

(English version)

**Question for written answer E-002350/26  
to the Commission**

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(8 June 2026)

*Subject:* Compatibility of ‘zero-log’ AI systems with EU digital legislation — case of WhatsApp Meta AI incognito mode

On 13 May 2026, WhatsApp announced the launch of an ‘incognito’ mode for its integrated Meta AI chatbot <sup>(1)</sup>. This feature operates on a ‘zero-log’ infrastructure, meaning that past conversations disappear instantly and no logs are stored on servers. According to cybersecurity experts, this lack of data retention creates an accountability vacuum. Concerns have been raised that the absence of retained interaction data may create challenges for accountability, incident investigation, auditing and enforcement where harmful outputs or unlawful activities are involved, particularly in relation to minors <sup>(2)</sup>.

In the light of these concerns:

1. Is the Commission aware of WhatsApp’s ‘incognito’ Meta AI feature, and has it assessed whether ‘zero-log’ AI architectures are compatible with relevant EU digital legislation, particularly regarding consumer protection, child safety and platform accountability?
2. How does the Commission intend to ensure effective compliance monitoring and regulatory oversight where AI interactions are not retained and may therefore not be available for audits, investigations or incident reporting?

Submitted: 9.6.2026

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission**  
(27 July 2026)

The Commission is aware of WhatsApp’s ‘Incognito Chat’ Meta AI feature <sup>(1)</sup>.

The AI Act <sup>(2)</sup> requires the automated recording and storage of logs only for AI systems classified as high-risk <sup>(3)</sup>. Thus, for other AI systems, the AI Act does not explicitly rule out the possibility of ‘zero-log’ AI architectures.

However, the Act obliges providers of the most advanced general-purpose AI models to assess and mitigate systemic risks stemming from their models and their use, and to keep track of relevant information about serious incidents <sup>(4)</sup>.

‘Zero-log’ AI architectures make it more difficult to assess and mitigate risks associated with model use and reduce the availability of relevant incident information.

Therefore, providers may need to implement additional safeguards and reporting channels to keep risks at an acceptable level and ensure that relevant information is recorded.

The assessment of whether the new feature would fall within the scope of the Digital Services Act (DSA) <sup>(5)</sup> ultimately depends on the specific design and functionalities, and the legal qualification of the feature.

In cooperation with Coimisiún na Meán, the Irish Digital Services Coordinator <sup>(6)</sup>, the Commission will continue to monitor the provider of WhatsApp’s compliance with all the applicable obligations under the DSA.

Under EU digital legislation, the Commission can request relevant information on compliance in the absence of visibility into user logs via several channels.

The Commission is monitoring the situation and the need for regulatory intervention regarding ‘zero-log’ AI architectures.

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<sup>1</sup> <https://about.fb.com/news/2026/05/incognito-chat-whatsapp-meta-ai/>.

<sup>2</sup> <https://www.bbc.com/news/articles/c99lmyr1dnxo>.

<sup>(1)</sup> <https://blog.whatsapp.com/introducing-incognito-chat-with-meta-ai-a-completely-private-way-to-chat-with-ai>.

<sup>(2)</sup> <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>.

<sup>(3)</sup> See Article 12 of the AI Act that requires high-risk AI systems to be designed and developed in a manner that technically allows for the automatic recording of events (logs) over the lifetime of the system and the corresponding obligations for the providers and deployers to keep those logs within a certain amount of time (Article 19 and Article 26(6) of the AI Act).

<sup>(4)</sup> Articles 55(1)(b) and 55(1)(c) of the AI Act.

<sup>(5)</sup> <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

<sup>(6)</sup> <https://digital-strategy.ec.europa.eu/en/policies/dsa-cooperation>.