

PRESS RELEASE

THE JBCE welcomes adequacy decision for data transfer with EU

Brussels, 23 January 2019

The Japan Business Council in Europe (JBCE) welcomes the adequacy decision adopted today by both the European Union (EU) and Japan. The JBCE echoes without reserve the sentiments of Commissioner for Justice, Consumers and Gender Equality Věra Jourová, that the decision is a “win-win situation” for the longstanding EU-Japan partnership. The adequacy decision creates the world’s largest area of free and secure data flows.

Adequacy decisions certify that the legal framework for data protection in a third country safeguards the same principles and individual rights as the legislation in place in the EU. The frameworks do not have to be identical but must provide equally robust reciprocal protection. To this end, the European Commission and the Japanese Personal Information Protection Committee (PPC) have fortified and aligned their mechanisms for the protection of personal data used by business and public authorities. The adequacy decision affirms that Japanese law contains the same core principles, safeguards and individual rights as the EU’s General Data Protection Regulation (GDPR).

“The adequacy decision sets an important example for future arrangements of this kind and positions the EU and Japan as standard-setters and trailblazers in meeting citizens’ demands for strong protection of data across international borders,” said Kitayoshi Tsumita, Secretary General of the JBCE. “It demonstrates that the EU and Japan both share common values in this regard, including respect for the rule of law and strong protection of individual rights, and understand what is necessary to build a digital economy and society.”

The JBCE thanks the Commission and the European Data Protection Board, as well as the PPC—which today also concluded its work to designate the EU regime as essentially equivalent under the Japanese Act on the Protection of Personal Information—for their efforts in recent months to further deepen relations between the EU and Japan, and work quickly towards this positive outcome. The EU-Japan adequacy decision is the first such decision to be brokered following the 2018 entry into force of the GDPR.

It is an important element to complement the recently concluded EU-Japan EPA, under which increasing volumes of data will need to be transferred. The JBCE commends the strong signal that the decision sends, namely that international trade and data protection rules should and can be developed in tandem to stimulate investment, innovation and partnerships in the data economy.

“The adequacy decision sends an important message that regulatory cooperation and convergence can facilitate international data flows, which are the foundation of our digital world and offer opportunities and benefits for society and business,” said Antoine Larpin, Vice-Chair of the JBCE Digital Innovation Committee. “Above all, it deepens the strategic EU-Japan partnership and creates a base from which to further pursue and lead bilateral and international cooperation in data-related fields such as artificial intelligence, digital transformation and cybersecurity. Such strategic cooperation is set to yield strong economic and societal benefits”

Features of the adequacy decision include a set of additional binding safeguards to accommodate for the differences between the European and Japanese data protection frameworks, as well as a mechanism to investigate and resolve complaints from citizens regarding access to data.

The JBCE and its member companies pledge their support to the relevant authorities for the implementation of the decision.

-END-

About JBCE

The JBCE is a European association representing over 80 multinational companies of Japanese parentage in the EU policy discussions. Our members are active in Europe across many sectors, including digital, information and communication technologies, electronics, automotive, pharmaceuticals and chemicals. JBCE acts as a bridge between the EU and Japan to strengthen ties and demonstrate to European decision-makers the contribution of Japanese companies in Europe.

Press contact: uegaki@jbce.org / Website: <http://www.jbce.org>