

WEBINAR SERIES THE GOVERNANCE OF DATA FLOWS AND TRADE

9 AND 10 NOVEMBER 2020



DATA FLOWS FOR DIGITAL COMMERCE IN THE USMCA

THE NORTH AMERICAN CONTEXT



HOW TO FACILITATE THE CROSS-BORDER FLOWS OF DATA?

PERSONAL DATA PROTECTION

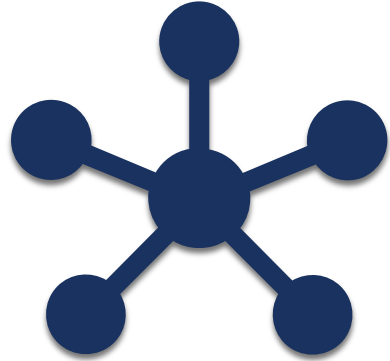
MEXICO'S CONTEXT

- Recognized as a **fundamental constitutional right**.
- **Private sector:** Federal Law on Protection of Personal Data Held by Private Entities
- **Public sector:** General Law on Protection of Personal Data Held by Obligated Bodies.
- Mexico acceded to **Convention 108** and its **additional protocol**.

Mexico

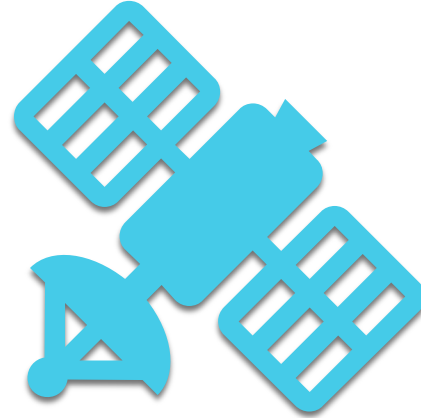
INAI

- OECD
- APEC
- TPP
- Pacific Alliance
- New Nafta
- Global Privacy Assembly
- APPA Forum
- Ibero-American Data Protection Network
- Global Privacy Enforcement Network
- Convention 108 Advisory Council.



19.8

Personal Information
Protection



19.11

Cross-Border Transfer of
Information by Electronic Means



19.14

Cooperation

**MAIN PERSONAL DATA PROTECTION CONTENT
IN CHAPTER 19 OF USMCA**



A COMMON APPROACH



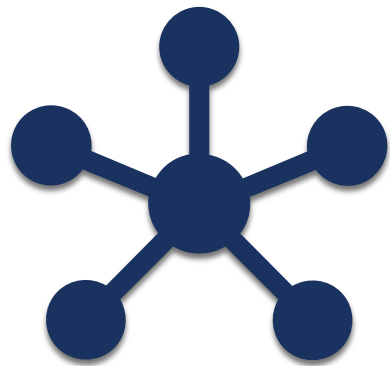
ECONOMICS



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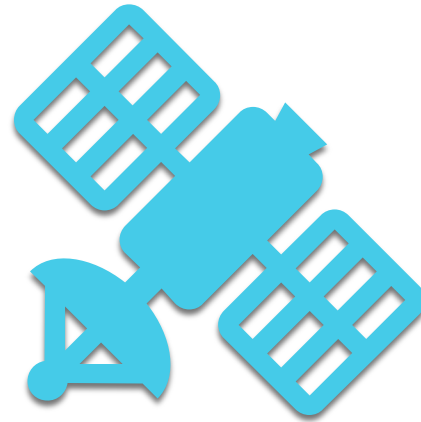


PRIVACY



19.8

Personal Information
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Cross-Border Transfer of
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19.14

Cooperation



- Government-backed data privacy certification for companies.
- Benefits both consumers and business.
- An APEC economy must demonstrate that it can enforce compliance with the CBPR System's requirements before joining.
- Stands out as the main non-European mechanism to facilitate the cross-border flows of personal data.
- Recognized in the New Nafta demonstrating the trade benefits of cooperating on these issues.



CBPR PROTECTS PERSONAL DATA BY REQUIRING:

- Enforceable standards
- Accountability
- Risk-based protections
- Consumer-friendly complaint handling
- Consumer empowerment:
- Consistent protections
- Cross-border enforcement cooperation

FINAL CONSIDERATIONS



- CBPR System is currently considered by Mexican authorities, led by the Ministry of Economy.
- INAI has accompanied the work of the Mexican delegation led by the Ministry of Economy, on the negotiation rounds of the Joint Statement on Electronic Commerce.
- Sections taken into consideration in the New Nafta, currently constitute proposals by the North American region.



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