

ANDRUS ANSIP

VICE-PRESIDENT OF THE EUROPEAN COMMISSION

Brussels, 28 January 2016

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Dear Mr Eizenstat, Dear Mr Paemen,

Thank you for your letter of 27 January 2016 on the renegotiations of the Safe Harbour successor arrangement to President Juncker, which you also sent to President Obama. President Juncker has asked me to respond on his behalf.

The Commission fully understands the concerns raised by the business community following the invalidation of the 2000 Safe Harbour Decision by the Court of Justice. We share the sense of importance you attach to having a sound and predictable legal framework to facilitate transatlantic commercial transactions. We are continuing our intensive discussions with our U.S. partners to devise a Safe Harbour successor arrangement with sufficient data protection safeguards. This is a key priority for us. As stated in our Communication of 6 November 2015, a renewed and sound framework for transatlantic data transfers provides the most comprehensive solution for both data protection and business continuity.

The Commission is approaching these talks with a clear sense of urgency. I believe we are close to an agreement and count on your support in conveying the message to the U.S. Administration that we need to constructively work together on a new framework that fulfils all requirements of the court. A successful and timely outcome also depends on the readiness of the U.S. side to provide assurances on certain aspects of their legal order in the light of the Schrems judgment. When we reach the final outcome, it must be one that can withstand both political and judicial scrutiny, since only this will bring legal security to the industry.

Let me assure you that the Commission remains committed to working with you on these important issues.

Yours sincerely,



Andrus ANSIP

*Ambassador Stuart Eizenstat
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