

REACTIVE STATEMENT
‘Schrems vs. the Irish Data Commissioner’ case
29 September 2015

AmCham EU represents US companies operating in and committed to the European Union. Our membership is cross-sectoral covering everything from health care, to transport to manufacturing industries and beyond. Regardless of the sector, the free flow of data is of paramount importance to conducting business and contributing to the economic growth of the region.

The opinion issued on 23 September 2015 by the Advocate General of the Court of Justice of the EU, if followed by the Court, would jeopardize the free flow of data, which in turn jeopardizes the economic growth and competitiveness of the EU. We hope negotiations to reform Safe Harbour and on-going improvements to US surveillance oversight will address the concerns of the Advocate General in his recommendation that Safe Harbour should be declared invalid. Moreover, we are concerned that the proposal to grant Member States Data Protection Authorities (DPAs) the right to investigate and suspend European Commission adequacy decisions, will threaten harmonisation in Europe and legal certainty for virtually all cross-border transfers, not only to the US, but globally.

We look forward to working with all stakeholders to continue to find workable solutions to ensure the continued flow of data.

AmCham EU speaks for American business committed to Europe on trade investment and competitiveness issues. It aims to ensure a growth orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and play a role in creating better understanding of EU & US positions on business matters.

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