

(English version)

**Question for written answer E-001562/24
to the Commission
Virginie Joron (PFE)
(27 August 2024)**

Subject: Telegram CEO imprisoned in Paris immediately following the Olympic Games

Borders are not imaginary lines ⁽¹⁾.

Pavel Durov, the Russian-born founder of the Telegram messaging platform, was arrested at Le Bourget airport near Paris shortly after landing there on Saturday 24 August 2024.

According to *Le Monde*, OFMIN, the French agency set up to tackle violence against children, issued an arrest warrant against Mr Durov in the context of a preliminary investigation into alleged crimes including fraud, drug trafficking, cyberbullying, organised crime and condoning terrorism.

If Mr Durov has passive or even active sympathies with paedophiles or terrorists it is a very serious matter. And the French Government could be accused of having granted French nationality in 2021, without checks, to yet another foreign paedophile terrorist ⁽²⁾.

We should note that Telegram banned 16 568 Islamist terrorist channels and bots on 25 November 2019 at the request of European police ⁽³⁾.

1. Can the police or the judiciary of a Member State compel a platform to disclose data on persons suspected of terrorism, drug trafficking or paedophilia under current EU legislation?
2. Was the Commission aware of the accusations?
3. What was the purpose of triggering the European cooperation emergency mechanism in April 2024 ⁽⁴⁾, given that Telegram is registered with the DSA in Belgium?

Submitted: 27.8.2024

**Answer given by Mr Reynders on behalf of the European Commission
(6 November 2024)**

1. Disclosure of data by platforms in the framework of criminal proceedings is currently regulated by national law. As of 18 August 2026, law enforcement and judicial authorities will be able to send European Production Orders to designated establishments or legal representatives of electronic communication service providers to seek information relevant as evidence for criminal proceedings concerning various types of crimes, including those related to terrorism or child sexual abuse, in accordance with Regulation (EU) 2023/1543 ⁽¹⁾ and Directive (EU) 2023/1544 ⁽²⁾. The regulation provides for safeguards, including a judicial authorisation and limitations in terms of types of offenses when requesting traffic or content data.

2. The Commission does not comment on individual cases before the national courts. Without prejudice to the Commission's role as guardian of the Treaties, Member States have the primary responsibility to monitor the application of the relevant legal provisions and to take the necessary steps for enforcement.

3. In April 2024, the Belgium Presidency of the Council activated the Integrated Political Crisis Response (IPCR) ⁽³⁾. This is however completely unrelated to Telegram. For clarity, Telegram has appointed its legal representative in Belgium, as required by Article 13 of the Digital Services Act (DSA). As a consequence, the Belgian Digital Services Coordinator is competent for the supervision of Telegram under the DSA.

¹ Roger Ver, *Financial Times*, 30 June 2016:

² https://www.lemonde.fr/en/pixels/article/2024/08/26/france-extends-detention-of-telegram-ceo-pavel-durov_6721620_13.html;
<https://www.politico.eu/article/france-extend-detention-telegram-ceo-russia-pavel-durov/>; <https://www.youtube.com/watch?v=Qvk3NuZGD6I>;
<https://www.euronews.com/next/2024/08/21/telegram-still-doesnt-meet-large-platform-requirements-under-dsa>

³ *Wall Street Journal*, 26 November 2019.

⁴ https://germany.representation.ec.europa.eu/news/gesetz-uber-digitale-dienste-kommission-leitet-formliches-verfahren-gegen-facebook-und-instagram-ein-2024-04-30_en?prefLang=fr&ettrans=fr

⁽¹⁾ Regulation (EU) 2023/1543 of the European Parliament and the European Council of 12 July 2023 on European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings.

⁽²⁾ Directive (EU) 2023/1544 of the European Parliament and the European Council of 12 July 2023 laying down harmonised rules on the designation of designated establishments and the appointment of legal representatives for the purpose of gathering electronic evidence in criminal proceedings.

⁽³⁾ <https://www.consilium.europa.eu/en/press/press-releases/2024/04/24/foreign-interference-presidency-reinforces-exchange-of-information-ahead-of-the-june-2024-european-elections/>