



2024/0035(COD)

9.1.2025

DRAFT OPINION

of the Committee on Women's Rights and Gender Equality

for the Committee on Civil Liberties, Justice and Home Affairs

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 Decision
2004/68/JHA (recast)
(COM(2024)0060 – C9-0028/2024 – 2024/0035(COD))

Rapporteur for opinion: Helène Fritzon

PA_Legam

SHORT JUSTIFICATION

On the 6th of February 2024, the European Commission published its legislative proposal for a recast of Directive 2011/93/EU on combating the sexual abuse and exploitation of children, as well as child sexual abuse material, replacing Council Framework Decision 2004/68/JHA. This proposal aims to harmonise criminal law across the EU by addressing crimes such as child sexual abuse material, grooming, sexual assault and rape. The directive also seeks to establish robust measures for detecting and reporting online child sexual abuse, preventing such crimes, and supporting victims.

Child sexual abuse is a growing issue both online and offline. In 2023 alone, there were 1.3 million reports of child sexual abuse in the EU, amounting to over 3.4 million images and videos. Globally, reports have risen from 1 million in 2010 to nearly 35.9 million in 2023, including 105.6 million images and videos. Alarmingly, 9 out of 10 victims are girls, according to INHOPE data. The EU continues to host the majority of child sexual abuse material globally, with 59% of such content being hosted in Member States, according to the Internet Watch Foundation.

The proposal highlights the need to address the misuse of digital platforms for distributing child sexual abuse material and grooming. These crimes predominantly target girls and young women, with male perpetrators being the majority. The Rapporteur emphasises the critical importance of recognising child sexual abuse as a form of gender-based violence and incorporating gender-specific approaches to effectively combat these crimes.

The Rapporteur suggests amendments to prevention measures through targeted awareness campaigns by age and gender. Emphasizing the principle that only an explicit and informed 'yes' constitutes consent, the directive must ensure that consent is central to all prevention and support measures. Support for victims and survivors must be specialised and include an integrated gender perspective. To this end, the creation of an EU Centre is strongly endorsed, alongside the establishment of an Advisory Board composed of survivors and children's rights experts. This board would provide guidance on children's rights, prevention strategies, and victim support to the governance structures of the EU Centre.

Finally, the Rapporteur believes that this Directive could make a significant difference in combating child sexual abuse for all children. This exponential growth in the dissemination of child sexual abuse material underscores the urgency of updated legislation.

AMENDMENT

The Committee on Women's Rights and Gender Equality submits the following to the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible:

Amendment 1

Proposal for a directive Recital 11

(11) Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way.

(11) ***Child sexual abuse disproportionately affects girls, who constitute the vast majority of victims depicted in child sexual abuse material and are significantly overrepresented in cases of child solicitation. In contrast, men account for the overwhelming majority of perpetrators. Reports indicate that nine out of 10 victims are young girls.***^{1a} Research has shown that limiting the dissemination of child sexual abuse material is not only crucial to avoid the re-victimisation linked to the circulation of images and videos of the abuse but is also essential as a form of offender-side prevention, as accessing child sexual abuse material is often the first step towards hands-on abuse, regardless of whether it depicts real or simply realistic abuse and exploitation. The ongoing development of artificial intelligence applications capable of creating realistic images that are indistinguishable from real images, the number of so-called ‘deep-fake’ images and videos depicting child sexual abuse is expected to grow exponentially in the coming years. In addition, the development of augmented, extended and virtual reality settings making use of avatars including sensory feedback, e.g. through devices providing a perception of touch are not fully covered by the existing definition. ***Additionally, biases in artificial intelligence systems have been shown to disproportionately generate exploitative imagery of girls, reflecting and amplifying the vast majority of existing child sexual abuse material. Therefore, it should be taken into consideration that the use of artificial intelligence in generating child sexual abuse material risks contributing to the disproportionate victimisation of certain groups, such as girls.*** The inclusion of an explicit reference to ‘reproductions and representations’ should ensure that the definition of child sexual

abuse material covers these and future technological developments in a sufficiently technology-neutral and hence future-proof way *but addressing the disproportionate victimisation of certain groups, such as girls, is also essential.*

^{1a} *INHOPE Annual Report 2023*
<https://www.inhope.org/EN/articles/inhope-annual-report-2023>

Or. en

Amendment 2

Proposal for a directive Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Children are increasingly connected from a young age, and girls are particularly vulnerable to encountering and being subjected to cyber violence. Studies show that one in 10 women has experienced some form of gender-based cyber violence since the age of 15^{1a}, with 58 % of girls reporting having faced online harassment^{1b}. The digital sphere presents disproportionate risks for girls and women, who are especially impacted by gender-based cyber violence. Online sexual violence, including sexual harassment, abuse, and grooming, has reached unprecedented levels, disproportionately affecting girls and young women. Child sexual abuse is largely an expression of gender-based violence targeting girls and young women. Therefore, it is crucial to integrate a gender perspective into all measures designed to prevent and combat online child sexual abuse and the interception of online solicitation of children, while also addressing the root causes of gender-based violence.

^{1a} EIGE paper on cyber violence against women and girls
<https://eige.europa.eu/newsroom/news/cyber-violence-growing-threat-especially-women-and-girls?>

^{1b} GREVIO 2023 report
<https://www.coe.int/en/web/cyberviolence/cyberviolence-against-women>

Or. en

Amendment 3

Proposal for a directive **Recital 22**

Text proposed by the Commission

(22) Solicitation of children for sexual purposes is a threat with specific characteristics in the context of the Internet, as the latter provides unprecedented anonymity to users because they are able to conceal their real identity and personal characteristics, such as their age. In the last decade, the use of information and communication technologies has provided offenders with increasingly easy access to children, where the contact often starts with the offender luring the child, for example by pretending to be a peer or with other deceitful or flattering conduct, into compromising situations. This increased access to children has led to the rapid growth of phenomena such as ‘sextortion’ (i.e. the conduct of threatening to share intimate material depicting the victim to obtain money, child sexual abuse material or any other benefit), affecting children both below and above the age of sexual consent. There has been a surge in recent years of financially motivated sextortion by organised crime groups that target in particular teenage boys, which have led to multiple cases of those children taking their lives. It is therefore essential that all these phenomena are appropriately covered

Amendment

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in Member States's law. At the same time, Member States acknowledge the importance of also combating the solicitation of a child outside the context of the Internet, in particular where such solicitation is not carried out by using information and communication technology. Member States are encouraged to criminalise the conduct where the solicitation of a child to meet the offender for sexual purposes takes place in the presence or proximity of the child, for instance in the form of a particular preparatory offence, attempt to commit the offences referred to in this Directive or as a particular form of sexual abuse. Whichever legal solution is chosen to criminalise 'off-line grooming', Member States should ensure that they prosecute the perpetrators of such offences.

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Or. en

Amendment 4

Proposal for a directive Recital 26

Text proposed by the Commission

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs and alcohol.

Amendment

(26) Physical or mental incapacity under this Directive should be understood as also including the state of physical or mental incapacity caused by the influence of drugs and alcohol. ***It is essential to recognise that individuals in a state of incapacity cannot give informed and voluntary consent, making any sexual act under***

such circumstances inherently non-consensual.

Or. en

Amendment 5

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such. Where medical examinations of the child are necessary for the purposes of the criminal investigations, for example to gather evidence of abuse, these should be limited to the strictly necessary in order to limit re-traumatisation. This obligation should not prevent other medical examinations necessary for the well-being of the child. Child victims should have easy access to child friendly justice, legal remedies and measures to

Amendment

(36) Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs, ***including the vulnerabilities of the victim and disproportionate psychological effects on girls.*** Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests. ***To prevent re-victimisation, law enforcement and related professionals must adopt gender-sensitive approaches that avoid perpetuating harm or gender bias during investigations and interactions with victims. Failure to implement such practices risks re-traumatising victims and deterring them from seeking justice.*** The “Barnahus” model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. ***It is important to note that the Barnahus model incorporates gender-sensitive approaches, ensuring that gender-specific vulnerabilities are considered when in contact with survivors, training of staff includes gender sensitivity, and services are adapted to gendered experiences.*** The relevant provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual

address conflicts of interest where sexual abuse or sexual exploitation of a child occurs within the family. When a special representative should be appointed for a child during a criminal investigation or proceeding, this role may be also carried out by a legal person, an institution or an authority. Moreover, child victims should be protected from penalties, for example under national legislation on prostitution, if they bring their case to the attention of competent authorities. Furthermore, participation in criminal proceedings by child victims should not cause additional trauma to the extent possible, as a result of interviews or visual contact with offenders. All authorities involved in the proceedings should be trained in child friendly justice. A good understanding of children and how they behave when faced with traumatic experiences will help to ensure a high quality of evidence-taking and also reduce the stress placed on children when carrying out the necessary measures. Where child victims participate in criminal proceedings, the court should take full account of their age and maturity in conducting the proceedings and should ensure that the proceedings are accessible and understandable to the child.

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proceedings and should ensure that the proceedings are accessible and understandable to the child.

Or. en

Amendment 6

Proposal for a directive

Recital 38

Text proposed by the Commission

(38) The trauma arising from sexual abuse and sexual exploitation of children often lasts well into adulthood, entailing **long-term** effects which often prevent victims from reporting the offence and from seeking assistance and support for years or even decades. Therefore, Member States should provide tailored and comprehensive short- and long-term assistance not only to child victims, but also to adult survivors of child sexual abuse and sexual exploitation.

Amendment

(38) The trauma arising from sexual abuse and sexual exploitation of children often lasts well into adulthood, entailing **sometimes life-long** effects which often prevent victims from reporting the offence and from seeking assistance and support for years or even decades. **In some cases, recollection of sexual abuse and subsequent suffered trauma in victims may vary. In addition, due to the unavailability of information and understanding on what constitutes child sexual abuse and consent, survivors may only recognise suffered sexual abuse later in life.** Therefore, Member States should provide tailored and comprehensive short- and long-term assistance not only to child victims, but also to adult survivors of child sexual abuse and sexual exploitation.

Or. en

Amendment 7

Proposal for a directive

Recital 40

Text proposed by the Commission

(40) The EU Centre to prevent and combat child sexual abuse ('EU Centre'), established by Regulation [.../.../EU laying down rules to prevent and combat child sexual abuse]¹⁶, should support Member States' prevention and assistance to victims' efforts and obligations under

Amendment

(40) The EU Centre to prevent and combat child sexual abuse ('EU Centre'), established by Regulation [.../.../EU laying down rules to prevent and combat child sexual abuse]¹⁶, should support Member States' prevention and assistance to victims' efforts and obligations under

this Directive. It should facilitate the exchange of best practices in the Union and beyond. The EU Centre should encourage dialogue between all relevant stakeholders to help the development of state-of-the-art prevention programmes. Moreover, by cooperating with Member States and contributing to the standardisation of data collection concerning child sexual abuse and sexual exploitation throughout the Union, the EU Centre should be an asset in supporting evidence-based policy on both prevention and assistance to victims. Member States should establish national authorities or equivalent entities as they consider most appropriate according to their internal organisation, taking into account the need for a minimal structure with identified tasks, capable of carrying out assessments of trends in child sexual abuse, of gathering statistics, of measuring the results of actions to prevent and combat child sexual abuse, and of regularly reporting on such trends, statistics and results. Such national authorities should serve as a national contact point and should take an integrative multistakeholder approach in their work. In addition, Member States should establish the necessary mechanisms at national level to ensure effective coordination and cooperation in the development and implementation of measures to prevent and combat child sexual abuse and child sexual exploitation, both online and offline, among all relevant public and private actors, as well as facilitate cooperation with the EU Centre and the Commission.

this Directive. It should facilitate the exchange of best practices in the Union and beyond. The EU Centre should encourage dialogue between all relevant stakeholders to help the development of state-of-the-art prevention programmes. ***Given the purpose of this Directive, to combat and prevent child sexual abuse, the EU Centre should have a Children's Rights and Survivors Advisory Board composed of experts with an advisory function relating to children's rights and the victims' and survivors' perspective. The Children's Rights and Survivors Advisory Board may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate. The EU Centre should be empowered to collaborate with relevant competent authorities and support services, including victim protection centres, women's shelters, specialised children's services, social services, children's rights organisations, and healthcare professionals in Member States. In doing so, the EU Centre must ensure a gender-sensitive approach and a child rights-based perspective, prioritising the needs and protection of child victims*** Moreover, by cooperating with Member States and contributing to the standardisation of data collection concerning child sexual abuse and sexual exploitation throughout the Union, the EU Centre should be an asset in supporting evidence-based policy on both prevention and assistance to victims. Member States should establish national authorities or equivalent entities as they consider most appropriate according to their internal organisation, taking into account the need for a minimal structure with identified tasks, capable of carrying out assessments of trends in child sexual abuse, of gathering statistics, of measuring the results of actions to prevent and combat child sexual abuse, and of regularly reporting on such trends, statistics and results, ***including gender- and age-disaggregated data.*** Such national

authorities should serve as a national contact point and should take an integrative multistakeholder approach in their work. In addition, Member States should establish the necessary mechanisms at national level to ensure effective coordination and cooperation in the development and implementation of measures to prevent and combat child sexual abuse and child sexual exploitation, both online and offline, among all relevant public and private actors, as well as facilitate cooperation with the EU Centre and the Commission.

¹⁶ COM (2022) 209 of 11.5.2022.

¹⁶ COM (2022) 209 of 11.5.2022.

Or. en

Amendment 8

Proposal for a directive Recital 40 a (new)

Text proposed by the Commission

Amendment

(40a) It is essential that Member States establish multidisciplinary structures to integrate expertise from law enforcement, child protection agencies, child sexual abuse survivors, healthcare professionals, educators and mental health specialists. Those structures must address the complexities of online sexual abuse and solicitation of children while taking into account the gender and age of child users, recognising that girls are disproportionately targeted in many forms of sexual exploitation and sexual abuse.

Or. en

Amendment 9

Proposal for a directive Recital 43

(43) Member States should establish or strengthen policies to prevent sexual abuse and sexual exploitation of children, including measures to discourage and reduce the demand that fosters all forms of sexual exploitation of children, and measures to reduce the risk of children becoming victims, by means of, information and awareness-raising campaigns, including for parents *and* carers *and* society at large, and research and education programmes. In such initiatives, Member States should adopt a child-rights based approach. Care should be taken to ensure that awareness-raising campaigns aimed at children are appropriate and sufficiently easy to understand, and tailored to the specific needs of children of different age groups, including pre-school children. Prevention measures should take a holistic approach to the phenomenon of child sexual abuse and sexual exploitation, by addressing its online and offline dimensions and mobilizing all relevant stakeholders. In particular for the online dimension, measures should include the development of digital literacy skills, including critical engagement with the digital world, to help users identify and address attempts of online child sexual abuse, seek support and prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care. Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

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prevent its perpetration. Particular attention should be paid to prevention of child sexual abuse and sexual exploitation of children that are cared for in a group facility rather than in the context of family-based care. Where not already in place, the establishment of dedicated help-lines or hotlines should be considered.

Or. en

Amendment 10

Proposal for a directive Recital 43 a (new)

Text proposed by the Commission

Amendment

(43a) To reduce the demand that fosters all forms of sexual exploitation of children, Member States should launch information and awareness-raising campaigns aimed at the general public to inform them about the changes in national law as a result of this Directive, including the increased sentencing, the legal consequences of child sexual abuse and exploitation, and the notion of consent. Those campaigns should emphasise the severe penalties for offenders, highlight the long-term consequences of engaging in such crimes, educate as to what lack of consent means, and in a clear and simple way inform individuals about the legal framework in place to combat child sexual exploitation.

Or. en

Amendment 11

Proposal for a directive Recital 43 b (new)

Text proposed by the Commission

Amendment

(43b) Member States should ensure that law enforcement authorities investigate, without undue delay, attempts to solicit

children for sexual purposes and that child victims of such solicitation attempts are effectively referred to relevant support services for assistance and protection, with a focus on strengthening victims' rights. Member States should ensure the systematic collection and reporting of gender-disaggregated data on incidents of child sexual abuse and exploitation. Such data are vital for analysing the differing impacts of those crimes on boys and girls and for developing targeted, evidence-based prevention strategies and support measures tailored to their specific needs. Member States should also incorporate the collection of gender-disaggregated data as part of the national data collection measures to evaluate aggravating circumstances. This will provide insights into gender-specific trends in sexual abuse and inform future prevention strategies and policy adjustments.

Or. en

Amendment 12

Proposal for a directive Recital 46

Text proposed by the Commission

(46) Professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained to identify and deal with such victims. To ensure child-friendly justice throughout the investigation and prosecution of child sexual abuse and sexual exploitation cases, that training should be promoted for members of the following categories when they are likely to come into contact with child victims: police officers, public prosecutors, lawyers, members of the judiciary and court officials, child and health care personnel, professionals in the education sector, including in early childhood education and care, social services, providers of victim

Amendment

(46) Professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained to identify and deal with such victims. To ensure child-friendly **and gender-sensitive** justice throughout the investigation and prosecution of child sexual abuse and sexual exploitation cases, that training should be promoted for members of the following categories when they are likely to come into contact with child victims: police officers, public prosecutors, lawyers, members of the judiciary and court officials, child and health care personnel, professionals in the education sector, including in early childhood education and care, social

support and restorative justice services, but could also involve other groups of persons who are likely to encounter child victims of sexual abuse and sexual exploitation in their work.

services, providers of victim support and restorative justice services, but could also involve other groups of persons who are likely to encounter child victims of sexual abuse and sexual exploitation in their work.

Or. en

Amendment 13

Proposal for a directive

Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2a) ‘consent of the child above the age of sexual consent’ means any freely given, specific, informed and unambiguous indication of the child’s agreement to a sexual act, in the context of the surrounding circumstances as a consequence of the exercise of free will on the part of the child concerned;

Or. en

Amendment 14

Proposal for a directive

Article 2 – paragraph 1 – point 5 – introductory part

Text proposed by the Commission

Amendment

(5) ‘child sexual abuse performance’ means a live exhibition aimed at an audience, including by means of information and communication technology, of:

(5) ‘child sexual abuse performance’ means a live exhibition aimed at an audience ***of one or more persons***, including by means of information and communication technology, of:

Or. en

Amendment 15

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. Causing, for sexual purposes, a

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child who has not reached the age of sexual consent to witness sexual abuse, even without having to participate, shall be punishable by a maximum term of imprisonment of at least 2 years.

child who has not reached the age of sexual consent to witness sexual abuse, even without having to participate, shall be punishable by a maximum term of imprisonment of at least 2 years **and at least one year of imprisonment where the child is over the age of consent.**

Or. en

Amendment 16

Proposal for a directive Article 3 – paragraph 4

Text proposed by the Commission

4. Engaging in sexual activities with a child who has not reached the age of sexual consent or causing the child to engage in sexual activities with another person shall be punishable by a maximum term of imprisonment of at least 8 years.

Amendment

4. Engaging in sexual activities with a child who has not reached the age of sexual consent or causing the child to engage in sexual activities with another person **or with themselves** shall be punishable by a maximum term of imprisonment of at least 8 years.

Or. en

Amendment 17

Proposal for a directive Article 3 – paragraph 9 – point a

Text proposed by the Commission

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, intoxication, freezing, illness **or** bodily injury;

Amendment

(a) a non-consensual act is understood as an act which is performed without the child's consent given voluntarily, as a result of the child's free will assessed in the context of the surrounding circumstances, or where the child is unable to form a free will due to the presence of circumstances referred to in paragraph 5, or due to other circumstances, including the child's physical or mental condition such as a state of unconsciousness, **sleep**, intoxication, **fear**, freezing, illness, bodily injury **or being in an otherwise particularly vulnerable situation**;

Amendment 18

Proposal for a directive

Article 3 – paragraph 9 – point c

Text proposed by the Commission

(c) ***the absence of consent cannot be refuted exclusively by*** the child's silence, verbal or physical non-resistance ***or*** past sexual conduct.

Amendment

(c) the child's silence, verbal or physical non-resistance, past sexual conduct ***or any past or present relationship with an offender cannot be considered as having given consent.***

Or. en

Amendment 19

Proposal for a directive

Article 10 – paragraph 5 – subparagraph 1

Text proposed by the Commission

For the purpose of paragraphs 1 to 4, a child above the age of sexual consent can be considered as having consented to an activity only where the consent was given voluntarily, as result of the child's free will assessed in the context of the surrounding circumstances.

Amendment

For the purpose of paragraphs 1 to 4, a child above the age of sexual consent can be considered as having consented to an activity only where the consent was given ***explicitly and*** voluntarily, as result of the child's free will assessed in the context of the surrounding circumstances.

Or. en

Amendment 20

Proposal for a directive

Article 10 – paragraph 5 – subparagraph 3

Text proposed by the Commission

The absence of consent cannot be refuted exclusively by the child's silence, verbal or physical non-resistance ***or*** past conduct.

Amendment

The child's silence, verbal or physical non-resistance, past conduct ***or any past or present relationship with an offender cannot be considered as having given consent.***

Or. en

Amendment 21

Proposal for a directive Article 11 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the offence was committed in the presence of another child;

Or. en

Amendment 22

Proposal for a directive Article 11 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) the intention of the offence was to preserve or restore the so-called ‘honour’ of a person, a family, a community or another similar group;

Or. en

Amendment 23

Proposal for a directive Article 11 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(ja) the offence was motivated by discrimination on the grounds of gender, sex, race, colour, ethnic or social origin, genetic features, language, religion or other belief, political opinion, membership of a national minority, property, birth, disability, age or gender identity or sexual orientation.

Or. en

Amendment 24

Proposal for a directive Article 16 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) at least **20** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years of imprisonment;

(a) at least **30** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years of imprisonment;

Or. en

Amendment 25

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) at least **25** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years of imprisonment;

(b) at least **35** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years of imprisonment;

Or. en

Amendment 26

Proposal for a directive

Article 16 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) at least **30** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years of imprisonment.

(c) at least **40** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years of imprisonment.

Or. en

Amendment 27

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall ensure that the

2. Member States shall ensure that the

reporting procedures referred to in paragraph 1 are safe, confidential and designed in a child-friendly manner and language, in accordance with their age and maturity. Member States shall ensure reporting is not conditional upon parental consent.

reporting procedures referred to in paragraph 1 are safe, confidential and designed in a child-friendly, **gender- and trauma- sensitive** manner and language, in accordance with their age and maturity. Member States shall ensure reporting is not conditional upon parental consent.

Or. en

Amendment 28

Proposal for a directive Article 21 – paragraph 2

Text proposed by the Commission

2. Victims shall be provided with coordinated, age-appropriate medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Amendment

2. Victims shall be provided with coordinated, age-appropriate, **gender- and trauma- sensitive** medical care, emotional, psychosocial, psychological and educational support, as well as any other appropriate support tailored in particular to situations of sexual abuse.

Or. en

Amendment 29

Proposal for a directive Article 23 – paragraph 3 – point a

Text proposed by the Commission

(a) at least **20** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years;

Amendment

(a) at least **30** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 3 years;

Or. en

Amendment 30

Proposal for a directive Article 23 – paragraph 3 – point b

Text proposed by the Commission

(b) at least **25** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years;

Amendment

(b) at least **35** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 5 years;

Or. en

Amendment 31

**Proposal for a directive
Article 23 – paragraph 3 – point c**

Text proposed by the Commission

(c) at least **30** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years.

Amendment

(c) at least **40** years from the date the victim has reached the age of majority for the offences punishable under this Directive by a maximum penalty of at least 8 years.

Or. en

Amendment 32

**Proposal for a directive
Article 28 – paragraph 2**

Text proposed by the Commission

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation.

Amendment

2. Member States shall take appropriate action, including through the Internet, such as information and awareness-raising campaigns, research, education, ***including comprehensive sexuality and relationships education***, and training programmes or material, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness and reducing the risk of children, becoming victims of sexual abuse or sexual exploitation. ***Member States shall ensure that such action incorporates a gender perspective, addressing the specific vulnerabilities of girls and boys to***

different forms of sexual abuse and exploitation.

Or. en

Amendment 33

Proposal for a directive Article 28 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall develop awareness-raising campaigns and programmes targeted at children, in particular above the age of sexual consent, to increase knowledge that non-consensual sex is considered a criminal offence, and shall promote the understanding that consent must be given voluntarily as a result of a person's free will, mutual respect, and the right to sexual integrity and bodily autonomy. Such material shall be adapted to the evolving capacity of the persons to whom it is addressed.

Or. en

Amendment 34

Proposal for a directive Article 28 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall promote regular training , including in child friendly justice for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including , but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual

3. Member States shall promote regular training, including in child friendly justice ***and gender sensitivity*** for professionals, judges and officials likely to come into contact with child victims of sexual abuse or sexual exploitation, including, but not limited to, child protection professionals, legal professionals, teachers and educators, family court judges and front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or sexual

exploitation.

exploitation.

Or. en

Amendment 35

Proposal for a directive

Article 31 – paragraph 2 – introductory part

Text proposed by the Commission

2. The statistics shall include the following data disaggregated by sex, age of the victim and of the offender, relationship between the victim and the offender and type of offence:

Amendment

2. The statistics shall include the following data disaggregated by sex, **gender**, age of the victim and of the offender, relationship between the victim and the offender and type of offence **and aggravating circumstances**:

Or. en

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur for the opinion declares that she received input from the following entities or persons in the preparation of the draft opinion:

Entity and/or person
The French Coordination for the European Women's Lobby
ECLAG - Ending Child Sexual Abuse Group

The list above is drawn up under the exclusive responsibility of the rapporteur for the opinion.