



Joint Industry Statement on the EU Free Flow of Data Regulation

Brussels – 15 December 2017

We, the undersigned associations, fully support the EU efforts to unleash the free movement of data across the Union. Once adopted, the proposed Regulation will lay down rules to ensure the free movement of data within the EU, which will foster the EU data economy and job creation.

We strongly urge Member States to resist attempts to weaken the proposal.

As per the Commission proposal, national measures derogating from the Proposal should only be permitted if there is a justified concern on public security grounds, in accordance with the relevant CJEU case-law. This in turn is currently and should be solely defined as "a genuine and sufficiently serious threat to a fundamental interest of society." Efforts to broaden the scope of the exception to include all "public sector data," and permit exceptions for any "public policy" would pave the way for data localization requirements to proliferate across the EU and therefore rendering the Regulation effectively irrelevant.

We therefore call upon the Estonian Presidency and Member States in the Council to ensure that the sole permitted exception remains the "public security" exception as written in the Commission's proposal.

Allied for Startups

BusinessEurope

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**Computer & Communications Industry Association
(CCIA Europe)**