2026/2282

14.10.2026

DECISION No 048/26 A

of the Assembly of the European Economic and Social Committee

on records and archives management [2026/2282]

THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community ([1]), and in particular Article 9 thereof,

Having regard to the Rules of Procedure and Code of Conduct for members of the European Economic and Social Committee (May 2022) ([2]) (hereinafter 'the Committee'), and in particular Rule 10(2) thereof,

Whereas:

(1) The records held by the Committee form the basis of its operation and daily work. They are part of the Committee's assets and fulfil the functions of facilitating the exchange of information, providing evidence of action taken, meeting the institution's legal obligations and preserving its memory. They must therefore be managed in accordance with effective rules applicable to all staff and departments.

(2) The Committee keeps records that are created, received and managed, related to its activities. All records, regardless of their format and the technological environment in which they are collected, created or generated, shall be captured, registered and preserved in an official electronic repository of records.

(3) Provisions on records management and archives set out principles to ensure: the creation, receipt and proper preservation or elimination of records and their consultation and communication; the authenticity, reliability, integrity and readability over time of records and the metadata accompanying them; the identification of each record together with the extraction and allocation of metadata, so that it can be filed, searched and is easily traceable; the development, maintenance and updating of the structure of the Committee's records and archives management systems, its electronic repositories and its repositories for analogue media.

(4) These principles are intended to cover the life cycle of the Committee's records, whatever their medium.

(5) Consistent records management and archiving help to meet the Committee's transparency obligations, in particular by facilitating public access to documents.

(6) Provisions on records management and archives should be aligned with the obligation to provide access to documents held by the Committee in accordance with the principles, arrangements and limits set out in Regulation (EC) No 1049/2001 of the European Parliament and of the Council ([3]), implemented by Committee Decision No 603/2003.

(7) The Committee creates and maintains its historical archives and opens them to the public in accordance with Council Regulation (EEC, Euratom) No 354/83.

([1]) OJ L 43, 15.2.1983, p. 1, ELI: http://data.europa.eu/eli/reg/1983/354/oj.
([2]) OJ L 149, 31.5.2022, p. 1, ELI: http://data.europa.eu/eli/proc_rules/2022/531/oj).
([3]) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43, ELI: http://data.europa.eu/eli/reg/2001/1049/oj).

(8) Under Regulation (EU) 2018/1725 of the European Parliament and of the Council ([4]) ([5]), the Committee is required to provide information to data subjects on the processing of personal data concerning them and to respect their rights as data subjects. However, the Committee should balance these rights with the objectives of archiving in the public interest in accordance with data protection law.

(9) Articles 16(5)(b) and 19(3)(d) of Regulation (EU) 2018/1725 provide for exceptions to data subjects' right to information and right to erasure in respect of data processing for archiving purposes in the public interest. Those exceptions to data subjects' rights should apply in principle in the particular context of the Committee's historical archives, taking into account the nature of archiving in the public interest in accordance with data protection law. To grant those rights, the Committee would be required to make a disproportionate effort and would be unable to do so, especially once its files and records selected for permanent preservation have been transferred to its historical archives. Moreover, the erasure of personal data contained in such records, in particular, would undermine the validity, integrity and authenticity of the Committee's archives and would therefore seriously impair the achievement of the objectives of archiving in the public interest.

(10) The Committee should provide for derogations subject to the conditions and safeguards referred to in Article 13 of Regulation (EU) 2018/1725 ([6]).

(11) To guarantee the utmost protection of the rights and freedoms of data subjects and in accordance with Article 44(1) of Regulation (EU) 2018/1725, the Data Protection Officer of the Committee should be consulted as soon as possible before applying any derogation under this Decision.

(12) The Committee's rules on records and archiving should comply with data protection rules, requirements regarding transparency and access to documents, as well as other relevant frameworks regarding electronic identification and trust services across the EU such as eIDAS ([7]),

(13) The European Data Protection Supervisor was consulted on this Decision and delivered an opinion on 9 January 2026,

HAS DECIDED AS FOLLOWS:

CHAPTER I

General provisions

Article 1

Subject matter

This Decision lays down rules concerning:

(a) the management of the Committee's records and archives;

([4]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

([5]) Rule 10(2): 'The assembly shall have residual powers: any power not conferred on another body by the Rules of Procedure, the Code of Conduct or the Members' Statute shall belong to the assembly'.

([6]) Article 13: 'Safeguards relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes – Processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, shall be subject to appropriate safeguards, in accordance with this Regulation, for the rights and freedoms of the data subject. Those safeguards shall ensure that technical and organisational measures are in place, in particular, in order to ensure respect for the principle of data minimisation. Those measures may include pseudonymisation provided that those purposes can be fulfilled in that manner. Where those purposes can be fulfilled by further processing which does not permit or no longer permits the identification of data subjects, those purposes shall be fulfilled in that manner'.

([7]) The eIDAS Regulation: Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73, ELI: http://data.europa.eu/eli/reg/2014/910/oj).

(b) the preservation and opening to the public of the Committee's archives and the deposit of the Committee's historical archives at the Historical Archives of the European Union at the European University Institute (EUI) in Florence;

(c) the governance, roles and responsibilities regarding the implementation of the provisions on records management and archives.

Article 2

Scope

1. This Decision applies to records and archives held by the Committee's staff, including its constituent bodies – and Committee members thereof – the other bodies and entities either forming part of or established by the Committee, whatever their format or medium (e.g. paper, digital, optical, audio, photographic).

2. This Decision applies to all records held by the Committee, including those created or received in the context of the activities of the Committee by the departments shared with the European Committee of the Regions ('the Joint Services').

3. The document management officer as referred to in Article 20 shall establish an agreement with their counterpart at the European Committee of the Regions on common and/or coordinated procedures and practices, to avoid inconsistency, uncertainty and conflict in records and archives management.

Article 3

Definitions

For the purposes of this Decision, the following definitions shall apply:

(1) 'record' means information, received and created in the form of a document ([8]), a collection of data or in another form in a digital or analogue medium that is captured in an official repository and managed and maintained as evidence and as an asset.

(2) 'metadata' means any information describing the context, content and structure of records and their management over time for the purposes of, inter alia, retrieval, accessibility and reuse;

(3) 'digitisation' means the process of transforming a record on paper or in any other traditional medium into an electronic rendition;

(4) 'author' means the entity creator, an individual, group or organisation that produces a record;

(5) 'official repository(ies) of records means a system (or systems), recognised and approved by the competent authority, in which records held by the Committee are collected, organised, registered and categorised to facilitate records retrieval, distribution, and use;

(6) 'capture' means the insertion of a document into an official electronic repository by combining a unique identifier and metadata ([9]);

(7) 'unique identifier' means a sequence of digits or letters, or both, which is unambiguously assigned to a record by a machine or a person and which identifies that record as unique and distinct from all other records;

(8) 'registration' means capturing a record into a register, establishing that it is complete and properly constituted from an administrative and/or legal standpoint and certifying that it has been sent by an author to an addressee on a given date, as incoming or outgoing mail, or has been incorporated into one of the Committee's official repositories;

(9) 'file' means an aggregation of records organised in line with the Committee's activities, for reasons of proof, justification or information and to guarantee efficiency in the work; the group of records making up the file is organised in such a way as to form a coherent and relevant unit in terms of the activities conducted by the Committee or its departments;

([8]) 'Document' means any information fixed on a medium by means of formal rules of representation (e.g. in writing). A document may be created, received and stored either in electronic form ('electronic document') or in non-electronic form ('analogue document').

([9]) ISO 15489-1:2016, point 9.3.

(10) ‘filing plan’ means an instrument with a hierarchical and logical structure, in the form of a tree structure with a number of interlinked headings, which enables records to be intellectually organised and linked to the context in which they were drawn up, on the basis of the functions, activities and working processes;

(11) ‘retention list’ is the document that outlines the administrative retention period for files and the actions to be taken following their expiry. It sets out the minimum period for retaining records and files according to their legal, business, and accountability requirements and historical value;

(12) ‘authenticity’ means the fact that a record can be proved to be what it purports to be, to have been created or sent by the person purported to have created or sent it and to have been created or sent when purported ([10]);

(13) ‘reliability’ means the fact that the content of a record can be trusted as a full and accurate representation of the transactions, activities or facts to which they attest and that the record can be depended on in the course of subsequent transactions or activities ([11]);

(14) ‘integrity’ means the fact that a record is complete and unaltered ([12]);

(15) ‘validity’ means the fact that a document has all the intrinsic and extrinsic characteristics required by its production context, necessary in order to be accepted as an expression of its author with all its legal consequences;

(16) ‘admissibility’ means the fact that a document has all the intrinsic and extrinsic characteristics required by its reception context, necessary for it to be accepted as an expression of its author with all its legal consequences;

(17) ‘preservation’ means all technical processes and operations which make it possible to keep records over time, to maintain their integrity and authenticity and to guarantee access to their content;

(18) ‘archive’ means all records, files and metadata created, received, captured, filed and preserved by an organisation;

(19) ‘retention’ means the act of keeping a record in accordance with requirements for evidence of a function, activity or transaction and for records processes including how, and how long, records need to be kept;

(20) ‘administrative retention period’ means the period of time following the closure of a file during which the department is required to preserve the file based on its administrative usefulness and the associated statutory legal requirements;

(21) ‘elimination’ means the controlled action leading to the physical destruction of storage media and the erasure and overwriting of all known instances of the material to be eliminated, to ensure that the information is permanently and irrevocably deleted;

(22) ‘original’ means a document expressing its author’s will and able to generate the consequences intended by them in its first definitive version containing the whole information such as expressed by its author as well as all the elements required by its production context. The original may be multiple;

(23) ‘copy’ means a duplication, in whole or in part, of an original document or of another copy of an original, irrespective of the medium in which the original or the copy is created. A copy may be a non-electronic rendition of an electronic original or an electronic rendition of an analogue original, among others;

(24) ‘appraisal’ means the process of evaluating business activities to determine which records need to be created and captured and how long the records need to be kept;

(25) ‘sensitive non-classified’ means sensitive information which, if leaked, could compromise the interests of the European institutions, of third parties, such as businesses and companies, or of private individuals, but not so sensitive as to damage the interests of the EU or of Member States;

([10]) ISO 15489-1:2016, point 5.2.2.1.
([11]) ISO 15489-1:2016, point 5.2.2.2.
([12]) ISO 15489-1:2016, point 5.2.2.3.

(26) 'sensitive personal data' means data which, by their nature, merit enhanced protection because their unauthorised processing might constitute an inconvenience or a risk for data subjects (although not necessarily belonging to special categories of personal data as per Article 10(1) of Regulation (EU) 2018/1725), such as behavioural data, personal financial data, personal data relating to criminal convictions and offences or related security measures, and operational personal data in the fields of judicial cooperation in criminal matters and police cooperation.

CHAPTER II

Records management

Article 4

Creation

1. Depending on the formal requirements set out for each type of record, the author of any capture and registration shall identify the electronic management system by which the information is to be managed and the official repository in which it is to be preserved.

2. The Committee's records shall be created as electronic records and shall be kept in its official electronic repositories.

However, in the following situations, records may be created in a different medium or kept in a different manner:

(a) where a provision of EU or national law so requires;

(b) where protocol convenience imposes paper medium;

(c) where practical reasons impede digitisation of the document;

(d) where the preservation of the original analogue document has an added value because of its form or the material from which it is made or for historical reasons.

Article 5

Registration

1. Documents shall be registered if they relate to a case under the sphere of responsibility of a Committee department, or if they may involve action or follow-up by the Committee or one of its departments. Short-lived information is not to be registered.

2. Registers shall be set up to generate unique identifiers for each registered record and to guarantee their inalterability, authenticity, reliability, integrity, and preservation and access to them over time.

3. Registers shall be connected to one or more electronic repositories. Exceptions may be made for security reasons.

Article 6

Digitisation

1. Records in analogue media created or received by the Committee shall be systematically digitised. The resulting electronic renditions shall replace the corresponding original analogue documents, unless they contain handwritten signatures that cannot be replaced by qualified electronic signatures.

2. Internal instructions adopted pursuant to Article 24 shall set out the procedural and technical details relating to digitisation, the applicable exceptions and the elimination of analogue records following their digitisation.

Article 7

Files and filing

1. Records shall be organised in files from the point at which they are created or received.

2. A single file shall be established for each case falling within the remit of a given Committee department. That file shall contain the records created or received in connection with the case.

3. A single lead department shall be identified for each Committee file. The lead department is the administrative entity responsible for the file during the existence of it, and shall cooperate with the department responsible for records and archive management with regard to its preservation, transfer and elimination.

4. The departments shall add reliable and long-lasting file-level metadata that can be used, inter alia, to carry out operations arising from legal obligations, in particular under Regulation (EC) No 1049/2001 and Regulation (ECC, Euratom) No 354/83.

5. Each department, with the support of the department responsible for records and archives management, shall establish a list of the types of files and records it holds and regularly review the types of information created or received in the course of its activities to identify which ones are to be captured in an official electronic repository and, taking account of the context in which they were produced, to organise the management of these throughout their life cycle.

6. The records shall not be altered. They may be removed or replaced by subsequent versions until the file they belong to is closed.

Article 8

Filing plan

1. The document management officer as referred to in Article 20 shall draw up, modify and update a filing plan and, where appropriate, prepare proposals for decisions regarding the filing plan and retention list at the level of the Committee.

2. The Committee's filing plan shall use a common file classification across all Committee departments. That classification shall form part of the Committee's activity-based management.

3. Each Committee file, whatever the electronic information system that manages it and whatever the official repository it is preserved in, shall be attached to one of its headings depending on the activity it relates to.

Article 9

Computerised processes and systems

The Committee shall keep and manage its records by means of computerised processes and computerised systems and structures with interfaces to ensure storage of, access to and recovery of records, unless required otherwise by a Committee provision.

Article 10

Legal effects of electronic signatures, seals, timestamps and registered delivery services

1. A qualified electronic signature ([13]) shall have the equivalent legal effect of a handwritten signature.

2. A qualified electronic seal ([14]) shall enjoy the presumption of integrity of the data and of correctness of the origin of that data to which the qualified electronic seal is linked.

([13]) 'Electronic signature' is understood within the meaning of Article 3(10) to (12) of Regulation (EU) No 910/2014.
([14]) 'Electronic seal' is understood within the meaning of Article 3(25) to (27) of Regulation (EU) No 910/2014.

3. A qualified electronic time stamp ([15]) shall enjoy the presumption of the accuracy of the date and the time it indicates and the integrity of the data to which the date and time are bound.

4. Data sent and received using a qualified electronic registered delivery service shall enjoy the presumption of the integrity of the data, the sending of that data by the identified sender, its receipt by the identified addressee and the accuracy of the date and time of sending and receipt indicated by the qualified electronic registered delivery service.

Article 11

Validity of documents and procedures

1. A document created or received by the Committee shall be considered to satisfy the validity or admissibility criteria where the following conditions are met:

(a) the person from whom it originates is identified;

(b) the context in which the document was produced is reliable and the document meets the conditions that guarantee its integrity;

(c) the document complies with the formal requirements set out in the applicable EU or national law;

(d) in the case of an electronic document, the document is created in a way that guarantees the integrity, reliability and usability of its content and the accompanying metadata.

2. An electronic rendition created by digitising an analogue document created or received by the Committee shall be considered to satisfy the validity or admissibility criteria where the following conditions are fulfilled:

(a) no signature is required by a provision of EU law or of the law of the Member State or third country concerned;

(b) its format provides guarantees of integrity, reliability, durability, readability over time and ease of access to the information it contains.

Where a signed analogue document is not required, such an electronic rendition may be used for any exchange of information and for any internal procedure within the Committee.

3. Where a provision of EU or national law requires a signed original of a document, a document drawn up or received by the Committee shall satisfy that requirement if the document contains any of the following:

(a) one or more handwritten or qualified electronic signatures;

(b) one or more electronic signatures, other than qualified, providing sufficient guarantees about the identification of the signatory and the expression of their will in the signed document.

4. Where a procedure specific to the Committee requires the signature of an authorised person or the approval of a person at one or more stages of the procedure, the procedure may be managed by computer systems, provided that each person is clearly and unambiguously identified and that the system in question provides guarantees that the content is not altered during the procedure.

5. Where a procedure involves the Committee and other entities and requires the signature of an authorised person or the approval of a person at one or more stages of the procedure, the procedure may be managed by computer systems meeting conditions and providing technical assurances determined by mutual agreement.

Article 12

Provision of data and information within the Committee

1. Data and information shall be made available and shared as widely as possible within the Committee, unless legal obligations require access to be limited.

([15]) 'Electronic stamp' is understood within the meaning of Article 3(33) and (34) of Regulation (EU) No 910/2014.

2. In the interests of information-sharing, departments shall ensure that their files are as widely accessible as the sensitivity of their content allows.

Article 13

Information security and protection

1. Records shall be managed in accordance with the Committee's security rules applicable to the protection of information. To this end, records, files, information systems and archives, including their networks and means of transmission, shall be protected by appropriate security measures for the management of classified information, sensitive non-classified information and personal data.

2. Records containing sensitive information shall be subject to this Decision and its implementing rules.

3. The department responsible for records and archives management, in cooperation with the departments responsible for security and for information technology, shall draw up a set of rules on processing sensitive information in records and archives management.

4. Classified information shall be processed in accordance with the rules in force on security.

CHAPTER III

Preservation and historical archives

Article 14

Preservation

1. Preservation shall take place under the following conditions:

(a) records shall be preserved in the form in which they were created, sent or received or in a form which preserves the authenticity, reliability and the integrity of their content and of the accompanying metadata;

(b) the content of records and their relevant metadata must be readable throughout their period of storage by any person authorised to have access to them;

(c) where records are sent or received electronically, the information required to determine the origin or destination of the record and the date and time of the capture or registration, shall be part of the minimum metadata to be preserved;

(d) as regards electronic procedures managed by IT systems, information about the formal stages of the procedure shall be preserved under such conditions as to ensure that those stages and the authors and participants can be identified.

2. The Committee shall ensure the implementation of a digital preservation strategy to ensure long-term access to electronic records on the basis of the above-mentioned retention lists. The strategy shall ensure that processes, tools and resources are in place to ensure the authenticity, reliability and integrity of records and their accessibility.

Article 15

Retention, transfer and elimination

1. The retention period for the various categories of files shall be set for the whole Committee by way of a regulatory instrument, such a retention list for Committee files drawn up on the basis of the organisational context, the existing legislation and the Committee's legal obligations.

2. Each department of the general secretariat of the Committee, including the Joint Services in the context of the activities of the Committee, shall regularly conduct an appraisal of records and files managed by them to assess whether they should be transferred to the Committee's archives service referred to in Article 16, or eliminated.

3. The records and files that are preserved, when the period of administrative utility duration is over, should be transferred to the department responsible for records and archives management, indicating the transfer arrangements.

A set of metadata on records and files shall be retained in the original electronic repository as evidence of such records and files and their transfer or elimination.

Article 16

Committee's archives service

The tasks of the Committee's archives service shall be to:

(a) guarantee the authenticity, reliability and integrity of and access to the Committee's records, files and archives which have been transferred to it;

(b) ensure the material protection and integrity of the metadata of records and files provided by the transferring departments;

(c) make records and files available on request to the departments;

(d) undertake, where necessary and in cooperation with the originating department or its successor, a second review of all transferred records, files and archives;

(e) open the Committee's historical archives to the public after the expiry of a period of 30 years, except for those records covered by exceptions relating to the privacy and integrity of individuals, or the commercial interests of a natural or legal person, including intellectual property;

(f) deposit the Committee's historical archives that have been opened to the public at the Historical Archives of the European Union at the EUI.

The Committee's archives service shall be managed by the department responsible for records and archives management.

Article 17

Processing of personal data contained in the Committee's archives

1. The following derogations from the rights of data subjects shall apply in accordance with Article 25(4) of Regulation (EU) 2018/1725 only in so far as the exercise of those rights would render impossible or seriously impair the achievement of archiving purposes in the public interest and only in so far as they are necessary for the fulfilment of those purposes:

(a) the derogation from the right of access ([16]); when assessing whether a request for access is likely to render impossible or seriously impair the achievement of archiving purposes in the public interest, the controller shall consider, inter alia, whether it is the case that the request for access cannot be granted without involving disproportionate administrative effort, in particular because the request does not allow for the identification of specific records without such a disproportionate effort. In assessing the action to be taken on the request of the data subject and the administrative effort required, particular account shall be taken of the information provided by the data subject and the nature, scope and size of the records potentially concerned;

(b) the derogation from the right to rectification ([17]); in so far as rectification renders it impossible to preserve the integrity and authenticity of records selected for permanent preservation in the Committee's historical archives, without prejudice to the possibility of a supplementary statement or annotation to the record concerned, unless this proves impossible or involves disproportionate effort;

([16]) Article 17 of Regulation (EU) 2018/1725.
([17]) Article 18 of Regulation (EU) 2018/1725.

(c) the derogation from the right to object to the processing ([18]); in so far as the personal data are contained in records selected for permanent preservation in the Committee's historical archives as an integral and indispensable part of these records, and granting the right to object to the processing of personal data contained in such records would render impossible the achievement of the purposes of archiving in the public interest.

The exceptions to the rights of data subjects referred to in Article 16(5), point (b) and Article 21 of Regulation (EU) 2018/1725 shall apply in so far as fulfilling the corresponding obligations would prove impossible or would involve a disproportionate effort.

2. The Committee shall implement appropriate safeguards to ensure compliance with Article 13 of Regulation (EU) 2018/1725. Such safeguards shall include technical and organisational measures, in particular, in order to ensure respect for the principle of data minimisation. The safeguards shall include:

(a) the files to be transferred to the Committee's historical archives shall be selected following a case-by-case assessment according to the Committee's retention lists; as measure of proportionality, in the light of the data minimisation principle, the personal data still kept in records and files transferred to the historical archives and in the metadata accompanying them shall be only the ones that are necessary to preserve the authenticity, reliability, integrity, usability and readability over time of the records and files. All the other files, including structured personal data files, such as personal and medical files, shall be eliminated at the end of the administrative retention period;

(b) the retention lists shall provide for the administrative elimination of certain types of records before the end of the administrative retention period; these are:

(i) records containing sensitive personal data in line with the period mentioned in the relevant record of processing whenever this does not undermine the integrity and the consistency of the related files;

(ii) non-selected proposals and unsuccessful tenders in procurement procedures;

(iii) records related to trainees and short- or long-term visitors in files specifically dedicated to their careers, except for the document on career reconstruction;

(iv) visual or audio-visual recordings of activities undertaken by the Committee; and

(v) possibly, other types of records that may be included in the retention list in subsequent revisions.

Consequently, these types of records shall not be processed for archiving purposes in the public interest;

(c) prior to processing for archiving purposes in the public interest, the originating department shall report to the Committee's archives service – by means of an internal memo with a list of the documents concerned appended – the potential presence of records covered by the first exception referred to in Article 2(1) of Regulation (EEC, Euratom) No 354/83 in the files to be transferred to the Committee's historical archives;

(d) before any Committee file is opened to the public, the Committee's archives service shall review it to check for the possible presence of records covered by the exceptions set out in Article 2(1) of Regulation (EEC, Euratom) No 354/83, including on the basis of the flagging-up procedure referred to in point (c) above with the aim of protecting personal data.

3. The Committee shall record the reasons for derogations applied pursuant to this Decision. The record and, where applicable, the documents concerning the factual or legal context shall be registered. They shall be made available to the European Data Protection Supervisor on request.

([18]) Article 23 of Regulation (EU) 2018/1725.

4. The Data Protection Officer of the Committee shall be consulted as soon as possible in cases where it is envisaged that derogations from data subject rights be applied in accordance with this Decision. Any derogation from data subject rights shall be documented and the documentation shall include the opinion of the Data Protection Officer. On each occasion that controllers intend to take any decision to derogate from data subject rights in a particular case, they shall:

(a) consult the Data Protection Officer of the Committee properly and in a timely manner;

(b) involve the Data Protection Officer throughout the procedure and document this consultation;

(c) upon request, provide the Data Protection Officer with access to the associated records and any documents setting out the factual or legal context;

(d) upon request and with the Data Protection Officer's consent, associate the document management officer with access to those records.

5. Whenever it is feasible, and possibly before personal data is collected, the Committee shall inform data subjects about the fact that the records containing their personal data may be transferred to the historical archives at the end of the retention period identified for those records.

6. The implementing measures for this Decision may establish specific rules for enhanced protection of sensitive personal data, including data falling outside the scope of Article 10(1) of Regulation (EU) 2018/1725.

Article 18

Deposit of the Committee's historical archives at the EUI

1. The department responsible for records and archives management shall provide the EUI, where possible, with access to digitised copies of records held in an analogue medium.

2. The EUI shall be the main access point to the Committee's historical archives that are open to the public.

3. The department responsible for records and archives management shall send the EUI descriptions of the archives deposited.

4. The EUI acts as a processor ([19]) in accordance with Article 3 of Regulation (EU) 2018/1725, under instructions from the Committee, which acts as the controller ([20]) of personal data contained in its historical archives, deposited at the EUI. The Committee's archives service provides, on behalf of the Committee, the necessary instructions for the processing of personal data contained in the Committee's deposited archives by the EUI and monitors its performance.

CHAPTER IV

Governance and implementation

Article 19

Governance at Committee level

1. All members of the Committee's constituent bodies and staff should be accountable for the creation and proper management of records relating to policies, processes and procedures for which they are responsible.

2. Each department of the Committee, including the Joint Services in the context of the activities of the Committee, shall be responsible for ensuring the necessary organisational, administrative and physical structure and provide the staff the required training to implement this Decision.

([19]) 'Processor' is understood within the meaning of Article 3(12) of Regulation (EU) 2018/1725.
([20]) 'Controller' is understood within the meaning of Article 3(8) of Regulation (EU) 2018/1725.

3. The Secretary-General shall be responsible for ensuring that this Decision and its implementing rules are applied.

4. The department responsible for information technology shall be responsible for providing the technological infrastructure to implement this Decision and its implementing rules.

Article 20

Document management officer

1. The Secretary-General shall designate a document management officer (and deputies) to maintain a modern and efficient records management system in the Committee and to ensure coordination across the departments and with the other European institutions, agencies and bodies.

2. The document management officer and their deputies shall be part of the department in charge of the implementation of records management and archives policies.

3. The main tasks of the document management officer shall be to:

(a) draw up rules and procedures for records, files and archives management;

(b) supervise the application of the records management rules and procedures by the departments;

(c) supervise the activity of registration and filing of records;

(d) draw up and update the filing plan of the Committee;

(e) draft and propose updates of the retention list;

(f) dispose of records and files in accordance with the retention list; and

(g) coordinate the interdepartmental network of document management correspondents as referred to in Article 22.

Article 21

Department responsible for records and archives management

1. The Department responsible for records and archives management shall ensure that records created or received, files and archives are managed in accordance with the rules of this Decision and its implementing measures.

2. The general tasks of the department responsible for records and archives management shall be to:

(a) support and provide guidance to the document management officer in their tasks;

(b) provide some services related to records management activities where they are completely or partially centralised.

(c) provide support to the document management correspondents for any procedural or technical issue related to records management and archiving within their departments;

(d) preserve the Committee's records and files that have been transferred to the historical archives until the opening to the public and guarantee their authenticity, reliability, integrity and useability and access to them;

(e) conduct, where applicable, the second review of files, either requesting the cooperation of the originating department or its successor or at least informing the latter before eliminating any files;

(f) deposit the Committee's historical archives that have been or are to be opened to the public at the Historical Archives of the European Union at the EUI.

Article 22

Document management correspondents

1. Each department of the Committee shall designate a document management correspondent to maintain a modern and efficient records management system and coordinate within their department, with the department responsible for records management and with the other departments of the Committee.

2. The role of the network of document management correspondents shall be to:

(a) ensure the correct and uniform application of this Decision within the departments;

(b) deal with any issues that may arise from its application;

(c) share the requirements of departments as regards training and support measures.

Article 23

Information, training and support

The Committee department responsible for records and archives management, in close cooperation with the departments responsible for information technology and for human resources, shall put in place the information, training and support measures needed to ensure the application of this Decision within the departments.

Article 24

Internal instructions

1. The Secretary-General may adopt internal instructions in coordination with the department responsible for records and archives management and shall ensure their implementation.

2. The Secretary-General may delegate this and other related tasks to the department responsible for records and archives management as well as to the document management officer.

Article 25

Digitalisation of the administration

The Committee shall adopt and implement digital technologies, tools and processes in its records and archives management to improve its efficiency and avoid falling out of line with similar transformations taking place in other EU institutions, bodies and agencies and in civil society in general.

Article 26

Data-sharing and sensitive information within the Committee

1. Data and information shall be made available and shared as widely as possible within the Committee. Effective systems and tools shall be used to facilitate searches for data and information across official electronic repositories.

2. Notwithstanding the broad application of the principle set out in paragraph 1, the sharing of information in certain files shall be limited in the short, medium or long term, depending on the sensitivity of the subject and the cases being dealt with, for reasons related to information security, data protection and sectoral confidentiality, such as competition issues, investigations and commercial interests, among others.

3. When deemed necessary for the effective protection of their confidentiality, sensitive non-classified records shall be identified by security markings (i.e. labels attached to information to ensure that the appropriate security measures are applied and indicating the level of confidentiality of the information).

4. The Secretary-General, in cooperation with the departments responsible for information technology, for human resources and for information security and with the department responsible for records and archives management, shall also adopt internal instructions on processing sensitive information in records and archives management. Specific rules shall cover classified records management if necessary.

Article 27

Information, training and support

The Secretary-General, in cooperation with the departments responsible for information technology, for human resources and for information security and with the department responsible for records and archives management, shall put in place the information, training and support measures necessary to ensure the application of this Decision within the departments.

Article 28

Final provision

This Decision shall enter into force on the day following that of its adoption.

Done at Brussels, 22 January 2026.

The Assembly
of the European Economic and Social Committee