

Trilateral Committee on Transborder Data Flows: Second Meeting Outcomes Report

Mexico City, Mexico

I. Background and Introduction

The following are the outcomes of the Trilateral Committee on Transborder Data Flow's second meeting, held on February 4th at BBVA BANCOMER, Mexico City.

This meeting is following the work undertaken under the Statement on the Free Flow of Information (Statement) signed on February, 2008, by representatives from Canada, Mexico and the United States as part of the Security and Prosperity Partnership of North America (SPP), and of the initial meeting in Washington D.C. on September 25th, 2008.

<http://www.spp.gov/links.asp>

Meeting proceedings:

The Committee heard from representatives of all three countries' business communities, including some of the representatives in charge of Latin American portfolios, therefore, providing a regional perspective as well. Representative from the 3 countries have also been able to assess progress made since the Washington meeting.

II. Outcomes

A. Collective Actions

Committee members acknowledge the lack of responses to the "*Questionnaire on the Cost of Impediments to Transborder Data Flows*". Nevertheless, it was agreed that the initial results of this work will be useful in the continued assessment and are indicating trends regarding the movement of TBDF in North America and identified some of the challenges faced by the private sector companies. The Committee recognize that this is the first attempt to compile such information.

To date, the number of companies that participated in the latest version of the Questionnaire are listed below, by country:

Country	Number of respondents for the second version of the questionnaire.
Mexico	1
Canada	9
The U.S.	7

B. Country-Specific Initiatives:

Canada

- Forward the scope of work used for the macro-economic study put in place in Canada to the other countries, for them to establish similar work on comparable grounds.
- Prepare third phase of the consultation process to be held in Canada, in May 2009.

Mexico

- Develop and post on-line an overview of the progress made on the roll out of the current Mexican privacy regime legislation.
- Develop a strategy to increase awareness about privacy rights and Mexican privacy regulation among the private sector firms; presenting the value added of establishing a sound privacy regime for Mexico that would create the necessary trust and confidence to operate in the Global Internet Economy.
- In collaboration with the Canadian and U.S. embassies, develop an informational event in Mexico that would highlight and promote the SPP's work on transborder data flows as well as pending Mexican regulation regarding the same. The event would target private firms in Mexico and firms dealing in Mexico.

U.S.A.

- Develop an overview of the various U.S. privacy regulations, including a review of the State legislation to be posted on the SPP and Department of Commerce websites.
- Develop FAQ's on the regulatory framework (similar to the Canadian FAQs).
- Develop a series of scenarios / vignettes providing examples of how businesses are managing transborder data in their operations legislation to be posted on the SPP and Department of Commerce websites.

III: Canada, 2009

Canada will host the third meeting of the Tri-lateral Committee to finalize consultation and reporting on results that will be presented to Ministers. Meeting is scheduled for May 11th, 2009, in Ottawa.