



EUROPEAN COMMISSION

Brussels, 01. X 2014
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Dear President,

The Commission would like to thank the Assembleia da República for its Opinion concerning the Communication from the Commission to the European Parliament and the Council on the Functioning of the Safe Harbour from the Perspective of EU Citizens and Companies Established in the EU {COM(2013) 847 final} .

The Commission appreciates very much the fact that the Opinion of the Assembleia da República reflects and supports fully its recommendations to strengthen the Safe Harbour scheme in light of the assessment the Commission carried out last year. The Commission shares with the Assembleia da República a common objective to provide EU citizens with the necessary safeguards and guarantees when their personal data are transferred to the U.S. under the Safe Harbour framework. To this end, the Commission services are fully engaged with the U.S. authorities to find effective solutions to implement all 13 recommendations set out in the Communication on the Safe Harbour. The discussions with the U.S. have so far been constructive. While they are still ongoing, progress has been made on a number of issues, notably with the U.S. Department of Commerce and the U.S. Federal Trade Commission.

The Commission's primary objective is to ensure that the four areas of review identified in the Safe Harbour Communication, namely transparency, redress, enforcement and access by US authorities, are fully implemented in the timeframe that has been set by the Commission. The Commission is keeping EU Member States, through the Article 31 Committee, fully informed of the state of play, most recently on 30 June 2014.

It is the Commission's intention to continue to consult Member States as well as the European Parliament following the U.S. response to the Commission's recommendations. This consultation process has been announced by the Commission in its Communication of 27 November 2013 on Rebuilding Trust in EU-US data flows.

The Commission hopes that these clarifications address the issues raised by the Assembleia da República and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Ms Maria da Assunção Andrade ESTEVES
President of the
Assembleia da República
Palácio de S. Bento
P – 1249-068 LISBOA*