



U.S. CHAMBER OF COMMERCE GLOBAL DIGITAL POLICY DECLARATION

1. FOSTER APPROPRIATE REGULATORY ENVIRONMENTS

Regulation is a given; industry recognizes that and society demands it. But careful deliberation that leads to well-informed regulatory decision making is necessary now more than ever before. Governments are always playing catch-up to the market. Yet this statement does not necessarily suggest that today's emerging technologies, which are redefining entire industries, operate in unregulated markets. While additional regulations might be necessary as the digital economy develops, it is equally possible that existing regulatory frameworks will remain effective, or conversely, hinder incumbent economic actors, spurring the need for less regulation. In all cases, rulemaking must aim to enable the benefits that the digital economy brings to consumers and societies, while providing appropriate supervision.

2. COMMIT TO CROSS-BORDER DATA FLOWS

The ability to move data across borders and access information is arguably as important to an economy today as the movement of capital. Policymakers appreciate that deep capital markets, liquidity, and investment flows are central to economic vibrancy. Now is the time for policymakers to understand that economic activity in the digital age is just as dependent on data flows. Virtually no company, regardless of sector, can do business, let alone export goods or services, without the ability to move data and access information across borders. Too many obstacles are being erected around the world to obstruct data flows, offering a false choice between achieving regulatory objectives at the expense of data movement. Without a steadfast commitment to keeping data flowing across geographic borders, a country puts its own global competitiveness and economic growth at risk.

3. EMBRACE INTERNATIONAL COMPETITION AND OPEN MARKETS

Requirements that force companies to manage, store, or otherwise process data locally, link market access or commercial benefits to investment in or use of local infrastructure and technology transfer are discriminatory in nature and draconian. They deter investment, delay innovation, and cut off consumers from the best digital products and services. Further, by protecting domestic champions, they ill-prepare them for competition outside of their home markets. Such efforts are often justified using economic development rationales that are shortsighted, unproductive, and ultimately serve to reinforce a path to dependency.

4. GET DATA PROTECTION RIGHT

The need to protect data and respect privacy is not debatable. Nonetheless, privacy protection means different things to different people in different contexts. Prioritizing protection of personal data at the expense of legitimate uses that benefit citizens is a prescription for outcomes that forestall innovation. An optimal regulatory model avoids a one-size-fits-all superstructure of data protection in favor of a more nuanced approach that recognizes differences among industries in their use of data, enables legitimate business uses of personal data, empowers consumers to make informed choices, and enables cross-border data flows. At the same time, data protection regulation needs to ensure a coherent, streamlined set of rules and establish clear authorities that minimize complexity.

5. PRIORITIZE INTERNET ACCESS, CONSUMER CHOICE, AND GOOD GOVERNANCE

Governments around the world are making increased investments in digital infrastructure. While more investment is needed, enabling access to that infrastructure and allowing consumers to make choices on which applications to run and services to use are critical to economic growth. Government limitations that restrict legitimate commerce only serve to constrain the power of the Internet. At the same time, protections need to be put in place to ensure that online platforms and marketplaces can operate and host a wide range of lawful speech and commerce at scale without being treated as the originator of content.

6. PROTECT INTELLECTUAL PROPERTY

The digital economy is home to creative minds that bring forth amazing products and services. Innovation and creativity drive growth, investment, and competition. In our rapidly evolving digital age, protection for cutting-edge digital products and services is critical. Patents, copyrights, trademarks, and trade secrets (including proprietary algorithms) all play central roles in technological competitiveness and trade in digital goods and services.

7. ABIDE BY MARKET-DRIVEN INTERNATIONAL STANDARDS

Standards are at the heart of digital products and play a growing role in digital services. Yet, governments often complicate standards development and create corresponding problems that exacerbate compliance. Governments have made binding commitments to avoid creating technical barriers to trade. Yet, far too often, their policies fail to recognize the trade facilitating, self-regulatory attributes of a private-sector market approach to standards development in recognized international standards bodies and consortia.

8. VIEW CYBERSECURITY AS A PARTNERSHIP

Cyberattacks undermine trust in an economy that is increasingly reliant on technology. Digital products and services are in a race to stay one step ahead of cybercriminals. Vulnerabilities are inevitable as technology develops. Cybersecurity policies need to focus on protection rather than mandatory incident reporting. Governments that view the private sector as a valued partner and engage in deep collaboration across borders are best positioned to safeguard their citizens and their economies.

9. MODERNIZE CUSTOMS FOR THE DIGITAL ERA

Small business and e-commerce are huge drivers of economic growth and job creation for every economy. Antiquated, burdensome, complex, and costly customs procedures make it difficult for business to compete by slowing delivery times and raising transaction costs. Modern approaches to customs that address this problem by raising "de minimis" thresholds, providing more efficient informal clearance procedures for low value shipments, and streamlining customs procedures will support supply chains that increase economic competitiveness.

10. SEEK COOPERATION AND ACCOUNTABILITY AMONG GOVERNMENTS

Connectivity is at the heart of the digital economic revolution. The ability to secure economic growth and jobs for any given country is more mutually reliant than ever. Therefore, policy leadership from within governments and among governments is essential to securing our shared prosperity. From international forums such as the G7, G20, APEC, and the OECD to bilateral dialogues and trade agreements, governments must make high-standard commitments and agree to be held accountable to them.