



Trade and Technology Council

Working Group: Data Governance and Platforms Regulation



ISSUE

The free flow of data, enabled in a trusted way, offers great benefits for economic growth and is critical to cross-border trade and trade agreements. Unhindered data flows are necessary for all businesses to enter global markets, access the latest technological advancements, reduce costs, improve productivity, scale and enable digital collaboration.

Although outside the direct scope of the Trade and Technology Council, the EU and the US must engage to swiftly conclude a new, solid Privacy Shield agreement. Legal certainty in transatlantic data flows is an essential condition for cooperation, as well as the successful implementation of any result the Trade and Technology Council will achieve.



PRIORITIES

The areas in which the working group can and should strive to achieve immediate results are:

International data flows

The EU and the US should focus on harmonising norms and avoiding digital trade barriers such as:

- restrictions on cross-border data transfers, particularly data localisation measures or disclosure of source code, algorithms and encryption keys;
- measures that discriminate against foreign persons, products, services or technologies;
- mandatory national standards that do not adhere to internationally recognised and consensus-based standards; and
- the imposition of tariffs or customs duties on electronic transmissions.

In doing so, particular attention should be devoted to the ongoing multilateral governmental discussions and existing international standards.

The online environment

The Internet has transformed the way companies connect and communicate with customers, grow new markets at home and abroad and create jobs. E-commerce is essential for the EU and US economies. It is an engine for increased competition and continued innovation. When assessing these matters and seeking potential transatlantic convergence, the EU and the US should consider that a healthy and competitive economic environment requires a level playing field in which equivalent services are regulated in the same way and companies compete under the same regulatory conditions.

Moreover, any efforts of the Trade and Technology Council to find common approaches in the fight against illegal content online should be proportionate, targeted and intended to ensure that consumers can engage in a safe and trusted digital environment by focusing on the sale of authentic goods and the provision of legitimate digital services.