

**20<sup>th</sup> APEC ELECTRONIC COMMERCE STEERING GROUP MEETING  
30 JULY 2009, SINGAPORE**

**CHAIR'S SUMMARY**

1. The 20<sup>th</sup> Electronic Commerce Steering Group (ECSG) meeting was held on July 30<sup>th</sup>, 2009 in Singapore. Seventeen member economies were represented, namely, Australia; Canada; Chile; China; Hong Kong, China; Indonesia, Japan; Korea; Malaysia; Mexico; Peru; Philippines; Russia; Chinese Taipei; Thailand; United States; and Vietnam. Guests present included PAA, GBDe, ICC and UNCEFACT.

**Approval of Agenda**

2. Mr. Richard Bourassa, ECSG Chair, opened the meeting and welcomed participants to the meeting. The agenda was adopted as amended in Annex I.
3. The Chair informed the meeting that the report of the 19<sup>th</sup> Electronic Commerce Steering Group meeting was adopted intersessionally and is available in the APEC website.

**Data Privacy Subgroup (DPS)**

4. Mr. Colin Minihan, Chair of Data Privacy Subgroup (DPS) briefed the meeting on outcome and discussions at the 20<sup>th</sup> Data Privacy Subgroup (DPS) Meeting held on 28 July 2009. Report of the 20<sup>th</sup> Data Privacy Subgroup Meeting is in Annex II.
5. The DPS Chair also informed the meeting on discussion of the DPS Work Plan for 2010 and implementation of the current pathfinder project.
6. The DPS Meeting noted on the availability of 14 Data Privacy Individual Action Plans (IAPs) in APEC website and encouraged member economies to revise and update the IAPs regularly. The DPS also discussed on the IAPs which will become a key part of work plan for 2010.
7. The DPS Chair also informed on the extensive discussion of the DPS pathfinder projects, including member economies' deliberations on the project 6 draft document on 'APEC Cooperation Arrangement for Cross-Border Privacy Enforcement'. The document is generally acceptable; however there was no consensus on a few clauses such as clause 9.10.
8. The DPS Chair commended on contributions by the small drafting group; i.e. Australia, Canada, Hong Kong, China, New Zealand and the United States. To facilitate endorsement of the document as a deliverable for 2009, the DPS Chair will communicate possible solutions for member economies to further deliberate prior to its endorsement in two weeks time. ECSG provisionally endorsed the document relating to the pathfinder project 6; subject to the final agreement by economies intersessionally on this matter.
9. The DPS Chair also briefed ECSG on the "Second Technical Assistance Seminar on the Implementation of the APEC Data Privacy Pathfinder 2009" that took place on 28 July 2009 and noted on the contribution of notable speakers presented at the seminar and the outcome of the Seminar. The Seminar deliberated on areas such as accountability and privacy, international developments on privacy issues, developing domestic enforcement priorities and strategies as well as trust marks and other regulatory models.
10. The DPS Chair noted on International Conference on Data Protection and Privacy Commissioners (ICDPPC)'s contribution at the DPS Meeting and supported its continued participation in DPS. ECSG Chair noted on ICDPPC's contribution and support consideration for guest status for broader outreach of the agenda to harmonise the work in APEC and other fora. The US also supported ICDPPC's request and was willing to consider expanding to other groups which adds importance to ECSG's works, including civil society and consumer groups.

## **Paperless Trading Subgroup (PTS)**

11. The Chair briefed the meeting of the outcome and discussions at the 12<sup>th</sup> Paperless Trading Subgroup meeting held on 29 July 2009. The meeting was chaired by Mr Richard Bourassa, ECSG Chair, on behalf of PTS Chair, Ms Aimi Yamamura who stepped down as PTS Chair on 16 July. Report of the PTS meeting is available in Annex III.
12. The Chair highlighted on discussions at the PTS Meeting, including on the encouraging number of economies which have submitted the PTS IAPs, i.e. 18 economies. The meeting also heard reports on the following projects :
  - Electronic Certificate of Origin Project (e-CO), which is co-lead by Singapore and Korea. And noted on interest by some economies to join this initiatives;
  - Korea's e-negotiation and e-Cert SPS Pathfinder Projects;
  - Chinese Taipei and China's 'Assessment and Best Practices on Paperless Trading to Facilitate Cross Border Trade in APEC Region'; and
  - Korea reported on the "Study on APEC Paperless Business Environment with the Focus on the Use and Archiving of e-Documents".
13. The meeting also heard on status of Thailand's final report on "APEC Data Harmonization Towards Single Window Paperless Environment". The Chair informed that Thailand will amend the report , taking into account recent comments received from UNCEFACT and the deadline for the final report to be completed is August 31.

## **Digital Economy**

14. The Chair noted on MRT statement on digital prosperity and informed that the work on digital prosperity checklist and digital economy touched on a number of fora in APEC.
15. The Chair and ICC briefed the meeting on the Seminar on Digital Prosperity Checklist held on Sunday 26 July 2009 (2009/AECSG/SOM2/017) and noted on the two recommendations by the Seminar, i.e:
  - (i) To develop a simple survey or questionnaire to collect information on how economies' policies and practices map against the Digital Prosperity Checklist. The survey/questionnaire will be circulated by October 2009, with the goal of completion of the survey/questionnaire by all economies by SOM I 2010; and
  - (ii) To map the Digital Prosperity Checklist against work on-going in APEC and identify gaps for possible future work. The target date for completion of the gap analysis is SOM I, 2010.

The Chair informed that ECSG will coordinate this work for CTI and it is up to fora to decide their policy issues. Japan, Russia and Korea supported this effort. Japan also noted that the work is too broad to deal in CTI or ECSG alone, and suggested for cooperation with other fora such as TEL. ICC informed that they will coordinate with TEL and other sub fora to work on the questionnaires.
16. The meeting endorsed the two recommendations and the Chair instructed FoTC to further work on the suggestions and distribute for ECSG members.
17. The Chair recommended that DPS and PTS integrate digital economy work agenda in their 2010 work plan such as in the mapping exercise and as references in project proposals.
18. The Chair also informed that a discussion on digital economy issues of interest to ECSG will be initiated, focusing on follow-up activities and projects flowing from the adoption of the Digital Prosperity Checklist and reviewing work at OECD and other relevant fora.

## **ECSG Governance**

19. Friends of the Chair (FoTC) of ECSG include Canada, Philippines, Australia, Korea, US, and ICC. The Chair also invited other economies to join FoTC.
20. The Chair informed ECSG that PTS members agreed by consensus to elect Mr. Monchito B. Ibrahim of the Philippines as its new Chair and Ms. Susan Lu of Chinese Taipei as its Vice Chair.

## **TFAP II**

21. Mr Phillip Gaetjens, Director of Policy Support Unit, APEC Secretariat, briefed the meeting on the draft report by consultant on the TFAP II on BMG, SCSC, SCCP, and ESCG (2009/SOM2/ECSG/015a). Relating to ECSG, the consultant had proposed 12 KPS for e-commerce group. ECSG members were encouraged to read the consultant's proposal, in particular on reports pertaining to ECSG.
22. Member economies shared their interim feedback on the draft report which PSU will communicate with the consultant and revert to ECSG on the revised draft.
23. Mr Gaetjens encouraged ECSG members to review and look into the KPIs proposed by the consultant and informed that if funds are required, PSU and project funding sources from the Secretariat may be able to access depending on the relevancy of such project to achieve the 5% outcome of reduction in total cost.
24. The Chair invited comments from delegations on issues such as relevance and practicality of suggested KPIs. Given the wealth of information and feedback from members, PSU was advised to integrate the interim feedback into their discussion with the consultant.
25. In the current FTAP exercise for 2007-2010, the DPS Chair informed the meeting on the progress of the three specific indicators identified for its data privacy pathfinder initiatives.

## **Individual Action Plan (IAP)**

26. The meeting noted on the submissions by 18 member economies their IAP on Paperless Trading and 14 economies their IAP on Information Privacy (2009/SOM1/ECSG/003). The 14 IAPs on Information Privacy have been posted on the APEC website and is available to view by the public; including the new 2009 submissions by Chinese Taipei and Philippines.
27. The Chair encouraged member economies to submit and regularly revise their IAPs, noting the importance of these to the work of the ECSG.

## **CTI Chair Report**

28. The CTI Chair briefed ECSG on the CTI priorities and work plan and the importance of the REI matrix as a guide to CTI work (2009/SOM2/ECSG/014). The REI agenda and work program was endorsed by Leaders in 2007, and work started in 2009 – a multi year work program. The discussion on seeing the work doing now and actions in 2010 and 2011. The REI matrix will be endorsed by Leaders in November 2009.
29. The CTI Chair reminded that 2010 is the first Bogor deadline and this there is a need to focus on assessment of work done. ECSG needs to also think about its contribution to achieving Bogor goals and the REI agenda.
30. Discussions at CTI level can be included in ECSG's discussions and to take forward. At CTI level, the CTI Chair emphasized on 3 impacts on e-commerce- i) TFAP II progress; ii) work on PTS, in particular discussions on making Rules of Origin more friendly and self-certification pathfinder ; and iii) Supply Chain Connectivity Initiative (SCI), where ECSG is encouraged to work closely with PSU in choosing the correct objective for SCI.
31. On TFAP II progress, CTI Chair informed that Ministers and Leaders are giving specific directions and mandates and the need to know what the initiative is for.

32. On PTS, the CTI Chair informed of the discussion on making Rules of Origin more business friendly and noted on exploring of the self-certification pathfinder. The CTI Chair also reiterated the need to have closer contact with CTI representatives and communications within and among agencies of member economies.
33. The CTI Chair also noted on the focus at CTI and Economic Committee (EC) on the Supply Chain Connectivity Initiative (SCI). On this, the CTI Chair was glad to note the initiative from Canada on a global value chain project. CTI Chair informed that Ministers have tasked PSU to help choose the 'correct' objective for SCI and suggested to work closely with PSU on this initiative. The first phase of the SCI is taking shape in 2010 for timeline until 2013.
34. The CTI Chair also mentioned on the new agenda on 'inclusive growth' discussed at SOM and MRT level for achieving the Bogor Goals. The idea of inclusive growth will be an interesting agenda for ECSG, including for DPS and PTS.

### **Project Proposals for Session Three**

29. Ms Evelyn Loh, Program Director of the APEC Project Management Unit of the APEC Secretariat briefed the meeting on updates and decisions of the Budget and Management Committee (BMC) Meeting held on July 28, including a number of decisions that were made to progress APEC's project management reform agenda (2009/SOM2/ECSG/012).
30. During Q&A session, members requested clarifications on several matters regarding the Session Three guidelines and future multi year project proposals. Ms Loh also requested project proponents to review the guidebook on APEC projects prior to project proposal submission.
31. The meeting heard presentation from Canada on the progress and plans for the APEC Global Value Chains Workshop approved at Session Two 2009. The meeting took note of China's plan to resubmit the proposal in 2010 for the 'Online Product Specifications for Facilitating Cross-border Online Trade' project which was not approved at Session Two.
32. The meeting also discussed four proposals seeking for APEC TILF funding under Session Three and one self-funded project by China:
  - a. Russia : APEC Guidance for Electronic Commerce (Stage 3): Lessons Learned of Implementation of APEC Strategies and Actions Towards a Cross-Border Paperless Trading Environment;
  - b. China: Research on 10-year Socio-Economic Benefits of Paperless Trading in APEC Region;
  - c. China: Symposium on APEC E-Commerce Network;
  - d. US: Technical Assistance and Training to APEC Developing Economies on Data Privacy Pathfinder; and
  - e. China: 2<sup>nd</sup> International E-Commerce Exhibition (self-funded).

The Chair advised that further revision to the projects be done to consider collaborations for projects in similar areas.

33. The meeting agreed on the revised timeline for submission of project proposals for Session Three for ECSG. Proponents will further revise and develop these concept papers into project proposals for consideration intersessionally.

### **Voluntary Reports by Guests**

34. The ICC briefed the meeting on its report and highlighted on governance model and further discussion and collaboration with PTS.
35. The GBDe expressed gratitude to ECSG on opportunity to share with the meeting its report on progress and initiatives for 2009, including the status on the Consumer Confidence – Privacy

protection advocacy and trust marks (2009/SOM2/ECSG/008). GBDe also invited members to its Summit 2009 in November in Munich, Germany.

36. The PAA briefed the meeting on initiatives undertaken by its organization, including the initiatives on Electronic Secure Cross-Border Trade.
37. UNCEFACT also expressed its gratitude to ECSG for granting of guest status and hoped to contribute towards developments in ECSG.

#### **Other Business**

38. The Chair presented its Executive Committee for 2010 and its QAF Team.
39. Ms Anita Douglas from the Communications and Publication Unit of the APEC Secretariat shared on a resource toolkit on APEC's website, which consists of design templates and guides, and encouraged members who are developing websites for APEC-related projects to use the toolkit. Ms Douglas also shared on the new publication database of APEC website with new features such as search functions and an email alert function for receiving notice on new publications.
40. Korea presented its project on progress on the project on "*Initiative for APEC Women's Participation in the Digital Economy*" and the final session of the 'Digital Economy for Women Forum 2009' to be held on August 3, 2009 (2009/SOM2/ECSG/011).
41. The members also discussed on the suggested language for the Ministerial and Leaders Declaration. The Chair informed the meeting on the recent MRT Statement on strengthening the digital economy and information networks and informed that he will be communicating to the group on this in the second part of September.
42. On its Report to CTI, the Chair informed that a factual summary record of PTS and DPS meetings will be circulated to members for comments and to be endorsed intersessionally. A report to CTI will highlight the decisions made and endorsed at the meeting. The template of report to CTI will be circulated by end of August.

#### **Conclusion and Next Meeting**

43. Chair informed meeting that a Report to CTI will be prepared and circulated to members, incorporating inputs to be forwarded for the AMM and Leaders at November 2009.
44. The meeting approved the document classification list.
45. The Chair informed members of the tentative date and venue of the next ECSG meeting in Hiroshima during SOMI and in Sendai during SOMIII meetings. The exact date of the meetings will be communicated to ECSG when available.
46. Chair thanked members and adjourned the meeting.

**20<sup>th</sup> APEC ELECTRONIC COMMERCE STEERING GROUP MEETING**

**DRAFT AGENDA**  
for ECSG Plenary Meeting

July 30, 2009  
9:00 – 18:00

**I. Introductory Remarks**

**II. Adoption of the Agenda**

**III. Implementation of the 2009 ECSG Work Plan**

**1. Data Privacy Sub-Group**

- a. The Chair of the APEC Data Privacy Subgroup will review progress on the DPS work plan for 2009. He will report on the outcomes of the APEC Data Privacy Subgroup Meeting.
- b. The Chair will report on the outcomes of the Technical Assistance Seminar on International Implementation of the APEC Privacy Framework.
- c. The Chair will report on the Status of the Pathfinder on Data Privacy.

**2. Paperless Trading Sub-Group**

- a. The Chair of the APEC Paperless Trading Subgroup will review the PTS work plan for 2009. She will report on the outcomes of the Paperless Trading Subgroup Meeting.
- b. Project Status Reports
  - i. The Chair of the APEC Paperless Trading Sub-Group will report on the status of existing initiatives/Pathfinders: eC/O, e-SPS, e-B/L (or e-negotiations).
  - ii. Thailand will report on the discussions held with UNCEFACT and the SCCP regarding the outcome of the project '*APEC Data Harmonization towards Single Window Paperless Environment*'.
  - iii. Korea will report on the progress of a study on '*APEC Paperless Business Environment with a focus on the use and archiving of e-documents*'.
  - iv. PRC and Chinese Taipei will report on the progress of a project on '*Assessment and Best Practices on Paperless Trade to Facilitate Cross-Border trade in APEC Region*'.

**3. Digital Economy**

- a. USA will report on the recent Digital Prosperity Workshop.
- b. The ECSG Chair will lead a discussion on Digital Economy issues of interest to ECSG. The discussion will focus on follow-up activities and projects, flowing from the adoption of the Digital Prosperity Checklist by Leaders. Recent work at the OECD and in other fora will be reviewed.

### **III bis. TFAP II (APEC's second Trade Facilitation Action Plan)**

The ECSG Chair will review recent developments on the TFAP II exercise, including the APEC/PSU sponsored study.

The APEC Secretariat (PSU) and the project consultants will present the results of their study on Key Performance Indicators.

The DPS Chair will lead a discussion on Key Performance Indicators and suggested report on results for 2009.

### **III. IAP**

The APEC Secretariat will report on recent developments.

### **IV. New Project Proposals for 2009-2010**

1. Review of the new Project Proposal Approval Process and timelines (Secretariat)
2. Review of recent BMC decisions – Second Phase (Secretariat)
3. New ECSG Project Proposals
  - a. Proposals submitted for funding in Second Phase
    - i. Canada: Digital Prosperity Checklist – Global Value Chains Workshop
    - ii. China: Online Product Specifications for Facilitating Cross-Border Online Trade – postponed to 2010
  - b. New proposals for Third Phase
    - i. Russia: APEC Guidance for Electronic Commerce (Stage 3): Lessons Learned of Implementation of APEC Strategies and Actions toward a Cross-Border Paperless Trading Environment
    - ii. China: 2<sup>nd</sup> China International Electronic Commerce Exhibition (self funded; for endorsement)
    - iii. USA: Capacity Building Research and Seminar on the Development of Accountability Agents
    - iv. China: Research on 10-Year-Socio-Economic Benefits of Paperless Trading in APEC Region
    - v. China: e-Commerce Experts Network

### **V. Voluntary Reports by Guests**

1. ICC
2. GBDe
3. PAA
4. UNCEFACT

### **VI. Other Business**

1. ECSG Executive Committee.

The Chair will present the Executive Committee for 2010

2. Quality Assessment Framework (QAF) Group for ECSG

The Chair will present the suggested composition of the ECSG QAF for 2010.

3. Update on recent CTI and SOM meetings (Chair and Secretariat)
4. APEC Web Site Standard Template
5. Suggested Language for the Ministerial/Leaders Declaration
6. Report to CTI
7. *Women e-business centre*

## **VII. Conclusion and Next Meeting**

1. Document access
2. Dates and venues for next meeting



**REPORT ON THE MEETING OF THE  
APEC ECSG DATA PRIVACY SUB-GROUP**

**28 JULY 2009**

**SINGAPORE**

The APEC ECSG Data Privacy Sub-Group met on Tuesday 28 July 2009 in Singapore.

The following member economies and guest organisations were represented at the meeting: Australia; Canada; Chile; Hong Kong, China; Indonesia; Japan; the Republic of Korea; Malaysia; Mexico; New Zealand; Peru; the Philippines; the Russian Federation; Chinese Taipei; Thailand; the United States of America; Viet Nam; the International Conference of Data Protection and Privacy Commissioners (ICDPPC); the Global Business Dialogue on E-Commerce (GBDe); the Organisation for Economic Cooperation and Development (OECD); and the International Chamber of Commerce (ICC).

**I. Introductory Remarks**

- i. The meeting was opened by the Chair of the Data Privacy Subgroup, Mr Colin Minihan from Australia. The agenda for the meeting (2009/SOM 2/ECSG/DPS/001) was approved. The report of the 19<sup>th</sup> meeting (2009/SOM 2/ECSG/DPS/008) was adopted – the Chair noted minor editing amendments.
- ii. The Chair welcomed the ICDPPC to the Sub-Group and noted it was participating as a 'one off' guest member in the Sub-Group.
- iii. The Secretariat reported on APEC priorities for the Singapore 2009 year. It was noted that the Data Privacy Pathfinder is a contribution to the Regional Economic Integration program and the TFAP II process. A detailed Secretariat report will be distributed to the ECSG.

**II. Outcomes of the Technical Assistance Seminar on the Implementation of the APEC Privacy Pathfinder**

- i. The Chair presented an overview of the seminar.
- ii. The seminar focused on building capacity in relation to issues around the Data Privacy Pathfinder.
- iii. Highlights included: learning about the outcomes and lessons from the practical testing of current Pathfinder documents; the extensive discussion on developing domestic enforcement priorities and strategies, which was relevant to the CBPR system as well as domestic capacity building for economies implementing the APEC Privacy Framework; and hearing reports on a wide range of privacy developments with implications for the implementation of the Pathfinder, including an OECD sponsored accountability project, international developments in other organisations, and current approaches to privacy and experiences in implementing privacy systems from a number of economies.
- iv. It was agreed that a written report on the outcomes of the seminar will be prepared and circulated out-of-session.

**III. Data Privacy Pathfinder: a Discussion on Pathfinder Projects**

- i. The Chair, with the agreement of the Sub-Group, commenced the discussion with agenda item (b), consideration of the documents for Pathfinder projects 5, 6 and 7.
- ii. A current list of Pathfinder projects and participating members is at Attachment A.
  - (a) (formerly (b)) Pathfinder projects 5/6/7
    - i. New Zealand, on behalf of Australia which lead the project group, introduced the discussion of projects 5, 6 and 7 – see 'Update Report on APEC Data Privacy Pathfinder Projects 5, 6 and 7' (2009/SOM 2/ECSG/DPS/010); for Project 5 see 'Request for Contact Point

Information with Explanatory Material' (2009/SOM 2/ECSG/DPS/004) and for Projects 6 and 7 see 'APEC Cooperation Arrangement for Cross-Border Privacy Enforcement' (2009/SOM 2/ECSG/DPS/005) which includes at the end of the document the 'Request for Assistance Form' that forms the content of project 7. These three projects are closely related and have been developed as a package.

- ii. The Sub-Group's goal is to have the project 5/6/7 documents endorsed as a key deliverable by APEC Ministers at their meeting in November 2009.
- iii. The documents for projects 5 and 7 were finalised by the project working group. Projects 5/6/7 propose the establishment of an Administrator to facilitate the operation of the multilateral arrangements between APEC member economies ('core' functions and additional but desirable functions are identified in the project 6 document). It was noted that the Sub-Group has not determined whether the role of 'administrator' will be performed by the APEC Secretariat or another body. It was agreed that the documents could go forward with this issue to be settled once the Sub-Group finalises the governance mechanisms for the CBPR system in consultation with the APEC Secretariat.
- iv. The Sub-Group agreed projects 5 and 7 could be considered for endorsement.
- v. The project 6 document proposing the Cooperation Arrangement for cross-border privacy enforcement was discussed. In summarising the goals of the project the non-binding nature of the Cooperation Arrangement was emphasised.
- vi. The Chair noted that different views may exist in the Sub-Group on the precise language used in drafting the Cooperation Arrangement. The Chair encouraged members to focus on policy issues rather than suggesting alternate words and phrases. After discussion, the Sub-Group agreed to modify clause 15.1 to make clear that the review process for the Cooperation Arrangement would include the review of the language of the document itself. The agreed text of the revised clause is as follows:
  - o 15.1 Through a consultative process, Participants should review this Cooperation Arrangement and its operation three years after its commencement.
- vii. It was agreed that this would give members the opportunity to suggest wording changes to the document in the review process in the light of operational experience.
- viii. However, at the request of one economy the Chair circulated drafting suggestions made by the economy and sought support for the suggestions by Wednesday 19 August.
- ix. As no other issues were identified in the document, discussion turned to the only outstanding issue in the Cooperation Arrangement. Clause 9.10 deals with the 'use of information obtained during cross-border cooperation'.
- x. In summary, the clause states that the Requesting Authority and the Receiving Authority will, on a bilateral basis, determine permissible uses of shared information consistent with applicable law and policy. There was no objection to this part of clause. However, clause 9.10 goes on to set out a 'savings' provision which was intended to clarify that the Cooperation Arrangement does not affect arrangements that may be in place under other existing agreements or laws. There was no consensus in the DPS on the effect of this provision, nor was there consensus on the proposed text of this 'savings' provision. Discussions recognised the policy underlying the 'savings' provision is consistent with the APEC Privacy Framework, but it was clear that DPS members could not agree to the 'savings' provision as currently drafted.
- xi. The Sub-Group agreed on three options to address this issue, as follows:
  - o **Option 1** - insert the words 'an immediate and' into clause 9.10(ii) to make clear the information will only be used in emergency circumstances:
  - o **9.10 . . . . . Notwithstanding the foregoing, nothing in this Cooperation Arrangement affects any authority or right to:**
  - o **(i) use information pursuant to a mutual legal assistance treaty (MLAT) or other applicable international agreements between the Requesting and Receiving Authorities' governments; or**
  - o **(ii) use information for preventing an immediate and serious threat to national or public security in the Requesting Authority's economy.**
  - o
  - o **Option 2** - move the content of the 'savings' provision to clause 6.2:
  - o Delete second paragraph of clause 9.10 (the entire "Notwithstanding" clause) and make the following addition to Section 6.2:

- ***Nothing in this Cooperation Arrangement is intended to . . . . (vii) affect any authority or right to use information pursuant to a mutual legal assistance treaty (MLAT) or other applicable international agreements between the Requesting and Receiving Authorities' governments.***
  - The former clause relating to use of information in the event of a threat to national or public security would be covered by clause 6.2(iv).
  - **Option 3** - redraft clause 9.10 to make clear the bilateral negotiations can include consideration of this issue:
  - Delete the second paragraph of clause 9.10 (the entire "Notwithstanding" clause) and replace it with the following text:
  - ***Subject to Clause 10, the Requesting Authority and the Receiving Authority will, on a bilateral basis, determine permissible uses of shared information consistent with applicable law and policy, including for preventing an immediate and serious threat to national or public security in the Requesting Authority's economy.***
- xii. It was recognized that Sub-Group members required time to consider the options. However, the Chair noted that delay in settling this issue will mean the Cooperation Arrangement cannot be endorsed and will result in the DPS failing to meet its objective for 2009.
- xiii. At the meeting it was agreed that the DPS would recommend the documents for projects 5 and 6/7 to the ECSG for endorsement, pending resolution of the outstanding issue in the Cooperation Arrangement. The ECSG would then be able to endorse the Cooperation Arrangement, with the expectation that the DPS would choose one of the three options to resolve the issue.

**Post-meeting note – results of consideration of options by DPS members**

- i. The Chair circulated the three options to the ECSG email list through the APEC Secretariat on Friday 31 July. The Chair expressed the view that Option 2 best satisfied the different views expressed by members. The Chair sought views on whether members were unable to accept Option 2 by Friday 7 August.
  - ii. On Wednesday 12 August the Chair emailed the ECSG email list to advise that no members opposed option 2. The Chair circulated a revised document incorporating option 2 and set out the process for out-of-session endorsement of the project 5 and projects 6/7 documents by members.
- (b) (formerly (a)) Report on the outcomes of the first stage of the testing process in project 9
- i. The United States, as project leader, provided a report on the outcomes of the testing process in Project 9 (see Developing the CBPR System – Learning from Testing Outcomes and Considering Implementation Issues, 2009/SOM 2/ECSG/DPS/013). The report included comments and findings on the documents that were tested in the process, particularly the project 1 document (see 'Outcomes Report on the Data Privacy Pathfinder Module II Testing Process', 2009/SOM 2/ECSG/DPS/007, and 'Comments on Project 1 Questionnaire by Participating Accountability Agents, Companies and Economies', 2009/SOM 2/ECSG/DPS/006).
  - ii. The testing process focussed on the documents produced for projects 1 and 3. It identified areas where the processes established by, and based on, the documents could be strengthened. These include ways to streamline the intake and assessment processes, and considering opportunities to build upon existing privacy regulations and practices rather than develop a system that repeats processes organisations may have already been through in domestic privacy regimes.
  - iii. Following on from this, the project 9 group identified possible future work, as follows:
    - create a business guidance document
    - create a mapping process to evaluate existing privacy systems to identify substantially similar processes that can be used to avoid duplication

- establish an accountability agent drafting committee to develop a template for assessment methodologies
  - consider establishing a separate data processor certification
  - continue the drafting process for the existing project 1 and 3 documents; and
  - create a timeline for this work.
- iv. In relation to project 2, dealing with recognition criteria for private sector accountability agents, the project leader, the United States, agreed to recirculate the latest draft of the document for comment by Sub-Group members, noting that some project group members had indicated they would make suggestions in relation to the language used to describe the independence of accountability agents.
- v. The Sub-Group endorsed the continued testing of project documents under project 9.

(c) Report and discussion on Pathfinder projects and future work

- i. Canada, as the leader of this project work, provided an update on the other part of project 2, the development of recognition criteria for public sector regulators and other accountability agents.
- ii. The Public Sector Accountability Agent Recognition Criteria Discussion Guide, prepared for the 19<sup>th</sup> DPS meeting, identifies a range of relevant issues. In particular, the appropriate process to determine the independence of public sector accountability agents is the most significant issue for consideration.
- iii. Members were encouraged to provide input on the document to assist in finalising this project. Canada will re-issue the document for comment.
- iv. The Chair, as Australia, noted that there has been no significant progress on project 4, which deals with the development of a directory of CBPR compliant organizations and contact lists for organisations and accountability agents. This project will be revised and issued for comment by email.
- v. The Chair, as Australia, provided an update on the revised document developed for project 8 dealing with the scope and governance of the CBPR system; see 'Project 8 – Scope and Governance of a Cross-Border Privacy Rules System' (2009/SOM 2/ECSG/DPS/009).
- vi. It was recognised that changes are likely to be required to this document to reflect decisions taken in other Pathfinder projects that are developed to completion. For example, the idea of developing mapping processes which allow the CBPR system to build upon existing privacy systems will need to be incorporated. It was also noted that the document will need to develop policies and practices that can be integrated with the different types of privacy approaches used by members.
- vii. The Chair asked members to provide comments on the project 8 document by 31 August 2009. Comments should particularly consider any missing topics or other gaps in the coverage of the document.

(d) Discussion on future work of the Friends of the Chair Communications Group

- i. The Chair led a discussion on future work.
- ii. It was recognised that the Communications Group has focussed on developing information about the Data Privacy Pathfinder. While this is appropriate, it was suggested that the Group could also broaden the communications strategy to develop information relevant to domestic capacity building on the implementation of the APEC Privacy Framework. It was also noted that the current communications document which provides an overview of the CBPR system should be updated once endorsement of the projects 5 and 6/7 documents is received.

#### IV. Report Against Performance Indicators for TFAP II

- i. The Chair referred to the performance indicators against which the Sub-Group must provide a report to the ECSG for the CTI TFAP II reporting process. The Sub-Group endorsed the following report:
  - *the number of economies participating in the Pathfinder –16 economies* (no change)
  - *the number of economies that actively consider or develop domestic privacy frameworks that refer to the APEC Privacy Framework - 10 economies* (Australia, Canada, Chile, Mexico, New Zealand, Peru, the Philippines, Chinese Taipei, Thailand and Viet Nam); and
  - *the number of documents (including guidelines, directories and templates) developed by the*

*Sub-Group to implement the various Pathfinder projects – six documents* (projects 1, 2, 3, 5, 6/7 and 8).

- ii. The Chair of the ECSG noted the current review of TFAP II performance indicators which will be further discussed in the ECSG meeting.

#### **V. Review of DPS Work Plan**

- i. The Chair lead a discussion of the 'Data Privacy Subgroup (DPS) Work Plan' (2009/SOM 2/ECSG/DPS/002).
- ii. The Sub-Group agreed to minor changes in relation to the Data Privacy Pathfinder to more accurately reflect the ongoing nature of the Pathfinder but that individual projects may be completed. The Sub-Group endorsed the Work Plan as amended.

#### **VI. DPS Input for Ministerial Statement**

- i. The ECSG has sought a contribution from the Sub-Group for the Ministers' Statement in November 2009. It was agreed that the Chair would, on behalf of the Sub-Group, provide text to the ECSG which could be incorporated into the ECSG Chair's report to the CTI.
- ii. The Chair provided the following text to the ECSG:  
We welcome the completion of the APEC Cooperation Arrangement for Cross-Border Privacy Enforcement, the development of a common privacy complaint handling form, and the establishment of a contact list for privacy enforcement agencies in the APEC region. These initiatives establish a framework for information sharing and investigation and enforcement cooperation on privacy issues, which will support transfers of personal information across the APEC region.

#### **VII. APEC Capacity Building Projects**

##### **(a) Discussion of project proposals**

- i. The United States summarised their project proposal (see ECSG meeting document 'Project Proposal – Technical Assistance & Training to APEC Developing Member Economies on Data Privacy Pathfinder', 2009/SOM2/ECSG/002). Australia and Japan are co-sponsors of the project.
- ii. The proposal will have two phases. The first phase will consist of a survey in which three developing member economies would participate. The second phase will be a seminar to build on the survey results. However, there will also be an opportunity to use the seminar to build upon the Sub-Group's capacity building work, including in relation to the implementation of the Pathfinder.
- iii. It was noted that the project is partially self-funded by a development fund.
- iv. The Philippines and Viet Nam indicated their interest in participating in the project.

##### **(b) Decision on referring project proposals to ECSG for consideration**

- i. The APEC process for considering projects was discussed. The Sub-Group supported the project and referred it to the ECSG for consideration.

#### **VIII. Reports on Domestic Capacity Building Activities**

- i. Viet Nam provided a report on a successful capacity building workshop held in Hanoi on 22 and 23 July 2009. A number of members of the Sub-Group assisted the workshop by providing presentations and taking part in discussions. Viet Nam noted strong domestic media interest in the workshop, which was reported around the country. The workshop was an important component in the Viet Nam's plan for the development of electronic commerce, which identifies education and training is the top priority.

#### **IX. Reports from Sub-Group Members**

- i. Australia – the Government is developing a response to the Australian Law Reform Commission’s report number 108, ‘Australian Privacy Law and Practice’. It is expected that exposure draft legislation setting out new national privacy laws will be released for public comment early in 2010.
- ii. Canada –amendments to the Private Sector Privacy Act are before Parliament. The amendments include provisions to expand the ability of the Privacy Commissioner to collaborate internationally.
- iii. Chile –Chile is reviewing their privacy law and is establishing a privacy enforcement agency to administer the privacy law.
- iv. Hong Kong China - with the support of the Privacy Commissioner, the Government is conducting a review of Hong Kong, China’s privacy law. The Government plans to issue a public consultation document on the review of the privacy law in August 2009.
- v. Korea – a review is being conducted to consider incorporating protection of the national registration number into the privacy law.
- vi. Malaysia – The Malaysian Government considered and approved a privacy law at a Cabinet meeting on 15 July 2009. The legislation is scheduled to be tabled in Parliament in the October session, with passage expected in early 2010. The legislation will not be publicly available until it is tabled in Parliament.
- vii. Mexico – In 2008 two amendments were made to articles 16 and 73 of the Constitution which related directly to personal data protection and the privacy regime. Article 16 recognizes the right of personal data protection as fundamental and autonomous, while Article 73 establishes that the Federal Congress has the faculty to rule in matters related to data in possession of private individuals and its protections. The amendments set forward the basis for the executive branch of the federal government to be in position to present a law initiative on data protection. A working group lead by the Ministry of the Interior discussed with private sector representatives matters related directly to the content of the law.
- viii. New Zealand – the New Zealand Law Commission is undertaking a review of privacy law which is in its final phase. The New Zealand Privacy Commissioner is currently reviewing the credit reporting code under the Privacy Act. A bill is before the Parliament to amend the Privacy Act for certain matters, including providing the Privacy Commissioner with powers to share cross-border enforcement information.
- ix. Peru – Peru is currently developing its national data privacy law. It is hoped that a law will be implemented by the end of 2009.
- x. Philippines –Congress is now considering a single privacy bill and it is expected that a law will be enacted by early 2010.
- xi. Russian Federation – a privacy law was enacted in 1996. A privacy enforcement agency has now been created to enforce the privacy law.
- xii. Chinese Taipei – a privacy trust mark consistent with the APEC work is under development. The establishment of a privacy enforcement agency is under consideration.
- xiii. Thailand – Thailand has made progress in its draft of the Data Privacy Act. The draft has been approved by the Office of the Council of State (General State Attorney) and will be referred to the Cabinet for Parliamentary approval. While the Data Privacy Act is pending enactment in Thailand, Thai consumers are protected by various laws and regulations on data privacy embedded in other laws.
- xiv. United States – the Federal Trade Commission has proposed the use of a broad privacy notice on electronic health information, in recognition of the fact that internet based entities are increasingly handling these records. The FTC has commenced a privacy framework project which is, at a broad conceptual level, intended to examine and improve existing privacy frameworks through a broad stakeholder consultation process.
- xv. Vietnam – In June 2009 revisions to the Criminal Code were enacted which include an offence of disclosing personal information without consent. Consumer protection legislation is being developed that will apply to business statements made about the protection and use of personal information of consumers. The legislation will be presented to the Government by the end of 2009 and is expected to be considered by the People’s Assembly by May 2010.

## **X. Information Sharing on Cross-Border Privacy Issues**

- (a) Reports from Guest members

- i. International Conference of Data Protection and Privacy Commissioners Report  
The ICDPPC provided a useful overview of its structure and activities (see 2009/SOM2/ECSG/DPS/011). It was noted the next Conference will be held in Madrid, Spain on 4 to 6 November 2009.
  - ii. OECD Report  
The OECD gave a report on recent developments (see 'Update from the OECD', 2009/SOM2/ECSG/DPS/012). The next WPISP meeting will be in Paris, France on 12 and 13 October 2009, which will be followed by a workshop on cloud computing on 14 October. The OECD hopes that an APEC representative will be able to give a presentation on the projects 5 and 6/7 documents at the WPISP meeting. It was also noted that OECD is working with five new accession countries, which include APEC members (Chile and Russia), and is in discussions with China and Indonesia. Reviews of the WPISP privacy guidelines, chaired by Canada, and the e-commerce guidelines are under way. The Committee on Consumer Policy is holding a conference, hosted by the US FTC in Washington from 8 to 10 December 2009, which will be looking at a range of consumer issues, including privacy issues such as behavioural advertising.
  - iii. ICC Report  
The ICC has been working with the European Commission on model contracts and Binding Corporate Rules issues. The USCIB is taking part in work by the International Standards Organisation on the development of a privacy standard. The ICC has been active in the Internet Governance Forum (IGF), Business Action to Support the Internet Society (BASIS) group, and notes that privacy issues run across a number of IGF issues. The ICC raises APEC issues in this, and other, fora, and encourages all members to continue to do outreach on APEC privacy issues.
  - iv. GBDe Report  
The GBDe continues to work on a framework for cross-border privacy issues in e-commerce. Their consumer issues group is building trust and confidence between consumers and merchants, and the use of trust marks to resolve consumer dispute issues is explored. GBDe supports the continued expansion of the Asia Pacific Trustmark Association, and notes that a number of new members are expected to join in 2009. The ICENet trial is continuing in the United States, Japan, Thailand, Malaysia and Singapore. GBDe is also developing guidelines for businesses on privacy protection. The 11<sup>th</sup> GBDe summit will be held in Munich, Germany on 5 November 2009.
- (b) APPA Report
- i. Hong Kong, China reported on the APPA meeting which was held on 11 and 12 June 2009 (see '31<sup>st</sup> APPA Forum Communiqué', 2009/SOM2/ECSG/DPS/003). The next APPA forum will be held in Adelaide, Australia, in December 2009.
- (c) Report on Security and Prosperity Partnership
- i. The United States reported on the Canada/US/Mexico Security and Prosperity Partnership (established under an FTA) Committee on ICT and E-commerce. The Committee is studying and attempting to quantify real and perceived impediments to cross-border data flows across their common borders, including examining existing legal frameworks. A report is expected in the next few months that will consider the outcome of micro- and macro- economic studies. The report will be made available to Sub-Group members.
- (d) Discussion of proposed closed APEC/OECD/EU session at ICDPPC, Madrid, November 2009
- i. The Chair provided an update on discussions with the organisers of the Madrid conference and will provide more information to members as it becomes available.
- (e) Discussion of the ICDPPC project on international privacy standards

- i. The ICDPPC provided a summary of the project for the information of members. It is expected that the closed session of the Madrid conference will consider a resolution on the international standards project. The resolution will set out some of the generally accepted principles, then attach a detailed list of possible future principles, with a recommendation for a follow-up group to continue the work.
  - ii. In discussion a number of members offered to share their comments on the project with the Sub-Group by email. There was some concern about the transparency of the process used in the development of the principles and the timelines that were set. Members who contributed had tried to share and incorporate APEC's privacy principles and experiences into the project.
- (f) Maintaining and developing information sharing opportunities
- i. The Chair led the discussion, and reported on a recent exchange of letters with the Chair of the EU Article 29 Working Party in which the offer to exchange information on relevant privacy issues was accepted. Sub-Group members continued to support encouraging contact and information-sharing with other organisations on common problems and issues.

## **XI. Individual Action Plans and Domestic Implementation of the Data Privacy Framework**

- i. The Chair led a discussion on encouraging domestic implementation. It was recognised that a number of sessions from the Data Privacy Seminar, particularly on building regulator capacity, could form the basis of future capacity building projects.
- ii. The Secretariat informed the Sub-Group that the privacy IAPs are now publicly available on the APEC website. The Chair encouraged members to update their IAPs and noted that the review of IAPs should be discussed in the next meeting.

## **XII. Conclusions and Next Steps for the Data Privacy Sub-Group**

- (a) Other matters
  - i. None.
- (b) Next steps for the Sub-Group
  - i. The Secretariat advised that the next meeting will be in February 2010 in Hiroshima, Japan. The date of the DPS meeting has not been set.
- (c) Chair's summary
  - i. The Chair provided an oral summary of the meeting that will form the basis of the Chair's report on the Sub-Group's meeting to the ECSG. No comments were received from the Sub-Group on the Chair's oral summary.
  - ii. The Chair thanked participants and closed the meeting.



**Data Privacy Pathfinder Projects  
Member Participation**

Members indicated their participation as follows (**updated by the Chair, July 2009**):

**Projects 1 and 3** - the United States (leader), Australia, Canada, Hong Kong China (observer), Japan (observer), Mexico (observer), the Philippines (observer), Thailand (observer), Vietnam (observer) and the ICC.

**Project 2** –the United States (leader – private sector framework), Canada (leader – public sector framework), Australia, the ICC, Hong Kong China, Japan, Mexico, New Zealand, the Philippines (observer), Chinese Taipei (observer), Thailand (observer) and Vietnam (observer);

**Project 4** – Australia (leader); Hong Kong China (observer), the ICC, Mexico, the Philippines (observer), the United States, and Vietnam (observer)

**Projects 5, 6 and 7** – Australia (leader), Canada, China (for project 6), Hong Kong China, the ICC, Korea, the Philippines (observer), the United States, and Vietnam are participating in projects 5, 6, and 7; New Zealand in projects 6 and 7; Peru in projects 5 and 6

**Project 8** – Australia (leader), Canada, Hong Kong China (observer), the ICC, Korea, New Zealand, the United States, the Philippines (observer), and Vietnam (observer)

**Project 9** – the United States (leader), Australia, Canada (participant for testing 5/6/7, observer for rest), China, the GBDe, Hong Kong China, the ICC, Japan (observer), Mexico, New Zealand (participant for testing 6/7, observer for rest), the Philippines (observer), Chinese Taipei and Vietnam

**12<sup>th</sup> APEC PAPERLESS TRADING SUBGROUP MEETING  
SINGAPORE, 29 JULY 2009  
PTS CHAIR'S SUMMARY REPORT**

**INTRODUCTION**

1. The 12<sup>th</sup> APEC Paperless Trading Subgroup Meeting was held in Singapore on July 29, 2009, chaired by Mr. Richard Bourassa's ECSG Chair on behalf of Ms. Aimi Yamamura who stepped down on July 16<sup>th</sup>.
2. Representatives from Canada; China; Chile; Indonesia; Korea; Malaysia; Mexico; Papua New Guinea; Peru; Philippines; Chinese Taipei; Russia, Thailand; and Viet Nam participated in the Meeting, as well as the APEC Secretariat. Representatives of the PAA and UNCEFACT attended the meeting as well.

**INTRODUCTORY REMARKS BY THE CHAIR AND ADOPTION OF THE AGENDA**

3. The Chair extended a warm welcome to all delegates to the meeting and encouraged member economies to actively participate in order to have a rewarding and fruitful day of discussion.
4. The agenda was adopted with amendments as annex.

**PAPERLESS TRADING INDIVIDUAL ACTION PLAN**

5. No member economy forwarded to Secretariat new submission for Paperless Trading Individual Action Plan since the 11<sup>th</sup> PTS Meeting in February.
6. The PTS Chair commended on the encouraging members who submitted their PTIAPs and encouraged other economies to submit and update the documents regularly as it is a useful mean to enhance transparency and identify collective action plans and capacity building activities.

**PROGRESS REPORT ON ECSG RELATED PATHFINDER PROJECTS**

7. Chinese Taipei updated the PTS on the current status of the Electronic Certificate of Origin Project (co-lead by Singapore and Korea) which is now already launched between the two economies. Malaysia, Vietnam, Russia and Peru indicated interest to join this initiative.
8. Vietnam and Thailand also informed the meeting on initiatives undertaken in their economies with regards to e-CO. Malaysia also informed of similar initiatives undertaken with Indonesia in ASEAN. Peru indicated that they are not in a position to participate for the moment but would like to stay as an observer. Russia mentioned that they would like to participate but not financially.
9. Chinese Taipei and Korea will work on a report to ECSG on developments in this project, taking into account the developments in Vietnam and Thailand as well as bilateral arrangements between Malaysia and Indonesia.
10. Korea updated the meeting on e-Cert SPS Pathfinder Project and informed that the initiative is now approved as international standard.
11. Korea also updated the meeting on the e-Negotiations project as a national project for Korea. Korea will develop a more concrete proposal for PTS at the next meeting. Chair suggested that Korea's proposal to consider support from member economies.

**REPORT ON COMPLETED AND ON-GOING ECSG PROJECTS**

12. The Chair informed the meeting of Thailand's project on APEC Data Harmonization Towards Single Window Paperless Environment which was almost complete and awaiting final report. The Chair invited UNCEFACT to update the meeting on progress with regards to the development of UNedocs and emphasized the point that UNedocs is not a standard but rather a set of working documents, some of which are close to finalization, but not all.. The Chair proposed to provisionally endorse the report and the funding of the project.
13. Korea and Philippines viewed the project as important and requested Thailand to circulate the final report for intersessional endorsement and comments to receive by August 31.

#### REPORT ON ON-GOING ECSG PROJECTS 2009

14. Chinese Taipei and China updated the meeting on progress of the '**Assessment and Best Practices on Paperless Trading to Facilitate Cross Border Trade in APEC Region**' and invited for participation from member economies. Chinese Taipei also urged member economies which have not submitted their questionnaires to do so expeditiously.
15. Vietnam and Thailand informed that they did not receive the questionnaires circulated earlier. Malaysia, Canada informed that they have submitted the answers to the questionnaires. Korea asked if it would be possible to have the private sector participating in the process.
16. In view of some economies not receiving communications of the questionnaires, the APEC Secretariat informed that a contacts list will be circulated for member economies to update to facilitate better communication in the PTS.
17. Korea reported on the "**Study on APEC Paperless Business Environment with the Focus on the Use and Archiving of e-Documents**", with support and approval from China.

#### NEW ECSG PROJECT PROPOSALS

18. The APEC Secretariat updated PTS on decisions at the Budget and Management Committee for Session Three of project submission for 2009 and of the revision of timeline to be made at the ECSG Meeting on 30 July. The Chair also reiterates the process of project submission.
19. China informed the meeting that the project that was unsuccessful for Session Two will be resubmitted for 2010. Canada also presented project on Global Value Chain which was approved at Session Two which has a strong linkage between Digital Economy agenda and the work in PTS.
20. Three APEC-funding projects were tabled for consideration and endorsement. Member economies discussed, provided suggestions and comments to the following proposals which were all endorsed at PTS:
  - ii. Russia: APEC Guidance for Electronic Commerce (Stage 3): Lessons Learned of Implementation of APEC Strategies and Actions toward a Cross-Border Paperless Trading Environment;
    - a. China and Vietnam agreed to be co-sponsors for this project
    - b. The Chair had a question on the project's timeline, if it will be completed by end of 2010. Answer was yes.
  - iii. China: Research on 10-Year-Socio-Economic Benefits of Paperless Trading in APEC Region;
    - a. The Chair suggested that there might exist some linkages with the project presented by Russia. As China is a co-sponsor, both member economies should look for possible overlap.
  - iv. China: Symposium on APEC E-Commerce Experts Network.
    - a. China indicated that the bulk of the project is the organization of a symposium and a portion will be to the creation and the maintenance of a portal for experts.

## **VOLUNTARY REPORT OF ACTIVITIES BY GUEST**

21. PAA and UNCEFACT informed the PTS about their activities and initiatives.

## **ELECTION OF PTS CHAIR**

22. The Chair informed the meeting that he was approached by a number of member economies nominating Mr Monchito Ibrahim as the PTS Chair. Canada, Chinese Taipei, Vietnam, Malaysia, Russia, Chile, Korea, Thailand and Mexico supported the nomination.
23. PTS unanimously endorsed Mr Monchito Ibrahim of the Philippines as the PTS Chair.
24. The Meeting also discussed the idea of having a Vice Chair to support PTS Chair and it was well-received by the member economies. Malaysia suggested for only one Vice Chair to avoid confusion.
25. Member economies unanimously endorsed Ms Susan Lu of Chinese Taipei to take on the Vice Chair seat. The Chair congratulated Mr Ibrahim on his appointment and asked him to consider the term for PTS Vice Chair. Canada suggested for mandate of 2 years to facilitate harmonization with DPS and ECSG terms.

## **ANY OTHER BUSINESS**

26. The Chair updated the meeting on the updates regarding Digital Economy Agenda, including the Seminar on Digital Prosperity Checklist on Sunday, 26 July 2009 and the outcome and recommendations to be undertaken at ECSG and CTI.
27. On TFAP II, The Chair informed the meeting of the outcome of the draft report prepared by a consultant engaged by the APEC Secretariat (PSU). A key conclusion of the draft report is that current indicators used to assess efficiency of TFAP II do not work and that TFAP II indicators should be reviewed in order to be more efficient. A number of proposed indicators are presented in the draft report. The Chair indicated that a more fullsoem discussion on this topic will take place at the ECSG Plenary on July 30<sup>th</sup>.

## **CONCLUSION AND CLOSING OF THE MEETING**

28. The PTS Chair concluded the meeting summarizing the discussions by member economies and thanked all participants for their support and active participation.

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