

(English version)

**Question for written answer E-005027/25
to the Commission**

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(19 December 2025)

Subject: Telephone cold calling

Today, the rules governing telephone cold calling vary from one Member State to another. Some countries have introduced an opt-out model, meaning lists on which individuals can register in order to avoid being disturbed by commercial calls, although the obligation to comply with these lists applies only to companies established in that same country.

However, a significant share of nuisance calls originates from another EU country, and frequently from a country outside the EU. As a result, such calls fall outside the scope of national legislation, thereby limiting their effectiveness. To reduce the disruptive effects of these practices, some countries, such as the Netherlands — soon to be joined by France — have decided to adopt an opt-in model, under which all solicitation is prohibited unless the consumer has given consent.

Based on this observation:

1. Since the rules are not sufficient to prevent calls from abroad, does the Commission intend to propose an action plan? If so, what measures could be envisaged in this regard?
2. How does the Commission assess the effectiveness of the General Data Protection Regulation in protecting citizens against abusive telephone marketing?

Submitted: 19.12.2025

Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(11 March 2026)

Article 13 ePrivacy Directive ⁽¹⁾ sets out rules regarding unsolicited communications for purposes of direct marketing with the aim of protecting against intrusions to private life, caused by such unsolicited communications.

The applicable rules depend on what kind of direct marketing is in question. As announced in the Data Union Strategy ⁽²⁾, the ePrivacy Directive will be reformed, following the withdrawal of the proposal of the ePrivacy Regulation. This will include a revision of its rules — including Article 13 —, making sure they are fit for purpose.

Under the European Electronic Communications Code ⁽³⁾, in particular Article 97, Member States shall ensure access to all numbers provided in the EU.

However, national regulatory or competent authorities are empowered to require the blocking of access to numbers in case of misuse.

In addition, in the proposal for a regulation on a Digital Networks Act ⁽⁴⁾, the Commission provides for measures that ensure, upon the request of the end-user, to trace or limit malicious or nuisance calls.

These measures would need to be implemented by providers of publicly available number-based interpersonal communications services according to the rules laid down in the General Data Protection Regulation (GDPR) ⁽⁵⁾.

Moreover, Recital 270 of the proposal indicates that any change to the contractual conditions proposed by those providers in the processing of personal data on lawful grounds pursuant to EU data protection law, other than consent, should give rise to the right of the consumer to terminate the contract without incurring any costs.

Without prejudice to the competences of the Commission as guardian of the Treaties, the enforcement of the GDPR lies primarily with the competent national supervisory authorities and courts.

⁽¹⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), OJ L 201, 31.7.2002, p. 37.

⁽²⁾ Communication from the Commission to the European Parliament and the Council, Data Union Strategy Unlocking Data For Ai, 19. November 2025, COM/2025/835 final (Data Union Strategy).

⁽³⁾ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code.

⁽⁴⁾ <https://digital-strategy.ec.europa.eu/en/library/proposal-regulation-digital-networks-act-dna>.

⁽⁵⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).