



**Victim Support**  
Europe



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# RECAST DIRECTIVE 2011/93/EU ON COMBATING THE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN A BRIEFING



# LEGISLATIVE TIMELINE

**FEBRUARY  
2024**

European Commission proposed a recast Directive on combating the sexual abuse and sexual exploitation of children

**FEB - MAY  
2024**

National consultations and EESC and/or CoR opinions

**APRIL  
2024**

Draft report of the European Parliament

**JULY  
2024**

EESC Opinion on the recast Directive

**SEPTEMBER  
27TH 2024**

Deadline for LIBE MEP to submit amendment(s) to the draft LIBE Report on the proposed Directive on Child Sexual Abuse

**TBD**

LIBE Committee vote on the draft report

# MAIN UPDATES TO THE DIRECTIVE BY THE EUROPEAN COMMISSION

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The term “child pornography” is replaced with “child sexual abuse material”.

The creation and dissemination of child sexual abuse material through artificial intelligence is also criminalised.

Virtual reality child sexual abuse and child sexual abuse via livestreaming services is also criminalised.

Member States are obliged to provide frameworks for international cooperation – for example, there are instances when the sexual abuse takes place in a non-EU country, but the paying perpetrator for the generation of child sexual abuse material might reside in the EU.

The solicitation of children for sexual purposes is criminalised when committed online, as well as the operation of an online service for the purpose of child sexual abuse or sexual exploitation.

Member States have a discretionary margin for criminalising or not consensual activities, including performances, between peers having reached the age of sexual consent.

It is also up to Member States whether to criminalise or not conversations, contacts or exchanges between peers.

Consensual sharing of one’s intimate images cannot be interpreted as consent to any further sharing or dissemination.

Coordinated victim support measures are introduced; the Barnahus model of multidisciplinary cooperation for child-friendly justice is also added as a standard.

New provision obliges that medical examinations of the child victim are as limited as possible.

There is a new obligation for Member States to establish authorities or equivalent entities that facilitate and coordinate efforts on prevention and assistance to victims, as well as multi-agency and multi-stakeholder coordination and cooperation, including cooperation with the EU Centre introduced by the CSAM Regulation.

# MAIN ADDITIONS TO THE EC PROPOSAL ON THE EP SIDE

Public authorities' cooperation for notice and take-down procedures becomes an obligation as well.

Solicitation to commit sexual abuse or exploitation is also provided for, besides solicitation of sexual abuse.

The prohibition to further share or disseminate intimate images also applies to manipulated or altered versions of personal pictures, through new technologies.

Dedicated helplines and hotlines are provided for.

## WINDOWS OF OPPORTUNITY

Removing the discretionary margin for Member States regarding the criminalisation of consensual sexual exchanges between peers, so that such acts are not criminalised at all under any circumstances, in a free and democratic society.

Introducing the possibility for lawyers and other representatives of the victim, besides competent legal authorities, to write and maintain reports on child sexual abuse material shared by the victim, as a part of investigations for crimes defined in the Directive, as well as other types of criminal investigations, such as extortion investigations.

Explicit provisions on creating educational programs and awareness campaigns for children on the safe use of technologies, including through appropriate conduct around sharing consensual intimate images for personal purposes only and non-dissemination of this material, as well as the prohibited usage of artificial intelligence for creating and altering intimate pictures.

### Contact Information



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