

**Question for oral answer O-000104/2014  
to the Commission**

Rule 128

**Judith Sargentini**

on behalf of the Verts/ALE Group

Subject: Surveillance of lawyers in the EU

Dutch law firm Prakken d'Oliveira has been under the surveillance of the Dutch secret service (AIVD) for years, including the tapping of phone calls with clients, as has been admitted in a letter from the Netherlands' Minister of Security and Justice. This is but one example of the structural surveillance of lawyers in the Member States, a practice which has been condemned by the European Lawyers' Association and by Parliament in its resolution of 12 March 2014 on the mass surveillance of EU citizens<sup>1</sup>.

1. Is the Commission aware of the (disproportionate) secret surveillance of lawyers and their clients that is being carried out by the Member States?
2. Does the Commission believe that the secret surveillance of lawyers and their clients complies with the EU Charter of Fundamental Rights, notably Articles 6, 47 and 48 thereof?
3. Does the Commission deem the secret surveillance of lawyers and their clients to be compatible with Directive 2013/48/EU on the right of access to a lawyer, and notably Article 4 thereof which obliges Member States to respect the confidentiality of communication between suspects or accused persons and their lawyer?
4. Will the Commission address the issue of the violation of lawyer-client confidentiality with the Netherlands, and will it see to it that the Netherlands and other Member States respect lawyer-client confidentiality in law and practice?

Tabled: 19.12.2014

Forwarded: 23.12.2014

Deadline for reply: 30.12.2014

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<sup>1</sup> Texts adopted, P7\_TA(2014)0230.