



## 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](mailto: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 6.2<sup>1</sup> 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](mailto: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

<sup>1</sup> [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 consulted in November 2022 on the concept of multi-lateral “adequacy” through an AI based principles, and derived on the basis of DIFC proposed AI regulations. A project is underway to build a platform that will in real time, using advance generative technology, create a consortium environment for inform regulators and controllers / processors of the current compliance and supervisory status in any given jurisdiction.

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

Adequacy and other transfer mechanisms were developed to support safe transfers of Personal Data when the only existing relevant law was the 1995 EU directive / implementing national laws in each EU Member State. Today, there are over 120 data protection laws. Given the participation of many of these jurisdictions in Convention 108+ in some form, and as reliable research shows that many of them have significant similarities, arguably the laws in these places are fruit of the original tree.

As such, it should be possible to agree at least a bare minimum acceptance of the same requirements and synergies of most data protection laws at their core. Furthermore, how exporters and importers apply them is of significant importance in the current debate about data export and sharing.

Currently, decision-making around transfer mechanisms is rather limited to a binary decision – apply the relevant model clauses (because there is not an adequacy decision in place in that jurisdiction) or not (because there is an adequacy decision in place). This is because:

- a) there are only 32 companies with (EU Commission) approved binding corporate rules in place, and external agreements are required anyway to use them as a transfer mechanism with third parties;
- b) derogations ought to be applied sparingly due to their very specific, conditional nature.

To resolve such issues around transfers with trust, the proposed multi-lateral data sharing consortium concept aims to model an inclusive approach to multi-lateral data sharing with participating jurisdictions, and that yields the following outcomes (and others, as development permits):

- a) AI or similar business enabling technology principles
- b) Principles-based, data export / import enabling technology built into a data sharing compliance monitoring platform
- c) Ongoing research (automated, if possible) about compliance propensity to supplement and enhance the compliance evaluation criteria and resulting risk assessment using the EDMRI. The information fed into the platform would produce:
  - i. a regulators’ dashboard of supervision, monitoring and enforcement actions; and
  - ii. a dashboard of current company compliance statistics of those involved in the pilot testing, ideally fed by compliance information provided by participating regulated financial services entities.

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

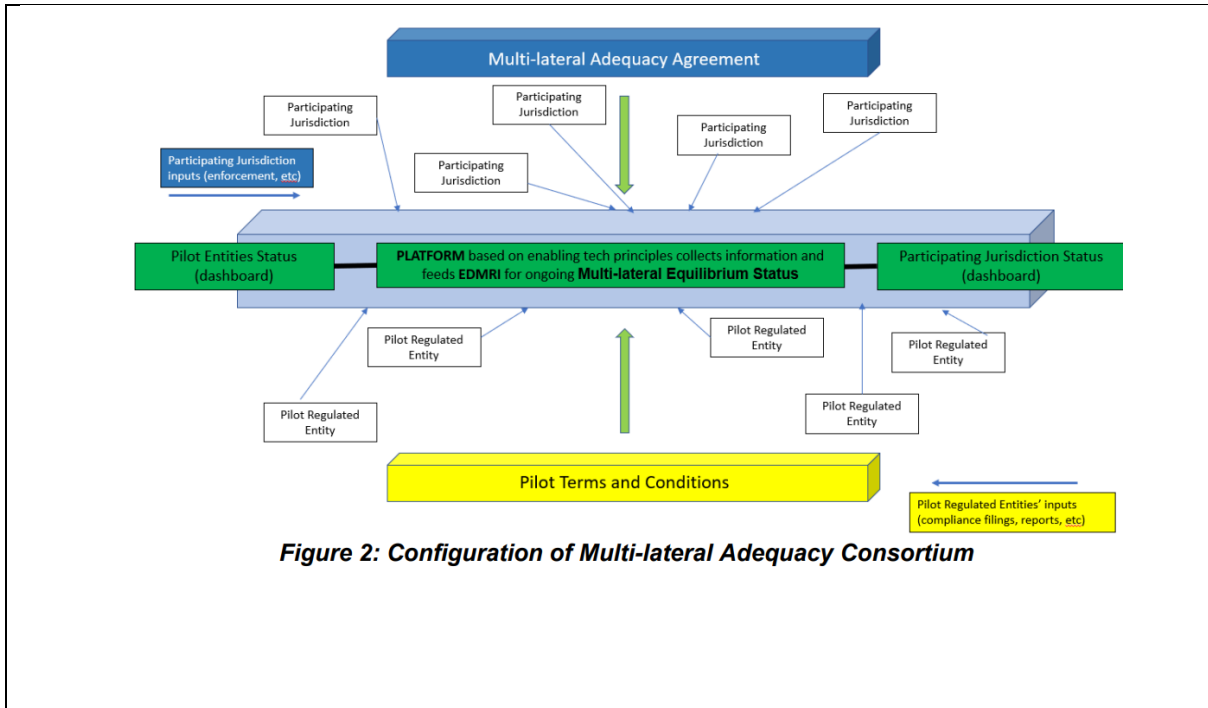
It is a one of a kind project that sets out to tackle data flows with trust in a way that reduces the unilateral or bilateral nature of transfer mechanism while keying in on “Schrems” related issues.

- 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)*

**DIFC** 



**Figure 1: Core data protection laws and regulations mapping**



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/#s8>

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*):

[https://www.difc.ae/application/files/1116/6737/0068/2022\\_1101\\_DIFC\\_Non-leg\\_consult\\_-\\_MLDSP\\_v2.pdf](https://www.difc.ae/application/files/1116/6737/0068/2022_1101_DIFC_Non-leg_consult_-_MLDSP_v2.pdf)