Multi-Industry Statement on Cross-Border Data Transfers and Data Localization Disciplines in WTO Negotiations on E-Commerce

January 26, 2021

The undersigned organizations applaud the participating economies in the WTO Joint Statement Initiative (JSI) negotiations for their commitment to developing a framework of trade rules to unlock the potential of the Digital 21st Century economy. At a time when the COVID-19 pandemic has forced many aspects of public and commercial life into a remote environment, continued economic development, innovation, and employment depend upon cross-border access to digitally delivered services and technologies and upon the responsible and seamless movement of data across borders.

Our organizations and their member companies are active across the world and across economic sectors. Among other priorities, the ability to access technology and transfer data securely across international digital networks is of central importance to our operations, employees, customers, and supply chain partners, including MSMEs. No business can conduct international trade or commerce without this ability.

The JSI negotiations offer a unique opportunity to reach an international agreement that can help realize the promise of cross-border access to technology and the trusted movement of data across regions. To enhance certainty and economic opportunity, any agreement should discipline unnecessary or discriminatory data localization mandates and data transfer restrictions. Any agreement should also be guided by principles of transparency and interoperability among legal frameworks; should apply across all economic sectors; and should require all countries to adopt or maintain legal frameworks to protect personal information.

We commend the participating economies for their efforts to achieve a robust and meaningful outcome that will spread the benefits of a globally interconnected economy to all.

Sincerely yours,

1. ACT | The App Association
2. Advanced Medical Technology Association (AdvaMed)
3. Advertising Information Group
4. Africa Information and Communications Technology Alliance (AfICTA)
5. American Automotive Policy Council
6. American Property Casualty Insurance Association
7. Asia Cloud Computing Association
8. Asia Pacific Carriers Coalition
9. Asociación de Internet MX
10. Asociación Latinoaméricana de Internet
11. Asociación Mexicana de la Industria de Tecnologías de Información (AMITI)
12. Associação Brasileira das Empresas de Software (ABES)
13. Association of Competitive Telecom Operators (ACTO)
14. Association of Equipment Manufacturers
15. AusBiotech
16. Australian Industry Group
17. Australian Information Industry Association
18. Australian Services Roundtable
19. Autos Drive America

20. BusinessEurope
21. Business Council of Canada
22. BIO – The Biotechnology Innovation Organization
23. Bio Deutschland
24. BSA | The Software Alliance

25. Cámara Colombiana de Comercio Electrónico
26. Canadian Services Coalition
27. Centre for International Economic Collaboration (CFIEC)
28. Coalition of Service Industries
29. Computer & Communications Industry Association
30. Consumer Technology Association

31. Digital Europe
32. Digital Trade Network

33. EuropaBio
34. European Australian Business Council
35. European Automobile Manufacturers Association (ACEA)
36. European Publishers Council
37. European Semiconductor Industry Association
38. European Services Forum
39. European Travel Commission
40. Ecommerce Forum Africa

41. Federation of European Direct and Interactive Marketing

42. Global Data Alliance
43. Global Financial Markets Association

44. Indonesia Services Dialogue Council

45. Independent Film & Television Alliance (IFTA)
46. Information Technology Industry Council (ITI)
47. International Chamber of Commerce (ICC)
48. ICBA - International Council of Biotech Associations
49. Internet Association

50. Japan Business Council in Europe (JBCE)
51. Japan Electronics and Information Technology Association (JEITA)
52. Japan Services Network
53. Japan Information Industry Association (JISA)
54. Japan Machinery Center for Trade and Investment (JMC)

55. Mexican Chamber of Electronics, Telecommunications and Information Technologies (CANIETI)
56. Motion Picture Association

57. National Association of Foreign-Trade Zones
58. National Association of Manufacturers
59. National Foreign Trade Council
60. National Retail Federation

61. Pacific Asia Travel Association

62. Semiconductor Industry Association
63. Singapore Business Federation
64. Software and Information Industry Association
65. Swiss Biotech Association

66. Taiwan Coalition of Services Industries
67. TECHNATION Canada
68. TechUK
69. Telecommunications Industry Association
70. The Advertising Association
71. TheCityUK
72. The International Association of Scholarly, Technical and Medical Publishers (STM)

73. United States Information Technology Office (USITO)
74. US Chamber of Commerce
75. US Council for International Business
76. US-India Strategic Partnership Forum

77. World Information Technology and Services Alliance
78. World Travel & Tourism Council