



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate D – Internal Security  
D.4 – Security in the Digital Age

Brussels  
HOME.D.4/AP

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**Subject: Your application for access to documents – GESTDEM 2022/5158**

Dear Mr de Brouwer,

I refer to your e-mail of 13 September 2022 in which you make a request for access to documents, registered on 14 September 2022 under the above-mentioned reference number.

You state in your request as follows: *“DG HOME presented twice to the Regulatory Scrutiny Board (RSB) its impact assessment for the proposal on CSAM (Fighting child sexual abuse: detection, removal and reporting of illegal content online). (1) After the RSB expressed a negative opinion the first time, DG HOME redrafted its impact assessment to address the points raised by the RSB. It then submitted its impact assessment a second time. I am requesting documents which were used by DG HOME to explain (internally and to the RSB itself) how each and every of the points raised in the first RSB opinion (points B and C) had been addressed. (2) The RSB then expressed a positive opinion with reservation. I am requesting documents which were used by DG HOME to explain (internally and to the RSB) how each and every of the points raised by the RSB in its second opinion (points B and C) have been addressed. I would then like to know whether the second version of the impact assessment has been adapted accordingly before its final publication, based on the RSB reservations (points B and C)”*.

I have identified the following documents as falling within the scope of your request:

- 1) DG HOME comments on Impact Assessment Quality Checklist for Regulatory Scrutiny Board Opinion following the first opinion, ref. Ares(2022)461594 – 20/01/2022, hereafter ‘Document 1’;
- 2) DG HOME responses to Impact Assessment Quality Checklist for Regulatory Scrutiny Board Opinion following the second opinion, ref. Ares(2022)2245415 – 28/03/2022, hereafter ‘Document 2’.

I enclose a copy of the documents requested.

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Please note that these documents are preliminary drafts, which do not reflect the position of the Commission and cannot be quoted as such.

Yours sincerely,

Cathrin BAUER-BULST  
Head of Unit

Enclosures:

- Document 1,
- Document 2.