

**Question for oral answer O-000028/2011  
to the Commission**

Rule 115

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on behalf of the S&D Group

**Subject:** Breaches of human rights and privacy law in Bulgaria

The latest reports concerning the misuse of State wiretapping in Bulgaria show that instances of wiretapping increased to around 20 000 in 2010, double the figure for 2009.

The decision by the Bulgarian Parliament to close the Independent Bureau for the Control of Special Intelligence Measures means that in Bulgaria there is no longer any legitimate supervision of the use of wiretapping by the Bulgarian Secret Service.

As a result, only 2% of the tapes containing recorded material are used as evidence in court, while the rest are kept for longer than legally permitted and exploited for political purposes.

There have been other recent cases in which the right to protection of personal data has been at stake in other EU Member States, particularly in connection with police and judicial cooperation in criminal matters.

Having regard to Article 8 of the Charter of Fundamental Rights of the European Union, Article 16 of the Treaty on the Functioning of the European Union, the European Convention on Human Rights, Council of Europe Convention 108 and Directive 95/46/EC on the protection of personal data, does the Commission intend:

- to take steps to request all necessary information on the wiretapping activities conducted by the Bulgarian Government in order to verify their legality and compliance with national and EU law on data protection, including the Charter of Fundamental Rights and Directive 95/46/EC?
- to draw up new, more effective data protection legislation, based on Directive 95/46/EC, to improve the level of protection of personal data afforded to EU citizens, including in the framework of police and judicial cooperation in criminal matters, in an effort to establish stringent common European standards for data protection and prevent future misuses of power and breaches of human rights?

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Deadline for reply: 14.2.2011