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Answer given by President von der Leyen
on behalf of the European Commission
(31.3.2026)

As regards transparency, the Commission acts in accordance with the Treaties and the applicable rules adopted on their basis. Those include in particular Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents¹, and the Annex to the Rules of Procedures of the Commission², which sets out detailed rules for access to documents of the Commission, on the basis of Regulation (EC) No 1049/2001 and Article 15(3) of the Treaty on the Functioning of the EU.

The Commission has consistently set out, including in replies to previous written questions, how the transparency framework applies to different types of documents and forms of communication. The Commission also cooperates constructively with the European Ombudsman, in line with its institutional role. In its judgment in case T-36/23³, the General Court found that the Commission should have provided a more detailed explanation in its decision that it does not hold the text messages requested by the applicants but did not put in question as such the Commission's policy on registration and retention of documents. The Commission has implemented this judgment by adopting a new decision C(2025) 5429, providing a more detailed explanation, which has not been challenged.

The Commission recalls that respect for the rule of law, democracy and fundamental rights is a founding value of the EU and underpins all the Commission's actions. In light of the above, the Commission considers itself in full compliance with the rule of law.

¹ OJ L 145, 31.5.2001, pp. 43–48.

² Commission Decision (EU) 2024/3080 of 4 December 2024 establishing the Rules of Procedure of the Commission and amending Decision C(2000) 3614.

³ Judgment of 14 May 2025, *Stevi and The New York Times v Commission*, T-36/23, EU:T:2025:483.