



ROMANIAN PARLIAMENT

CHAMBER OF DEPUTIES

Courtesy translation

DECISION

to adopt the Opinion on the

Proposal for a Directive of the European Parliament and of the Council

on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Directive 2004/68/JHA (recast)

COM(2024) 60

Under the provisions of Article 67 and Article 148 of the Constitution of Romania, republished, of Law No 373/2013 on the cooperation between the Parliament and the Government in the field of European Affairs, and of Articles 164-189 of the Regulation of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No 8/1994, republished, with subsequent amendments and completions,

The Chamber of Deputies adopts this Decision.

Sole article. – Having regard to the Opinion No 4c-22/348 adopted by the Committee on European Affairs during its meeting on May 28th, 2024, the Chamber of Deputies:

1. Supports this initiative to revise Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child sexual abuse material, give the necessity to update the relevant legislation of the Union and its Member States, in order to ensure its effectiveness.

2. Agrees that there is a need to further harmonise offences and penalties related to sexual abuse and sexual exploitation of children and child sexual abuse material, with the aim of creating an equal level of protection at EU level, while preserving the possibility for Member States to maintain stricter national rules that are stricter than the provision of the Directive, and supports tightening the applicable penalties, in line with the recognition of the importance of protected social values.

3. Draws attention to the imperative of constantly updating digital investigative techniques in order to take account of rapid technological progress.

4. Supports initiatives to limit the dissemination of child sexual abuse material, including to take into account technological developments and the risks of using artificial intelligence to produce such material. In this respect, it recognises that the expression “by

means of information and communication technology” has been given a sufficiently broad character in the context of criminalising child solicitation for sexual purposes. Supports the inclusion of so-called “paedophile manuals” in the definition of the mentioned materials.

5. Notes the non-criminalisation in the Directive of behaviours such as “sexual extortion” or so-called “revenge porn”, despite the recognition in its preamble of the rapid growth in recent years of the first phenomenon, namely the regulation in some Member States, including Romania, of the second type of behaviour.

6. Follows with interest, in particular from the perspective of identifying, removing and blocking websites containing child sexual abuse material, the effective application of this initiative in a complementary manner to the EU legal framework dedicated to combating online child sexual abuse, in conjunction with the future EU Regulation laying down rules to prevent and combat child sexual abuse, as well as the relevant measures adopted under Regulation (EU) 2022/2065 on digital services.

7. Welcomes the promotion of criteria for the authorisation by Member States of organisations acting in the public interest against child sexual abuse, but calls for clarification on the possibilities to enhance cooperation between such organisations and national law enforcement authorities and on the effectiveness of the investigation and prosecution of the offences covered by the Directive.

8. Underlines the importance of the cooperation with third countries, with the purpose of preventing and combating child sexual abuse and exploitation, including for suppression of the so-called sexual tourism.

9. Recommends increased cooperation between the competent authorities of the Member States, through Europol and Eurojust, with a view to investigating and prosecution the sexual abuse and sexual exploitation of children and child sexual abuse material.

10. Is interested in the progress of legislative work on extending the statutes of limitations to enable the investigation and prosecution of offences involving sexual abuse and sexual exploitation of children, and in particular in the context of claims for compensation.

11. Recommends ensuring full compliance of the initiative with Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crimes, as amended and supplemented.

12. Wishes to be informed of the means to enhance cooperation between financial services and other relevant service providers, such as providers of live content broadcasting services, for the purpose of investigating and prosecuting offences covered by the Directive.

13. Takes note of the emphasis in the future directive on mechanisms aimed at protecting and supporting the child and his or her best interests, which involve the access of children, victims of the crime of sexual abuse, to specific and integrated assistance, psychosocial support and protection services. Recalls the recommendation to adapt pedagogical methods - in the family, in school and outside school – according to the age of children, with the aim of increasing their ability to defend against all forms of abuse.

14. Emphasizes the particular relevance of the development of digital literacy skills and the role of staff in the education sector, in the context of the measures to prevent, respectively to combat sexual abuse and sexual exploitation of children, as well as awareness-raising, prevention and training campaigns.

15. Asks for clarification as to the expected effectiveness of obliging professionals in the child protection, education, childcare and healthcare sectors working closely with children to report the existence of reasonable grounds for committing or the likelihood of committing an offence punishable by the Directive.

16. Highlights the importance of criminal records as a tool to prevent persons convicted of one of the offences covered by the Directive from exercising professional activities involving direct and periodic contacts with children or within organisations working for children or organisations acting in the public interest in the fight against child sexual abuse, as well as the need for an adequate circulation of relevant information from national criminal records registers, both between Member States and in relation to third countries.

17. Recommends the organisation of exchanges of best practices on the most effective ways to establish and operate coordination and cooperation mechanisms at national level in charge of preventing and combating the sexual abuse and sexual exploitation of children.

This Decision was adopted by the Chamber of Deputies during its session on June 11th, 2024, in compliance with the provisions of Article 76 (2) of the Constitution of Romania, republished.

**p. PRESIDENT
OF THE CHAMBER OF DEPUTIES**

Vasile – Daniel SUCIU

Legislative Department
Head of Department, Georgică Tobă

Bucharest, June 11th, 2023

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[Unofficial English translation]