

**Question for written answer E-001009/2015
to the Commission**

Rule 130

Martina Anderson (GUE/NGL), Liadh Ní Riada (GUE/NGL), Matt Carthy (GUE/NGL), Lynn Boylan (GUE/NGL), Barbara Spinelli (GUE/NGL), Marie-Christine Vergiat (GUE/NGL), Martina Michels (GUE/NGL), Luke Ming Flanagan (GUE/NGL), Dennis de Jong (GUE/NGL), Patrick Le Hyaric (GUE/NGL), Fabio De Masi (GUE/NGL), Anja Hazekamp (GUE/NGL) and Cornelia Ernst (GUE/NGL)

Subject: Ongoing case between the United States and Microsoft

With regard to the ongoing case between the US and Microsoft concerning the disclosure of information stored on Irish servers:

1. Does the Commission agree that foreign companies that operate in the EU and that are involved in the processing of data pertaining to EU citizens are subject to the applicable legal EU data protection standards, which regulate the transfer of data to third countries and explicitly prohibit the transfer of such data to any given third country if that country is not found to have an equivalent level of data protection (Data Protection Directive 95/46/EC)?
2. Why has the Commission remained silent on the case, and how will it support the Irish Government's position that 'Ireland respectfully asserts that foreign courts are obliged to respect Irish sovereignty [...] whether or not Ireland is a party or intervener in the proceedings before them'?
3. Does the Commission agree that the agreement on mutual legal assistance between the European Union and the United States of America can be used by US authorities to execute a search and seizure warrant for personal data relating to an EU data subject, where those data are stored in an EU Member State? How does the Commission intend to respond to this attempt to undermine the protection of data and the right to personal privacy within the EU, and how will it ensure that EU standards are upheld in future cases?