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The chair of the Article 29 Working Party just had a press conference regarding the European data protection authorities' view on the U.S./EU Privacy Shield, as announced yesterday.

A few of the topics she discussed:

- **The Article 29 Working Party will issue a press release today, late afternoon European time.**
- The Article 29 Working Party will examine the Privacy Shield documents once they are available and then publish their views on the adequacy of the U.S. from a data protection law perspective.
- European Commission expects to send the documents within three weeks; the Article 29 Working Party would then review, and **a decision would probably be taken in late March/early April.**
- Until then, the DPAs will accept BCRs and Standard Contractual Clauses as a legal basis for data transfers. Companies solely relying on the old Safe Harbor regime will not be in compliance with data protection law requirements. It's up to the individual DPAs to decide how actively they will take action against companies that only rely on the old Safe Harbor, including in the event that there are complaints.
- The Article 29 Working Party is actively reviewing whether the alternative means for data transfers, especially Standard Contractual Clauses and BCR, can be a legal basis for transfers. If they decide that the commitments under the Privacy Shield are not sufficient, these means would also not work anymore.
- The recent changes in U.S. legislation, including the Judicial Redress Act, are not sufficient for a statement that the U.S. offers "adequate" protections, so the big question is whether that situation changes with the additional measures associated with the Privacy Shield.

D. Reed Freeman | **WilmerHale**