

Press Release

Privacy Shield - New Deal Effectiveness remains to be seen

Dr. Lutz Hasse, the Thuringian State Commissioner for Data Protection and Freedom of Information, calls upon the European Commission to resolve the following major concerns, that are raised in the Opinion by the Article 29 Data Protection Working Party over the EU-US Privacy Shield draft adequacy decision:

- (1) The Privacy Shield Ombudsperson may neither be sufficiently independent nor have adequate power to exercise its duties. The Ombudsperson mechanism may also be overly complicated for EU individuals to use. Inefficiency might be the consequence.
- (2) The Privacy Shield may not exclude the US Office of Director of National Intelligence from continuing massive and indiscriminate collection of personal data originating from the EU.
- (3) The Privacy Shield may not require US companies to delete data once they are deemed unnecessary.

Hasse claims, that the Privacy Shield should not just be cosmetic change from the now defunct Safe Harbor Privacy Principles. He calls upon the European Commission to identify appropriate solutions in order to improve the draft adequacy decision, and to ensure that the protection offered by the Privacy Shield is equivalent to the standards in the EU.

The Opinion of the Article 29 Working Party is available at:
http://ec.europa.eu/justice/data-protection/article-29/documentation/opinion-recommendation/files/2016/wp238_en.pdf