



GPA

Global Privacy Assembly

Global Frameworks and Standards Working Group

Annual report – July 2025

Chair authority: UK Information Commissioner's Office

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Executive summary

In an increasingly connected world where geopolitical shifts have significant influence, ensuring high levels of data protection and privacy globally must continue to be a core focus of the GPA. In today's ever-changing global context, the existence of equivalent high data protection and privacy 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 2024-25 in contributing towards the delivery of the GPA's strategic plan. We have focused our work on the following high-level topics:

Promoting and working towards implementation of the resolution on Data Free Flow with Trust and an effective regulation of global data flows

- GFSWG members have undertaken a range of activities to promote the [Resolution on Data Free Flow with Trust and an effective regulation of data flows](#) and its 'essential elements' for DFFT – including presenting the resolution to various international organisations and fora such as the Council of Europe and the Global Cross Border Privacy Rules (CBPR) Forum, in panel appearances and bilateral meetings at national and international conferences, and via a well-attended GFSWG-hosted GPA webinar on DFFT.
- This workstream has contributed to the lasting impact of the resolution, 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, and to reduce complexity for data exporters.

Supporting understanding and legal certainty in relation to transfer mechanisms, and exploring ways to achieve more interoperability

- We have updated, published and promoted the [comparison tables of standard and model contractual clauses](#) to aid organisations' understanding.
- Some GFSWG members are now working to review the clauses comparison work and explore appropriate ways to build on it with a view to furthering interoperability of clauses.

Reporting on progress made on DFFT and actions taken by GPA members.

- This workstream is a mandated action for the GFSWG in the Resolution on Data Free Flow with Trust and provides a way for us to monitor how GPA members are addressing issues relating to transfers. We circulated a brief GPA member survey to that end.

Plans for 2025-26

The GFSWG will continue our work on DFFT in 2025-26, including in particular continued efforts to build on the clauses comparison tables with a view to furthering interoperability of clauses across different frameworks, and monitoring any trends on related work taking place within GPA member jurisdictions. We will also consider whether there are any capacity building opportunities that could assist GPA members in relation to transfers.

The GFSWG is pleased to submit its annual report for adoption by the GPA2025 Closed Session.

Introduction

Global frameworks and standards is key to the GPA’s vision of “moving towards a higher level of global data protection and privacy”¹ and its first strategic objective to “promote, influence and support the development of international frameworks and standards on data protection and privacy.”²

Working to promote high levels of data protection and privacy globally must continue to be a core focus of the GPA in an increasingly interconnected world, and so must the safe and free flow of data. Our efforts in the Global Frameworks and Standards Working Group (GFSWG) are rooted in this premise.

Since the GPA’s adoption of the [Resolution on achieving global data protection: Principles to ensure high levels of data protection and privacy worldwide](#) in 2023, which committed GPA members to promoting high data protection standards globally, the GFSWG has increasingly focused on the topic of international transfers – in a connected world data needs to flow across borders, so the importance of ensuring its secure and smooth flow is paramount.

To that end, after working in 2023-24 to assist GPA members and organisations in their jurisdictions to better understand the variety of transfer mechanisms (particularly standard and model contractual clauses), and after the GPA adopted the 2024 [Resolution on Data Free Flow with Trust and an effective regulation of global data flows](#), the GFSWG has continued to work on the topic of transfers, to develop and progress ‘Data Free Flow with Trust’ (DFFT) – with an ultimate aim of protecting people wherever their personal data flows, and helping provide organisations with more certainty and consistency when they transfer that data.

The GFSWG’s work this year has included three main high-level actions:

- Promoting and working towards implementation of the resolution on Data Free Flow with Trust and an effective regulation of global data flows;
- Supporting understanding and legal certainty in relation to transfer mechanisms, and exploring ways to achieve more interoperability; and
- Reporting on progress made on DFFT and actions taken by GPA members.

As well as helping to deliver the GPA’s vision and strategy, the GFSWG’s current focus on transfers is also in line with the findings and recommendations of a GPA member survey on international transfers carried out by the GFSWG in the latter part of 2024 (the survey report can be found in Annex A, on page 11 below). That survey highlighted some particular issues relating to transfers identified by GPA members in their work – which included differences between countries’ laws, the lack of a global approach, the level of complexity in

¹ GPA Strategic Plan 2023-25, page 9: [IEWG - Annual report Working Group JULY 2022 2022-08-12 13 27 56 \(002\) \(globalprivacyassembly.org\)](#)

² GPA Strategic Plan 2023-25, page 10: [IEWG - Annual report Working Group JULY 2022 2022-08-12 13 27 56 \(002\) \(globalprivacyassembly.org\)](#)

transfer mechanisms, the need for interoperability, and concerns about transparency. The survey report provided some helpful background and its findings and recommendations have directly informed the GFSWG’s activities this year.

Members and observers of the GFSWG in 2024-25

UK ICO (Chair)	AAIP Argentina	OPC Canada	ARTCI Côte d’Ivoire
Dubai IFC	EDPS	CNIL France	APDPVP Gabon
BfDI Germany	Israeli Privacy Protection Authority	PPC Japan	Kenya ODPC
PIPC Korea	Mauritanian Personal Data Protection Authority	INFOEM Mexico	OPC New Zealand
Nigeria DPC	ANPDP Peru	NPC Philippines	AGPDP San Marino
CDP Senegal	South African Information Regulator	AEPD Spain	FDPIC Switzerland
KVKK Türkiye	US FTC	URCDP Uruguay	
Angolan DPA (observer)	Council of Europe (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 2024-25 focused on the three high-level work items listed above in the introduction section on page 3. In more detail, those activities have focused mostly on promoting, supporting and progressing work to achieve Data Free Flow with Trust, including:

1. Promoting and working towards implementation of the resolution on Data Free Flow with Trust and an effective regulation of global data flows

The Resolution on Data Free Flow with Trust and an effective regulation of global data flows, introduced by GFSWG members EDPS and BfDI and co-sponsored by several other GFSWG members, was unanimously adopted by the GPA in 2024.

The resolution sets out several 'essential elements' for DFFT and calls for their inclusion in transfer mechanisms as they are developed and reviewed, to ensure data is protected to high standards wherever it flows and to encourage interoperable solutions to that end. It also commits GPA members to support efforts to bridge differences in regulatory systems – by exploring ways to achieve interoperability of standard or model contractual clauses from different regions/jurisdictions, by supporting the development of new adequacy arrangements, certification tools for transfers, and by exploring whether Privacy Enhancing Technologies (PETs) can play a role in complementing transfer tools.

To support implementation of the resolution, the GFSWG developed a promotion and implementation plan as part of our overall 2024-25 work plan. The plan aims to promote the resolution both internally among GPA members so that they are encouraged to promote it in their jurisdictions and to carry out activities to progress DFFT, and externally, to raise awareness among law and policymakers internationally. Activities undertaken in 2024-25 included:

- GFSWG members presented the resolution to a range of international organisations and fora – such as the Council of Europe and the Global Cross Border Privacy Rules (CBPR) Forum.
- GFSWG members have promoted the resolution in panel appearances and in bilateral meetings at national and international conferences.
- The GFSWG chair hosted a well-attended GPA webinar on DFFT where the resolution main sponsors presented the resolution and its 'essential elements' and with representatives of OECD, the Council of Europe/AAIP Argentina and Dubai IFC authority discussed what was meant by 'trust'. Participants also discussed the main challenges to DFFT and what each of their organisations were doing to progress DFFT.

2. Supporting understanding and legal certainty in relation to transfer mechanisms, and exploring ways to achieve more interoperability. This included:

- a. Promoting the new and updated comparison tables** of standard / model contractual clauses to aid organisations' understanding.

The factual [comparison tables of standard and model contractual clauses](#) (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) were published as three standalone documents on the GPA website (covering controller-to-controller, controller-to-processor and processor-to-processor clauses) to enable them to be accessed and shared more easily by GPA members and organisations. GFSWG members promoted these via various channels, including on social media and in authority newsletters – as well as receiving a positive reference in an IAPP article in April 2025³.

- b. Reviewing the clauses comparison work and explore appropriate ways to build on it with a view to furthering interoperability of clauses**

While the clauses comparison tables provided a helpful factual reference for GPA members, organisations and policymakers in their jurisdictions, the 2024 GPA member survey indicated that differences between laws and transfer mechanisms, and the need for more interoperability was a concern. The resolution on DFFT also commits the GPA to “explore as a matter of priority ways to achieve the possible interoperability of model or standard contractual clauses from different regions or jurisdictions that present a sufficient level of convergence as demonstrated by the GPA comparison”⁴

In 2025 some GFSWG members started to look at how we could build on the factual clause comparison tables to further interoperability – starting with some comparative analysis to identify commonalities and opportunities for interoperable approaches, and to identify differences in terms of elements that would need to be bridged.

At the time of writing, EDPS is looking at the potential for interoperability between the EU, Council of Europe and Ibero-American network (RIPD) clauses – the GPA Resolution on DFFT having noted a sufficient level of convergence between them – in the area of onward transfers. The work is ongoing and is EU-focused but potential has been identified.

More broadly, ICO as the GFSWG chair is working on some further analysis of the clause comparison tables that also takes into account the ‘essential elements for

³ [Notes from the Asia-Pacific region: Cross-border data transfers exemplify complexity of global privacy regulation | IAPP](#)

⁴ GPA Resolution on DFFT, page 8: [Resolution-Data-Free-Flow-with-Trust-and-an-effective-regulation-of-global-data-flows.pdf](#)

DFFT' set out in the 2024 resolution, as a next step to identify opportunities for interoperability. This work is ongoing and we plan to continue it into 2025-26.

3. Reporting on progress made on DFFT and actions taken by GPA members, including any appropriate follow up actions, at the GPA 2025.

In addition to the activities noted above, other GPA member jurisdictions have undertaken various activities relevant to progressing DFFT. A brief, informal survey of GPA members carried out by the GFSWG chair authority in June/July 2025 identified that at least 19 members (out of 21 respondents) had been involved in relevant activities other than those mentioned above in the past year. Those activities included:

- Six respondents' jurisdictions had adopted new transfer mechanisms – which included new standard or model contractual clauses, and new BCRs.
- Three respondents had taken steps towards developing mutual adequacy arrangements.
- Seven authorities noted they had taken steps to progress interoperability – four of which mentioned adopting or considering the adoption of the Council of Europe's model contractual clauses.
- Five respondents said they had explored PETs to complement transfer tools.
- 13 respondents had published new or updated guidance on transfers.
- 17 respondents joined or attended relevant fora or networks where issues relating to transfers were being considered.
- 12 respondents said they had done promotional or engagement work relating to transfers.
- Seven respondents said they had taken enforcement action on matters relating to transfers, while three noted they had current investigations open.

This indicates that GPA members are somewhat engaged with issues relating to transfers, and some are actively engaged in activities to progress DFFT. It would be helpful to repeat this survey in 2026 to monitor trends and see if there have been any significant impacts from the activities undertaken this year.

Forward looking plan 2025-2026

The GFSWG's current mandate derives from the [GPA Strategic Plan 2023-25](#), with an additional mandate from the 2024 [Resolution on Data Free Flow with Trust](#), which includes commitments relevant to the GFSWG..

The GPA Strategic Plan 2023-25⁵ allocated three overarching actions for the GFSWG to be delivered during the plan period up until the GPA2025. They were:

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

This was a GFSWG focus in 2024, with several GFSWG members actively promoting the principles at GPA working groups, regional and linguistic networks, with governments in their jurisdictions and at international organisations such as the Council of Europe, the OECD and the United Nations.

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.

As contractual clauses are understood by most to be the most widely-used transfer mechanism globally, we considered it would be appropriate to continue with further comparative analysis in this area. A third comparison table (processor-to-processor) was added in 2024 and work is now underway to build on the content of those tables with further comparative analysis in order to further interoperability and ultimately move towards simpler, more global approaches.

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.

This led to the 2024 GFSWG survey of GPA members on international transfers (see Annex A), which informed the GFSWG's activities in 2024-25.

We have therefore delivered work on all three of the GFSWG's allocated actions for 2023-25.

However, bearing in mind the commitments made in the DFFT resolution, we consider that some of the work in point (2) should continue.

The GFSWG therefore proposes to work on the following items in 2025-26:

Cross border transfers and mechanisms / DFFT

⁵ [GPA Strategic Plan 2023-25 \(globalprivacyassembly.org\)](#)

We will continue to work on cross border transfers in 2025-26, continuing to ensure it complements and does not overlap the work already being carried out by other international organisations.

We will continue our comparative analysis work on the comparative tables of standard and model contractual clauses – reporting on commonalities, differences and identifying opportunities for furthering interoperability, and recommending further actions as appropriate.

We will consider repeating the GPA member survey on actions taken relating to DFFT, to identify any trends.

Finally, we will also consider whether there are any capacity building activities relating to transfers that could assist GPA members in this area.

Conclusion

In 2024-25, the GFSWG has made good progress against our work plan and actions allocated to us by the GPA Strategic Plan 2023-25. Particular highlights include:

- We have taken active steps to implement the adopted Resolution on DFFT – including a range of promotional and engagement activities.
- We have published and promoted reference resources to help GPA members and organisations have a better understanding and more legal certainty in relation to contractual clause mechanisms.
- We have started to explore ways to achieve more interoperability between contractual clause mechanisms.

As global frameworks and standards continues to be a crucial element of the GPA's objective of influencing and supporting the development of interoperable high levels of data protection and privacy globally, we look forward to continuing with our work in 2025-26.

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

Annex A: GPA member survey on international transfers, 2024 – report

GPA Global Frameworks and Standards Working Group

GPA member survey on international transfers, 2024 – report

1. Background and context

The topic of cross border transfers and data protection continues to be a relevant one. The need to protect personal data wherever it flows is increasingly important as 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 can also increase the potential for complexity which organisations transferring data can find difficult to navigate.

The GPA Global Frameworks and Standards Working Group (GFSWG) has worked on various activities in recent years to support the secure and smooth flow of personal data across borders and will continue to do so in 2024-25, in line with the mandate provided in the GPA Strategic Plan 2023-25.

The GFSWG wants to ensure that our work not only delivers our assigned actions from the GPA strategic plan, but that it is also helpful and relevant to the GPA members. To that end, in 2024 we carried out a GPA member survey to inform our future work.

2. Survey aims and methodology

This survey aims to identify the practical reality in the GPA's member jurisdictions, and to identify any issues or concerns that GPA member authorities, organisations and individuals in their jurisdictions have relating to transfers. It also aims to identify what, if any, practical activities members would like to see the GPA do to help address those issues and concerns.

The survey asked questions around the following broad themes:

- The general context in the authority's jurisdiction – legislation relating to transfers of personal data, and the authority's role in that.
- Transfer mechanisms available to use in the jurisdiction, and the authority's role in the assessment or authorisation of those mechanisms or organisations' use of them.
- Whether the authority engages with organisations in the jurisdiction, and receives individual complaints relating to transfers – and whether they have identified any particular issues or concerns.

- The authority's views on whether the GPA could deliver activities to address those concerns, and what (if any) activities they would like to see the GPA carry out.

The survey used various types of questions. Some questions required yes/no tick-box responses, and others asked respondents to provide fuller answers in lists or brief descriptions. This allowed the analysis to provide a baseline of some quantitative data, backed up by more detailed qualitative comments.

The survey was offered to respondents in a choice of two formats – online via Microsoft Forms, or in writing via Microsoft Word, to allow for authority preferences and ensure the maximum number of responses could be received. The content of the questions was the same regardless of survey format. The survey was circulated in English only, and all responses except one were received in English (one respondent submitted their response in French, which was duly translated). The Word version of the survey can be found in the annex to this report. Respondents were given a month to complete the survey, in May-June 2024.

3. Survey results

37 responses to the survey were received, covering all regions of the GPA: three from Asia (8%), 15 from Europe (41%), 10 from the Americas (27%), five from Africa (14%) and four from Oceania (11%).

3.1 General – legislation and DPA role

The survey results were clear that **nearly all (95%) of the responding authorities' jurisdictions included provisions on cross border transfers of personal data, and nearly all (92%) of the respondents had a regulatory role that related to those provisions.**

Role of the DP / privacy enforcement authority in relation to transfers

When asked to describe the role of their authority in relation to transfers:

- 60% had some involvement in the approval of transfer mechanisms and their use;
- 43% noted their role was to regulate compliance; and
- 31% mentioned their role was to take corrective action.

Other activities mentioned by respondents were receiving complaints, auditing / reviewing organisations' approaches to transfers, prohibiting unlawful transfers, providing guidance, promoting organisation and public awareness, authorising or receiving notification of individual transfers, advising government and contributing to policy reviews and undertaking research.

Recent and forthcoming legislative change

The survey showed that while **for most jurisdictions the legislative landscape remained fairly static, over a third reported a variety of recent or planned changes.** When asked about whether the legislation in the respondents' jurisdictions had changed in the last two years, or was in the process of changing, 38% said that this was the case. Those who

provided further detail on the nature of the changes noted a broad range of changes made, such as the addition or recognition of transfer mechanisms, changes to the bodies responsible for approving transfers and/or mechanisms, changes to the duties of supervisory authorities, taking into account international standards or technological developments, and the addition of requirements for certain types of bodies when considering storing data outside the jurisdiction.

Other data protection requirements relating to transfers in plurilateral / multilateral arrangements, and in trade agreements

The survey found that many GPA member authorities (around two-thirds of respondents) and/or their governments are party to a variety of plurilateral and multilateral arrangements, many of which include provisions on cross border transfers of personal data. However, it should be noted that the accuracy of responses to this question might not be fully reliable. This is because the question appeared to cause confusion to some respondents – some of whom included multilateral arrangements in their responses, and some of whom did not – so the actual figures in reality could be different. We can however conclude that **at least around two-thirds of respondents and /or their governments are party to a variety of plurilateral and multilateral arrangements.**

Additionally, 41% of respondents noted that their jurisdiction has provisions on cross border transfers in their trade agreements. It was interesting to note that seven respondents said that they either did not have a complete list of such trade agreements, or that there were too many to list.

This implies **a reasonably substantial number of transfer provisions exist in trade agreements.** Added to the responses above regarding plurilateral and multilateral arrangements with transfer provisions, **the indication is towards a level of complexity of requirements where transfers are concerned.**

3.2 Transfer mechanisms in the jurisdiction, and the DPA role

The survey asked about which transfer mechanisms were available to use in the respondents’ jurisdictions, and whether the authority had a role in the assessment or authorisation of those mechanisms or organisations’ use of them. The results were as follows:

Responses received to the question “Does the data protection or privacy law include any of the following mechanisms, and does the authority have any role in assessment / authorisation of the mechanisms or organisations’ use of them?”

Mechanisms	Number of positive responses	Number of respondents that have a role in assessing / authorising the mechanisms or use of them
Equivalence / adequacy	27	20
Contractual safeguards	28	20

Self-assessment / regulation / accountability schemes	9	8
BCRs	20	19
Codes of Conduct	22	20
Certification	20	19
Administrative arrangements	18	18
Derogations	26	15
Authorisation from the supervisory authority	18	16
Other (Jural and fiduciary obligations)	1	
n/a	1	4

The responses show a **broad range of mechanisms** available for use in most respondents' jurisdictions, with almost all listed mechanisms receiving over 50% positive responses. Most commonly found was contractual safeguards, followed by equivalence / adequacy and derogations, but codes of conduct, certification, BCRs, administrative arrangements and authorisation from the supervisory authority received over 50% positive responses too.

The survey also showed that **most respondents have some involvement in assessing or authorising some mechanisms, or the use of them.**

It is clear from the survey responses that **a level of complexity exists** in relation to the range and volume of mechanisms available in different jurisdictions, and that the level of expertise required of many supervisory authorities is quite extensive, considering their involvement in assessing the mechanisms themselves, and/or their use.

While the results in this section of the survey are helpful to some degree – to understand the breadth of mechanisms available for use across the GPA's member jurisdictions, and the extent of those authorities' roles in relation to the mechanisms - it does not provide any information about how widely the mechanisms are actually used in practice. This is because many mechanisms do not require supervisory authority approval or similar involvement for each use, so GPA member authorities are not routinely made aware of individual transfers in most cases.

3.3 Authority guidance, engagement, complaints, and issues identified

Nearly all respondents (89%) provide **guidance on cross border transfers**. Most of this is general guidance on transfers (76%), followed by guidance on specific mechanisms such as contractual clauses, adequacy and BCRs (15% each). Other specific guidance topics were also noted but by fewer respondents, covering areas such as derogations, certification,

transfers between public authorities, codes of conduct, supplemental measures, and transfers to the United States.

22 respondents (59%) said that they **engaged with organisations in their jurisdiction on cross border transfers**, and 20 of these respondents noted that their engagement identified particular areas of concern. Most common concerns noted by respondents were general practical concerns, the use of processors / cloud providers, differences in third countries' laws, and government access to personal data in the recipient country. Other concerns noted by more than one respondent included complexity, digital trade and transfers, lack of awareness that data is being transferred across borders, and transfers to the United States.

Almost all respondents (33 authorities, or 89%) said that their role included receiving **complaints from individuals on the cross border transfer of their personal data**. The volume of complaints received, however, appears to be mostly low – with 67% of those whose role includes complaint handling receiving either low, very low or no complaints. Two respondents said they received a medium level of complaints relating to transfers. Four noted that complaints relating to transfers were usually one part of a broader complaint about another data protection issue. Finally, four were unable to answer because they did not record the relevant data.

In terms of whether the complaints received identified any particular **areas of concern**, there was a broad range of answers, with no particularly noticeable trends. Concerns receiving more than one mention included issues relating to the specific country, transparency, lack of adequate safeguards, impact assessments, and individuals wanting to stop transfers taking place.

Respondents noted a **range of sectors where issues had been identified** – with six respondents (from across almost all the GPA regions) saying they had identified issues relating to outsourcing and the use of data processors, including cloud. Public sector was the next most commonly mentioned, with four responses. This was followed by financial services and insurance, which received three mentions. Three respondents noted, however, that issues were found across all sectors. Other sectors noted more than once included the private sector in general, and digital services.

Finally, when respondents were asked to explain **any other issues or concerns** they had regarding transfers, the one answer mentioned more than any other can be summarised as **the lack of a global approach and need for interoperability**. Eight respondents (again from across almost all the GPA regions – four from Europe, two from the Americas, one from Africa and one from Asia) mentioned this as an issue. Other issues mentioned included general practical concerns, which three respondents noted, with the following only noted by one respondent each: the difficulty of detecting problematic transfers, ensuring transfers comply with the law, data localisation, jurisdictional concerns, the capacity of importers and exporters, individual access to remedies, complexity, the need for a broad and robust tool box, the need for more adequacy decisions, and more adequacy decisions with broader scope (for example, law enforcement), the need for more cross border enforcement cooperation, the need to ensure trade agreements do not undermine data protection safeguards, and the issue of the use of cloud providers with limited awareness about whether, where and how cross border transfers are taking place.

Taking all the issues mentioned by respondents in this section of the survey, **the most commonly noted issues and concerns can be summarised as follows:**

- Differences between countries' laws / lack of a global approach / complexity and the need for interoperability.
- The use of processors and cloud service providers and the implications for transfers.
- Concerns about transfers to specific jurisdictions.
- Transparency / awareness that cross border transfers are taking place.

The GPA should therefore consider whether any activities it undertakes in relation to transfers can aim to address any of these key issues.

3.4 Views on future GPA activities

76% of respondents wanted to see the GPA provide more practical support for its members on the topic of cross border transfers, with a further 14% responding 'maybe'. Three respondents thought the GPA should not do this at all, with one noting that other organisations or fora might be better placed to work on these issues.

Of those responding 'yes', **the following activities were noted as ones the GPA could provide:**

- Hosting workshops or meetings to discuss specific issues around regulating transfers of personal data (86%)
- Working on developing global approaches to transfers and mechanisms, perhaps in collaboration with other organisations or fora (79%)
- Working on specific sectoral issues relating to transfers and mechanisms (54%)
- Other (18%), which included the following suggestions from respondents:
 - Working on specific compliance arrangements that would generate actionable intelligence.
 - Developing an effective framework for remediation of cross border data privacy breaches.
 - Frameworks and standards to develop best practice for providing guidance to regulated organisations.
 - Encouraging GPA members to share resources about the legal framework in their jurisdiction concerning access to personal data by public authorities, to enable trust and to assist organisations to complete transfer impact assessments.
 - Discussing ways to bridge differences between jurisdictional requirements, to increase interoperability.

Based on the survey results, it is clear that the GPA should consider doing more work on cross border transfers, with all three of the suggested activities (hosting workshops or meetings, collaborating with others on global approaches, and working on specific sectoral issues) receiving positive responses from over half of those who wanted the GPA to work on this topic. Activities covering these three suggestions in particular should be considered.

However, in considering which activities the GPA should work on, other factors in addition to the survey results should also be taken into account, such as other commitments relating

to transfers made in adopted GPA resolutions, such as the [GPA Strategic Plan 2023-25](#), and the recently-adopted 2024 [Resolution on Data Free Flow with Trust](#).

4. Conclusion and recommendations

Overall, the survey results are a reasonable indication of the extent of the complexity relating to cross border transfers, the context member authorities across the GPA regions are working in, and the particular issues identified by GPA members in their work. **We can conclude from the results that:**

- Many GPA member jurisdictions’ legislation includes provisions that restrict cross border transfers unless various safeguards are in place.
- Many GPA member jurisdictions include a broad range of transfer mechanisms that organisations wishing to transfer personal data across borders can choose to use to safeguard the data.
- Many GPA member authorities have a role in assessing either the mechanisms themselves and/or the use of them by the organisations they regulate.
- Many GPA members provide guidance on cross border transfers and engage with organisations in their jurisdictions on the topic.
- Many GPA members have a role in receiving complaints from individuals in relation to the cross border transfer of their personal data, although volumes are generally low and transfers is often a secondary issue that forms part of a broader complaint.
- Key issues and concerns relating to transfers noted in the survey can be summarised as follows:
 - Differences between countries’ laws / lack of a global approach / complexity and the need for interoperability.
 - The use of processors and cloud service providers and the implications for transfers.
 - Concerns about transfers to specific jurisdictions.
 - Transparency / awareness that cross border transfers are taking place.
- Most respondents would like the GPA to deliver activities to provide support on issues relating to cross border transfers, with workshops or meetings on specific issues, collaboration with others to develop global approaches, and work on specific sectoral issues all being popular choices among those respondents.

The GPA should now take the conclusions above and consider which activities and issues it should prioritise. This should be done in alignment with the [GPA Strategic Plan 2023-25](#), with GPA commitments in any other relevant GPA document, such as the adopted [Resolution on Data Free Flow with Trust](#).

Recommendation: contractual clauses gap analysis

The current GPA Strategic Plan sets out two actions for the GPA to deliver in the period 2023-2025. One of these is to run and report on this survey, but the other is to “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.”

The GFSWG considered this action in 2024 and went on to update the GFSWG factual comparison of standard/model contractual clauses across a range of DP frameworks. An expansion of that comparative work to include processor to processor clauses is currently being finalised and should be published by the end of 2024.

Bearing in mind that a key issue identified by GPA members in the survey relates to differences between laws and the need for interoperability, and that one of the possible activities identified in the survey relates to the development of global approaches, it would therefore make sense to **recommend that the GFSWG builds on the comparison work by identifying differences / gaps between the different frameworks’ clauses in order to highlight opportunities for bridging the gaps and increasing interoperability between them.**

This would also align with the commitment in the 2024 Resolution on Data Free Flow with Trust to “explore ways to achieve interoperability of those SCCs/MCCs that present a sufficient level of convergence (as shown in the GPA comparison)”.

Recommendation: GPA online event on DFFT:

The 2024 Resolution on Data Free Flow with Trust includes several commitments and possible actions for the GPA to either deliver or support others in doing so, to progress DFFT globally. Bearing in mind that GPA members were supportive of the GPA hosting workshops or meetings on specific issues, it would be a good first step to **recommend that the GPA hosts an online event to promote the resolution and the principles it calls for to support DFFT, and to discuss the actions needed to achieve it.** Depending on the level of interest in the event from GPA members, the GPA could consider whether to host other events covering specific topics where concerns have been identified.

Recommendation: further work to define sectoral issues

54% of respondents supported the GPA working on specific sectoral issues relating to transfers. While a few respondents named specific sectors where they considered issues to exist, it would be helpful to understand what the principal issues are in those sectors, so that solutions can then be considered. We therefore **recommend that small groups of GPA members could work together to identify the principal issues in one or more named sectors (for example the cloud/outsourced online services sector; financial sector; public sector – which were mentioned by respondents), and to consider what could be done to address those issues.**

Recommendation: GFSWG report on DFFT progress

Finally, in line with the commitment in the DFFT resolution, **the GFSWG should report back to the GPA2025 all progress made on the topic of DFFT / transfers.** This should include recommendations for next steps and further work as needed.

Annex: blank copy of the survey questions (Microsoft Word version)

International transfers – GPA member survey

General:

1. Does your jurisdiction's legislation include provisions (whether in privacy or data protection law or otherwise) that:
 - a. Restrict the cross-border transfer of personal data? Yes/No
 - i. If YES, does the authority have a role or other activity in relation to these provisions? Yes/No

If YES, please briefly describe your authority's role.

- b. Require data processing facilities to be located within the jurisdiction? Yes/No
 - i. If YES, does the authority have a role or other activity in relation to this requirement? Yes/No

If YES, please briefly describe your authority's role.

2. Regarding your jurisdiction's legislation relating to transfers:
 - a. Has it been updated in the past two years? Yes/No
 - b. Is it in the process of being, or due to be, updated? Yes/No

Please briefly describe the changes.

3. Does your jurisdiction participate in any plurilateral arrangements which include provisions on cross border transfers? Yes/No

If YES, please list the arrangement(s) your jurisdiction is party to.

4. Does your jurisdiction have provisions on cross border transfers in trade agreements? Yes/No

If YES, please list the relevant agreements.

Cross-border transfer mechanisms and your authority's role:

5. Does the data protection or privacy law include any of the following mechanisms, and does the authority have any role in assessment / authorisation of the mechanisms or organisations' use of them?

Mechanism:	Authority has a role in assessment / authorisation
a. Equivalence / adequacy Yes/No	Yes/No
b. Contractual safeguards Yes/No	Yes/No
c. Self-assessment / regulation / accountability schemes Yes/No	Yes/No
d. BCRs Yes/No	Yes/No
e. Codes of conduct Yes/No	Yes/No
f. Certification Yes/No	Yes/No
g. Administrative arrangements Yes/No	Yes/No
h. Derogations Yes/No	Yes/No
i. Authorisation from supervisory authority Yes/No	Yes

Authority engagement, complaints and any issues identified:

6. Does your authority provide guidance for organisations on cross border transfers? Yes/No
 - a. If YES, on what topics?

7. Has your authority engaged with organisations in your jurisdiction on the topic of cross-border transfers? Yes/No
 - a. If YES, did that engagement identify any particular areas of concern?

8. Does your authority's role include receiving complaints from individuals on the cross-border transfer of their personal data? Yes/No
 - a. If YES, what volume of complaints does your authority receive on cross border transfers of personal data?
 - b. If YES, do those complaints identify any particular areas of concern?

9. If you have identified any issues around cross border transfers, do those issues affect any sector in particular?

10. Please explain any other issues or concerns your authority has around cross border transfers.

GPA activities:

11. Would your authority wish to see the GPA provide more practical support for members on the topic of cross border transfers? Yes/No
 - a. If YES, what sort of activities would you like to see the GPA provide? For example:
 - i. workshops / meetings hosted to discuss specific issues around regulating transfers of personal data;
 - ii. work on developing global approaches to transfers and mechanisms, perhaps in collaboration with other organisations / fora;

- iii. work on specific sectoral issues relating to transfers and mechanisms;
- iv. other – please specify.