

US privacy organisations call for annulment of the EU-US Privacy Shield

Human Rights Watch and the American Civil Liberties Union (ACLU) have written to EU Commissioner for Justice, Véra Jourová, saying that given the recent changes to US policies and oversight structures, they believe that the assurances that the European Commission relied on as part of the Privacy Shield and US-EU umbrella agreement are no longer valid.

The organisations say that 'recently President Donald Trump has issued several executive orders that represent an attack on the rights of immigrants and foreigners-including specific provisions designed to strip these individuals of critical privacy protections that have been provided by previous Democratic and Republican administrations for decades. Concurrently, there has been a deterioration in existing oversight and accountability structures.'

However, the acting head of the US Federal Trade Commission, Maureen Ohlhausen, has been reported to say that nothing has changed. The transatlantic agreement is unaffected by the President's Executive Order. The FTC "will continue to enforce the Privacy Shield protections, and we hope we will move ahead as planned," theregister.co.uk reports.

Recently, the EU DPAs said they would write to the US administration to seek assurances on this issue - see <http://www.privacylaws.com/Publications/enews/International-E-news/Dates/2017/2/EU-DPAs-ask-US-further-questions-on-the-Privacy-Shield/> . The evaluation of how the agreement works in practice is due later this year.

See the Human Rights Watch and the American Civil Liberties Union letter, of 28 February, at <https://www.hrw.org/news/2017/02/28/joint-letter-commissioner-jourova-re-privacy-shield>

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