

Implementing Trans-Atlantic Transfers

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PERSONAL DATA TRANSFERRED TO		The U.S.		
PERSONAL DATA TRANSFERRED FROM		A current Privacy Shield participant that is converting to the Data Privacy Framework	A new DPF participant	A U.S. entity not self-certified to the DPF
	The EU, Norway, Iceland and Liechtenstein	<p>The receiving organization updated its privacy policy by 10 Oct. 2023 to reflect compliance with the EU-U.S. DPF and transfer under the EU adequacy decision. It either converted from Privacy Shield to the DPF by this deadline or <a href="#">withdrew</a>.</p> <p>The converted organization's next certification due date is listed on its record on the <a href="#">DPF list</a>.</p> <p>Anyone may verify the U.S. organization's current participation in the DPF using these <a href="#">instructions</a>.</p>	<p>Eligible U.S. organizations may submit applications to self-certify on the new DPF <a href="#">website</a>, following all instructions closely. Only after approval by the Department of Commerce may they rely on the EU adequacy decision.</p> <p>The participating organization's next certification due date is 12 months after approval of its application by the Department of Commerce, with all requirements met.</p> <p>Anyone may verify a U.S. organization's current participation in the DPF using these <a href="#">instructions</a>.</p>	<p>Organizations on both sides of the Atlantic may continue to rely on alternative data transfer mechanisms, e.g., standard contractual clauses.</p> <p>See the European Data Protection Board <a href="#">guidance</a> on measures that supplement transfer tools. Transfer impact assessments can reference the EU adequacy decision and the U.S. intelligence community's implementation of Executive Order 14086 via new policies and procedures, as explained in this EDPB <a href="#">guidance</a>.</p>
	The U.K. and Gibraltar	<p>Eligible U.S. receiving organizations must supplement their converted EU-U.S. Privacy Shield self-certification, see above, by applying for self-certification under the U.K. Extension to the EU-U.S. DPF.</p> <p>Organizations may not convert EU-U.S. Privacy Shield participation for U.K.-U.S. transfers without submitting an application.</p>	<p>Eligible U.S. organizations may begin applying to self-certify under the U.K. Extension to the EU-U.S. DPF.</p> <p>Participants must also self-certify under the EU-U.S. DPF.</p>	<p>Organizations may continue to rely on alternative data transfer mechanisms, e.g., SCCs.</p> <p>See <a href="#">guidance</a> from the U.K. Information Commissioner's Office on transfer risk assessments.</p> <p>Transfer risk assessments can reference the U.K. <a href="#">regulations</a> and <a href="#">analysis</a> of relevant U.S. laws and practices, including the U.S. intelligence community's implementation of Executive Order 14086 via new policies and procedures.</p>
	Switzerland	<p>The receiving organization must have updated its privacy policy no later than 17 Oct. 2023 to reflect compliance with the Swiss-U.S. DPF.</p> <p>As of 15 Sept. 2024, personal data can be transferred to certified receiving organizations pursuant to the Swiss adequacy <a href="#">decision</a>.</p>	<p>Eligible U.S. organizations may submit applications to self-certify on the DPF <a href="#">website</a>, following all instructions closely.</p> <p>As of 15 Sept. 2024, they may rely on the framework for transfers pursuant to the Swiss adequacy decision. See the guidance on data transfers from Switzerland's Federal Data Protection and Information Commissioner.</p>	<p>Transfers must be made using alternative transfer mechanisms. See the FDPIC's <a href="#">guidance</a> on data transfers.</p>