

Caribbean Data Protection Regulations

November 2020

I Feel Like I've Been Here Before

2019....Internet Governance Forum....

How have we fared

- Novel Coronavirus (Covid-19)
- Increased digitization of online services (Private & Public Sector)
- Communication via Online Platforms (Meetings, Court Hearings, Seminars)
- Online education and distance learning
- Increased online purchases

Challenges

- Increased Cybersecurity threats
- Lack of Proper Operational Business Protocols & Policies
- Data Governance Issues: Cloud Computing, Data Localization & BCP
- Disparate levels of Data Protections Laws & Regulations
- Lack of regional integration and coordination

Regional Perspective

Country	National ICT Plan/Strategy	Data Protection Legislation	Established Information/Data Commissioner
Antigua & Barbuda	Yes	Yes	Yes
Barbados	Yes	Yes	No
Bahamas	Yes	Yes	Yes
Bermuda	Yes	Yes	Yes
Cayman Islands	No	Yes	Yes
Guyana	Yes	Hybrid	Yes [Vacant]
Jamaica	Yes	Yes	No
Montserrat	Yes	No	No
St. Kitts and Nevis	Yes	No	No
St. Lucia	Yes	Yes	No
St. Vincent	Yes	No	No
Trinidad and Tobago	Yes	Yes	No

In Focus



- Data Protection Act, 2011 (Partially Proclaimed)
- National ICT Plan 2018-2022- Strategic Thrust 3- Digital Gov't
- Essential Framework Requirements to be Instituted:
 - Establishment of Office of Information Commissioner
 - Data Classification Standards
 - Regulations for Data Retention, Sharing, Disposal
 - Open Data Policy & Guidelines
 - Revision of Legislation to ensure compliance with int'l best practice standards

Int'l Standards & Guidelines

- ISO/IEC 27701, Security techniques —Requirements and guidelines, specifies the requirements for establishing, implementing, maintaining and continually improving a privacy-specific information security management system.
- EU General Data Protection Regulation (GDPR): Regulation in EU law on data protection and privacy for all individual citizens of the European Union and the European Economic Area which also addresses the transfer of personal data outside the EU and EEA areas.

Practical Solutions

- Data Protection through design and default
- Minimize Organizational Risks through effective business process management throughout the organization, particularly multi-national businesses
- Institute and ensure compliance with data security standards
- Establish internal rules & policies for data use
- Development of Voluntary Industry Codes and Practice Guidelines
- Increased public sensitization and awareness in relation to information security and online safety

Futurescape

- Collaborative regional approach towards data protection through cooperation among regional data protection authorities
- Harmonization of domestic legal response with foreign legislation
- Integration of work undertaken by regional and international bodies to promote adequate levels of data protection within the region: ITU, CTU, ECLAC, CARICOM
- Continuous evolution of processes to deal with an ever changing data universe and cross border data flows

Thank You

FOR YOUR TIME AND ATTENTION