

**Question for written answer E-001602/2022
to the Commission**

Rule 138

Moritz Körner (Renew)

Subject: Filtering systems that are in line with ECJ rulings

In its judgment in Case C-401/19, the Court of Justice of the European Union held that a filtering system that might not adequately distinguish between unlawful content and lawful content – with the result that the introduction of the system could lead to the blocking of lawful communications – would undermine the right to freedom of expression and freedom of information and would not strike a fair balance between that right and the right to intellectual property.

While drawing up its legislative proposal on Directive (EU) 2019/790, the Commission carried out an impact assessment and met with many representatives of the industries concerned.

Can the Commission identify a company's filtering system with which there is no risk of it not adequately distinguishing unlawful from lawful content, with the result that its introduction could lead to the blocking of communications with lawful content?