

Question for written answer E-002333/2016
to the Commission
Rule 130
Viviane Reding (PPE)

Subject: EU/US Privacy Shield

In a letter dated 16 March, numerous civil society organisations asked the European Parliament, the Council of the EU and Working Group 29 'to send the Privacy Shield back to the negotiators for further consideration'. Taking into consideration their concerns, namely that the draft decision 'manifestly fails' to meet EU standards and is not compatible with the jurisprudence of the EU Court of Justice, I would like to ask you the following questions:

What is the legal status of the commitments undertaken by the US authorities with regard to the collection of data for law enforcement purposes?

In light of the CJEU judgment in the Schrems case C-362/14, which stated that generalised access to data must be regarded as compromising the essence of the fundamental right to privacy, how do you assess the extent of the exemptions to the Privacy Principles based on national security, public interest and law enforcement requirements?

Do you see any problems with the ongoing Microsoft and Apple cases?