



Adviser

Brussels, 04 01, 2017
Ares (2016) 6236292

Dear Sir Thomas,

President Juncker would like to thank you for your letter of 31 October 2016 on the EU position on data flows in TiSA, also sent to First Vice-President Timmermans. Please accept our apologies for the delay in replying to you.

In the aftermath of the US elections, TiSA participants led by the US were of the view that the conditions for a successful ministerial meeting on TiSA that was scheduled for December were not met, and accordingly the ministerial meeting has been cancelled.

Irrespective of this, the Commission's line on data flows in trade agreements is well known. The Trade for All Communication¹ states that the Commission "will seek to use FTAs and the TiSA 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 and data privacy rules".

The Commission remains fully committed to the implementation of the Trade for All Strategy. However, you will understand that addressing digital protectionism while ensuring data protection rules is a delicate exercise that we need to get right.

Yours sincerely,

[Art. 4.1 b]

Leon Delvaux

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

Sir Thomas HARRIS
Chairman
European Services Forum (ESF)

E-mail: [Art. 4.1 b]