



GPA Global Privacy and Data Protection Awards 2023

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org **no later than 9 June 2023**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection

Authority: Dubai International Financial Centre

Person completing this form: Lori Baker
First name Last name

Job title: Director of Data Protection

Email address: lori.baker@difc.ae

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2022.
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

DIFC developed the Ethical Data Management Risk Index (EDMRI) and EDMRI+ in 2020, completing the research in 2022 and launching in August 2022. EDMRI looks beyond equivalence in jurisdictions, and digs into propensity for compliance through a risk index, published as guidance, and with a due diligence tool to support outcomes based risk assessments for exporters to “know their importer”. It aims to reduce “Privacy Corruption”.

b. Please provide a full description of the initiative (no more than 350 words)

Most personal data that is collected is often shared with a) importing jurisdictions that don't have data protection laws, or b) importing jurisdictions where the data protection law has not yet been recognized as equivalent to the exporting one – *even if it is equivalent*.

Generally, mechanisms exist to address how to safely share personal data across borders. In addition, exporters must address considerations such as:

- local supervision and enforcement;
- access to authorities and courts;
- government / law enforcement requests;
- general accountability; and
- propensity for compliance with laws

[EDMRI](#) provides exporters with a way of knowing quickly, efficiently, and with regulatory certainty, what may be expected of an importer in its jurisdiction – in other words, it shows *the compliance propensity of importers there*, which all exporters should be looking at. It provides guidance on thematic issues, an overall risk rating and theme by theme risks. It addresses the main issues around Schrems that changes the risk around data transfers – data export / import risk that is set out as outcomes-based guidance.

Also notable is many countries have data protection laws, some of which are deemed “adequate”, yet when it comes to environmental conditions, it may still be high risk. This is what exporters need to ascertain and mitigate before transfers, direct or onward, occur.

The [EDMRI+](#) due diligence tool can be used as a:

- basis for a more detailed Transfer Impact Assessment (TIA);
- way to determine whether additional contractual obligations should be factored into a services agreement or transaction;
- general compliance management tool within an organization, as a part of a technical or organizational policy or procedure, to add to a compliance program arsenal of safeguards; or
- a general check on whether an organization's collection, processing, and transfers approach is “ethical”.

Knowing the risks, as the DPO or contract manager or legal advisor, or should you share personal data with that importer? If not, what should you do to reduce the likelihood and impact of the transfer risk and subsequent processing by the importer? What instructions would or should you give them?

FAQs are available [here](#).

- c. Please explain why you think the initiative deserves to be recognised by an award**
(no more than 200 words)

It is a one of a kind tool that sets out risk from the regulator's view, with an abundance of information above the jurisdiction, but also how to address the risks. DIFC created it as a tool that in our view most closely addresses a fundamental issue in the Schrems cases – how much trust do you have in your importer in a place where there may be significant “privacy corruption”?

- d. Please include a photograph or image, if you wish** *(This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)*



- e. Please provide the most relevant link on the authority's website to the initiative, if applicable** *(The website content does not need to be in English)*

<https://www.difc.ae/business/operating/data-protection/data-export-and-sharing/#s6>

- f. Please provide any other relevant links that help explain the initiative or its impact or success** *(e.g. links to news reports or articles):*

Please see the Future of Privacy Forum webinar on the EDMRI:

<https://www.linkedin.com/video/event/urn:li:ugcPost:7056750003670683649/>

Assessment criteria (being updated currently):

[EDMRI](#)