

**Question for written answer E-004930/2016
to the Commission**

Rule 130

Merja Kyllönen (GUE/NGL)

Subject: Obligation on the State to pay compensation for the unnecessary construction of an effluent drainage system

In 2014, an individual was compelled to arrange for the building of a new effluent drainage system, using an infiltration bed, for his property in a sparsely populated region of Northern Finland, to replace the previous cesspit system which had been functioning perfectly well. The new system did not work as required, and as a result there has been a persistent odour problem. At the time, the Finnish State was interpreting the EU's Waste Water Directive as meaning that a cesspit, requiring regular emptying, was not sufficient, whereas now its interpretation of the law has been amended to the effect that a properly functioning effluent system need not be replaced until problems arise with it or a major renewal project is undertaken. The alteration or construction of effluent systems was stepped up during the relevant period by threatening people with fines. Because of the uncertainties, the government later extended the transition period for properties built before 2004 which were either permanently or temporarily inhabited to 15 March 2018.

Were this individual's basic rights possibly infringed in a way which has created an obligation on the Finnish State to pay compensation for having gone too far in its interpretation of the EU's Waste Water Directive?