

# Recommendation for ensuring legally significant trusted transboundary electronic interaction

CONFERENCE CALL  
24 November 2014

## Attendance

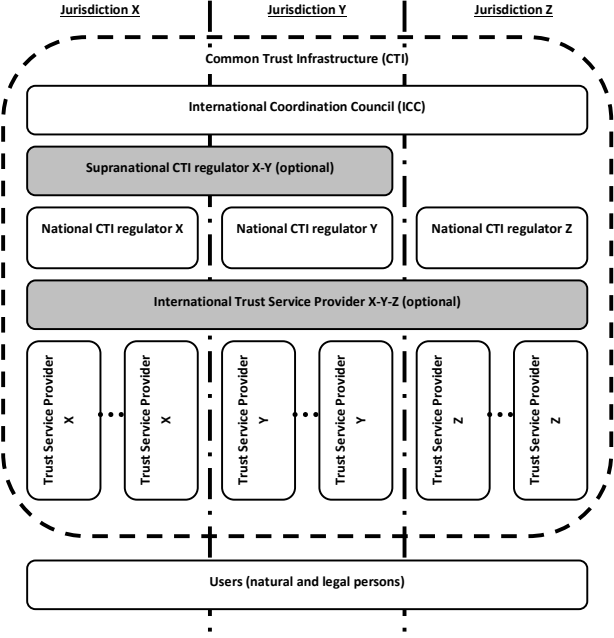
<b>Present:</b> Aleksandr Sazonov (RU) Anna Nordén (SE) Dmitry Iakymenkov (UA) Igor Furgel (DE) Jari Salo (FI) Lauri Railas (FI) Ramachandran P. (IN) Tom Smedinghoff (US)	<b>Absents:</b> Alexey Domrachev (RU) Anders Tornqvist Angelo Tosetti (IT) Anne Sandretto (FR) Antonio Petrella Bassil Eid (FIATA) Bill Luddy (US) Carlo Salomone (IT) Eric E. Cohen (US) Jean-Michel Kaliszewski (IATA) João Rodrigues Frade (European Commission) Lance Thompson (US) Maria Ceccarelli Margo Tank (US) Moudrick M. Dadashov (SE) Prianceu Pandey (IN) Richard L. Field (US) Susanne Wigard (DE) Viky Manaila Yuriy Kharakhordin (EAC)
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## General summary – overview

- Members welcome.
- The Recommendation draft v.0.5. was discussed and agreed in general.

## Detailed summary of each agenda item

### Recommendation outline points discussed:

topics	comments
<p><b>2.3. Common Trust Infrastructures coordination approaches</b></p> <p><b>Organizational level</b>            Mutual legally significant recognition of trust services provided under various jurisdictions is reached through creation and operation of a dedicated body (let call it International Coordination Council or ICC) that includes national regulation bodies having voluntarily joined the ICC. The activity of ICC is regulated by the ICC Statute which is to be recognized and signed by all its authorized members – that is the Regulation Bodies of the Electronic Data Exchange represented primarily by the National CTI Regulators.</p> <p>Fig. 2 gives a general scheme of the organizational level of coordination.</p>  <p><b>Fig. 2. Organizational level (optional elements are identified by the grey blocks)</b></p> <p>The ICC issues a number of documents interconnected with its Statute:</p> <ul style="list-style-type: none"> <li>○ <i>Requirements</i> for the ICC members, correspondence to which is a prerequisite for the full membership in the ICC;</li> <li>○ <i>Guidelines</i> on carrying out 'shadow' supervision for admittance to the ICC and periodic mutual audit for maintaining voluntary membership in the ICC;</li> <li>○ <i>Compliance criteria</i> which are to be met by operators of the trust services, and the methodology for applying these criteria;</li> <li>○ <i>Scheme of estimation/verification</i> of operators of the trust services with respect to their meeting these criteria.</li> </ul> <p>In the CTI, each jurisdiction is presented by the National CTI regulator (see Fig. 2, National CTI regulators X, Y, Z) which regulates the activity of operators of the trust services within their jurisdiction.</p>	<p><u>Lauri Railas</u>: It is a really ambitious model.</p> <p><u>Igor Furgel</u>: It really is an ambitious model and it is very well scalable. The question concerning the international organization, under which aegis the International Coordination Council will work completely depends on concrete situation. It could be a completely independent organization, when national regulators cooperate and decide to create the International Coordination Council under certain rules. In this case this Council is a kind of a club and it can be extended if another participant wants to join. Another opportunity is that the Council could work under aegis of an international organization like the UN or, in regional domain, like the European Commission in Europe. The idea of the Recommendation is not to set forth how it all will be implemented, but provide opportunities facilitating harmonization of rules. National CTI regulators can optionally be a governmental organization, but not necessarily.</p> <p><u>Tom Smedinghoff</u>: Harmonization of rules across borders is a key objective. But, for example, in American practice trust services are not regulated. There is no national regulator that could play the role outlined here. Does this model require a national regulator or it can be an agreement, a set of rules which the entities can comply with voluntarily?</p> <p><u>Igor Furgel</u>: In Europe we have different practice, but not each country has its own regulator. Only the big countries have – France, Germany, Spain etc. But national regulator is not supposed to be a governmental organization. It could also be a private organization committed to the rules of the Coordination Council. What is more important is that the regulator should be able to provide a harmonization function, so it will be in charge for harmonization and a trust service provider in the country can be sure that another service provider complies the same rules. The main function expected from the national regulator is to create a certain level of trust inside each jurisdiction. In order to give confidence to a trust service provider that another service provider works under the regulation, a certain minimum set of rules is necessary.</p> <p><u>Tom Smedinghoff</u>: What if the rules vary from country to country?</p> <p><u>Igor Furgel</u>: In Europe rules vary from one country to another, but there is a significant intersectional part of these rules, because these rules are based on standards. And in our case such intersection should be established by the International Coordination Council through creating a necessary minimum set</p>

For groups of states with high degree of integration (for example, Eurasian Economic Union or European Union) there is the possibility of forming a Supranational CTI regulator (see. Fig. 2, Supranational CTI regulator X-Y). Thus, one Supranational CTI regulator X-Y substitutes a group of National CTI regulators X and Y.

The natural CTI scalability is enabled through the procedure for admitting new members to the ICC (new jurisdictions and supranational participants) and the scheme for verifying the operators of the trust services with respect to their meeting the *Compliance criteria* issued by the ICC (new operators of the trust services).

In order to become a National Trust Service Provider (TSP; operator of the trust service), a supplier of the respective services shall undergo accreditation with the National CTI regulator of the same jurisdiction. International Trust Service Providers shall undergo accreditation with the ICC. The requirements for accreditation of the operators of the trust services, as well as the requirements to their activity are regulated by the *Compliance criteria* issued by the ICC and possible national supplements issued by the respective National CTI regulator.

In the ICC, the users of electronic services can be both individuals and legal entities. The users select the necessary *level of qualification* of a trust service at their discretion or in an agreement.

The services are provided by the respective suppliers – the trust service providers. The trust service providers are integrated by the CTI.

The trust services as the CTI elements can have different variants of realization depending on the *level of trust* between the participants of information interaction. For example, with conditionally ‘high’ or ‘medium’ level of mutual trust between the CTI members, it is efficient to use centralized International trust services applied according to the standards agreed upon. In case of conditionally ‘low’ level of trust, the trust services are built according to the decentralized principle – National trust services in each single jurisdiction.

of rules. This set should be the same in national domains and for the further rules it will be enough not to contradict to this set.

Alexander Sazonov: There is a list of documents the International Coordination Council issues, including requirements for membership in the ICC. I want to underline that membership in the ICC is voluntary. If a country or domain wants to join this infrastructure, it can do it by meeting these requirements. It is a common set, though the documents names may differ. Is this list sufficient at the current stage?

Igor Furgel: For now it is enough.

Jari Salo: What is relation between the Recommendation and the ICC like?

Alexander Sazonov: The goal of this document is to recommend governments the best way to build trust infrastructure. We try to avoid the situation when countries build infrastructures on their own without common principles. Otherwise there will be problems with interoperability. That’s why three levels of principles should be observed: legal, organizational and technical.

Jari Salo: Is it necessary to implement the whole Recommendation at once?

Igor Furgel: If a country has no opportunity to establish its own regulator, it can use the supranational one. In this case the Recommendation is not applicable in parts concerning national regulator in this country. Creation of a governmental or private regulator is not obligatory. Such a situation takes place in the EU.

Alexander Sazonov: Concerning levels of trust the idea is to grade it according to trust existing between participants. It influences the cost of infrastructure, If the level of trust is high, one centralized infrastructure will be sufficient.

Lauri Railas: It is a good idea to use decentralized infrastructure, when the level of trust is low.

Alexander Sazonov: One more point. A centralized infrastructure with a single service provider is less expensive than a decentralized one, because the latter is more complex. Since each part of a decentralized architecture is governed by its national regulator it is more trustable for citizens and entities of this country. We have to reach compromise between cost efficiency and trust level.

Lauri Railas: In case of low level of trust it doesn’t cost much, because there is no PKI infrastructure.

Alexander Sazonov: There is no point in discussing the PKI at this stage, because it is just a particular technology. But PKI can be used if it is required for some levels of trust.

Igor Furgel: In EU we have a high level of trust between countries so we can use a centralized architecture.

Lauri Railas: I agree with the wording.

	<p><u>Tom Smedinghoff</u>: Definition and criteria for different levels of trust would be crucial here.</p> <p><u>Alexander Sazonov</u>: It will be discussed and worked out in another part of this document.</p>
<p><b>Technological level</b></p> <p>There can be a great number of technological options for trust services' realization. The main requirement to the CTI elements is interoperability. Regulation at this level is carried out with application of different standards and instructions set forth by the ICC documents.</p> <p>We recommend a tight cooperation with major organizations in the area of technical standardization such as ISO, ETSI, W3C and others in order to harmonize the effort of this Recommendation concerning the necessary coordination on the technological level, see sec. 2.6.</p>	<p>To be worked out.</p>

All comments will be taken into account in the Recommendation for ensuring legally significant trusted trans-boundary electronic interaction draft version 0.6.