

Draft Outline - Emerging data protection



DRAFT Sedona WG6 Middle East paper outline

WORKING TITLE:

Emerging data protection laws: key challenges for legislators in the Middle East

Objective

To produce commentary on data protection legislation in the particular context of the Middle East region and its circumstances, i.e. increasing numbers of states adopting data protection laws for the first time and using the opportunity to assess and comment on legislation issued to date with a view to helping move new laws forward in a reasoned and just way.

Background/introduction

- Since 2004, numerous data protection and privacy laws have been passed by states in the Middle East¹ along with a host of regulations that impose obligations on data controllers/processors or grant rights to data subjects.²
- Some of the legislation is clearly modelled on international best practices, particularly the GDPR.
- Other laws focus on particular local concerns (e.g. national security) or the regulations are framed uniquely to address national issues.
- Consider advantages/disadvantages of laws being aligned – what makes a “good” law?

Key discussion points

- Drivers for implementing data protection laws – personal privacy vs national security
- Assessments of “good” data protection law in terms of:
 - protecting personal privacy
 - enhancing business competitiveness
- Consider models adopted by financial free zones (DIFC, ADGM, QFC) against more diverse national “mainland” laws (Qatar, Bahrain, Egypt, Saudi Arabia)
- Add (sensitive) commentary on deficiencies/concerns with current mainland laws

¹ DIFC, ADGM, QFC, Qatar, Bahrain, Egypt, Saudi Arabia

² e.g. KSA Cloud Framework and Essential Cybersecurity Controls, UAE IoT Policy, UAE Healthcare ICT Law, Smart Dubai regulations etc