

Agency for Digitisation · Ministry of Finance · Landgreven 4 · PO Box 2193 · DK-1017 Copenhagen K  
European Data Protection Board - Rue Wiertz 60, B-1047 Brussels

21 December 2020  
Centre for  
Technology and  
Data/LASKR  
J.No. 2020 - 6745

To the European Data Protection Board,

We appreciate this opportunity to be consulted on the recommendations on measures that supplement transfer tools to ensure compliance with the EU level of protection of personal data.

We recognise the importance of ensuring the rights of the data subjects and support steps taken to this end.

However, it is our concern that the proposed recommendations on measures that supplement transfer tools to ensure compliance with the EU level of protection of personal data may not be the most cost effective way of ensuring it-solutions with the highest possible level of data protection for data subjects.

In general, it is our view that cloud-solutions requiring some possibilities of international data transfers to third countries are very widespread throughout our global economy. In our interpretation of the practical implications of the recommendations on measures that supplement transfer tools to ensure compliance with the EU level of protection of personal data and recommendations on the European Essential Guarantees for surveillance measures, we believe that there may be a need for a drastic change in the use of cloud applications.

It is our view that this change in many cases will distort a focus on the core activities of our businesses and authorities and thus slow the development of our economy. Furthermore, we are greatly concerned that focus of this endeavour will be on legal matters without real consequence for the risk of misuse of personal data.

Looking forward, it is our opinion that focus should be on reducing the legal complexity for businesses and authorities that use ordinary tech solutions. Each small business or small authority, such as a school, should not be required to have a legal staff with the competence to evaluate foreign legislation in order to acquire a simple mail-service or a customer support service.

To ensure effective implementation of a high level of data protection we call on a pragmatic and dialogue based approach where the use of the most popular tech-

solutions are dealt with on a EU-level so that each data exporter will have a reduced task of documenting compliance with GDPR-regulation.

We hope that these reflections on the need for a strong focus on reducing the administrative burdens on each data exporter and a focus on reaching practical solutions for the most popular applications finds you well.

Yours sincerely,

Lasse Kramp  
Special Adviser  
T +45 4178 2499  
E [laskr@digst.dk](mailto:laskr@digst.dk)