

**Question for written answer E-009264/2011
to the Commission**

Rule 117

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Subject: Personal data protection - PSP database

According to an opinion delivered by the Portuguese National Data Protection Commission (NDPC) in April 2010, the database of the Public Security Police (PSP) infringes the legislation on the processing of personal data in several respects.

There is a clear violation of data protection at various levels: sensitive data relating to philosophical and political convictions, party and trade union membership, faith, private life, and racial or ethnic origin is being processed without being justified by the exceptions listed in Article 7 of law No 67/68 (implementing Directive 95/46/EC).

There is no separation of files according to their purpose, data from the driving licence register being mixed with data concerning firearms, arrest warrants, coercive measures applied to defendants, criminal investigations and even requests for discreet surveillance or specific checks.

Neither is data processed differently depending on the level of reliability, that is to say: reliable information and information based on hearsay are processed in the same way.

Almost a year has passed since the NDPC recommended the introduction of a set of measures and, up to now, visible alterations have not been made. This database continues to violate the fundamental rules governing data protection, aggravated by the fact that information is still shared between criminal police bodies based on sensitive, inaccurate or incomplete data, which has consequences not only for the whole European Union, but also for the exchange of information with third countries.

Taking into account that this year is to see the implementation of an integrated system of criminal information, which will serve as a platform for the exchange of information between the various forces and security services, can the Commission answer the following question:

Is the Commission aware of these facts, and as guardian of the treaties, what action is it considering to end this clear violation of citizens' rights, freedoms and guarantees?