



PRESS RELEASE 13 September 2021

Professional secrecy is non-negotiable

“While we acknowledge the value of digital innovation in bringing benefits for citizens, and patients and health systems in particular, we are seriously concerned by the implications of the draft e-Evidence Regulation COM(2018) 225 (“Proposal”). We in fact believe that the proposal violates professional secrecy and medical confidentiality that doctors have to comply with. Healthcare professionals must remain a trusted point of contact for patients. Therefore we ask that an exemption to the scope of the regulation is added for professional secrecy holders.” Said Prof. Dr Frank Ulrich Montgomery, President of the Standing Committee of European Doctors (CPME).

European doctors consider the **Commission’s Proposal for a Regulation on European Production and Preservation Orders for electronic evidence in criminal matters (‘e-Evidence Regulation’)** a serious threat to the medical confidentiality and patient trust and as such a clear violation to the fundamental right to privacy and human dignity of patients. Moreover, CPME believes that this proposed Regulation may become a barrier to the use of digital tools in healthcare. In fact, the profession might refrain from recommending the use of digital technologies, if there are suspicions that what is communicated to a doctor can be used against the patient in a court of law.

If the exemption for professional secrecy holders is not possible, we demand that the enforcing Member State (and, if applicable, the other Member State concerned where the user -data subject- is located) is involved ex-ante and automatically in the procedure to ensure that the data subject's right to privacy and data protection is respected. Otherwise, confidentiality obligations and professional secrecy will be rendered null and void - with serious consequences also for the doctor-patient relationship.

Please find [here](#) the CPME Statement on e-Evidence Regulation COM(2018) 225.

::

Annabel SEEBOHM
CPME Secretary General
Tel.: **+32 477 8132 44**
e-mail: secretariat@cpme.eu

The Standing Committee of European Doctors (CPME) represents national medical associations across Europe. We are committed to contributing the medical profession’s point of view to EU institutions and European policy-making through pro-active cooperation on a wide range of health and healthcare related issues.