

Europe-US data sharing deal 'invalid'

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Binary code is reflected from a computer screen in a woman's eye

A major data-sharing deal between the EU and US is 'invalid' given the spying revelations in the Edward Snowden scandal, the top EU court's main legal advisor said Wednesday in a case brought against Facebook.

European Union member states also have the power to suspend the transfer of information with the United States, the advocate general of the European Court of Justice said in the landmark opinion.

The case stems from a complaint against Internet giant Facebook lodged at Ireland's data protection authority by Austrian law student Max Schrems, focusing on a decision by the European Commission.

That data sharing deal between Facebook and the US "is invalid," said the advocate general's recommendation.

The recommendation must now be followed by a ruling by the court, but judges often follow the findings of their legal advisor.

Schrems welcomed the opinion in a tweet.

"Yay! ... Safe Harbour is invalid," he said, adding that Ireland's data protection authority now "has a duty to investigate" US data privacy practices.

Schrems argued that a major EU-US agreement called Safe Harbour, which allows thousands of companies to transfer European data to US servers, no longer guarantees the privacy of European residents.

"Where systemic deficiencies are found in the third country to which the personal data is transferred, the Member States must be able to take the measures necessary to safeguard their fundamental rights," the EU court statement said.



Edward Snowden revealed that the US National Security Agency was using Apple, Google and Facebook to gather user data

Snowden's revelations showed that the US National Security Agency used Silicon Valley giants Apple, Google and Facebook to gather user data.

The advisor, lawyer Yves Bot, overwhelmingly backed up Schrems' accusation.

The evidence leaked by Snowden showed that "the

law and practice of the United States allow the large-scale collection of the personal data of citizens of the EU which is transferred, without those citizens benefiting from effective judicial protection," the statement said.

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