

**Priority question for written answer P-003471/2025
to the Commission**
Rule 144
Birgit Sippel (S&D)

Subject: ePrivacy at risk: will the Commission abandon its privacy commitments due to the CSA Regulation deadlock?

For over three years, the Council has remained deadlocked on adopting a position on the proposal for a regulation to prevent and combat child sexual abuse (CSA regulation) (COM(2022)0209). Meanwhile, the highly intrusive derogation from the ePrivacy-Directive¹ set out in Regulation (EU) 2024/1307² will expire in April 2026. This derogation was intended as a temporary solution to address inconsistencies between the ePrivacy Directive and new definitions introduced by Directive (EU) 2018/1972³, which affected the confidentiality of communications. However, instead of prioritising the ePrivacy Regulation, the Commission presented its interim proposal during parliamentary recess, despite the gap being clear since 2018, pressuring legislators into a rushed agreement. A similar strategy now appears to be unfolding.

1. Does the Commission intend to propose a further prolongation beyond April 2026, despite the co-legislators' clear statement that the previous extension was an exception? If so, until when? Will grooming detection be removed from scope given that no provider uses such tools due to their disproportionate impact on fundamental rights?
2. If so, how can the Commission justify appropriateness and proportionality when the second implementation report – again delivered late – cannot rely on data from the template and the data from the Member States is incomplete? Why are infringement proceedings not being initiated against those Member States failing to provide accurate data and reports?

Submitted: 8.9.2025

¹ Directive 2009/136/EC amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws, (OJ L 337, 18.12.2009, p. 11, ELI: <http://data.europa.eu/eli/dir/2009/136/oj>).

² Regulation (EU) 2024/1307 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, ELI: <http://data.europa.eu/eli/reg/2024/1307/oj>).

³ Directive (EU) 2018/1972 of 11 December 2018 establishing the European Electronic Communications Code (OJ L 321, 17.12.2018, p. 36, ELI: <http://data.europa.eu/eli/dir/2018/1972/oj>).