



**Council of the European Union**  
General Secretariat

Directorate-General Communication and Information - COMM  
Directorate Information and Outreach  
Information Services Unit / Transparency  
*Head of Unit*

Brussels, 25 November 2019

Mr Arne Semsrott

Email: [REDACTED]

Ref. 19/2305-ld/mf

Request made on: 05.11.2019

Dear Mr Semsrott,

Thank you for your request for access to *"All text messages (i.e., SMS messages) and other mobile-phone-based text communications (e.g., WhatsApp, Telegram, iMessage, Facebook Chat, SnapChat, Slack, Facebook and Twitter "direct messages," Signal Messenger, Wire, etc.) sent by – or on behalf of – Council President Donald Tusk in exchange with EU and foreign heads of state or heads of government in 2018"*<sup>1</sup>.

I regret to inform you that no such SMS messages or other mobile-phone-based text communications sent out in the professional context containing substantial and not short-lived information that would be considered as documents drawn up by the European Council within the meaning of Article 3(a) of Regulation (EC) No 1049/2001 are in the possession of the GSC.

Yours sincerely,

[REDACTED]

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1 The General Secretariat of the Council - acting as secretariat for the European Council pursuant to Article 235(4) of the Treaty on the Functioning of the European Union - has examined your request on the basis of the applicable rules: Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43) and the specific provisions of the European Council's Rules of Procedure (European Council Decision No 2009/882/EU, OJ L 315, 2.12.2009, p. 51) set out in Article 10(2) which makes Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35) applicable *mutatis mutandis*.