



**5019/00/EN/FINAL
WP 31**

**WORKING PARTY ON THE PROTECTION OF INDIVIDUALS
WITH REGARD TO THE PROCESSING OF PERSONAL DATA**

**Opinion 3/2000
On the EU/US dialogue concerning the
"Safe harbor" arrangement**

Adopted on 16th March 2000

The Working Party has been established by Article 29 of Directive 95/46/EC. It is the independent EU Advisory Body on Data Protection and Privacy. Its tasks are laid down in Article 30 of Directive 95/46/EC and in Article 14 of Directive 97/66/EC. The Secretariat is provided by:

The European Commission, Internal Market DG, Unit Free flow of information and data protection.
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Internet address: www.europa.eu.int/comm/dg15/en/media/dataprot/index/htm

**THE WORKING PARTY ON THE PROTECTION OF INDIVIDUALS WITH REGARD TO THE
PROCESSING OF PERSONAL DATA**

set up by Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995¹,

having regard to Articles 29 and 30 paragraphs 1 (a) and 3 of that Directive,

having regard to its Rules of Procedure and in particular to articles 12 and 14 thereof,

has adopted the present opinion:

During the last two years, the Working Party has devoted much of its time to discussing the Safe Harbor arrangement, given the importance of this issue for the protection of European citizens with regard to the processing of personal data. At each stage of the discussions, it has adopted timely opinions on the available documents. The latest opinion refers to the versions of the papers made available in November (Opinion 7/99 adopted on 3 December), which were considered to be not satisfactory.

Before the final version of the arrangement is submitted to the Article 31 Committee, the Working Party expects to be given the opportunity to examine the complete set of documents and express its views on the adequacy of the US system, in accordance with Article 30.1(b) of the Directive.

The Working Party thus invites the Article 31 Committee and the Commission to ensure that the final steps of this important process are taken only in the light of the final opinion of the Working Party, not least because the outcome will have important consequences for the national authorities represented in the Working Party.

The Working Party recalls that Members of the European Parliament have asked to see the final opinion of the Working Party before the Parliament expresses its views.

Done at Brussels, 16th March 2000

For the Working Party

The Chairman

Peter J. HUSTINX

¹ Official Journal no. L 281 of 23/11/1995, p. 31, available at:
<http://europa.eu.int/comm/dg15/en/media/dataprot/index.htm>