Press release | 23.09.2015

Data protection/Facebook

'Safe Harbor' must be immediately suspended by EU Commission

The advocate general of the European Court of Justice today issued his legal opinion on a case concerning the transfer by Facebook of the data of EU citizens to the US under 'Safe Harbor'. The advocate general found that the transfer of private data to the US by Facebook is at odds with EU data protection rules. Commenting on the ruling, Green home affairs spokesperson **Jan Philipp Albrecht**, who is the European Parliament's rapporteur/draftsperson on the reform of EU data protection rules, said:

"The advocate general has today made clear that the transfer of EU citizens' private data to the US by Facebook is at odds with EU law. This welcome finding must provoke an immediate response by the relevant authorities in Europe. The Irish data protection commissioner must immediately move to prevent any further data transfers to the US by Facebook, which operates under Irish jurisdiction. The finding also confirms the position of the European Parliament, which has already called for 'Safe Harbor' to be suspended. It is unacceptable that the European Commission has ignored this demand for a year and a half. It is now time for the Commission to finally suspend 'Safe Harbor'.

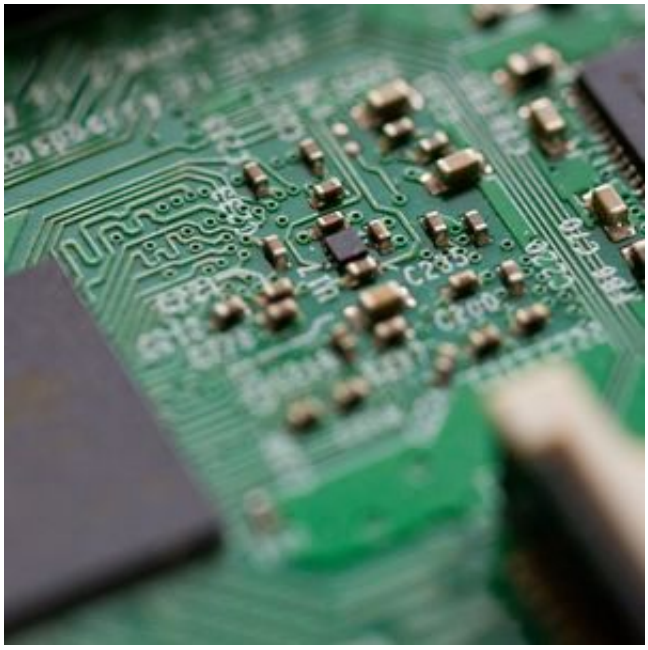
"We need robust, common data protection rules for the EU, which can also be applied to internet operators and the online sector from the US. To this end, we need to swiftly agree the reform of the EU's data protection laws to ensure strong and implementable individual rights."

The finding by the advocate general is the first stage in the case brought by Max Schrems against Facebook. The ruling of the European Court of Justice will follow in the coming months. In almost all cases, the court follows the finding of the advocate general.

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Jan Philipp Albrecht

Member

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