



Brussels, 19 February 2016  
(OR. en)

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COMPET 53  
DATAPROTECT 12  
USA 3  
JAI 92  
MI 75  
DIGIT 8  
FREMP 23  
DAPIX 22

**NOTE**

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From: German Delegation  
To: Council

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Subject: Renewed Framework for Transatlantic Transfers of Personal Data / EU-US Privacy Shield  
- Request by the German delegation for information from the Commission on the state of play

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Note from the General Secretariat: The following request has been addressed to the Presidency by the German delegation and the issue will be treated under Any Other Business at the meeting of the Competitiveness Council on 29 February 2016.

"On February 2nd the European Commission and the United States agreed on a renewed framework for transatlantic transfers of personal data (EU-US Privacy Shield). This marks an important step towards more legal certainty for businesses on both sides of the Atlantic. However, the details of the agreements have not yet been published. The Commission has announced to finalize a draft of an adequacy decision based on the new arrangement within the next three months, which could then be adopted by the College after obtaining the advice of the Article 29 Working Party and after consulting the EU Member States (Article 31 Committee).

In the view of the German delegation, the upcoming weeks should be used for a close dialogue between the Member States, the Commission, the Article 29 Working Party and the US Government in order to achieve a legal framework that meets the conditions set out by the European Court of Justice.

Therefore, Germany wishes to invite the Commission to report on the details of the agreement with the US side and to provide the relevant documents to the Council. This will enable the Member States to assess the outcomes of the agreement and to enter into a close dialogue with all parties involved".

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