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access@consilium.europa.eu

General Secretariat of the Council

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sg-acc-doc@ec.europa.eu

Secretariat General of the European Commission

Unit C.1. Transparency and Access to Documents

London | Cambridge | Oxford | Hong Kong | Singapore

edpb-secretariat@edpb.europa.eu

EDPB Secretariat

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access-to-documents@edps.europa.eu

European Data Protection Supervisor (EDPS)

Dear All

FATCA | New decision by Belgian DPA underpins need for complete transparency

Some breaking news with direct relevance for our [Access to Document Request](#).

1. Belgian DPA decision dated 24 April 2025

Three days ago, the Belgian data protection authority (DPA) reconfirmed its previous finding of serious breaches of basic data protection principles and serious violations of fundamental rights caused by the processing of personal data under FATCA IGA Agreements. I attach a copy of 96-page long decision (translated from French) together with an 11-page long summary that we prepared.

2. DPA slams EU for "unacceptable inertia" and "lack of cooperation"

One point jumps out, notably the direct criticism directed at data protection authorities for failing to cooperate and ensure a consistent application of the GDPR in this area. The Belgian DPA's also calls out the "unacceptable" inertia by Member States who for 9 years now have failed to take any action to address what are basic (and [well-known](#)) data protection violations on a massive scale.

3. Relevance for Access to Documents requests

The decision (and previous [European Parliament's criticism of the Commission / EDPB](#)) confirms the overriding public interest in the disclosure of internal EU documents to ensure transparency and accountability of EU institutions.

4. An increasingly desperate situation in the US

Please know that the Acting IRS Commissioner; the Chief Risk Officer; the Chief Privacy Officer; and the Chief Counsel expert on taxpayer data confidentiality [all tendered their resignations/retirements](#) in response to the proposed data sharing between IRS and the Immigration office. Therefore, the EU should really reconsider the IRS's ability to protect the data it gets from these agreements.

Filippo Nosedà

Partner

Direct Tel: +44 20 3321 7980

Email: filippo.nosedà@mishcon.com

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