GLOBAL DATA ALLIANCE
TRUST ACROSS BORDERS

October 14, 2022

Permanent Mission of Mexico to the WTO
Chemin Camille-Vidart 15
1202 Geneva, Switzerland

Re: WTO JSI on E-commerce; WTO E-commerce Moratorium and Work Programme

Thank you for taking the time to meet with us at the World Trade Organization (WTO) during the Public Forum. We would like to take the opportunity to introduce the Global Data Alliance[1] (GDA) and to inquire whether you would be open to a 20-30 minute virtual meeting with our member companies in mid-November.

The GDA is a cross-industry coalition of companies that are committed to high standards of data privacy and security and that rely on the ability to transfer data responsibly across borders to support jobs and economic growth. Alliance members are active across many sectors including the agriculture,[2] automotive,[3] clean energy,[4] finance,[5] healthcare and medical technology,[6] logistics,[7] media,[8] pharmaceutical,[9] telecommunications,[10] and tourism. The GDA advances policies that promote the responsible handling of data without imposing unnecessary data localization mandates or restrictions on data transfers.

The ability to transfer data in a trusted and secure manner across transnational digital networks is of central importance to the national policy objectives of many countries. Data transfers support COVID-19 recovery,[11] cybersecurity,[12] fraud prevention,[13] and other activities relating to the protection of health, privacy, security, safety, consumers, and the environment. They also support shared economic prosperity:[14] Cross-border access to marketplaces, purchasers, suppliers, and other commercial partners allows enterprises of all sizes and in all sectors[15] to engage in mutually beneficial international transactions with foreign enterprises. 75 percent of the value of data transfers accrues to companies in sectors such as manufacturing, agriculture, and logistics[16] and at every stage of the value chain.[17] Finally, scientific and technological progress require the exchange of information and ideas across borders[18]: As the WTO has stated, "for data to flourish as an input to innovation, it benefits from flowing as freely as possible, given necessary privacy protection policies."[19]

We applaud Mexico's active role in the JSI e-commerce negotiations and its support for the E-Commerce Moratorium and Work Programme. Enterprises of all sizes (including micro-, small-, and medium-sized enterprises) and workers, consumers, and citizens thrive in an environment that supports digital trust and digital trade. The work of the 87 WTO members engaged in the JSI e-commerce negotiations is helping to create the international legal foundation for such an environment of digital trust and digital trade.

The GDA has developed numerous materials on the cross-border aspects of data privacy, cybersecurity, and other data-related policies, including the attached appendices, the GDA Cross-Border Data Policy Principles,[20] the GDA Report on Data Transfers and Sustainable Economic Development,[21] the Dashboard of Trade Rules on Cross-Border Data,[22] and the GDA Position Paper on Data Transfers and Data Localization Measures.[23] We thank you for your consideration and look forward to hearing from you.

Sincerely yours,

Joseph Whitlock

Joseph P. Whitlock
Executive Director

¹ Global Data Alliance members are headquartered across the globe and are active in the advanced manufacturing, aerospace, automotive, electronics, entertainment, financial and payment services, health, consumer goods, supply chain, and telecommunications sectors, among others. BSA | The Software Alliance administers the Global Data Alliance. For more information, please see www.globaldataalliance.org

² Global Data Alliance, *GDA Website – Agriculture* (2022), at: https://globaldataalliance.org/sectors/agriculture/

³ Global Data Alliance, *GDA Website – Automotive* (2022), at: https://globaldataalliance.org/sectors/automotive/

⁴ Global Data Alliance, *GDA Website – Energy* (2022), at: https://globaldataalliance.org/sectors/energy/

⁵ Global Data Alliance, *GDA Website – Finance* (2022), https://globaldataalliance.org/sectors/finance/

⁶ Global Data Alliance, *GDA Website – Healthcare* (2022), https://globaldataalliance.org/sectors/healthcare/

⁷ Global Data Alliance, *GDA Website – Supply Chain Logistics* (2022), https://globaldataalliance.org/sectors/supply-chain-logistics/

⁸ Global Data Alliance, *GDA Website – Media and Publishing* (2022), https://globaldataalliance.org/sectors/media-publishing/

⁹ Global Data Alliance, *GDA Website – Biopharmaceutical R&D* (2022), https://globaldataalliance.org/sectors/biopharmaceutical-rd/

¹⁰ Global Data Alliance, *GDA Website – Telecommunications* (2022), https://globaldataalliance.org/sectors/telecommunications/

¹¹ Global Data Alliance, *Cross Border Data Transfers & Remote Work* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/10052020cbdtremotework.pdf

¹² Global Data Alliance, *Cross-Border Data Transfers & Data Localization Measures* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/02112020GDAcrossborderdata.pdf

¹³ Global Data Alliance, *GDA Website – Finance* (2022), https://globaldataalliance.org/sectors/finance/

¹⁴ Global Data Alliance, *Cross-Border Data Transfers & Economic Development: Access to Global Markets, Innovation, Finance, Food, and Healthcare* (2021), https://globaldataalliance.org/wp-content/uploads/2021/07/05062021econdevelopments1.pdf

¹⁵ Global Data Alliance, The Cross-Border Movement of Data: Creating Jobs and Trust Across Borders in Every Sector (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/GDAeverysector.pdf

¹⁶ Global Data Alliance, *Cross-Border Data Transfer Facts and Figures* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/gdafactsandfigures.pdf

¹⁷ Global Data Alliance, *Global Data Alliance Infographic: Jobs in All Sectors Depend Upon Data Flows* (2021), https://globaldataalliance.org/wp-content/uploads/2021/07/infographicgda.pdf

¹⁸ Global Data Alliance, *Cross-Border Data Transfers & Innovation* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/04012021cbdtinnovation.pdf

¹⁹ WTO, Government Policies to Promote Innovation in the Digital Age, 2020 World Trade Report (2020), at: https://www.wto.org/english/res_e/booksp_e/wtr20_e/wtr20-0_e.pdf

²⁰ Global Data Alliance, *Cross-Border Data Policy Principles* (2021), https://globaldataalliance.org/wp-content/uploads/2021/07/03022021gdacrossborderdatapolicyprinciples.pdf

²¹ Global Data Alliance, *Cross-Border Data Transfers & Sustainable Economic Development* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/05062021econdevelopments1.pdf

²² Global Data Alliance, *Dashboard of Trade Rules on Data Transfers* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/gdadashboard.pdf

²³ Global Data Alliance, *Cross-Border Data Transfers & Data Localization Measures* (2020), https://globaldataalliance.org/wp-content/uploads/2021/07/02112020GDAcrossborderdata.pdf