

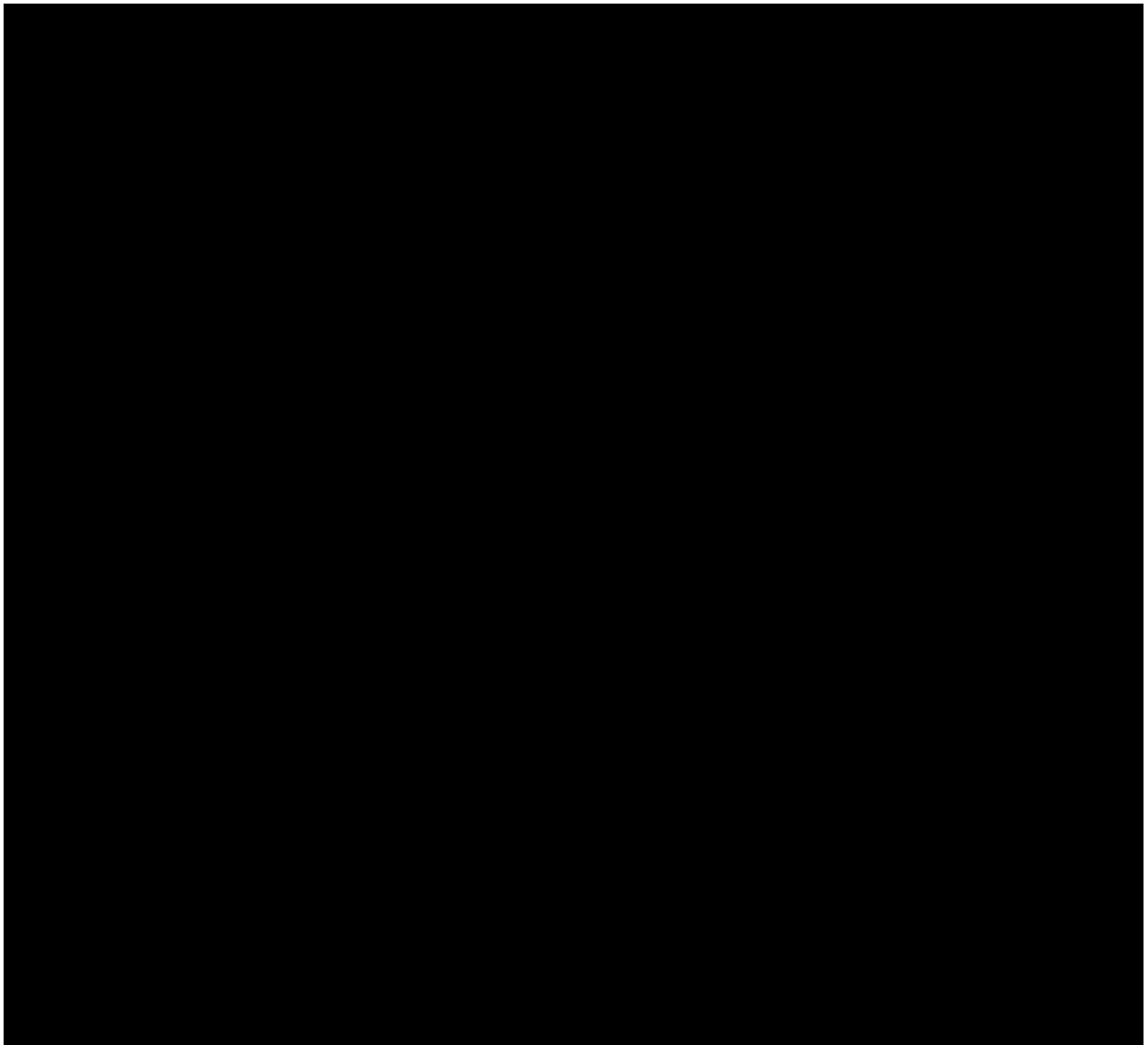
# Minutes



Final

## BTLE Expert Subgroup meeting

29 September 2020, Remote



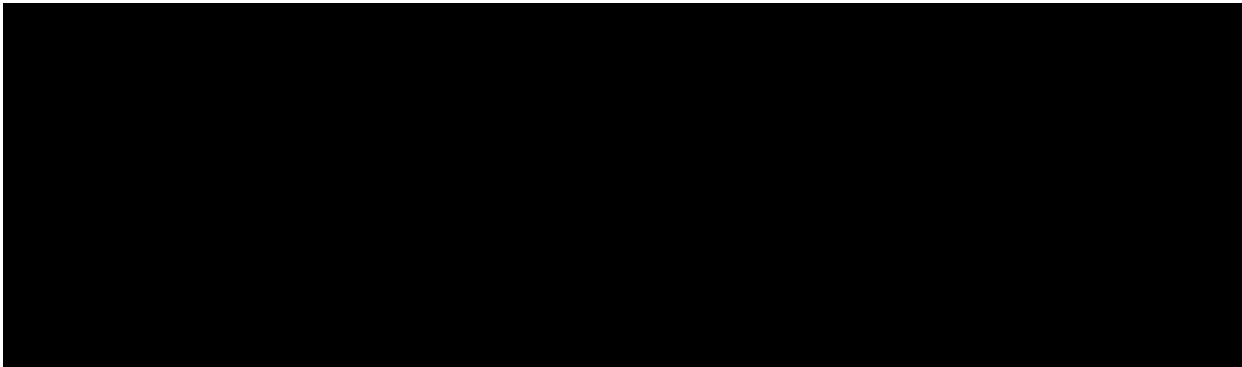


#### Item 4: Implications of the Schrems II ruling



##### ) **Update of WP237 on European Essential Guarantees**

The Coordinator informed the BTLE ESG members of the progress of the discussion on the update of the WP237 paper on European Essential Guarantees in accordance with the Schrems II judgment. The guarantees set a minimum but do not complete the assessment of the adequacy of a country's legislation governing surveillance. The recommendations on supplementary measures being prepared by the taskforce would refer to the Essential Guarantees paper in its part on the legal assessment exporters and recipients must conduct. The BTLE ESG members discussed the scope of the paper. The jurisprudence of the ECtHR will be recalibrated to reflect the CJEU's understanding of it but not deleted. The BTLE ESG members also considered the need to update the paper with the upcoming judgments of the CJEU on data retention for security purposes. The BTLE ESG Coordinator mentioned that a new version of the paper may be shared and discussed at the next BTLE meeting of 29 October.





## Annex: Attendance List

**SAs:** AT, BE, DE, DK, EDPS, EL, ES, FI, FR, HR, HU, IE, IT, LU, NL, PL, PT, SI, SE, SK

- European Commission

- Observers: CH

- EDPB Secretariat