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Press release | 02.02.2016

EU-US data protection/Safe Harbour

EU Commission steamrolling right to data protection

The European Commission today announced the proposal of a new legal framework for the transfer of the private data of EU citizens to the US. The new framework is supposed to replace the Safe Harbour decision, which was deemed illegal by the European Court of Justice. Commenting on the Commission's proposal, Green home affairs and data protection spokesperson **Jan Philipp Albrecht** stated:

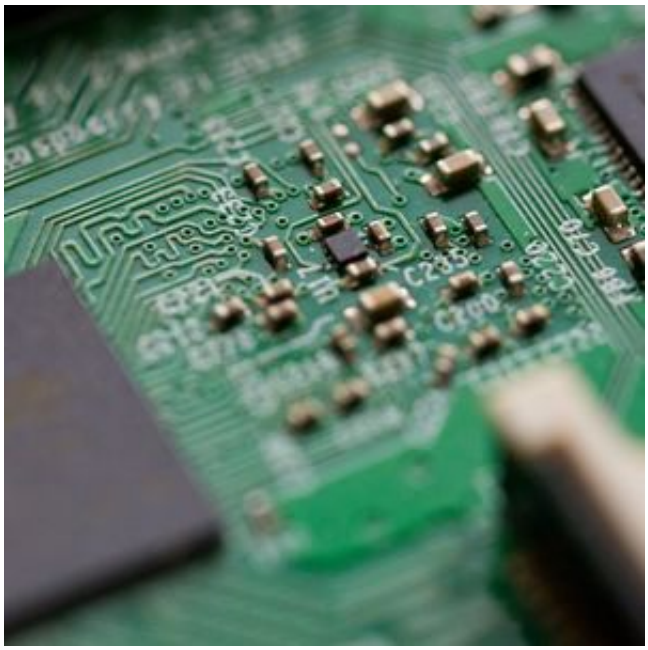
"This new framework amounts to little more than a reheated serving of the pre-existing Safe Harbour decision. The EU Commission's proposal is an affront to the European Court of Justice, which deemed Safe Harbour illegal, as well as to citizens across Europe, whose rights are undermined by the decision. The proposal foresees no legally binding improvements. Instead, it merely relies on a declaration by the US authorities on their interpretation of the legal situation regarding surveillance by US secret services, as well as the creation of an independent but powerless Ombusman, who would assess citizens' complaints. This is a sellout of the fundamental EU right to data protection.

"The European Parliament and national data protection authorities must make clear that such a legally dubious declaration will not stand. If this framework is adopted unchanged, it can be expected that member states' data protection authorities will exercise the new powers granted to them via the European Court ruling to subject any data transfers to additional security measures. It seems clear that this new framework will also be challenged in the European Court of Justice, as it is clear that it does not fulfil the conditions of the court's ruling."

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Jan Philipp Albrecht

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