

Enhanced Criminal Law Rules to Combat Child Sexual Abuse

Anna Pingen

News

On 6 February 2024, the Commission introduced a [proposal](#) to update criminal law rules aimed at addressing child sexual abuse and exploitation more effectively. The revised rules would expand the scope of offenses, impose stricter penalties, and introduce specific requirements for prevention and victim support. This proposal complements other EU initiatives that reinforce the fight against child sexual abuse and exploitation offences, based on the EU strategy for a more effective fight against child sexual abuse for 2020-2025 adopted in 2020. It is closely linked to the planned Regulation on preventing and combating child sexual abuse online proposed in 2022 (→ [eucrim 2/2022, 91-92](#)). The Regulation would mandate Internet companies to detect, report, and remove child sexual abuse material from their services. If adopted, the Directive would provide the definition of what is a criminal offence because it constitutes child sexual abuse material and solicitation. In other words: the Directive constitutes the criminal law pillar upon which the proposed Regulation stands.

AUTHOR

Anna Pingen 

Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

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The main contents of the updated rules of the Directive are as follows:

- Broadening the definition of offenses to include the live streaming of child sexual abuse and the possession and exchange of pedophile manuals;
- Covering child sexual abuse material created using deep fakes or AI-generated content;
- Strengthening the mechanisms for prosecution and victim support;
- Extending the period during which victims can report abuse and seek justice;
- Granting victims the right to financial compensation in order to address the long-term impacts of abuse while Member States would be required to establish coordination mechanisms for prevention programmes and victim assistance.

The Commission also proposed enhancing prevention measures, with increased investment in awareness campaigns about online risks to ensure safer internet use for children. The proposal imposes new requirements for criminal record checks for recruiters. Member States would be obliged to provide criminal records as complete as possible in response to such record requests, using the European Criminal Record Information System. Another measure includes that professionals working closely with children are mandated to report any offenses.

The proposal will now be discussed in European Parliament and the Council. Once adopted, the new directive will replace Council Framework Decision 2004/68/JHA.

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