

Guidelines 05/2021 on the Interplay between the application of Article 3 and the provisions on international transfers as per Chapter V of the GDPR

I have read your guidelines regarding the application of Article 3 and the provisions on international transfers. As an individual, I am concerned about the point 5 of your guidelines.

From what I understand, individuals providing themselves their personal data to third parties operators does not constitute a transfer of personal data.

I feel like this is a way for big companies such as Amazon, Facebook to derogate to the ECJ's decision Schrems II. They can now argue that data subjects have themselves provide their personal data, therefore the complementary measures they had to implement in respect to the ECJ's decision, are binding them.

I fear that this is an open door to use and disclosure of Europeans personal data outside of the EU. Also, it discriminates Europeans controllers or exporters if they decide to work with non-EU based operators.