

Info note



EDPB Plenary meeting, 13 April 2021

ITEM 3.3 - 13/04 - INFO NOTE – Statement on International Agreements - Discussion and adoption

ITS ESG

I. Background

The ITS ESG submits the draft of the Statement on International Agreements for adoption by the plenary. This statement is proposed by the ITS ESG as a response to the request of the FMESG in respect of FATCA and CRS. More specifically, the FMESG invited the ITS ESG to examine the international transfers issues relating to FATCA and CRS.

As such, the ITS ESG decided to prepare and propose for adoption this statement making reference to all international agreements concluded before the coming into force of the GDPR and the Law Enforcement Directive (LED). Indeed, the ITS invites Member States to assess and where necessary review these agreements when they involve the transfers of personal data to third countries in order to align them with the current EU data protection framework, case law and EDPB guidance. Examples of such international agreements are provided in the statement including ones relating to taxation and the automatic exchange of personal data for taxation purposes.

Finally, the statement informs the public that Supervisory Authorities are available to assist Member States in this process.

As agreed at the 9 March 2021 plenary meeting, the ITS ESG consulted the BTLE ESG on the inclusion of references to international agreements agreed within the framework of the LED. The BTLE ESG made the necessary amendments to the original draft and agreed to submit the new draft to adoption by the Plenary.

II. Request to the Plenary:

The ITS ESG requests the Plenary to discuss and adopt this statement.

Annex: Statement on International Agreements