

Brussels,
Ares(2016)

Dear Mr Moraes,

Dear Claude,

following the adoption of the Commission decision on the EU-U.S. Privacy Shield¹ on 12 July 2016, I would hereby like to inform you that the EU-U.S. Privacy Shield framework became operational on 1st August 2016.

Since that date, U.S. companies have been able to register with the U.S. Department of Commerce, which has been verifying that the companies' privacy policies comply with the high data protection standards required by the Privacy Shield. As at 31 August 2016, 103 companies have been certified. According to information provided by the U.S. Department of Commerce, it is currently reviewing the privacy policies of a further 190 companies that have signed up to the Privacy Shield while an additional 250 companies are in the process of submitting their application.

The EU-U.S. Privacy Shield framework ensures a high level of protection for EU individuals whose data is transferred to the U.S. for commercial purposes, while ensuring legal clarity and simplification for European businesses, especially SMEs. European companies can easily check on the Privacy Shield² list whether their American partner companies are certified under the Privacy Shield and hence that personal data can be transferred to them in compliance with EU data protection rules.

Also on 1 August, the Commission published a citizens' guide³ explaining how individuals' data protection rights are guaranteed under the Privacy Shield and what remedies are available for individuals, if they consider their data has been misused and their data protection rights have not been respected. The citizens' guide is now available in all EU languages.

Mr Claude Moraes
European Parliament
Committee on Civil Liberties, Justice and Home Affairs
The Chairman
IP-LIBE@europarl.europa.eu

¹ Commission Implementing Decision (EU) 2016/1250 of 12 July 2016 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequacy of the protection provided by the EU-U.S. Privacy Shield

² <https://www.privacyshield.gov/list>

³ http://ec.europa.eu/justice/data-protection/document/citizens-guide_en.pdf

The Commission will continuously monitor the EU-U.S. Privacy Shield framework and conduct an annual joint review, which will cover all aspects of the functioning of the EU-U.S. Privacy Shield, including the U.S. commitments with respect to access to data on law enforcement and national security grounds. On the basis of this annual joint review, the Commission will report to the European Parliament and the Council.

I look forward to our continued cooperation in ensuring a high level of data protection for transatlantic transfers of personal data.

Yours sincerely,



Věra Jourová