**FAQ: Privacy Authorities Across Europe Approve Microsoft’s Cloud Commitments**

1. **What is the Article 29 Working Party?**

The Article 29 Working Party consists of representatives from each of the 28 European Union data protection authorities (DPAs) and the European Commission. (DPAs are the official bodies responsible for privacy regulation in each country.) The Article 29 Working Party helps ensure consistency in the application of EU privacy law, approves codes of conduct for the processing of personal data, and provides advice on whether countries outside of the EU adequately protect data transferred from the EU. Given that the EU has some of the most advanced data protection regulation in the world, these authorities play a critical role in global privacy law.

1. **What did the Article 29 Group decide about Microsoft’s Cloud Services?**

After an extensive review, the Article 29 Working Party approved Microsoft’s enterprise cloud services contracts as being in compliance with the high-standards of EU privacy law, as set forth in the EU Model Clauses.

Microsoft is the first and only cloud provider to receive this type of recognition. Europe’s privacy regulators have said, in effect, that personal data stored in Microsoft’s enterprise cloud is subject to Europe’s rigorous privacy standards no matter where that data is located. This is especially significant given that Europe’s Data Protection Directive sets such a high bar for privacy protection. No other cloud services provider in the world offers customers the same level of compliance assurance that Microsoft can with the gold standard of data protection law.

Building on this approval, we will now take proactive steps to expand these legal protections to benefit all of our enterprise customers.

1. **What are Model Clauses and why do they matter to cloud customers worldwide?**

The [Model Clauses](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:039:0005:0018:EN:PDF) are a set of model provisions developed by the Article 29 Working Party and adopted by the European Commission for use in contracts between service providers (like Microsoft) and their customers to ensure appropriate safeguards are in place to protect personal data that leaves the European Union.

Under EU law, customers remain the “controllers” of the personal data they collect and the primary obligations to protect that data fall on them as a result. This means that enterprise cloud customers have a strong interest in ensuring that their cloud services provider abides by EU data protection law or the customer can face liability and in some cases blockage of its ability to use the service. A cloud provider that commits contractually to comply with the Model Clauses provides its customers with needed reassurance that their data will be processed in compliance with EU data protection law.

Compliance with Model Clauses also means that on a practical level customers need to get fewer approvals from individual data protection authorities to transfer personal data outside of the EU, as most EU Member States do not require an authorization from the local data protection authority if the transfer is based on an agreement that complies with the Model Clauses.

1. **Which services does the Article 29 Working Party review and endorsement cover?**

All 28 EU Data Protection Authorities reviewed and endorsed the Microsoft enterprise cloud agreements that cover [Microsoft Azure](http://azure.microsoft.com/en-us/pricing/free-trial/?WT.mc_id=azurebg_us_sem_google_br_top_nontest_trialpage&WT.srch=1), [Office 365](http://office.microsoft.com/en-us/business/), [Microsoft Dynamics CRM](http://www.microsoft.com/en-us/dynamics/crm.aspx?WT.srch=1&WT.mc_ID=DYNAMICS_US_SEM_GA) and [Windows Intune](http://www.microsoft.com/en-us/server-cloud/products/windows-intune/default.aspx#fbid=TzGMiCjWp--?WT.srch=1&WT.mc_id=SEM_GOOGLE_USEvergreenSearch_Intune&CR_CC=200072479).

1. **What is Safe Harbor?**

The [U.S.-EU Safe Harbor Agreement](http://export.gov/safeharbor/eu/index.asp) is an agreement between the United States and the European Union that enables organizations to self-certify compliance with data protection requirements to allow legal data transfer from the EU to the U.S. Unlike the EU Model Clauses, Safe Harbor applies specifically only to data being transferred from the EU to the U.S. Given the recent public debate about data protection and the U.S., there has been some speculation about the future of this agreement. However, Microsoft’s confirmed compliance with the EU Model Clauses means that our customers can be confident of their ability to legally and safely to move data freely through our cloud from Europe to the rest of the world no matter what happens with Safe Harbor.

1. **How has Microsoft expanded protections for customers since** [**July 2012**](http://blogs.technet.com/b/microsoft_on_the_issues/archive/2012/07/05/why-cloud-customers-can-t-ignore-model-clauses-especially-now.aspx)**?**

Today’s [announcement](http://blogs.technet.com/b/microsoft_blog/archive/2014/04/10/privacy-authorities-across-europe-approve-microsoft-s-cloud-commitments.aspx) takes our commitment outlined in 2012 a significant step further, by not only providing customers with the additional peace of mind of an extensive official review and endorsement of our compliance with EU Model Clauses that no other cloud provider offers, but also proactively expanding those legal protections to all of our enterprise customers worldwide. For customers who care about privacy and regulatory compliance, today is intended to make clear to our customers that there is no more committed partner to them than Microsoft.