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

- OECD
- APEC
- TPP
- Pacific Alliance
- New Nafta

INAI

- Global Privacy Assembly
- APPA Forum
- Ibero-American Data Protection Network
- Global Privacy Enforcement Network
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
19.8  Personal Information Protection
19.11 Cross-Border Transfer of Information by Electronic Means
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:

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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.
THANK YOU