Challenges in an interconnected world

Cross-border data flows, data protection and cybersecurity

DRAFT PROGRAM

November 22
2018

ECLAC - Santiago
Celso Furtado
Room

Objective

As connectivity and Internet penetration increase around the world, tensions over jurisdiction and normative coherence also increase. Maintaining the global nature of the Internet and guaranteeing respect for rights requires innovative cooperation mechanisms. Addressing these challenges is critical to preventing legal gaps that can be detrimental to the Internet and its impact on development and well-being.

Program   **Thursday, November 22**

09:30 - 10:00 **Opening**	• Alicia Bárcena, Executive Secretary, ECLAC • Bertrand de La Chapelle, Executive Director, Secretariat of the Internet Policy & Jurisdiction Network
10:00 - 11:15 **Panel 1: The new global architecture on cross-border data flow: challenges of territoriality in an interconnected world**	**Moderator:** Bertrand de La Chapelle, Internet & Jurisdiction Policy Network • Ralf Sauer, Deputy Head of Unit International Data Flows & Protection, European Commission (video) • Thiago Jardim, Ministry of Foreign Affairs, Brazil • Daniel Castro, vice president at the Information Technology and Innovation Foundation (ITIF) • Carolina Limbatto, Principal Analyst for Americas, Cullen International • Pablo Bello, Executive Director, Inter-American Association of Telecommunications Companies (ASIET) • Andrés Junge, Cofounder of uPort and senior architect at Consensys
11:15 - 11:30 Coffee break	

11:30 - 12:45 **Panel 2: Pending challenges on data protection legislation in Latin America and the Caribbean**	**Moderador:** Sebastian Rovira, ECLAC • Marcelo Drago Aguirre, Chair of Transparency Council, Chile • Héctor Huici, Undersecretary of regulation, Ministry of Modernization, Argentina • Laura Nahabetian, Data Protection Unit of Uruguay, Chair of the Ibero-American Data Protection Network • Erick Iriarte, Alfa-redi and coordinator of the working group on the normative framework of the eLAC2020 digital Agenda • Gonzalo Navarro, Executive Director of the Latin American Internet Association (ALAI) • Paloma Szerman, Regulation manager for Latam, GSMA
12:45 – 13:00 **Closing**	**Discussion on trends in data protection in Latin America and the Caribbean**

13:00 - 14:30 Lunch

Workshop: Multisectorial Cooperation Efforts of the Internet & Jurisdiction Policy Network

14:30 - 15:00 **Background and methodology**	Secretariat of the Internet Policy & Jurisdiction Network (Internet & Jurisdiction Policy Network)
15:00 - 16:00 **Data & Jurisdiction**	How can transnational data flows and the protection of human rights be reconciled with the legal requirements of access to address crime? Criminal investigations increasingly require access to information about users and digital evidence stored by private companies in jurisdictions outside the requesting country. The traditional system of Mutual Legal Assistance (MLA) is under pressure and alternative competitive approaches are being explored to solve this problem. What are the safeguards and procedures necessary to establish viable and scalable frameworks? How to ensure coherence of policies and interoperability of regimes?

16:00 - 16:15 Coffee break

16:15 - 17:15 **Content & Jurisdiction**	How can we manage the content available worldwide in light of the diversity of applicable local laws and regulations on the Internet? The legal content in one country may be illegal in another. Deal with abuses such as hate speech, harassment, threats to security, incitement to violence or online discrimination, while protecting human rights is a major challenge when dealing with several jurisdictions. How to improve current practices in terms of transparency and due process across borders to maximize the necessary remediation of harm and minimize restrictions on freedom of expression?
17:15 - 18:15 **Domains & Jurisdiction**	How can the neutrality of the Internet's technical layer be preserved when there are national laws applied to the domain name system? The suspension of a domain name has a global impact: only a particularly high level of abuse could potentially justify it. However, there are divergent views on when it is appropriate to act at the DNS level in relation to the content of a site. What role can courts and so-called "notifiers" have? What kind of framework could define your responsibilities?

18:15 - 18:30 Closing and steps to follow