Answer given by Mr Barnier on behalf of the Commission

(26 April 2000)

Through its Decision of 7 May 1998, the Commission decided to grant financial support to the ‘Plan de Gestión de Residuos Sóldidos Urbanos de Galicia’ (1) (plan for the management of municipal waste for the Galicia Region). This decision was taken after a thorough evaluation of the proposal and the assessment that it complied with the requirements of all the relevant Community policies, including environmental policy. The environmental impact assessment of the project shows that it represents an environmental improvement for the region of Galicia.

Regarding the hierarchy established for the management of wastes, the assessment states that all those wastes that cannot be reused or recycled after separate collection at the point of origin would be further selected for recycling in the central facility. Moreover, the non-reusable and non-recyclable portion will be subject to energy recovery through its transformation into a refuse derived fuel to be used for the production of electricity in the generation plant built in the ‘Complexo Medioambiental de Cerceda’. Furthermore, most of the wastes produced in the region will be transported by railroad from the transfer stations to the central facility.

The development of the project has been carried out in full respect of the terms of the decision of the Commission.

(1) Cohesion Fund Project No 97.11.61.047.

WRITTEN QUESTION E-0785/00

by Maria Sanders-ten Holte (ELDR) to the Commission

(16 March 2000)

Subject: Failure by DG XIII to pay a subsidy promised to the Netherlands Film Festival

In 1995 the Commission (DG XIII) decided to grant the Netherlands Film Festival a subsidy of ECU 12 000 to organise the Scientific Technical Festival. After a series of letters, phone calls and requests for payment, the sum in question was eventually received in early 1997. In 1996 another subsidy, this time of twice ECU 12 000, was promised by an official of DG XIII. The requisite papers were completed and returned by the recipient. However, despite a number of letters, petitions and a complaint to the European Ombudsman, no money has yet been forthcoming.

In reply to a previous question by a Member of the European Parliament (E-2730/98 (1)) on this subject, the Commission wrote that it would await the close examination by the European Ombudsman. The Ombudsman’s reply has been known for a long time now: he delivered a moral victory to the Netherlands Film Festival, while addressing a ‘critical remark’ to DG XIII and referring to ‘bad governance’. A further question to the Commission by the same Member, of 20 April 1999, has never received a reply.

1. Is the Commission aware of the facts concerning the granting of subsidies by an official of DG XIII and excuses about mail not being received and the service moving premises?

2. Has the official in question promised more than he can deliver?

3. Does the Commission feel morally obliged to pay the Netherlands Film Festival the sum promised, since the Ombudsman has upheld the complaint by the Netherlands Film Festival? If not, why not?

1. The Commission is aware of the situation which resulted in the non-granting of a second subsidy to the Netherlands Film Festival. The facts are set out in detail in the decision delivered on 20 October 1998 by the European Ombudsman, which closed a detailed enquiry undertaken in response to a complaint lodged on 23 January 1997.

2. The Commission has accepted the decision, including the critical remarks contained in the Ombudsman’s conclusion, which describes the procedure applied in this instance as ‘bad governance’.

3. The Commission grants subsidies in accordance with precise legal rules relating inter alia to substance, form and deadlines. It cannot but comply with those rules.

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(2001/C 46 E/050)

WRITTEN QUESTION P-0792/00
by W.G. van Velzen (PPE-DE) to the Commission
(9 March 2000)

Subject: Data protection

A hearing was recently held in the European Parliament on data protection, at which (among other topics) the communications interception project Echelon was discussed. It seems that this system is used worldwide by the USA to intercept telephone, fax, mobile phone and e-mail communications; software may also apparently have inbuilt keys which may be used as a secret back door through which a citizen may be followed into his computer and his activities monitored.


1. Has the Commission received any complaints about this matter?

2. Is the Commission prepared to amend Directive 97/66/EC to plug the software loophole in the interest of providing actual protection of citizens against the unwanted monitoring and interception of computer contents and communications flows?

3. Does the Commission consider that with increasingly comprehensive interception by the authorities and with wide-ranging obligations for service providers to store their customers’ data the Member States have struck a proper balance between the citizen’s right to privacy and the interests of national security and crime prevention?

4. Is the Commission, in the context of its duty to ensure the proper transposition of European directives into national law, examining the proportionality of measures taken by the Member States pursuant to the exemptions permitted by the European data protection directives? What are its findings in this connection?


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Answer given by Mr Liikanen on behalf of the Commission
(3 May 2000)

1. No.

2. Directive 95/46/EC (¹) on the processing of personal data covers all processing of personal data irrespective of the hardware or software used. The working party of data protection commissioners established under Article 29 of this Directive has addressed the problem of invisible and automatic processing of personal data on the Internet performed by software and hardware. In its recommendation