate achieved.*** ITM (12.10.): subject to agreement on

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				the detection package.
Article 83(2)				
941	2.The Coordinating Authorities shall collect data on the following topics and make that information available to the EU Centre upon request:	2.The Coordinating Authorities shall collect data on the following topics and make that information available to the EU Centre upon request:	2.***Relying to the extent possible on information collected in an automated manner by means of the information sharing system or systems referred to in Article 39(2a), as well as on any similar system that might be used for the exchange of information at national level,*** the Coordinating Authorities shall collect data on the following topics and make that information available to the EU Centre upon request:	2.***Relying to the extent possible on information collected in an automated manner by means of the information sharing system or systems referred to in Article 39(2a), as well as on any similar system that might be used for the exchange of information at national level,*** the Coordinating Authorities shall collect data on the following topics and make that information available to the EU Centre upon request: Text Origin: CY PCY - drafting
Article 83(2), point (a)				
942	(a) the follow-up given to reports of potential online child sexual abuse that the EU Centre forwarded in accordance with Article 48(3), specifying for each report:	(a) the follow-up given to reports of potential online child sexual abuse that the EU Centre forwarded in accordance with Article 48(3), specifying for each report:	(a) the follow-up given to reports of potential online child sexual abuse that the EU Centre forwarded in accordance with Article 48(3), specifying for each report:	(a) the follow-up given to reports of potential online child sexual abuse that the EU Centre forwarded in accordance with Article 48(3), specifying for each report: Text Origin: Commission Proposal
Article 83(2), point (a), first indent				
943	- whether the report led to the launch of a criminal investigation, contributed to an ongoing investigation, led to taking any other action or led to no action;	- whether the report led to the launch of a criminal investigation, contributed to an ongoing investigation, led to taking any other action or led to no action;	- whether the report led to the launch of a criminal investigation~~,~~ ***or*** contributed to an ongoing investigation, ~~*led to taking any other action or led to no action;*~~	- whether the report led to the launch of a criminal investigation~~,~~ ***or*** contributed to an ongoing investigation, ~~*led to taking any other action or led to no action;*~~ Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 83(2), point (a), second indent				
944	- 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;	- 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;	- 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;*~~**;**	- 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;*~~**;** Text Origin: Council Mandate
Article 83(2), point (a), third indent				
945	- where the report led to any other action, the type of action, the state of play or outcome of that action and the reasons for taking it;	- where the report led to any other action, the type of action, the state of play or outcome of that action and the reasons for taking it;	~~- *where the report led to any other action, the type of action, the state of play or outcome of that action and the reasons for taking it;*~~	*deleted*
Article 83(2), point (a), fourth indent				
945a			***- 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;***	***- whether victims were identified and rescued and if so their numbers disaggregated by sex and age, and whether any suspects were arrested and any perpetrators were convicted and if so their numbers;*** Text Origin: Council Mandate
Article 83(2), point (a), fourth indent				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
946	- where no action was taken, the reasons for not taking any action;	- where no action was taken, the reasons for not taking any action;	- where no action was taken, the reasons for not taking any action;	- where no action was taken, the reasons for not taking any action; Text Origin: Commission Proposal
Article 83(2), point (b)				
947	(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;	(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 ***and 5*** or identified through other information available to the Coordinating Authority;	(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~~***5*** or identified through other information available ~~*to the Coordinating Authority*~~;	(b) the most important and recurrent risks of online child sexual abuse, as reported by providers of ~~*hosting services and providers of interpersonal communications*~~***relevant information society*** services in accordance with ~~*Article 3*~~***Articles 3 and 5*** or identified through other information available ~~*to the Coordinating Authority*~~; Text Origin: CY PCY - drafting
Article 83(2), point (c)				
948	(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;	(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;	~~*(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;*~~	(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; ITM (12.10.): subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 83(2), point (d)				
949	(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);	(d) the number of detection orders issued in accordance with Article 7, broken down by provider and by type of ~~online~~ child sexual abuse ***material***, and the number of instances in which the provider invoked Article 8(3);	~~*(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);*~~	(d) the number of detection orders issued in accordance with Article 7, broken down by provider and by type of ***[***online***[*** child sexual abuse ***[material]***, and the number of instances in which the provider invoked Article 8(3); ITM (12.10.): subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 83(2), point (e)				
950	(e) a list of providers of hosting services to which the Coordinating Authority issued a removal order in accordance with Article 14;	(e) a list of providers of hosting services to which the Coordinating Authority issued a removal order in accordance with Article 14;	(e) a list of providers of hosting services to which ~~*the Coordinating Authority issued*~~ a removal order ***was issued*** in accordance with Article 14;	(e) a list of providers of hosting services to which ~~*the Coordinating Authority issued*~~ a removal order ***was issued*** in accordance with Article 14; Text Origin: Council Mandate
Article 83(2), point (f)				
951	(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	(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 ***and the number of cross-border removal orders issued in accordance with Article 14a***, 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

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		which the provider invoked Article 14(5) and (6);		of instances in which the provider ~~*invoked*~~***did not execute the order on the basis of*** Article 14(5) and (6); Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 83(2), point (g)				
G 952	(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);	(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);	(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)*~~***17(4a) or (5)***;	(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*~~***did not execute the order on the basis of*** Article ~~*17(5)*~~***17(4a) or (5)***; Text Origin: Council Mandate
Article 83(2), point (ga)				
G 952a				***(ga) the number of delisting orders issued in accordance with Article 18a, broken down by provider, and the number of instances in which the provider did not execute the order on the basis of Article 18b(4) or (5);*** Trilogue (29.06.): Provisionally agreed.
Article 83(2), point (h)				
G 953	(h) a list of relevant information society services to which the Coordinating Authority addressed a decision taken pursuant to Articles 27, 28 or 29, the type of decision taken, and the reasons for taking it;	(h) a list of relevant information society services to which the Coordinating Authority addressed a decision taken pursuant to Articles 27, 28 or 29, the type of decision taken, and the reasons for taking it;	(h) a list of relevant information society services to which the ~~*Coordinating Authority*~~***competent authorities*** addressed a decision taken pursuant to ~~*Articles 27, 28 or 29*~~***Article 27***, the type of decision	(h) a list of relevant information society services to which the ~~*Coordinating Authority*~~***competent authorities*** addressed a decision taken pursuant to ~~*Articles 27, 28 or 29*~~***Article 27***, the type of decision

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			taken, and the reasons for taking it;	taken, and the reasons for taking it; Text Origin: Council Mandate
Article 83(2), point (ha)				
953a			***(ha) the number of complaints received in accordance with Article 34 broken down by what the alleged infringement of this Regulation was concerned with.***	***(ha) the number of complaints received in accordance with Article 34 broken down by what the alleged infringement of this Regulation was concerned with.*** Text Origin: Council Mandate
Article 83(2), point (i)				
954	(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.	(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.	~~*(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.*~~	(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. ITM (12.10.): subject to agreement on the detection package. Linked to voluntary detection/detection orders Text Origin: EP Mandate
Article 83(2), point (ia)				
954a		***(ia) the measures taken regarding prevention and victim assistance programmes.***		*deleted*
Article 83(3)				
955	*3.*The EU Centre shall collect data	3.The EU Centre shall collect data	3.The EU Centre shall collect data	3.The EU Centre shall collect data

OBTAINED BY: CONTEXT

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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:	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*~~***include***:	and generate statistics on the detection, reporting, removal of or disabling of access to***, blocking and delisting of*** online child sexual abuse under this Regulation. The data shall-~~*be*~~ ***constitute*** in particular ~~*on*~~ the following ~~*topics*~~:	and generate statistics on the detection, reporting, removal of or disabling of access to***, blocking or delisting of*** online child sexual abuse under this Regulation. The data shall ~~*be in particular on the following topics*~~***include***: Trilogue (29.06.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 83(3), point (a)				
956	(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 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 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 development of that number as compared to previous years; Text Origin: Commission Proposal
Article 83(3), point (b)				
957	(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);	(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);	(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);	(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);

OUTCOME OF TRILOGUE - OBTENU PAR TRILOGUE

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 83(3), point (c)				
958	(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);	(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); Text Origin: EP Mandate
Article 83(3), point (ca)				
958a		***(ca) the total number of reports forwarded to Europol in accordance with Article 48(3), and the total 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;***		***(ca) the total 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;*** Text Origin: EP Mandate
Article 83(3), point (d)				
959	(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	(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	(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*~~	(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~~,~~ ***included in***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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;	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;	~~*State the competent authority of which the EU Centre forwarded*~~ ***included in*** the reports ~~*to*~~ ***forwarded*** in accordance with Article 48(3), and type of relevant information society service that the reporting provider offers;	***the reports forwarded to Europol and the competent law enforcement authority or authorities of*** the Member State ~~*the competent authority of which the EU Centre forwarded the reports to*~~***likely to have jurisdiction,*** in accordance with Article 48(3), and ***the*** type of relevant information society service that the reporting provider offers; Instruction manuals Text Origin: Council Mandate
Article 83(3), point (e)				
G 960	(e) the number of reports that the EU Centre considered manifestly unfounded, as referred to in Article 48(2);	(e) the number of reports that the EU Centre considered ~~*manifestly*~~ unfounded, as referred to in Article 48(2);	(e) the number of reports that the EU Centre considered manifestly unfounded, as referred to in Article 48(2);	(e) the number of reports that the EU Centre considered manifestly unfounded, as referred to in Article 48(2); Text Origin: Council Mandate
Article 83(3), point (f)				
G 961	(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 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 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)*~~***36(4)***, broken down by Member State;	(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)*~~***36(4)***, broken down by Member State; Text Origin: Council Mandate
Article 83(3), point (g)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
962	(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;	(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;	(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;	(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; Text Origin: Commission Proposal
Article 83(3), point (h)				
963	(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 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 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 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. Text Origin: Commission Proposal
Article 83(3), point (i)				
964	(i) the number of notices and number of providers of hosting services notified by the EU Centre pursuant to Article 49(2);	(i) the number of notices and number of providers of hosting services notified by the EU Centre pursuant to Article 49(2);	(i) the number of notices and number of providers of hosting services notified by the EU Centre pursuant to Article 49(2);	(i) the number of notices and number of providers of hosting services notified by the EU Centre pursuant to Article 49(2); Text Origin: Commission Proposal
Article 83(3), point (j)				
965	(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	(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	(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	(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

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	requested to receive such assistance in a manner accessible to them due to disabilities.	requested to receive such assistance in a manner accessible to them due to disabilities.	requested to receive such assistance in a manner accessible to them due to disabilities.	requested to receive such assistance in a manner accessible to them due to disabilities. Text Origin: EP Mandate
Article 83(3), point (ja)				
G 965a			***(ja) a report describing and analysing the relevant technologies, including the published opinions of the European Data Protection Board pursuant to Article 50(1) on the technologies made available by the EU Centre.***	***(ja) a report describing and analysing the relevant technologies, including the published opinions of the European Data Protection Board pursuant to Article 50(1) on the technologies made available by the EU Centre.*** Text Origin: Council Mandate
Article 83(4)				
G 966	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.	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.	4. ~~The~~ Providers of ~~hosting services, providers of interpersonal communications~~ ***relevant information society*** services ***that were subject to orders issued under Articles 14, 16 and 18a*** ~~and providers of internet access services~~, the Coordinating ***Authorities or other competent*** 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 ***for*** the transparency reporting referred to in Article 84. The data ***referred to in paragraphs 1 to 3*** ~~stored~~ shall not contain any personal data.	4. ~~The~~ Providers of ~~hosting services, providers of interpersonal communications~~ ***relevant information society*** services ~~and providers of internet access services~~ ***that were subject to orders issued under this Regulation***, the Coordinating ***Authorities or other competent*** 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 ***referred to in paragraphs 1 to 3*** ~~stored~~ shall not contain any personal data. Text Origin: Council Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 83(5)				
967	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.	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***. They shall regularly review those safeguards and adjust them where necessary.	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.	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. Text Origin: EP Mandate
Article 83(5a)				
967a			***5.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning the process of data collection and categorisation of the data to be collected pursuant to paragraphs 1 to 4 for the purposes of follow-up of the reports and the application of the Regulation.***	***5.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning the process of data collection and categorisation of the data to be collected pursuant to paragraphs 1 to 4 for the purposes of follow-up of the reports and the application of the Regulation.*** Text Origin: Council Mandate
Article 84				
968	Article 84	Article 84	Article 84	Article 84

OBTAINED BY CONTEC

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Transparency reporting	Transparency reporting	Transparency reporting	Transparency reporting Text Origin: Commission Proposal
Article 84(1)				
969	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.	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*~~ ***1 March*** of every year subsequent to the year to which the report relates, make the report available to the public ***in an structured commonly used and machine-readable format*** and communicate it to the Coordinating Authority of establishment, the Commission and the EU Centre.	1.Each provider of relevant information society services ***that was subject to orders issued under Articles 14, 16 and 18a during the relevant calendar year*** 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.	1.~~*Each*~~***If a*** provider of relevant information society services ***was subject to orders under this Regulation or carried out own-initiative searches under Article [Z] during that calendar year, it*** 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. ITM (12.10.): subject to agreement on the detection package. Text Origin: Council Mandate
Article 84(1a)				
969a			***Providers subject to Article 5(2b) shall prepare by 31 January of every year subsequent to the year to which the report relates a report on their contribution to the development of the technologies as specified in that provision, make the***	*deleted* *Trilogue (29.06.): Provisionally agreed as risk categorisation was deleted.*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			report available to the public and communicate it to the Coordinating Authority of establishment, the Commission and the EU Centre.	
Article 84(2)				
970	*2.*Each Coordinating Authority shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(2). It 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 Commission and the EU Centre.	2.Each Coordinating Authority shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(2). It 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 Commission and the EU Centre.	2.Each Coordinating Authority shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(2). It 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 Commission and the EU Centre.	2.Each Coordinating Authority shall draw up an annual report on its activities under this Regulation. That report shall compile the information referred to in Article 83(2). It 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 Commission and the EU Centre. Text Origin: Commission Proposal
Article 84(3)				
971	3.Where a Member State has designated several competent authorities pursuant to Article 25, it shall ensure that the Coordinating Authority draws up a single report covering the activities of all competent authorities under this Regulation and that the Coordinating Authority receives all relevant information and support needed to that effect from the other competent authorities concerned.	3.Where a Member State has designated several competent authorities pursuant to Article 25, it shall ensure that the Coordinating Authority draws up a single report covering the activities of all competent authorities under this Regulation and that the Coordinating Authority receives all relevant information and support needed to that effect from the other competent authorities concerned.	3.Where a Member State has designated several competent authorities pursuant to Article 25, it shall ensure that the Coordinating Authority draws up a single report covering the activities of all competent authorities under this Regulation and that the Coordinating Authority receives all relevant information and support needed to that effect from the other competent authorities concerned.	3.Where a Member State has designated several competent authorities pursuant to Article 25, it shall ensure that the Coordinating Authority draws up a single report covering the activities of all competent authorities under this Regulation and that the Coordinating Authority receives all relevant information and support needed to that effect from the other competent authorities concerned. Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 84(4)				
972	4.The EU Centre, working in close cooperation with the Coordinating Authorities, shall draw up an annual report on its activities under this Regulation. That report shall also compile and analyse the information contained in the reports referred to in paragraphs 2 and 3. The EU Centre shall, by 30 June of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Commission.	4.The EU Centre, working in close cooperation with the Coordinating Authorities, shall draw up an annual report on its activities under this Regulation. That report shall also compile and analyse the information contained in the reports referred to in paragraphs 2 and 3. The EU Centre shall, by 30 June of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Commission.	4.The EU Centre~~, working in close cooperation with the Coordinating Authorities,~~ shall draw up an annual report on its activities under this Regulation. That report shall ~~also~~ compile and analyse the information contained in the reports referred to in ~~paragraphs~~***paragraph*** 2 and ~~3~~***Article 83(3)***. The EU Centre shall, by 30 June of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Commission.	4.The EU Centre~~, working in close cooperation with the Coordinating Authorities,~~ shall draw up an annual report on its activities under this Regulation. That report shall ~~also~~ compile and analyse the information contained in the reports referred to in ~~paragraphs~~***paragraph*** 2 and ~~3~~***Article 83(3)***. The EU Centre shall, by 30 June of every year subsequent to the year to which the report relates, make the report available to the public and communicate it to the Commission. Text Origin: Council Mandate
Article 84(5)				
973	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.	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.	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.	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. Text Origin: Council Mandate
Article 84(6)				
974	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		with the necessary templates and detailed rules concerning the form, precise content and other details of the reports and the reporting process pursuant to paragraphs 1, 2 and 3.	with the necessary templates and detailed rules concerning the form, precise content and other details of the reports and the reporting process pursuant to paragraphs 1, 2 and 3.	with the necessary templates and detailed rules concerning the form, precise content and other details of the reports and the reporting process pursuant to paragraphs 1, 2 and 3.	with the necessary templates and detailed rules concerning the form, precise content and other details of the reports and the reporting process pursuant to paragraphs 1, 2 and 3. Text Origin: Commission Proposal
CHAPTER VI					
G	975	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS Text Origin: Commission Proposal
Article 85					
G	976	Article 85 Evaluation	Article 85 Evaluation	Article 85 Evaluation	Article 85 Evaluation Text Origin: Commission Proposal
Article 85(1), first subparagraph					
G	977	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 [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 *…* [five years ~~*after*~~ *from* 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 *…* [five years ~~*after*~~ *from* 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. Text Origin: Council Mandate
Article 85(1), second subparagraph					
G	977a			***In the report, the Commission shall consider, in particular:***	***In the report, the Commission shall consider, in particular:***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
				Text Origin: Council Mandate	
Article 85(1), second subparagraph, point (a)					
G	977b		***(a) the effectiveness of this Regulation in achieving its objective to prevent and combat in a targeted, carefully balanced and proportionate manner the use of relevant information society services for online child sexual abuse in the internal market;***	***(a) the effectiveness of this Regulation in achieving its objective to prevent and combat in a targeted, carefully balanced and proportionate manner the use of relevant information society services for online child sexual abuse in the internal market;*** Text Origin: Council Mandate	G
Article 85(1), second subparagraph, point (b)					
G	977c		***(b) the impact of the application of this Regulation on fundamental rights, notably:***	***(b) the impact of the application of this Regulation on fundamental rights, notably:*** Text Origin: Council Mandate	G
Article 85(1), second subparagraph, point (b)(i)					
G	977d		***(i) children's rights to physical and mental integrity, the prohibition of torture and inhuman and degrading treatment, their right to respect for private and family life and their right to protection of personal data, and their right to such protection and care as is necessary for their well-being, laid down in Articles 3, 4, 7, 8 and 24 of the Charter respectively;***	***(i) children's rights to physical and mental integrity, the prohibition of torture and inhuman and degrading treatment, their right to respect for private and family life and their right to protection of personal data, and their right to such protection and care as is necessary for their well-being, laid down in Articles 3, 4, 7, 8 and 24 of the Charter respectively;*** Text Origin: Council Mandate	G
Article 85(1), second subparagraph, point (b)(ii)					

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 977e			***(ii) users' rights to respect for private and family life, to protection of personal data, and the freedom of expression and information, laid down in Articles 7, 8 and 11 of the Charter respectively; and***	***(ii) users' rights to respect for private and family life, to protection of personal data, and the freedom of expression and information, laid down in Articles 7, 8 and 11 of the Charter respectively; and*** Text Origin: Council Mandate
Article 85(1), second subparagraph, point (b)(iii)				
G 977f			***(iii)providers of relevant information society services' freedom to conduct a business, laid down in Article 16 of the Charter.***	***(iii)providers of relevant information society services' freedom to conduct a business, laid down in Article 16 of the Charter.*** Text Origin: Council Mandate
Article 85(1a)				
977g			***1a. By … [three years from the date of the entry into force of this Regulation], and if necessary, every three years thereafter, the Commission shall submit a report to the European Parliament and the Council assessing the necessity and feasibility of including detection obligations in the scope of this Regulation. The assessment shall include an analysis of the state of development and readiness of the technologies to detect child sexual abuse material and the solicitation of children, including within interpersonal communications services using end-to-end encryption, and error rates.***	Informal meeting (20.05.): See EP amendment in line 995d. Linked to voluntary detection/detection orders

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 85(2)				
978	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.	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.	2.By … [five years ~~after~~ ***from the date of*** 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.	2.By … [five years ~~after~~ ***from the date of*** 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. Text Origin: Council Mandate
Article 85(3)				
979	3.On the occasion of every second evaluation referred to in paragraph 2, the results achieved by the EU Centre shall be assessed, having regard to its objectives and tasks, including an assessment of whether the continuation of the EU Centre is still justified with regard to those objectives and tasks.	3.On the occasion of every second evaluation referred to in paragraph 2, the results achieved by the EU Centre shall be assessed, having regard to its objectives and tasks, including an assessment of whether the continuation of the EU Centre is still justified with regard to those objectives and tasks.	3.On the occasion of every second evaluation referred to in paragraph 2, the results achieved by the EU Centre shall be assessed ***by the Commission***, having regard to ~~its~~***the EU Centre's*** objectives and tasks, including an assessment of whether the continuation of the EU Centre is still justified with regard to those objectives and tasks.	3.On the occasion of every second evaluation referred to in paragraph 2, the results achieved by the EU Centre shall be assessed ***by the Commission***, having regard to ~~its~~***the EU Centre's*** objectives and tasks, including an assessment of whether the continuation of the EU Centre is still justified with regard to those objectives and tasks. Text Origin: Council Mandate
Article 85(4)				
980	4.The Commission shall report to	4.The Commission shall report to	4.The Commission shall report to	4.The Commission shall report to

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the European Parliament and the Council the findings of the evaluation referred to in paragraph 3. The findings of the evaluation shall be made public.	the European Parliament and the Council the findings of the evaluation referred to in paragraph 3. The findings of the evaluation shall be made public.	the European Parliament and the Council the findings of the evaluation referred to in paragraph 3. The findings of the evaluation shall be made public.	the European Parliament and the Council the findings of the evaluation referred to in paragraph 3. The findings of the evaluation shall be made public. Text Origin: Commission Proposal
Article 85(5)				
981	5.For the purpose of carrying out the evaluations referred to in paragraphs 1, 2 and 3, the Coordinating Authorities and Member States and the EU Centre shall provide information to the Commission at its request.	5.For the purpose of carrying out the evaluations referred to in paragraphs 1, 2 and 3, the Coordinating Authorities and Member States and the EU Centre shall provide information to the Commission at its request.	5.For the purpose of carrying out the evaluations referred to in paragraphs 1, ***1a***, 2 and 3, the Coordinating Authorities and Member States and the EU Centre shall provide information to the Commission at its request.	5.For the purpose of carrying out the evaluations referred to in paragraphs 1, ***[1a,]*** 2 and 3, the Coordinating Authorities and Member States and the EU Centre shall provide information to the Commission at its request. ITM (11.06.): Provisionally agreed except bracketed part. Text Origin: Council Mandate
Article 85(6)				
982	6.In carrying out the evaluations referred to in paragraphs 1, 2 and 3, the Commission shall take into account the relevant evidence at its disposal.	6.In carrying out the evaluations referred to in paragraphs 1, 2 and 3, the Commission shall take into account the relevant evidence at its disposal.	6.In carrying out the evaluations referred to in paragraphs 1, ***1a***, 2 and 3, the Commission shall take into account the relevant evidence at its disposal.	6.In carrying out the evaluations referred to in paragraphs 1, ***[1a,]*** 2 and 3, the Commission shall take into account the relevant evidence at its disposal. ITM (11.06.): Provisionally agreed except bracketed part. Text Origin: Council Mandate
Article 85(7)				
983	7.Where appropriate, the reports	7.Where appropriate, the reports	7.Where appropriate, the reports	7.Where appropriate, the reports

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	referred to in paragraphs 1 and 4 shall be accompanied by legislative proposals.	referred to in paragraphs 1 and 4 shall be accompanied by legislative proposals.	referred to in paragraphs 1, ***1a*** and 4 shall be accompanied by legislative proposals.	referred to in paragraphs 1, ***[1a]*** and 4 shall be accompanied by legislative proposals. ITM (11.06.): Provisionally agreed except bracketed part. Text Origin: Council Mandate
Article 86				
G 984	Article 86 Exercise of the delegation	Article 86 Exercise of the delegation	Article 86 Exercise of the delegation	Article 86 Exercise of the delegation Text Origin: Commission Proposal G
Article 86(1)				
G 985	1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Text Origin: Commission Proposal G
Article 86(2)				
986	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 Regulation].	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*~~***a*** period of ~~*time from*~~ ***5 years from*** [date of adoption of the Regulation]. ***The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the***	2.The power to adopt delegated acts referred to in Articles 3, ~~*8,*~~ ***4, 5,*** 13, 14, 17, ***18b, 47, 83***~~*47*~~ and 84 shall be conferred on the Commission for an indeterminate period of time from ***…*** [date of adoption of the Regulation].	2.The power to adopt delegated acts referred to in Articles 3, ***[4, 5, 8,]***~~*8,*~~ 13, 14, 17, ***[18b,] 47, [83]***~~*47*~~ and 84 shall be conferred on the Commission for ~~*an indeterminate*~~***a*** period of ~~*time from*~~ ***5 years from*** [date of adoption of the Regulation]. ***The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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.		***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.*** ITM (11.06.): Provisionally agreed except bracketed part. Text Origin: EP Mandate
Article 86(3)				
987	3.The delegation of power referred to in Articles 3, 8, 13, 14, 17, 47 and 84 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day after the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3.The delegation of power referred to in Articles 3, 8, 13, 14, 17, 47 and 84 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day after the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3.The delegation of power referred to in Articles 3, ~~8,~~ ***4, 5,*** 13, 14, 17, ***18b, 47, 83***~~47~~ and 84 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day after the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3.The delegation of power referred to in Articles 3, ***[4, 5, 8,]***~~8,~~ 13, 14, 17, ***[18b,] 47, [83]***~~47~~ and 84 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day after the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force. ITM (11.06.): Provisionally agreed except bracketed part. Text Origin: EP Mandate
Article 86(4)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
988	4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.	4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.	4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.	4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making. Text Origin: Commission Proposal
Article 86(5)				
989	5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. Text Origin: Commission Proposal
Article 86(6)				
990	6.A delegated act adopted pursuant to Articles 3, 8, 13, 14, 17, 47 and 84 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6.A delegated act adopted pursuant to Articles 3, 8, 13, 14, 17, 47 and 84 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6.A delegated act adopted pursuant to Articles 3, ~~8,~~ ***4, 5,*** 13, 14, 17, ***18b, 47, 83***~~47~~ and 84 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the	6.A delegated act adopted pursuant to Articles 3, ***[4, 5, 8,]***~~8,~~ 13, 14, 17, ***[18b,] 47, [83]***~~47~~ and 84 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the

ORIENTATE CHANGED BY OBTENUPTIA

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Council.	Council. ITM (11.06.): Provisionally agreed except bracketed part. Text Origin: EP Mandate
Article 87				
991	Article 87 Committee procedure	Article 87 Committee procedure	Article 87 Committee procedure	Article 87 Committee procedure Text Origin: Commission Proposal
Article 87(1)				
992	1.For the purposes of the adoption of the implementing acts referred to in Article 39(4), the Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1.For the purposes of the adoption of the implementing acts referred to in Article 39(4) ***and in Article 12(3a)***, the Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1.For the purposes of the adoption of the implementing acts referred to in Article 39(4), the Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1.For the purposes of the adoption of the implementing acts referred to in Article 39(4), the Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. Text Origin: Council Mandate
Article 87(2)				
993	2.Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2.Where reference is made to this ~~*paragraph*~~ ***Article***, Article 4 of Regulation (EU) No 182/2011 shall apply.	2.Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2.Where reference is made to this ~~*paragraph*~~ ***Article***, Article 4 of Regulation (EU) No 182/2011 shall apply. Text Origin: EP Mandate
Article 87(a)				
993a		***87a. Representative actions*** ***The following is added to Annex I of Directive (EU) 2020/1828 on Representative actions for the***		***Article 87a*** ***Representative actions***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		protection of the collective interests of consumers: "Regulation xxxx/xxxx of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse"		Text Origin: EP Mandate
Article 87a(1)				
G 993b				***The following is added to Annex I of Directive (EU) 2020/1828 on Representative actions for the protection of the collective interests of consumers: "Regulation xxxx/xxxx of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse"*** G
Article 88				
994	Article 88 Repeal	Article 88 Repeal	Article 88 ~~Repeal~~***Amendment of Regulation (EU) 2021/1232***	*deleted*
Article 88, first paragraph				
995	Regulation (EU) 2021/1232 is repealed from [date of application of this Regulation].	Regulation (EU) 2021/1232 is repealed from ~~*[date of application*~~***9 months after the entry into force*** of this Regulation~~*]*~~.	Regulation (EU) 2021/1232 ~~*is repealed from [date of application of this Regulation]*~~ ***shall be amended as follows:***	*deleted*
Article 88, first paragraph a				
995a			***In Article 9, the first paragraph is replaced by "On the basis of the reports submitted pursuant to Article 3(1), point (g)(vii), and the statistics purusant to Article 8, the Commission shall, by [36 months***	*deleted*

Contexte UNIQUEMENT OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			from the date of the entry into force of this amending Regulation.] and every three years thereafter, prepare a report on the implementation of this Regulation and submit and present it to the European Parliament and the Council.".	
Article 88, first paragraph b				
995b		***Article 10, second subparagraph, of Regulation (EU) 2021/1232 is deleted.***	***In Article 10, the second paragraph is deleted.***	*deleted*
Article 88, (a)				
995c		***Article 88a Review***		*deleted* *Linked to voluntary detection/detection orders*
Article 88, (a) first paragraph				
995d		***Within three years from the entry into force of the Regulation, the Commission shall submit a report to the European Parliament and to the Council on the necessity and feasibility of including the solicitation of children in the scope of the detection orders, taking into account in particular the reliability and accuracy of the state of art of the detection technologies. The Commission shall take into account the opinions of***		*deleted* *Informal meeting (20.05.):To be considered together with line 977g. Include a review clause on number-dependent communications services.. and audio communications.* *Linked to voluntary detection/detection orders*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		the EU Centre, in particular of its Technology Committee and the Victims' Rights and Survivors Consultative Forum, and the opinion of the European Data Protection Board. Where appropriate, the report shall be accompanied by legislative proposals. Member States shall provide the Commission with the information necessary for the drafting of the report.		
Article 89				
996	Article 89 Entry into force and application	Article 89 Entry into force and application	Article 89 Entry into force and application	Article 89 Entry into force and application Text Origin: Commission Proposal
Article 89, first paragraph				
997	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. Text Origin: Commission Proposal
Article 89, second paragraph				
998	It shall apply from 6 months after its entry into force.	It shall apply ~~*from 6 months*~~ after its entry into force. ***However, Articles 7 to 18, Articles 20 to 21 and Chapter IV shall apply from 9 months after the entry into force of this Regulation.***	It shall apply from ~~*6*~~***…[24*** months ~~*after its*~~ ***from the date of the*** entry into force ***of this Regulation]***.	It shall apply from ~~*6*~~***…[18*** months ~~*after its*~~ ***from the date of the*** entry into force ***of this Regulation]***. ITM (19.06.): EP suggests 18 months. For political discussion.

contexte OBTAINED BY OBTENU PAR

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 89, second paragraph a				
998a			***However, Article 88 shall apply from … [date of entry into force of this Regulation] and Articles 12 and 13, Articles 20 to 22, Article 43(2) and (3), Articles 44 to 50, and Articles 83(3) and 84(4) shall apply from … [48 months from the date of the entry into force of this Regulation].***	ITM (19.06.): EP is wondering what tasks the COM task force could cover. For political discussion.
Article 89, third paragraph				
999	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.	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. Text Origin: Commission Proposal
Formula				
1000	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels, Text Origin: Commission Proposal
Formula				
1001	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: Commission Proposal
Formula				
1002	The President	The President	The President	The President Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Formula				
1003	For the Council	For the Council	For the Council	For the Council Text Origin: Commission Proposal
Formula				
1004	The President	The President	The President	The President Text Origin: Commission Proposal

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