Question for written answer E-004275/2021
to the Commission
Rule 138
Jean-Lin Lacapelle (ID), **Gunnar Beck** (ID), **Julie Lechanteux** (ID), **Georg Mayer** (ID), **Joachim Kuhs** (ID), **Harald Vilimsky** (ID), **Jérôme Rivière** (ID), **France Jamet** (ID), **Roman Haider** (ID), **André Rougé** (ID)

Subject: Breach of personal and medical data from COVID-19 tests

The data of 700 000 people in France have been leaked due to a bug in the private software of the platform Francetest, which transfers the results of COVID-19 tests carried out at pharmacies to the French Government's database SI-DEP. Some of the stolen data – which includes patients' names, home addresses, phone numbers, email addresses, social security numbers and test results – were collected as long as six months ago, despite the fact that they should have been erased after three months.

This information has been confirmed by the software publisher.

When confronted with this (largely foreseeable) scandal, one cannot help but think back to the peremptory and dismissive statements made by European leaders when – unable to manage the transmission of these data themselves – they decided to call on private companies to handle things and labelled anyone who flagged the risks as a conspirator.

In view of this flagrant breach of citizens' personal and medical data:

1.   Does the Commission consider this a case of infringement of EU data protection law?

2.   Does it intend to remind Member States of their obligation to set up their own, secure mechanisms for the management of medical data relating to COVID-19[1]?

3.   Does it intend to propose changes to the applicable legal framework in order to better protect citizens?

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[1]   Articles 3, 4 and 6 of the Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic (OJ L 211, 15.6.2021, p. 1)