

(English version)

Question for written answer E-003738/25
to the Commission
Friedrich Pürner (NI)
(25 September 2025)

Subject: Commission President using disappearing messages: impact on transparency and institutional accountability

In view of the right of access to documents of the Union institutions, bodies, offices and agencies (Article 15 TFEU) and the duty of the institutions, bodies, offices and agencies to operate in a transparent manner, I have taken note with great concern of the public statements made by Commission President Ursula von der Leyen's spokespersons on the fact that she often uses the 'disappearing messages' function on her mobile phone, in particular when it comes to politically sensitive messages such as the SMS exchange with the French President about the EU-Mercosur Agreement and the ongoing 'Pfizergate' procedure.

1. How does the Commission ensure that the use of the 'disappearing messages' function does not result in the loss of relevant information that should be archived or documented in accordance with EU transparency obligations?
2. What objective criteria does it use to decide whether communication — in particular between the Commission President and third parties such as heads of state or government or business representatives — needs to be archived or not?
3. What specific measures will it take to ensure that digital exchanges of potential political, legal or administrative importance are clearly documented in future, irrespective of the technical medium used or storage function?

Submitted: 25.9.2025

Answer given by Mr Šefčovič on behalf of the European Commission
(30 March 2026)

In accordance with Article 5(1) of the Detailed Rules for the application of Regulation (EC) No 1049/2001, annexed to the Rules of Procedure of the Commission⁽¹⁾ (hereinafter, the 'Detailed Rules'), 'any content that constitutes important information that is not short-lived shall be registered pursuant to Article 7 of Commission Decision 2021/2121⁽²⁾'.

Article 5(2) of the Detailed Rules gives illustrative examples of how to apply the registration criteria of important and not-short lived documents.

The Detailed rules also clarify that text messaging applications on corporate mobile phones shall not be used for important information that is not short-lived, unless where this is strictly required in the interest of the service and that they shall comply with the Commission's information technology security recommendations for the automatic disappearance of messages (Article 5 paragraph 4).

It is the professional duty of all Commission staff to make sure that these rules are properly followed and implemented.

The Commission has a robust record-keeping policy as laid down in Commission Decision (EU) 2021/2121 on records management⁽³⁾, and in its internal guidelines, which provide for criteria for registration of documents, together with the above-mentioned provisions in the Detailed Rules.

According to Article 3(a) of Regulation (EC) No 1049/2001, a 'document' shall mean any content whatever its medium (written on paper or stored in electronic form or as a sound, visual or audiovisual recording) concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility'.

Both Commission Decision (EU) 2021/2021 on records management and the Detailed rules are applicable regardless the technical medium or storage of a document. On top of this, the Commission central expert services are available for support, tailor-made training and coaching when needed.

⁽¹⁾ Commission Decision (EU) 2024/3080 of 4 December 2024 establishing the Rules of Procedure of the Commission and amending Decision C(2000) 3614 (OJ L, 2024/3080, 5.12.2024, ELI: <http://data.europa.eu/eli/dec/2024/3080/oj>).

⁽²⁾ Commission Decision (EU) 2021/2121 of 6 July 2020 on records management and archives (J L 430, 2.12.2021, p. 30-41).

⁽³⁾ <https://eur-lex.europa.eu/eli/dec/2021/2121/oj/eng>.