GLOBAL DATA ALLIANCE
TRUST ACROSS BORDERS

RESPONSE TO CONSULTATION OF THE EUROPEAN DATA PROTECTION BOARD

CONSULTATION ON DATA BREACH NOTIFICATIONS

July 2026

The Global Data Alliance (GDA)[1] is pleased to respond to the June 2026 consultation of the European Data Protection Board on Data Breach Notifications.

The GDA is a cross-industry coalition of companies that are committed to high standards of data responsibility and that rely on the ability to transfer data around the world to innovate and create jobs. GDA member companies are active in all industrial sectors and depend on cross-border access to information and data transfers to create jobs across the European Union. GDA members are active across the agriculture, automotive, aviation, energy, finance, health, hospitality, manufacturing, media, software, telecommunications, transportation, and other sectors in the EU.

GDA supports the EDPB's objective — consistent with its Helsinki Statement — of harmonising and simplifying breach notification under Article 33 GDPR, and we recognise the value of a common, predictable format, particularly for smaller organisations. At the same time, GDA respectfully observes that the draft template contains numerous data-transfer and data-flow elements — including a dedicated cross-border section and fields relating to the location of processing and storage, recipients, and processors — that, as currently framed, risk extending beyond what Article 33(3) GDPR requires[2] and could have unintended consequences for the responsible cross-border data flows on which the EU economy depends.

GDA Recommendations

1. Cross-Border Data Flows and Data Location Are Not, in Themselves, Risk Factors

The draft template captures extensive information about the geography of processing — including cross-border elements, the jurisdictions affected, and, to the extent applicable, the location of recipients, processors, and sub-processors.

GDA cautions against any design that, explicitly or implicitly, treats the existence of a cross-border transfer or a non-EEA storage or processing location as an aggravating or risk-relevant feature of a breach. The risk to individuals arising from a personal data breach turns on the nature of the data involved and the technical and organisational safeguards in place — such as encryption and pseudonymisation — not on where the data happens to be processed or stored.

Cross-border transfers are, moreover, already comprehensively governed by Chapter V GDPR through adequacy decisions, standard contractual clauses, and binding corporate rules. Conflating the location

of data with the security of data would send a misleading signal to notifying organisations and to the supervisory authorities assessing them alike.

GDA recommends that the EDPB:

- Clarify, in the template and its accompanying tooltips, that the existence of a cross-border transfer or a non-EEA processing location is not in itself a risk factor, and that risk is assessed by reference to the nature of the data and the safeguards applied

2. Data Transfer Fields Are Not Necessary or Proportionate per Article 33(3)

The draft template comprises a large number of fields — approximately 120 across seven sections — and the level of detail requested extends well beyond the minimum information set out in Article 33(3) GDPR.[3] In view of the EDPB's stated intention that the tool collect information only when necessary, GDA encourages the Board to eliminate any and all data transfer fields that are neither proportionate nor reasonably related to the scope of Article 33(3).

GDA recommends that the EDPB:

- Limit data transfer and data location fields to what is strictly necessary to assess the risk to individuals, consistent with Article 33(3) and the principle of data minimization. The EDPB should eliminate from the notification requirements all fields that do not meet these standards.

3. Breach Notification Should Not Become a Parallel Mechanism for Scrutinising Data Transfers

GDA is concerned that the accumulation of transfer- and location-related fields could, in practice, transform the breach notification process into a *de facto* review of organisations' cross-border transfer arrangements — a matter already governed by Chapter V GDPR.

Breach notification serves a distinct purpose: enabling supervisory authorities to assess and mitigate the risk to individuals arising from a specific incident. It should not be used, directly or indirectly, to assess or cast judgment on the underlying transfers, nor become a lever for discouraging responsible cross-border processing.

GDA recommends that the EDPB:

- Confirm that the template does not create, and will not be applied as, a supplementary compliance review mechanism for international data transfers; and
- Ensure that the template cannot be used to justify data localisation requirements or discriminatory treatment of third-country processing.

4. The Template Should Advance Interoperability and "Report Once," Not Fragmentation

GDA members report incidents across more than 60 jurisdictions and multiple overlapping frameworks — including, within the EU, the GDPR, NIS2, and DORA. A bespoke EU field taxonomy that diverges from these frameworks and from widely used international standards (such as ISO/IEC 27701) risks multiplying parallel, inconsistent reporting of the same incident, undermining the very simplification the template seeks to achieve. GDA strongly supports the "report once, share many" principle reflected in the Digital Omnibus and its associated single-portal approach, and encourages the EDPB to design the template as a building block for interoperability rather than a further layer of divergence.

GDA recommends that the EDPB:

- Pursue interoperability with breach reporting regimes in third countries, consistent with the EU's trade and international commitments supporting cross-border data flows, to reduce duplicative and inconsistent reporting for organisations operating globally.

Conclusion

GDA recognises and supports the EDPB's efforts to harmonise and simplify breach notification under the GDPR. To ensure that the common template achieves that objective without unintended consequences for responsible cross-border data flows, GDA encourages the EDPB to: (1) substantially reduce – or even eliminate – the template's data transfer and data location elements, which are not relevant to the scope of Article 33(3) GDPR; (2) refrain from treating cross-border transfers or data location as risk factors in themselves; (3) refrain from using breach notification requirements as a means of mandating collection of information that is more properly regulated under GDPR Chapter V; and (4) advance interoperability and the "report once, share many" principle, consistent with the EU's commitments supporting cross-border data flows.

GDA remains committed to engaging constructively with the EDPB and stands ready to contribute further expertise to support the development of a clear, coherent, and workable common template.

Please do not hesitate to reach out with any questions or comments to Joseph Whitlock (josephw@bsa.org).

[1] The GDA is a cross-industry coalition of companies that are committed to high standards of data responsibility and that rely on the ability to access and transfer information across borders to innovate and create jobs. GDA member companies are active in the accounting, agriculture, automotive, aerospace and aviation, biopharmaceutical, consumer goods, energy, film and television, finance, healthcare, hospitality, insurance, manufacturing, medical device, natural resources, publishing, semiconductor, software, supply chain, telecommunications, and transportation sectors. For more information, see https://www.globaldataalliance.org