

(English version)

**Question for written answer E-000599/26
to the Commission
Marko Vešligaj (S&D)
(11 February 2026)**

Subject: Intimate health data — women's safety in the digital space

Given that health-tracking apps, particularly those used for tracking menstrual cycles, frequently process highly sensitive and intimate health data, and that risks have been identified in practice related to unclear legal bases for the processing and sharing of data with third parties and secondary use of data beyond the reasonable expectations of users, can the Commission clarify whether:

1. It intends to issue specific guidelines for the development and use of such applications, particularly with regard to the lawfulness of the processing, transparency and protection of data subjects' rights?
2. How does the Commission intend to ensure that these guidelines comply with the implementation of the European Health Data Space (EHDS) Regulation, including oversight and enforcement mechanisms in the Member States?

Submitted: 11.2.2026

**Answer given by Mr Várhelyi on behalf of the European Commission
(5 May 2026)**

The General Data Protection Regulation (GDPR) ⁽¹⁾ lays down rules on personal data protection which apply to the processing of the sensitive personal electronic health data collected by health-tracking apps.

Regarding the Honourable Member's question on specific guidelines on the lawfulness of the processing, transparency and protection of data subjects' rights, in the context of such apps, the European Data Protection Board (EDPB) is tasked with issuing guidelines, recommendations and best practices for the consistent application of the GDPR.

The GDPR fully applies to any processing of personal electronic health data undertaken within the framework of the European Health Data Space (EHDS) Regulation ⁽²⁾.

Furthermore, once applicable, the EHDS Regulation will set strong safeguards of security, confidentiality and personal data protection for the primary and secondary use of personal electronic health data.

At Member State' level, enforcement and oversight of the EHDS in the area of secondary use of personal electronic health data will be ensured through Member States' health data access bodies (HDABs), which will monitor compliance with the EHDS Regulation and impose enforcement measures in the case where a non-compliance is established. In cases of potential GDPR breaches, HDABs must inform the competent national data protection authorities (DPAs) and share relevant information. DPAs and HDABs cooperate in enforcing the EHDS Regulation within their respective remits.

Furthermore, the Commission funds projects dedicated to developing privacy-enhancing technologies and digital health tools ⁽³⁾.

⁽¹⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1), <https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2016:119:TOC>.

⁽²⁾ Regulation (EU) 2025/327 of the European Parliament and of the Council of 11 February 2025 on the European Health Data Space and amending Directive 2011/24/EU and Regulation (EU) 2024/2847 (OJ L, 2025/327, 5.3.2025), <https://eur-lex.europa.eu/eli/reg/2025/327/oj>

⁽³⁾ Examples of funded projects include: Privacy compliant health data as a service for AI development <https://cordis.europa.eu/project/id/101095384>.
Federated virtual twins for privacy-preserving personalised outcome prediction of type 2 diabetes treatment <https://cordis.europa.eu/project/id/101136305>.