

**Question for written answer P-014780/2015
to the Commission**
Rule 130
Christofer Fjellner (PPE)

Subject: Impact on EU Digital Trade of the ECJ Safe Harbour decision

The ECJ ruling on Safe Harbour invalidated the existing legal framework for transatlantic data flows. At the same time, US and European businesses rely on data flows for the operation of their business and delivery of services. Given the significant economic impact of the judgment on EU companies, and given the EU Trade Strategy 'Trade for All', can the Commission answer the following:

1. Does the Commission agree that a new Safe Harbour agreement is indispensable for transatlantic trade to continue, and if so, how will the Commission act, and in what time frame?
2. Does the Commission agree that the future Digital Single Market needs to be open and connected to the global marketplace, and if so, how is the Commission pursuing this objective in upcoming free trade agreements?
3. Can the Commission confirm that, from now on, horizontal provisions to ensure the free flow of data and obligations to refrain from forced data localisation are fundamental offensive interests in the EU's free trade agreement negotiations – irrespective of the negotiation partner – and in particular as regards the Transatlantic Trade and Investment Partnership (TTIP) and the Trade in Services Agreement (TiSA).