

**Question for written answer E-000728/2024**  
**to the Commission**  
Rule 138  
**Eva Kaili (NI)**

**Subject:** Right to a defence – violations regarding access to a lawyer

In a recent decision, the Commission decided to refer Belgium and Luxembourg to the Court of Justice of the European Union for failing to correctly transpose the directive on the right of access to a lawyer and to communication upon arrest (Directive 2013/48/EU)<sup>1</sup> with regard to the right of a minor to have access to a lawyer in a concrete and effective manner, the derogation from the right of access to a lawyer due to geographical remoteness and the derogations from the right of access to a lawyer in criminal proceedings.

In a case that became known to the press as 'Qatargate', the Belgian authorities failed to guarantee the same rights to the various defendants. The documents in the case file, including a complaint made by the lawyers of one of the arrested, Mr Pier Antonio Panzeri, report such violations.

In the light of the above:

1. Is the Commission aware that the same violations happened in the investigation known as Qatargate?
2. Does it intend to refer this case to the Court of Justice of the European Union too?

Submitted: 7.3.2024

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<sup>1</sup> Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ L 294, 6.11.2013, p. 1).