

**Priority question for written answer P-002647/2024
to the Commission**

Rule 144

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Subject: Guaranteeing confidentiality, data protection and the separation of powers in Member States – assessing the impact of this on rule of law in the EU

In the context of the legal proceedings initiated in relation to a disclosure of official secrets allegedly perpetrated by high-level government bodies, including a formal investigation into the State Prosecutor General¹, recent journalistic investigations suggest that the Office of the Prime Minister was involved in leaking a citizen's private document.

If true, this would be a major blow to the rule of law, both as an attempt to influence regional politics by misusing information protected by judicial secrecy, as well as due to the State Prosecutor General's involvement.

1. What measures does the Commission propose to ensure that Member States strictly adhere to confidentiality principles, the protection of judicial data and the separation of powers, as required under the EU's Treaties?
2. Does the Commission consider that the aforementioned actions breach democratic standards and the rule of law enshrined in Article 2 of the Treaty on European Union?
3. What follow-up actions could the Commission take to prevent and, where applicable, penalise practices that involve misusing confidential information to influence national or regional democratic processes?

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¹ The Commission's 2024 Rule of Law Report indicated that Spain had not managed to clearly separate the mandate of the State Prosecutor from that of the government.