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The Asia-Pacific Economic Cooperation (APEC) announced - on 16 January 2013 - that Mexico had become the second formal participant of the APEC Cross Border Privacy Rules (CBPR) System.

APEC economic leaders first endorsed the CBPR in November 2011 with the aim to promote region-wide privacy policy compatibility, ensure consumer protection, and lower regulatory compliance costs. Paula Bruening, Vice President of Global Policy at the Centre for Information Policy Leadership at Hunton & Williams, told DataGuidance: "The APEC meeting highlighted remarkable progress towards making practical implementation of cross border privacy rules in the region a reality. Additionally, Japan has signalled that it would also soon apply for recognition".

Representatives from the Article 29 Working Party and APEC economies discussed the similarities between certification and recognition mechanisms in the two regions. Cédric Laurant, Founder of Cédric Laurant Law Firm, said: "Recent discussions between European data protection authorities, their US counterparts and the International Chamber of Commerce have shown interest in making the CBPR system interoperable with the EU Binding Corporate Rules (BCRs)".

Bruening noted that the APEC Data Privacy Subgroup also discussed CBPRs for processors. "An APEC recognition system for processors will assist controllers as they conduct due diligence on potential processors". Additionally, a closed-door session held in Jakarta between 24 January and 7 February 2013 explored interoperability between the APEC region and the EU.

As [DataGuidance previously reported](#), the IFAI, Mexico's data protection authority, recently published guidelines on a voluntary self-regulatory certification system, as part of the implementation of the CBPR system into its national regime. "The Mexican 'certifier' is the equivalent to the 'accountability agent' in the CBPR system", said Laurant. "For foreign companies operating in Mexico, complying with the rules may only require approval of their current self-regulatory framework by a Mexican certifier. For Mexican companies, the learning curve will be much higher as many local companies, unless they already operate globally, do not have yet any self-regulatory framework in place, and it will probably cost them more to adapt to the new rules than their US counterparts, for example".

Mexico's participation follows the USA, which was announced as the first formal participant on 25 July 2012. Bruening told DataGuidance that the US has indicated that it is expecting its first application from an organisation seeking

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certification as an APEC CBPR accountability agent.

Laurant notes, however, that a lack of a 'culture of privacy' in countries such as Mexico could slow down implementation of the CBPR system. "Being an optimist, I would see the glass 'half-full' and bet on the willingness the Mexican Ministry of Economy has demonstrated thus far to use the CBPR system to promote e-commerce between Mexico and neighbouring countries - the United States in the first place - and brandish the country as a top destination for the IT offshoring industry."

Chair of the APEC Electronic Commerce Steering Group, Lourdes Yaptinchay said: "It is important to note that member economies are at different levels of implementation when it comes to data privacy. Some economies have just recently enacted their data privacy legislation, while others still do not have a national law on privacy."

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