



EUROPEAN DATA PROTECTION SUPERVISOR

SUPERVISION and ENFORCEMENT UNIT
Head of Unit

[REDACTED]
European Commission

Brussels,
TZ/GB/ep/ D(2026)0593 C 2026-0067
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correspondence on this matter

**Subject: Fourth revision of the common retention list for files at the level of the
European Commission (Case number 2026-0067)**

Dear [REDACTED]

I acknowledge receipt of the fourth revision of the common retention list (CRL) for files at the level of the European Commission, communicated to the EDPS by your letter of 18 December 2025 (reference Ares (2025)11342257). My services have registered this communication under case 2026-0067 as an information provided in accordance with Article 41(1) of Regulation (EU) 2018/1725¹ (the Regulation).

I take note that the revised retention list incorporates previous recommendations and guidance from the EDPS.² In this regard, I welcome the fact that the introductory note accompanying the CRL explicitly clarifies that the CRL provides a framework for file retention and does not directly determine the retention periods for personal data.

In light of the new clearly defined distinction between the CRL and the retention of personal data at the Commission, I hereby inform you that the EDPS proceeded with the

¹ 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. 39–98.

² Letter of the Head of the EDPS Secretariat of 5 June 2023 (case 2022-0659), available at : https://www.edps.europa.eu/system/files/2023-06/23-06-05_third_revision_common_retetion_list_european_commission_en.pdf

administrative closure of case 2022-0659 on the third revision of the Common Retention List, as well as case 2023-1255 on the establishment of an informal joint working group between the Commission and the EDPS tasked with discussing retention periods in the context of the CRL.³

Concerning the Commission's compliance with the storage limitation principle (Article 4(1)(e) of the Regulation, in your letter, you mention that "Personal data retention and the rationale for its necessity and proportionality are separately documented for each processing operation in the Commission's records of processing".

Against this background, and in view of the principle of accountability (Article 4(2) of Regulation(EU) 2018/1725)⁴, the EDPS expects that the Commission will adapt all its records of processing operations accordingly and in particular the records of processing operations listed below:

- Management of personnel files;
- Management of medical files;
- Financial and psychosocial assistance;
- Professional conduct and discipline (i.e. personal data included in files that have not given rise to administrative investigations, personal data relate to administrative investigations without disciplinary consequences, personal data processed in the context of disciplinary procedures);
- Complaints under Article 90(2) of the Staff Regulations;
- Complaints to the Commission about maladministration related to infringements of data protection rules;
- Applications for the exercise of data subject rights.

In light of the above, the EDPS decided to proceed with the administrative closure of case 2026-0067. We remain available to support you in the implementation of the new approach concerning compliance with the storage limitation principle.

Thank you in advance for the collaboration.

Yours sincerely,

[e-signed]

Thomas ZERDICK, LL.M.
Head of Unit



³ The establishment of a Working Group was discussed during a meeting between the Secretary General of the EDPS and the Secretary General of the Commission on 25 October 2023