



EUROPEAN COMMISSION

Cabinet of Commissioner Cecilia Malmström
Head of Cabinet

Brussels, **20 MARS 2017**

Dear Mr Higgins, Mr Koschwitz and Mr Waterworth,

Thank you very much for your letter of 13 October 2016 to Commissioner Malmström in which you highlighted your priorities for the conclusion of TiSA. Please accept my apologies for the delay in replying to you.

As you know, TiSA negotiations are currently on hold, but we have taken note of your priorities for digital trade.

With regard to data flows and forced localisation, as announced in the *Trade for All* Communication¹ and confirmed recently in the Communication on *Exchanging and Protecting Personal Data in a Globalised World*², the Commission will seek to use EU trade agreements to set rules for e-commerce and cross-border data flows and tackle new forms of digital protectionism, in full compliance with and without prejudice to the EU's data protection rules.

At the same time, addressing obstacles to data flow while ensuring data protection rules is a delicate exercise that we need to get right. The Commission is working very hard to develop a solid approach that achieves both these objectives, and is currently in discussions with Members of European Parliament and EU Member States in this.

[Art. 4.1 b]

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¹ http://trade.ec.europa.eu/doclib/docs/2015/october/tradoc_153846.pdf

² http://ec.europa.eu/newsroom/document.cfm?doc_id=41157