



GPA

Global Privacy Assembly

Global Frameworks and Standards Working Group

Annual report – July 2024

Chair authority: UK Information Commissioner's Office

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Executive Summary

As digitalisation and globalisation continue at pace, the existence of equivalent high standards across the world, and the smooth, secure and trustworthy flow of data across borders are increasingly important.

Acknowledging this context, the Global Frameworks and Standards Working Group (GFSWG) has made good progress in 2023-24 in contributing towards the delivery of the GPA's strategic plan.

We have focused our work on the following high-level topics:

Promoting high standards of data protection and privacy

- We have undertaken a range of activities to promote the GPA's work done to date to set out general principles for a high and consistent level of personal data protection worldwide.
- These activities have focused on promoting and implementing the Resolution on Achieving global data protection standards: Principles to ensure a high level of data protection and privacy worldwide.¹
- This workstream has contributed to the lasting impact of the resolution and its principles for high standards, raising awareness of the resolution internationally to influence global data protection policy, guidance and practice – aiming to increase protection for people globally, wherever their data is processed.

Cross border transfers and mechanisms

- We have continued to work on the topic of cross border transfers and mechanisms.
- We have updated the detailed factual comparison of contractual clauses to ensure it can continue to be a helpful resource.
- We have started work to set out the essential elements of Data Free Flow with Trust (DFFT), working in alignment with other international fora.
- We have also surveyed the GPA membership to better understand the context they are working in in relation to transfers, and to obtain their views on what support the GPA could provide.
- This workstream has aimed to assist GPA members and organisations in their jurisdictions in their understanding of different transfer mechanisms. It has also further established the GPA as one of the several fora contributing to global efforts to achieve Data Free Flow with Trust. We will continue with more work in this area in 2024-25.

The GFSWG is pleased to submit its annual report for adoption by the GPA2024 Closed Session.

¹ [3.-Resolution-Achieving-global-DP-standards.pdf \(globalprivacyassembly.org\)](#)

Introduction

The GPA's work on global frameworks and standards is a core element of its progress towards achieving the GPA Vision of "moving towards a higher level of global data protection and privacy"² and its first strategic objective of reaching a high level of data protection in global frameworks and to "promote, influence and support the development of international frameworks and standards on data protection and privacy."³

While we recognise that the GPA's member jurisdictions have different legal and cultural backgrounds and approaches, the need for equivalent high standards of data protection and privacy globally is more important than ever as digitalisation continues to transform how products and services are delivered, how public authorities operate and how people live.

Our work in the Global Frameworks and Standards Working Group (GFSWG) in previous years has demonstrated that there is a high degree of commonality between different privacy and data protection laws and frameworks globally. This started with our wide-ranging analysis of ten different frameworks in 2020⁴, and culminated in 2023 with the adopted "Resolution on Achieving global data protection standards: principles to ensure high levels of data protection and privacy worldwide."⁵ Our work in 2023-24 has focused on promoting the resolution to ensure it is as impactful as possible in influencing global data protection policy to work towards the existence of equivalent high standards worldwide.

Equally, in a globalised world data needs to flow across borders - but must only do so in a way that continues to protect people's data protection and privacy to equivalent high standards. To that end we have continued to develop our work to support the secure and smooth flow of personal data across borders by assisting GPA members and organisations in their understanding of different transfer mechanisms. We have done this by updating and adding to our detailed comparison of standard contractual clauses across different frameworks.

We also note that there is increased momentum in international efforts to ensure the trusted flow of data across borders, as the notion of Data Free Flow with Trust (DFFT) forms the basis of current work on other international fora such as the G7 and OECD. In 2023-24 we have developed our work to align with and support this.

The GFSWG has therefore worked on the following high-level items in our 2023-24 work plan:

- Promote GPA work done to date to set out general principles for a high and consistent level of personal data protection worldwide; and

² GPA Strategic Plan 2023-25, page 9: [IEWG - Annual report Working Group JULY 2022 2022-08-12 13 27 56 \(002\) \(globalprivacyassembly.org\)](#)

³ GPA Strategic Plan 2023-25, page 10: [IEWG - Annual report Working Group JULY 2022 2022-08-12 13 27 56 \(002\) \(globalprivacyassembly.org\)](#)

⁴ GPA Policy Strategy Working Group 1: Global frameworks and standards annual WG report, 2020: [Day-1-1 2a-Day-3-3 2b-v1 0-Policy-Strategy-Working-Group-WS1-Global-frameworks-and-standards-Report-Final.pdf \(globalprivacyassembly.org\)](#)

⁵ GPA adopted Resolution on Achieving global data protection standards: principles to ensure high levels of data protection and privacy worldwide: [3.-Resolution-Achieving-global-DP-standards.pdf \(globalprivacyassembly.org\)](#)

- Continue work on cross border transfer mechanisms

Finally, the GFSWG Chair’s representative attended meetings with the GPA ExCo’s Strategic Direction Sub-Committee (SDSC) chair authority. These meetings consisted of:

- a ‘deep dive’ meeting where we presented our current work to the SDSC and discussed our progress against the GPA Strategic Plan 2023-25; and
- a meeting with other 2023 adopted resolution sponsors to present, discuss and share good practice on promoting and implementing our resolutions to ensure maximum lasting impact.

Working Group members

UK ICO (Chair)	OPC Canada	Côte d’Ivoire	Council of Europe
Dubai IFC	EDPS	CNIL France	Gabon
Germany BfDI	Israel	PPC Japan	Kenya ODPC
Korea PIPC	INAI Mexico	OPC New Zealand	Nigeria DPC
Peru	NPC Philippines	Portugal	San Marino
Senegal	South Africa	Spain	Switzerland FDPIC
KVKK Türkiye	US FTC	Uruguay	
Angolan DPA (observer)	European Commission (observer)	European Data Protection Board (observer)	OECD (observer)
New York City Office of Information Privacy (observer)	Chief Privacy and Civil Liberties Officer, US Department of Justice (observer)		

Working Group Activities

The GFSWG's activities in 2023-24 focused on the work items listed above in the introduction section. In more detail, those activities have included:

- **Promote GPA work done to date to set out general principles for a high and consistent level of personal data protection worldwide**

In 2023 the GPA adopted the GFSWG-led Resolution on Achieving global standards of data protection: principles to ensure high levels of data protection and privacy worldwide. The resolution highlights a set of common principles, rights and other key practical elements - high-level data protection standards that the GPA has committed to promote worldwide, to increase protections for people and certainty for organisations wherever data flows – while recognising that all laws don't have to be identical.

The resolution includes principles such as transparency, proportionality and accountability, enforceable rights and highlights the importance of protections for children, and privacy by design and default. While many of its principles already appear in many laws globally, not all of them do – so not only does the resolution show that these principles are broadly accepted as contributing to high standards that should be applied across all processing contexts, it provides a reference point for those GPA members and others who need it to use to influence in their own jurisdictions as laws are developed and reviewed.

We must ensure that the resolution has lasting impact, and we continue to promote its principles for high standards. This year, GFSWG members have taken a broad range of actions to raise awareness of the resolution internationally to influence global data protection policy, guidance and practice – aiming to increase protection for people globally, wherever their data is processed.

We developed an implementation plan to promote the resolution both internally among GPA members so that they are encouraged to promote, implement and use it as appropriate in their jurisdictions, and externally, to raise awareness among law and policymakers internationally. Activities undertaken in 2023-24 included:

- GFSWG members presented the resolution at other interested GPA working groups.
- GFSWG members presented the resolution to a range of international organisations – such as the Council of Europe and the UN. The resolution was then referenced in the UN Special Rapporteur on the right to privacy's speech and report to the 55th session of the UN General Assembly's Human Rights Council, "Legal safeguards for personal data protection and privacy in the digital age".⁶

⁶ UNSRP report to the 55th session of the UN General Assembly's Human Rights Council: [A/HRC/55/46](https://undocs.org/A/HRC/55/46) (undocs.org)

- GFSWG members have discussed the resolution in meetings with government representatives in their jurisdictions.
- The GFSWG chair published an article in the GPA May newsletter on “Resolutions with lasting impact”⁷, which highlighted the resolution and its principles.
- We published a set of FAQs⁸ relevant to both internal GPA and external audiences, and provided further promotional language for GPA members to use as needed to raise awareness, promote and encourage implementation of the resolution and its principles.
- GFSWG members have promoted the resolution in panel appearances and in bilateral meetings at national and international conferences.

The GFSWG intends to continue seeking out opportunities to promote high data protection standards. For example, GFSWG members plan to promote the resolution further via international organisations and regional and linguistic networks. We intend this work to be ongoing - continued GPA member collaboration to promote consistent approaches is crucial to ensure we maximise the impact of our resolution and in turn have a positive influence on global data protection policy to provide better protection for people worldwide and more regulatory certainty for organisations.

- **Continue work on cross border transfer mechanisms**

Cross border transfers continues to be a very relevant topic. The need to protect personal data wherever it flows continues to be vitally important as increased digitalisation results in higher volumes of personal data being processed in the global digital economy. An increasing number of tools and mechanisms being developed across different jurisdictions and frameworks can provide reassurance that personal data can be appropriately protected across borders, but also the potential for complexity which organisations transferring data can find difficult to navigate. The GFSWG continues to be keen to do what it can to support the secure and smooth flow of personal data across borders, and has developed several workstreams to this end in 2023-24.

- **Comparative work on contractual clauses in several frameworks**

In 2023 our work on cross border transfers focused on explaining transfer mechanisms in more detail, and WG members completed a detailed comparison of standard contractual clauses in different data protection frameworks (ASEAN; Council of Europe; EU; RIPD (Ibero-American Network); Argentina; New Zealand and UK;). Two tables were produced, one for controller to controller clauses, and the other for controller to processor clauses, aimed at helping GPA members and organisations in their understanding of different transfer mechanisms. We note

⁷ GPA May newsletter, page 13-14: [Newsletter_May-corregidolinks.pdf \(globalprivacyassembly.org\)](#)

⁸ Working group updates: [FAQs on the Resolution on achieving global data protection standards](#)

that the tables could also be used as a resource to identify commonalities and differences between the clauses.

Our comparative work on clauses has been further developed in 2023-24, by updating the comparison tables with amended / updated Council of Europe clauses as their modules have been updated. The updated tables will be published on the GPA website in due course, and can be found in annex to this report.

Further work is also underway to produce a third table of processor to processor clauses, and we are also open to adding clauses from other frameworks to the tables.

○ **Data Free Flow with Trust (DFFT)**

Increased momentum in international efforts to ensure the trusted flow of data across borders has led to the notion of Data Free Flow with Trust (DFFT) forming the basis of current work in other international fora such as the G7 and OECD.

We recognise that DFFT is now a common objective in many countries and international fora, in light of the importance of ensuring trust, including a high standard of data protection, is a vital component in facilitating the free flow of data. Because of this, in 2023-24 we have developed our work to align with and support the drive towards achieving DFFT.

We have drafted a resolution on DFFT to be presented to the GPA for adoption at the 2024 conference. As drafted the resolution aims to set out the key essential elements of DFFT, and draws together and commits the GPA to advocate for and promote initiatives developed under the notion of DFFT, and to support efforts to bridge differences in regulatory systems.

○ **GPA member survey on cross border transfers**

The GPA Strategic Plan 2023-25 included an action for the GFSWG to “identify the issues, concerns and needs of GPA members and organisations in their jurisdictions about cross border transfers, and consider what practical activities the GPA could undertake to address these.”

GFSWG members developed a survey aimed at understanding:

- the context in which authorities were working in relating to transfers, such as what mechanisms were in place in their jurisdiction, and what their powers and responsibilities were in relation to those;
- the issues, concerns and needs of authorities as regulators, and of organisations and data subjects in their jurisdictions relating to cross border transfers;
- the level and type of complaints they received relating to cross border transfers; and
- whether the GPA could undertake practical activities to support authorities on these issues and concerns, and what those activities might look like.

The survey was circulated among GPA members and observers for their response in May-July 2024. 37 responses have been received, and they are currently being analysed. A report on the survey findings will be produced, with recommendations as to next steps, to inform our work in 2024-25 and beyond.

Forward looking plan 2024-2025

The current GPA Strategic Plan 2023-25⁹ allocated three overarching actions for the GFSWG to be delivered during the plan period to the GPA2025. They are:

1. Promote GPA work done to date to set out general principles for a high and consistent level of personal data protection worldwide.
2. Consider carrying out further comparative analyses of different mechanisms for international transfers of personal data, taking into account work already done and currently underway by other international groups and fora.
3. Identify the issues, concerns, and needs of GPA members and organisations in their jurisdictions about cross-border transfers, and consider what practical activities the GPA could undertake to address these.

We have undertaken or delivered work on all three of those actions on 2023-24, although some of that work is still underway.

Additionally, if the draft resolution on DFFT is adopted at the GPA2024 we anticipate that the GFSWG will play a significant role in its implementation.

The GFSWG therefore proposes to work on the following items in 2024-25:

- **Promoting high standards of data protection and privacy**

As noted earlier in this report, we are convinced of the need to ensure that GPA resolutions have lasting impact. We will therefore consider what other activities we can undertake to further promote the Resolution on Achieving global data protection standards and support its implementation.

- **Cross border transfers and mechanisms**

We will continue to work on cross border transfers in 2023-25, ensuring it complements and does not overlap the work already being carried out by other international organisations.

- We will consider updating and adding to the comparative tables on contractual clauses, and promote them as appropriate.
- If the draft resolution on DFFT is adopted at the GPA2024, we will consider the actions arising from that, currently expected to include promotion of DFFT initiatives (including the resolution and its essential elements for DFFT), supporting efforts to bridge differences in relation to global data flows, and drawing initiatives together and reporting on general progress made in the field of DFFT.
- We will complete the analysis of the GPA member survey on transfers, produce a report with recommendations and start to implement those recommendations as appropriate.
- In light of any issues highlighted in the survey, we will consider whether there is anything the GPA can provide in the form of promoting common good

⁹ [GPA Strategic Plan 2023-25 \(globalprivacyassembly.org\)](https://www.globalprivacyassembly.org/)

practice that would assist at a global level, or any use cases that could helpfully be shared to that end.

Conclusion

In 2023-24, the GFSWG has made good progress against our work plan and actions allocated to us by the GPA Strategic Plan 2023-25. We have:

- Carried out a range of activities to promote and implement the Resolution on Achieving global data protection standards: principles to ensure high levels of data protection and privacy worldwide.”¹⁰ These activities have enhanced the resolution’s reach and impact in influencing global data protection policy to work towards the development of equivalent high standards worldwide.
- Carried out further work on cross border transfers and mechanisms. We have updated the detailed factual comparison of contractual clauses to ensure it can continue to be a helpful resource. We have started work to set out the essential elements of DFFT, working in alignment with other international fora. Finally, we have surveyed the GPA membership to better understand the context they are working in in relation to transfers, and to obtain their views on what support the GPA could provide.

As global frameworks and standards continues to be a crucial element of the GPA’s objective of influencing and supporting the development of a high level of data protection and privacy globally, we look forward to continuing with our work in 2024-25.

The GFSWG Chair would like thank the members and observers of the Working Group for all their contributions this year.

¹⁰ GPA adopted Resolution on Achieving global data protection standards: principles to ensure high levels of data protection and privacy worldwide: [3.-Resolution-Achieving-global-DP-standards.pdf](https://www.globalprivacyassembly.org/3.-Resolution-Achieving-global-DP-standards.pdf) ([globalprivacyassembly.org](https://www.globalprivacyassembly.org))

Annexes

Annexes 1 & 2: SCC / MCC comparison tables.....see separate accompanying documents