

To: Commissioner Jourová

Cc: Vice-President Ansip
Commissioner Oettinger
Commissioner Malmström

Stockholm, 16 June 2016

Dear Commissioner Jourová,

In the Nordics the summer has already arrived

The European Commission's initial commitment to delivering a Privacy Shield decision before summer was warmly welcomed by the companies we represent. However, it is with some concern that we note that, despite this commitment, a final adoption of this crucial framework risk of being delayed. Negotiations between the EU and the US are certainly complex, however it is time to clear up the unsightly impression that the EU and the US are unable to find common ground. Both, in their ways, play crucial roles for the global data economy. It is time for the Commission to show leadership in this area and find an arrangement that both parties can live with by the original summer deadline.

The transatlantic economy is worth €5 trillion per year, and accounts for 35% of world GDP. With 15 terra-bits of data being transferred between these two regions every second, the need for a stable and reliable data transfer regime is evident. In this respect, it would be highly discouraging if the Article 31 Committee is forced to push yet again a binding vote on the adequacy of the Privacy Shield because of failure of concluded negotiations. Under normal circumstances, the working group should receive the draft adequacy decision at least two weeks before a vote scheduled for the 29 of June, but this has not happened yet. This makes immediate action imperative if the original deadline set by the European Commission "by the summer" is to be respected.

There is no room for further delay on the Privacy Shield. The encouraging progress made during the drafting process has already been acknowledged by multiple observers. The Article 29 Working Group, the European Data Protection Supervisor and the European Parliament have recognised major improvements that have been incorporated into the draft. Additional improvements achieved in subsequent negotiation that reflect the feedback of key observers are anticipated and obviously warmly welcomed. Any weaknesses that remain can be resolved through technical clarifications and the review mechanism, and provide no further excuse for the limitless delay of the package.

The other option, with a Privacy Shield decision mired in yet further delays risks profound damage to investors' confidence in Europe's digital economy. It offers only continued uncertainty and the undermining of the trust and stability that is crucial to an EU digital single market and Europe's dealings with the wider world.

We call on the Commission to act immediately to conclude the Privacy Shield negotiations with the US to avoid any further delays hereby securing the time line for Article 31 Committee vote scheduled for the 29 of June!

Yours sincerely,



Carola Lemne
General Director, Confederation of Swedish Enterprise



Lena Johansson
Secretary General, ICC Sweden



Maria Rankka
CEO, Stockholm Chamber of Commerce