



**39TH GENERAL ASSEMBLY
OF THE ASEAN INTER-PARLIAMENTARY ASSEMBLY
3-7 SEPTEMBER 2018, SINGAPORE**

Towards a Resilient and Innovative Community

(Res 39GA/2018/Econ/01)

**RESOLUTION ON
STRENGTHENING COOPERATION TO PROMOTE CROSS-BORDER
DATA FLOWS IN ASEAN**

The Thirty-Ninth General Assembly:

Being cognisant that as ASEAN develops its digital economy, the growth of e-commerce and online transactions will generate data, and that robust and progressive policies and governance frameworks will be needed to ensure that data, especially personal data, is transferred between jurisdictions safely;

Recognising that these policies and frameworks would facilitate cross-border data flows and e-commerce, enabling ASEAN businesses to innovate and develop a wide range of products and services for consumers both within and beyond the region in a manner that safeguards consumer trust;

Aware that ASEAN has made important progress towards realising the Master Plan on ASEAN Connectivity (MPAC) 2025, which was adopted by the Vientiane Declaration on 6 September 2016, under which digital innovation has been earmarked as one of the strategic pillars of growth for the region;

Welcoming ASEAN's discussions regarding cooperation on data governance, data protection, and cross-border data flows both within ASEAN platforms and regional cooperation platforms such as the ASEAN Telecommunications and IT Ministers Meeting (TELMIN), ASEAN Telecommunications and IT Senior Officials Meeting (TELSOM), and ASEAN Economic Ministers Meeting (AEM) and other relevant sectoral bodies such as the ASEAN Ministerial Meeting on Transnational Crime (AMMTC);

Recognising the outcomes of the 16th TELMIN in November 2016 in Bandar Seri Begawan, Brunei Darussalam, which adopted the ASEAN Framework on Personal Data Protection, establishing a baseline set of principles to guide the implementation of measures at both the

national and regional levels to promote and strengthen data protection among ASEAN Member States;

Recognising also the outcomes of the 17th TELMIN in November 2017 in Siem Reap, Cambodia, which endorsed the Work Plan for the ASEAN Framework on Digital Data Governance and Related Working Group to develop a regional framework to support and enhance data management among ASEAN Member States, and to achieve legal and regulatory convergence in the fields of data protection and cross-border data transfers within ASEAN;

Mindful that despite these commendable efforts, there remain limitations and challenges to regional cooperation on data governance and cross-border data flows, particularly relating to the harmonisation of data protection legislation and alignment with other international frameworks;

Further aware of the important role played by the legislative bodies of ASEAN Member States in the promotion and development of domestic data governance and data protection regulations as well as mechanisms to facilitate international cooperation.

Hereby resolves to:

Call upon AIPA Member Parliaments to encourage their respective governments to develop and implement a common regulatory framework for forward-looking, facilitative policies on data protection, data governance, and cross-border data flows that strengthen integration among ASEAN Member States and enable the development of a regional digital market and to support regional and global e-commerce;

Encourage communication and information sharing within ASEAN and between ASEAN and its partners to exchange ideas on data governance and data protection, as well as enhance regional cooperation for effective enforcement and monitoring;

Encourage ASEAN Member States to cooperate on capacity building in data protection and digital data management to support innovation among businesses across ASEAN in a manner that safeguards consumer trust, especially small and medium enterprises seeking to expand regionally or even globally;

Remain cognisant of the importance of cybersecurity, in recognition that cybercrime and cyberattacks continue to pose a threat and that there is a need among ASEAN Member States to work collectively on related cybersecurity issues and capacity building initiatives;

Further strengthen cooperation to integrate ASEAN into the digital economy by exploring internationally-accepted frameworks to promote competitiveness in the global market.

Urge the governments of the AIPA Member Parliaments to review and consider harmonising policies on data protection so as to balance the rights of individuals and businesses in the ASEAN region.

Adopted on the Sixth day of September 2018 in Singapore.
