SmartSuite

Framework / Privacy / Global Privacy Regulations

EU Standard Contractual Clauses (SCCs) – Implementing Decision (EU) 2021/914

EU Standard Contractual Clauses provide standardized contractual safeguards to protect personal data transferred from the EEA to third countries.

What it is

Schrems II / EU Standard Contractual Clauses (SCCs) is a regulatory framework for international data transfers that helps organizations ensure compliance with European data protection laws, particularly the EU General Data Protection Regulation (GDPR). The framework establishes specific legal mechanisms to safeguard personal data when transferring it outside the European Economic Area (EEA) to jurisdictions with differing privacy standards.

Developed and published by the European Commission, SCCs are used by both data exporters within the EU and data importers in third countries. They provide standardized contractual obligations covering data protection, security controls, and the rights of individuals, supporting privacy governance and regulatory compliance for cross-border data flows.

At a glance

PUBLISHER European Commission	TYPE Standard	VERSION Commission Implementing Decision (EU) 2021/914
EFFECTIVE September 27, 2021	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION European Union	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY Moderate

Source: https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en

Why it matters

- **Strengthen privacy governance** Establish clear structures for managing personal data transfers and improve accountability for cross-border data processing activities.
- **Enhance regulatory compliance** Support ongoing adherence to GDPR requirements and reduce the risk of non-compliance penalties related to international data flows.
- **Protect individuals' rights** Safeguard data subjects' privacy and ensure adequate remedies for individuals if their rights are violated during data transfers.
- **Increase audit readiness** Provide robust documentation and evidence of contractual and technical safeguards, facilitating regulatory reviews and internal audits.

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How SmartSuite supports EU SCCs (2021)

Data Transfer Inventory

Track EU-to-third-country transfers, purposes, recipients, and data types.

Standard Contractual Clauses (SCC) Management

Manage SCC versions, parties, execution status, and renewal schedules.

Transfer Impact Assessment (TIA) Management

Run TIAs with approvals, documented conclusions, and supporting evidence.

Supplementary Measures Evidence

Centralize encryption, access controls, and operational safeguards tied to transfers.

Vendor and Onward Transfer Oversight

Track subprocessors, contracts, and ongoing monitoring for onward transfers.

Compliance Reporting

Report transfer coverage, open actions, and review cadence across vendors.

Common framework mappings

GDPR | EU-US DPF | ISO 27018 | ISO 27701 | NIST Privacy Framework v1.0 | UK GDPR

Official resources

Standard Contractual Clauses (SCCs) for International Transfers

Official EU publication providing SCCs for safeguarding data transfers outside the EEA.

commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en

FAQs on SCCs and GDPR

Provides answers to common questions about SCCs and their role in GDPR compliance.

commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en

Guidance on the Use of SCCs

Outlines how organizations can implement SCCs to ensure GDPR compliance in data transfers.

ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection_en

Frequently asked questions

What is Schrems II / EU Standard Contractual Clauses (SCCs) used for?

Schrems II / EU SCCs are used to ensure lawful and secure international transfers of personal data from the European Economic Area (EEA) to countries without an EU adequacy decision. They establish legally binding commitments for both data exporters and importers to uphold EU-level data protection standards as required by the GDPR.

Are Schrems II / SCCs mandatory for data transfers?

Schrems II / SCCs are not mandatory in all cases but are a primary legal mechanism after the invalidation of the Privacy Shield. Organizations must use SCCs or an approved alternative (e.g., Binding Corporate Rules) when transferring personal data to non-adequate countries to comply with GDPR requirements.

Who does the Schrems II / SCCs framework apply to?

SCCs apply to any organization (controllers or processors) within the EEA transferring personal data to organizations in third countries that do not benefit from an EU adequacy decision. Both data exporters in the EEA and data importers outside the EEA have roles and obligations under these clauses.

What are the key concepts and required artifacts in Schrems II / SCCs?

Key artifacts include the Standard Contractual Clauses, which define obligations for protecting data, and Transfer Impact Assessments (TIAs) that evaluate third-country risks. Technical and Organizational Measures (TOMs), supporting documentation, and records of processing are essential for compliance.

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How should organizations implement Schrems II / SCCs?

Organizations should integrate SCCs into their contractual agreements, perform comprehensive Transfer Impact Assessments, and apply appropriate technical and organizational security measures. This includes legal review of third-country environments and establishing supplementary protections if necessary.

How does Schrems II / SCCs relate to other data protection frameworks?

Schrems II / SCCs complement the GDPR by providing a cross-border data transfer mechanism where adequacy decisions are absent. They differ from frameworks like Binding Corporate Rules (BCR) and national data transfer laws but all serve the purpose of protecting personal data internationally.

What are the ongoing compliance requirements under Schrems II / SCCs?

Ongoing compliance includes continuous monitoring of third-country legal frameworks, regular reassessment of transfer impact, and maintenance of robust records and security controls. Organizations must update contracts, refresh transfer assessments, and promptly address new regulatory guidance or enforcement actions.

How would SmartSuite support Schrems II / SCCs?

SmartSuite helps organizations manage Schrems II / SCCs compliance by enabling centralized risk tracking for cross-border transfers, control management for SCC obligations, and systematic evidence collection. It also supports audit readiness through policy mapping and remediation workflows, and delivers reporting dashboards that illustrate compliance status and privacy control effectiveness.

License included / downloadable: Yes The Standard Contractual Clauses are published by the European Commission and are publicly available through official EU regulatory publications.

Full framework page and mappings: smartsuite.com/frameworks/schrems-ii-eu-standard-contractual-clauses-sccs-2021