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Statement on Advocate General Opinion in *Schrems II* case

The Court of Justice of the EU's Advocate General today delivered his Opinion in case C-311/18, known as *Schrems II*, concerning standard contractual clauses (SCCs).

The Opinion, which will have to be confirmed in the Court's final ruling next year, finds that the SCCs, as established by the European Commission, are valid in light of the EU data protection framework and Charter of Fundamental Rights.

“ *The Advocate General's Opinion is a positive signal on the role and validity of a vital mechanism for international data flows. It reflects our submission to the Court and will be reassuring for EU-based businesses for whom the free flow of data and an open digital economy are essential. If this Opinion is confirmed by the Court next year, they will be able to continue to do business under the current framework without disruption,*” said Cecilia Bonefeld-Dahl, Director General of DIGITALEUROPE.

SCCs are the most widely used mechanism for data transfers to third countries outside the European Economic Area (EEA), underpinning the EU's yearly €912 billion exports of services.¹ DIGITALEUROPE has acted as *amicus curiae* in the proceedings since their inception before the Irish courts in 2016.

¹ Generating a €105 billion surplus for EU trade in services. Data for 2017, available at https://ec.europa.eu/eurostat/statistics-explained/index.php/International_trade_in_services

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About DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies.

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