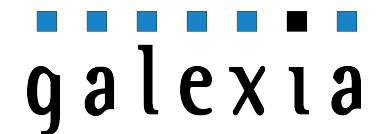




**Chris Connolly**  
*Galexia Director and UNCTAD Consultant*

# **Data Protection and Privacy Law as a Driver in Sustainable Development**





- New UN report: *Data protection regulations and international data flows: Implications for trade and development* (April 2016).
- Data protection is directly related to trade
  - Too little protection can create negative market effects through affecting consumer confidence
  - Too much protection can overly restrict business activities and trade
- Ensuring that laws consider the global nature and scope of their application, and foster compatibility with other frameworks, is critical

# Key issues

- Gaps in coverage
  - National gaps: no laws, partial laws or laws that contain broad exemptions
- Impact of new technologies
- Cross-border data transfers
  - Concerns about data localization requirements
- Balancing surveillance and data protection
- Enforcement of data protection laws
- Determining jurisdiction
- Compliance burdens

## Selected policy options

- Adopt baseline legislation based on common principles
- Address gaps in global coverage and avoid fragmentation
- Adopt protection that does not unnecessarily hamper trade and innovation
- Give special attention to cross-border transfers
- Consider compliance burdens
- Establish a regulatory structure that ensures adequate enforcement
- Improve capacity building
- Multi-stakeholder involvement



## Further information:

*United Nations Conference on Trade and Development (UNCTAD) – Global Cyberlaw Tracker*

[http://unctad.org/en/Pages/DTL/STI\\_and\\_ICTs/ICT4D-Legislation/eCom-Global-Legislation.aspx](http://unctad.org/en/Pages/DTL/STI_and_ICTs/ICT4D-Legislation/eCom-Global-Legislation.aspx)

*Data protection regulations and international data flows: Implications for trade and development (April 2016)*

<http://unctad.org/en/pages/PublicationWebflyer.aspx?publicationid=1468>

*BSA / Galexia Global Cloud Computing Scorecard (April 2016)*

<http://cloudscorecard.bsa.org/2016/>

*Galexia*

<http://www.galexia.com/>

