



## Media Update

### **noyb asked 33 companies how they comply with the CJEU ruling on EU-US data transfers – the answers were astonishing!**

Following the judgment of the highest European Court on EU-US data transfers under the so-called “Privacy Shield” and “Standard Contractual Clauses”, the *noyb* team and *noyb* members asked the Privacy Officers and Customer Service Departments of 33 companies basic questions about their data transfers, such as which countries customer data is sent to and under what legal basis. Max Schrems, honorary chair of *noyb*: *“The responses ranged from detailed explanations, to admissions that these companies have no clue what is happening, to shockingly aggressive denials of the law.”*

• **Scroll through the responses from companies spanning from A like Airbnb to Z like Zoom ([PDF](#)) and feel free to use the text snippets for further reporting.**

Some companies like Airbnb, Netflix, and WhatsApp didn’t reply to our requests for information at all, whilst other companies simply redirected us to their privacy policies.

Schrems: *“Instead of providing the information as required under the GDPR, many companies have simply dodged the questions by referring to the privacy policy that does not contain the information or simply not answering the questions at all.”*

Many answers are not really helpful: Slack (a very popular software for internal communication in businesses) for example stated that they did not “voluntarily” provide governments with access to data – which does not answer the question of whether they are compelled to do so under US surveillance laws such as FISA702.

Schrems: *“Data that is available in business software is especially relevant for US espionage. It is amazing that not even providers of business software can give clear answers on whether their data is accessed by the US government or not.”*

Other companies fared better with their replies, such as Microsoft, who provided an answer to every question asked, or Virgin Media, who sent us a copy of their Standard Contractual Clauses.

At the same time these answer may be more detailed and honest, but for example Microsoft still claims that they may transfer personal data to the US under Standard Contractual Clauses ([link](#)), despite clearly providing data to the US government under FISA702.

Schrems: *“Overall, we were astonished by how many companies were unable to provide little more than a boilerplate answer. The companies that did provide answers largely are simply not complying with the CJEU judgment. It seems that most of the industry still does not have a plan as to how to move forward.”*

**noyb.eu - European Centre for Digital Rights.** The non-profit association *noyb* [[pronunciation](#)] was founded by data protection activist and lawyer Max Schrems in 2017. Since May 2018, *noyb* has been bringing cases to enforce European data

protection laws. So far, *noyb* has filed more than 130 cases against numerous intentional infringements - including companies such as Google, Apple, Facebook and Amazon. More than 3,600 supporting members fund the work of [noyb.eu](https://noyb.eu).

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