

Our Ref: FN/5999/60052.1

**Ms Dolors Montserrat – Vice Chair
European Parliament - PETI Committee**

Cc: EU Petitioners

London | Cambridge | Oxford | Hong Kong | Singapore

27 April 2025

Dear Ms Montserrat

FATCA | New decision by the Belgian DPA

Some breaking news:

1. Belgian DPA decision dated 24 April 2025

I am sure that the PETI is already aware of the new decision issued by the Belgian DPA, which reconfirms the previous decision of 2023 of serious breaches of basic data protection principles and serious violations of fundamental rights caused by the processing of personal data under the FATCA IGA Agreement.

I attach a copy of 96-page long decision (translated from French) together with an 11-page long summary that we prepared.

2. Vindication of PETI's work, and need to breathe new life into the existing petitions

The Belgian DPA shared the conclusions contained in the [PETI's study](#) that data transfers under FATCA Agreements breach basic data protection principles.

The criticism levelled at EU Member States and data protection authorities contained in the Belgian DPA decision is reminiscent of the criticism levelled by the European Parliament in its [formal resolution on FATCA](#).

Unfortunately, after a stellar start, the work of the European Parliament ground to a halt because of the European Commission's passive-aggressive attitude (euphemistically described in the [updated FATCA study](#) as "institutional forbearance") and the total failure of the EDPB's leadership role (euphemistically described as "institutional deference" – *ah!*).

In light of the Belgian decision and developments in the US, the EU Petitioners would ask the European Parliament to breathe new life in the existing Petitions, to ensure that fundamental rights of citizens are enforced with the help of democratically elected MEPs.

3. 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.

Best regards,

Filippo Nosedà
Partner