

1 **Recommendation for ensuring legally significant trusted**
2 **trans-boundary electronic interaction**

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5 draft

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29 **Foreword**

30 This Recommendation is intended to help facilitate and encourage constituting a
31 transboundary trusted environment for the international *legally significant*¹ exchange of
32 electronic documents and data between public authorities, natural and/or legal persons. This
33 Recommendation may attract attention of an audience that is involved/interested in the
34 establishment and operation as well as in the practical usage of such transboundary
35 infrastructures.

36 **Executive summary**

37 *To be written by the UNECE Secretariat.*

¹ *Italic face tags the terms defined in the current Recommendation.*

38 Introduction

39 The Internet has become a habitual tool and environment for obtaining electronic services for
40 individuals and entities of various states. The advantages of such services are evident, but
41 there is a number of organizational and legal issues preventing their wide usage in those
42 activity areas where users need a certain *degree of confidence* in each other and in electronic
43 services they use. One of the main issues is ensuring the *legal validity* of e-documents and the
44 *legal significance* of electronic interaction in general. This problem is urgent on both the
45 national level – within single jurisdictions, and the transboundary one – by interaction of
46 participants acting under jurisdictions of different states.

47 The following scenarios represent some examples where a certain *degree of confidence* is
48 required:

- 49 - Electronic tendering procedures, especially the cases when the contracting authority is
50 a governmental body or a big company. These contracting authorities lay usually
51 down a higher level of requirements for economic operators' trade documents validity
52 verification.
- 53 - Trade and transport documents exchange within cross-border trade procedures.
- 54 - Dispute resolution and settlement procedures including on-line dispute resolution.
55 These procedures require an univocal identification and authentication of a plaintiff
56 and defendant.
- 57 - Electronic insurance. There should be a mechanism for a reliable verification of an
58 insurance certificate.

59 The urgency of establishing national environments for paperless trade is mentioned in some
60 regional arrangements for the facilitation of cross-border paperless trade such as the
61 Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific issued by
62 ESCAP. One of the purposes of this Recommendation is to support governments, regional
63 and international organizations in building up and managing these environments in an
64 interoperable way.

65 UN/CEFACT recognizes the aim of removing any additional rulings, contracts or practices
66 for facilitation of international trade procedures when possible. In particular, it is stated in the
67 Recommendation 14. Nevertheless, there are still sufficient trade related scenarios whose
68 participants seek for a high *degree of confidence* in each other. The current Recommendation
69 facilitates the implementation of exactly such scenarios.

70 Part one:

71 Recommendation № ____ : Recommendation for ensuring 72 legally significant trusted trans-boundary electronic 73 interaction

74 I. Scope

75 This Recommendation seeks to encourage the use of electronic data transfer in international
76 trade scenarios which require a high *degree of confidence* in counterparts by recommending
77 to Governments the principles of establishing and operating regional and global coordination
78 organizations for ensuring trust in international exchange of data and electronic documents

79 between participants (entirety of public authorities, natural and legal persons interacting
80 within relations arising from electronic interaction).

81 This Recommendation covers mainly organizational and partially technical provisions
82 concerning trusted information and communication technologies (hereafter ICT) services.
83 Provisions regarding establishing appropriate legal regimes may be elaborated by specialized
84 UN bodies (such as UNCITRAL).

85 The general purpose of this Recommendation is to help ensure the rights and legal interests of
86 citizens and organizations under the jurisdiction of United Nations Member States while
87 performing *legally significant* information transactions in electronic form using the Internet
88 and other open ICT systems of mass usage and operating within the context of a Common
89 Trust Infrastructure.

90 **II. Benefits**

91 Harmonized regional and global coordination based on common principles will provide a
92 smooth, transparent and reliable environment for electronic activities in transboundary trade
93 scenarios. This will help to facilitate attaching *legal significance* to an electronic interaction
94 between legal entities and other economic operators regardless of their location and
95 jurisdiction².

96 **III. Use of International Standards**

97 The use of international standards can play a key role in larger acceptance of chosen solutions
98 and eventually interoperability. Insofar as possible, all actors, who intend to use electronic
99 data transfer in international trade scenarios, should try to make use of existing international
100 standards.

101 **IV. Recommendation**

102 UN/CEFACT **recommends** to governments and entities engaged in the international trade
103 and movement of goods, providing services and payment processing and seeking a higher
104 *degree of confidence* in electronic interaction establishing a Common Trust Infrastructure
105 (hereinafter CTI) - a fundamental, easily scalable platform that includes dedicated trusted ICT
106 services and provides a unified access to these services.

107 In order to achieve this objective, UN/CEFACT **recommends**:

- 108 – CTI establishment principles;
- 109 – CTI coordination approaches;
- 110 – approaches ensuring technical interoperability of CTI services;
- 111 – *levels of trust* provided by CTI;
- 112 – standardization organizations to co-operate with.

113 UN/CEFACT **recognizes** the technological neutrality principle and does not propose any
114 specific technology as a basis for CTI. It is up to governments to choose the technologies
115 which will provide the necessary *degree of confidence* in the electronic interaction.
116 UN/CEFACT focuses on organizational aspects of CTI and elaborates technical issues merely
117 to extend necessary for making the recommended approaches applicable in practice.

² Note that attaching the attribute “legal significance” to an electronic interaction will require a legal framework that is separate from and in addition to this Recommendation.

118 Part two:

119 Guidelines on how to implement the Recommendation__

120 I. Introduction

121 Participants in electronic interactions typically deal with some kind of ICT services (email,
122 cloud storages, web-portals etc.). If such participants already have a sufficient *degree of*
123 *confidence* in each other and in ICT services they use, then nothing is to be changed. But if
124 the participants are not sufficiently confident in each other and/or in the ICT services they are
125 using, then it may be appropriate to use a trusted third party to help increase the *degree of*
126 *confidence* in the electronic interaction on the whole. The services provided by these trusted
127 third parties are called *trust services*.

128 Under this Recommendation, *trust services* may be of different types (i.e. provide different
129 functions) and of different *levels of qualification*. *High level qualification trust services* are
130 operated under one or more international agreements, and they meet the requirements and
131 follow the rules laid down by international coordinators. *Basic level qualification trust*
132 *services* are operated under one or more commercial agreements, and they may be established
133 within, for example, some large scale international projects and follow the recognized best
134 practices for trust service providers. *Trust services* should be audited in accordance with their
135 *level of qualification*.

136 The aggregate of *trust services* operating within the legal, organizational and technical
137 framework forms the Common Trust Infrastructure. The CTI is a fundamental, easily scalable
138 infrastructural platform providing a unified access to *trust services*.

139 The existing natural peculiarities (historical, cultural, political, economic, technical, etc.) of
140 different world regions may result in different *levels of trust* within these regions concerning
141 electronic interactions.

142 The primary objective of a CTI is helping to ensure *legally significant* electronic interactions
143 between its users by providing *trust services* of different *qualifications* (zero, basic, high) to
144 the participants of electronic interaction.

145 This institutional guarantee is proposed to be ensured within business activity of specialized
146 providers which:

- 147 - provide users with a set of trusted ICT services;
- 148 - operate within established legal regimes, which include but are not limited to
149 restrictions imposed by processing of personal data; and
- 150 - operate within the context of a Common Trust Infrastructure.

151 II. Common Trust Infrastructure establishment principles

152 – **Scalability.** The CTI should be established in such a way that it can be easily scaled. It
153 broadens easily at any level of consideration due to the accession of new participants, such
154 as new jurisdictions, new supranational participants, new providers of *trust services*, and
155 register systems.

156 – **Traceability.** Any fact of electronic interaction within the CTI should be recorded and
157 available for conflict resolutions if necessary.

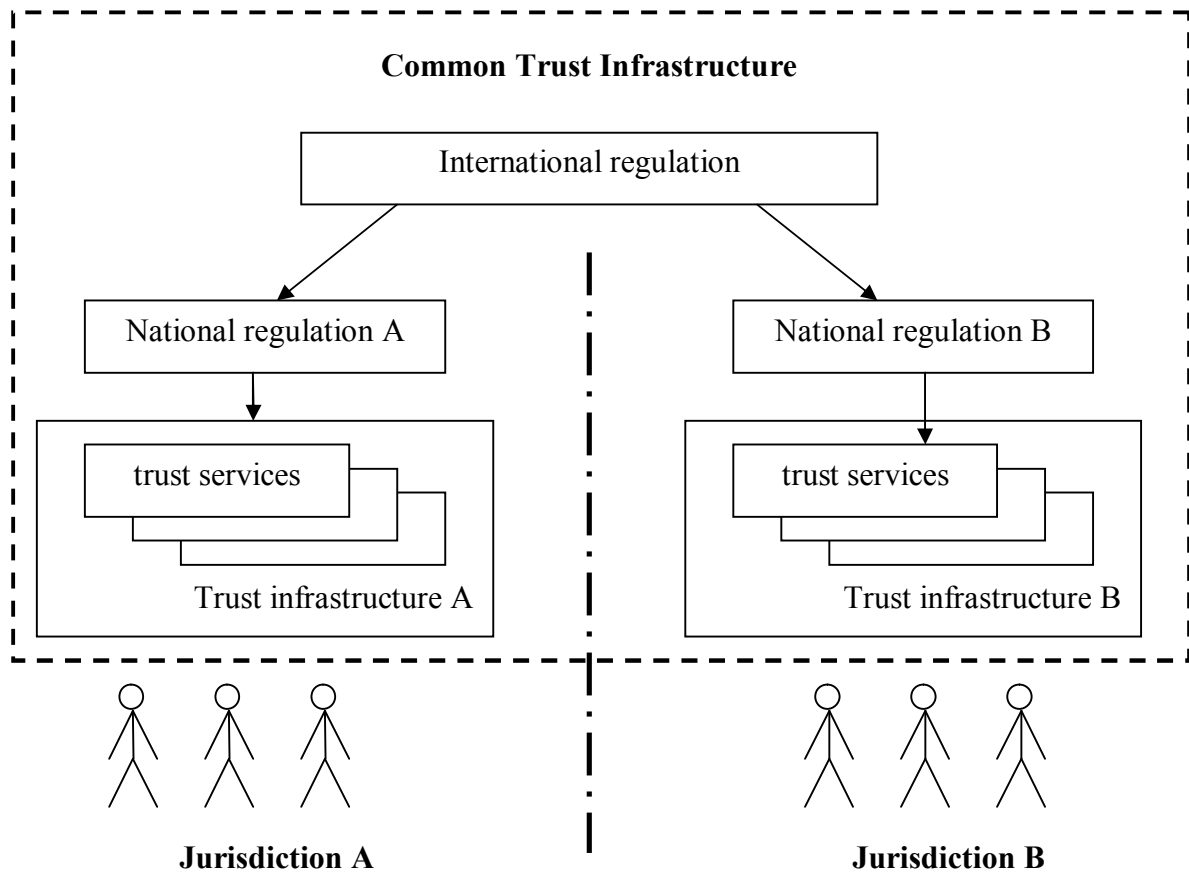
- 158 – **Cost efficiency.** While the CTI architecture variants comparison the risk analysis should
159 be taken into account. The CTI forming and functioning costs should be lower than
160 possible losses caused by ICT-specified malfunctions and malicious activities.
- 161 – **Complexity.** Coherent elaboration of legal, organizational and technological issues should
162 be done within CTI establishment. A complex description allows correct functioning of
163 the system as a whole and its single elements.

164 **III. Common Trust Infrastructures coordination approaches**

165 The CTI architecture is selected according to the principals stated in Part two, chap. II above.
166 There are three levels of CTI coordination: legal, organizational and technological.

167 **Legal level**

168 The CTI can be built on a single- or multi-*domain* basis. In the context of legal and
169 organizational regulation, the multi-*domain* basis is the most complicated variant. Fig. 1 gives
170 a general scheme of a possible approach to legal regulation.



171
172

Fig.1. Legal level

173 Legal regulation of CTI interaction can be divided in two parts: international and national.
174 The international legal regulation is carried out on the basis of the following types of
175 documents:

- 176 – international treaties/agreements;
- 177 – acts of different international organizations;
- 178 – international standards and regulations;

179 – agreements between participants of transboundary electronic interaction on given issues;

180 – model acts.

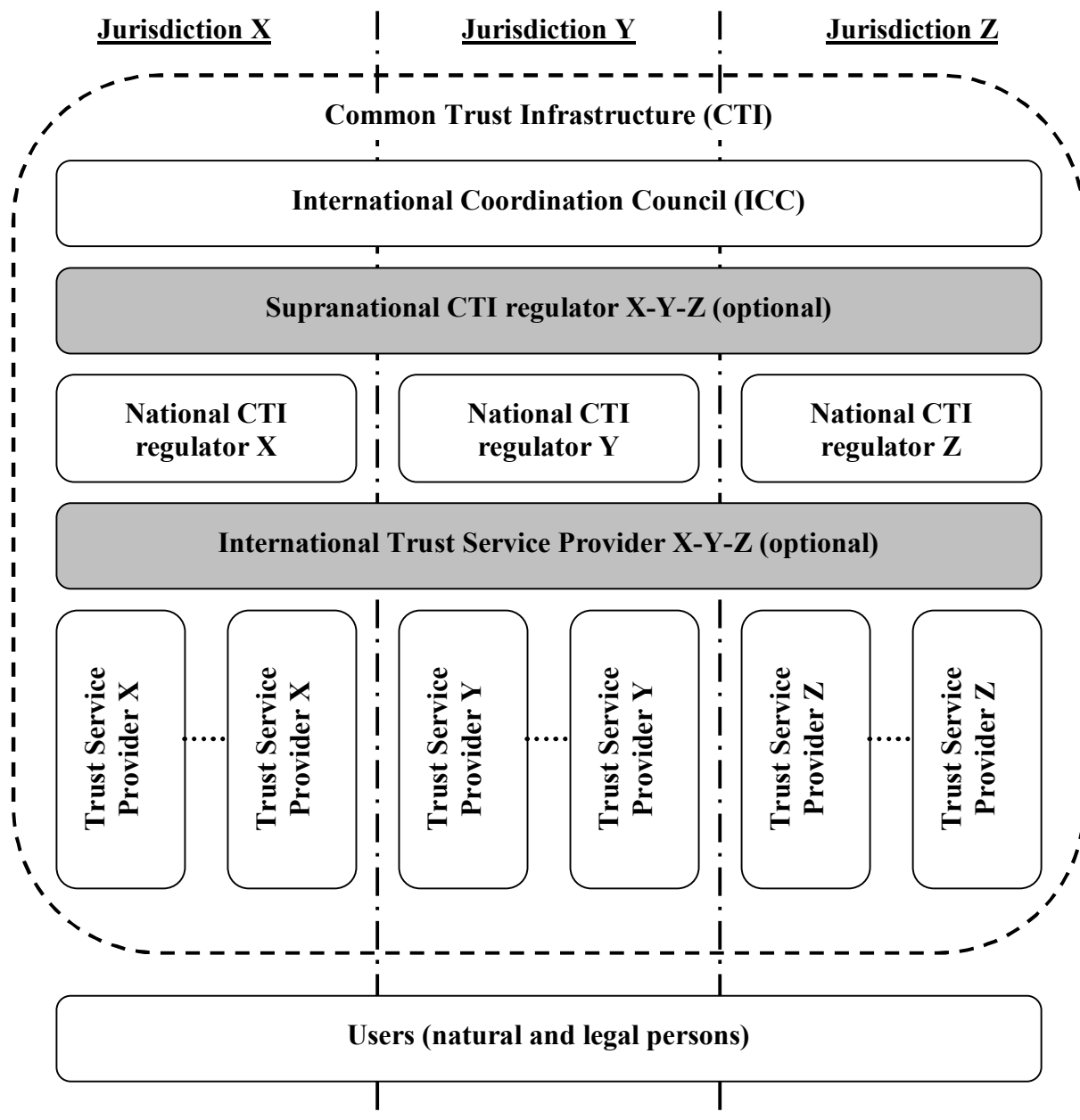
181 The national legal regulation is built on a complex of normative documents that are standard
182 in each particular jurisdiction.

183 We recommend a tight cooperation with UN bodies specialized in legal frameworks
184 elaboration (such as UNCITRAL) in order to harmonize the effort of this Recommendation
185 concerning the necessary coordination on the legal level, see Part two, chap. VI.

186 **Organizational level**

187 Mutual *legally significant* recognition of electronic documents and data treated by *trust*
188 *services* provided under various jurisdictions is reached through creation and operation of a
189 dedicated body (let call it International Coordination Council or ICC) that includes national
190 regulation bodies having voluntarily jointed the ICC. The activity of ICC is regulated by the
191 ICC Statute which is to be recognized and signed by all its authorized members – that is the
192 Regulation Bodies of the Electronic Data Exchange represented primarily by the National CTI
193 Regulators.

194 Fig. 2 gives a general scheme of the organizational level of coordination.



195
196 **Fig. 2. Organizational level (optional elements are identified by the**
197 **grey blocks)**

198 The ICC issues a number of documents interconnected with its Statute:

- 199 – *Requirements* for the ICC members, correspondence to which is a prerequisite for the full
200 membership in the ICC;
- 201 – *Guidelines* on carrying out ‘shadow’ supervision for admittance to the ICC and periodic
202 mutual audit for maintaining voluntary membership in the ICC;
- 203 – *Compliance criteria* which are to be met by providers of the *trust services*, and the
204 methodology for applying these criteria;
- 205 – *Scheme of estimation/verification* of providers of the *trust services* with respect to their
206 meeting these criteria.

207 In the CTI, each jurisdiction is represented by the National CTI regulator (see Fig. 2, National
208 CTI regulators X, Y, Z) which regulates the activity of providers of the *trust services* within
209 its jurisdiction.

210 For groups of states with high degree of integration (for example, Eurasian Economic Union
211 member-states or European Union member-states) there is the possibility of constituting a
212 Supranational CTI regulator (see. Fig. 2, Supranational CTI regulator X-Y-Z). In such case,
213 one Supranational CTI regulator X-Y-Z substitutes a group of National CTI regulators X, Y
214 and Z.

215 The natural CTI scalability is enabled through the procedure for admitting new members to
216 the ICC (new national and supranational participants) and the scheme for verifying that the
217 providers of the *trust services* meet the *Compliance criteria* issued by the ICC (new providers
218 of the *trust services*).

219 International providers of the *trust services* can provide, inter alia, neutral inter-domain
220 gateways as a specific type of *trust services*. The main function of an inter-domain gateway is
221 providing a mutual recognition (legalisation) of electronic documents and data. These inter-
222 domain gateways connecting single *domains* represent the elements of building a CTI.

223 Inter-domain gateways can be established both: at only legal and organizational levels and at
224 a complex level: legal, organizational and technical one.

225 In the first case, the communicating *domains* establish a common legal basis for the
226 cooperation between them, see sec. 'Legal level' above. This legal basis defines a full set of
227 the requirements, conditions and prerequisites enabling and even guaranteeing a mutual legal
228 recognition (legalisation) of *legally significant* electronic documents as such.

229 On the organizational level, procedures and processes of interaction between different
230 *domains* shall uphold the *level of trust* between these *domains* being sufficient for a mutual
231 recognition (legalisation) of electronic documents and data, which are issued in different
232 *domains* or jurisdictions.

233 In order to achieve this necessary *level of trust*, this set of the requirements, conditions and
234 prerequisites shall regulate, inter alia, the establishment and operation of a neutral
235 international environment, i.e. of an environment outside (beyond) any single *domain*. The
236 ICC and International providers represent parts of this neutral international environment. Such
237 a neutral international environment shall be operated in a neutral legal field that is defined, for
238 example, by a UN Convention or by an international treaty between single countries or unions
239 of countries, see sec. 'Legal level' above.

240 I.e. in the case, when inter-domain gateways are established at only legal and organizational
241 levels, these inter-domain gateways are implemented merely by treaties, agreements and
242 organizational procedures. This legal and organizational infrastructure may be supported by
243 different single *trust services* like e-signature verification, powers verification, time stamping
244 etc., but without a specific *trust service* dedicated to the purpose to be a gateway.

245 In the second case, when inter-domain gateways are established at legal, organizational and
246 technical levels, inter-domain gateways additionally transform a document in such a way that
247 it will fulfill the requirements (attributes, format, structure, etc.) for *legally significant*
248 electronic documents in recipient's *domain*³ (jurisdiction). In such a way the inter-domain
249 gateway *trust service* can substitute a number of *trust services* that provide only single
250 specific functions (e-signature verification, powers verification, time stamping etc.). As ever,

³ 'Domain' or 'trust domain' can coincide with a single jurisdiction or can unite several jurisdictions.

251 even technically implemented inter-domain gateway *trust service* shall also be operated in a
252 neutral international environment.

253 Approaches to forming inter-domain gateways should regard usage of transition profiles
254 describing and configuring transitions from one *domain* to another. These transition profiles
255 should consider, inter alia, the legal basis of the cooperation between the communicating
256 *domains* and the *levels of qualification* of the identification schemes used inside the
257 interacting *domains*, as well.

258 In order to become a National Trust Service Provider, a supplier of the respective services
259 shall undergo accreditation with the National CTI regulator of the same jurisdiction.
260 International Trust Service Providers shall undergo accreditation with the ICC. The
261 requirements for accreditation of the providers of the *trust services*, as well as the
262 requirements to their activity are regulated by the *Compliance criteria* issued by the ICC and
263 possible national supplements issued by the respective National CTI regulator.

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

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

269 The *trust services* as the CTI elements can have different variants of realization depending on
270 the *level of trust* between *domains* (jurisdictions). For example, with conditionally ‘high’ or
271 ‘medium’ level of mutual trust between the CTI members, it is efficient to use centralized
272 International *trust services* applied according to the standards agreed upon. In case of
273 conditionally ‘low’ *level of trust*, the *trust services* are built according to the decentralized
274 principle – national *trust services* in each single jurisdiction.

275 **Technological level**

276 There can be a great number of technological options for *trust services*’ realization. The main
277 requirement to the CTI elements is interoperability. Regulation at this level is carried out with
278 application of different standards and instructions set forth by the ICC documents.

279 We recommend a tight cooperation with major organizations in the area of technical
280 standardization such as *ISO, ETSI, W3C, CEN* and others in order to harmonize the effort of
281 this Recommendation concerning the necessary coordination on the technological level, see
282 Part two, chap. VI.

283 **IV. Trust infrastructures services technical interoperability ensuring approaches**

284 To workout *trust services* types it is proposed to consider base document’s attributes that are
285 usually necessary to provide document’s legal function fulfillment.

№	Attribute type	Mandatory yes/no	Description/comments
1.	Content	yes	An aggregate of at least one of the following attributes is the <i>content</i> , the informational essence of a document, which is to be irrespective to an expression form – whether paper or electronic one: 1) document type 2) document classification 3) document title

№	Attribute type	Mandatory yes/no	Description/comments
			4) table of contents 5) document body (mandatory) 6) annexes Herewith, information integrity and authenticity are to be assured when processing, storing and transferring.
2.	Document issuer legal status	yes	An aggregate of the following attributes is the <i>document issuer legal status</i> : 1) logotype 2) name of a issuer 3) issuer reference data (address, contacts etc.) 4) seal impression
3.	Signatory status (powers) or signatory position	no	A brief description of signatory powers with their duration stated.
4.	Signature	yes	An aggregate of the following attributes is the <i>signature</i> : 1) issuer's signature 2) signature stamp of confirmation 3) signature stamp of approval 4) visa (clearance / endorsement stamp) 5) copy certification stamp 6) seal of issuing organization 7) etc.
5.	Time	yes	A statement of the time point of signing, attached on the basis of a trusted time source (the validity aspect).
6.	Place	no	A statement of the place of signing (the place where Signatory expressed his/her will to sign by triggering signing) is optional. If this type of service is not available the attribute <i>place</i> can be considered as one of the <i>content</i> attributes.

286 **Table 1: document's attributes needed for providing document's legal function**
287 **fulfillment**

288 Documents attributes above can be verified by *trust services* of different types.

289 Basic *trust services* types (trust services functions provided dependent on concrete demand)
290 are:

- 291 a) Creation, verification, and validation of signatures and seals.
- 292 b) Monitoring of legal status.
- 293 c) Creation, verification, and validation of time stamps.
- 294 d) Providing neutral inter-domain gateways.

295 If there is a gateway between *domains* (jurisdictions), there should be a profile for this inter-
296 domain gateway based on agreement between these *domains*. Each inter-domain gateway

297 profile should “know” what attributes are mandatory for each *domain*. On the technological
298 level, a inter-domain gateway shall implement some protocol translation or translation of
299 different protocols or standards from one *domain* to another. For mathematical description of
300 inter-domain gateway functions please refer to ANNEX 1. *Trust services* (incl. inter-domain
301 gateways) work with national identification schemes on the one hand and with international
302 trust infrastructure (other *trust services*) on the other.

303 e) Providing identification of natural or legal persons.

304 The following attribute types (see Table 1) presume a previously performed identification of
305 related natural or legal persons:

- 306 - document issuer legal status;
- 307 - signatory status (powers) or signatory position;
- 308 - signature.

309 The *trust service* types a) and b) use these attribute types and, hence, also presume a
310 previously performed identification of related natural or legal persons. The identification
311 services are provided by providers specialized in performing identification. These services
312 can be implemented on different *qualification levels*: zero, basic and high. The ICC shall
313 decide/agree on eligible identification schemes including minimal requirements on them.
314 There may be ICC own identification schemes and/or references to international standards
315 and/or references to the notified identification schemes inside the single *domain*.

316 Sets of identification attributes and identification procedures themselves can serve as the basis
317 for the definition of the *qualification levels* of identification schemes. The *qualification levels*
318 of identification schemes can be of essence for the regulation of interaction between different
319 *domains*. Sets of identification attributes can be defined by the legal regimes for the business
320 activity of providers specialized in performing identification and of functional providers. Sets
321 of identification attributes can be maintained by the *trust services* (identification service). The
322 activity of providers specialized in performing identification can be regulated by special
323 organizational and technical requirements directed, besides others, on personal data
324 protection.

325 *Note. Long time archival and related verification service can be realized as a function of ICT*
326 *service or as a function of a special trust service type.*

327 *Note. The existing electronic systems should be taken into account; so the requirements on*
328 *their updating for connecting to the CTI may be minimal.*

329 **V. Trust infrastructures services levels of qualification**

330 The *level of qualification* of a *trust service* is a property of the *trust service* to evidently fulfill
331 a pre-defined set of requirements on it.

332 There may be different incremental *qualification levels* of a *trust service*. The lower is the
333 *degree of confidence* of the participants in each other and in the ICT services processing
334 electronic interaction (creation, access, transformation, transmission, destruction, etc.), the
335 higher might be demand on the *qualification level* of *trust services*.

336 The characteristics of the *levels of qualification* of *trust services* are described in the
337 following table.

338

339

	Degree of confidence of participants in each other and in the ICT services		
	High degree of confidence	Substantial degree of confidence	Limited degree of confidence
levels of qualification of trust services	No trust services required ('zero' level of qualification)	Basic level of qualification	High level of qualification
legal regime of operation of trust services	n.a.	Based on commercial agreements and/or common trade practice.	Based on international agreements (conventions) and/or on directly applicable international regulation ⁴ .
Organizational architecture of trust services	n.a.	Large Scale Projects of any kind.	International Coordination Council (ICC), see Part two, chap. III above
Technological requirements on trust services	n.a.	Meet the recognized best practices for trust service providers.	– Meet ICC Compliance Criteria AND – Meet the requirements laid down in the applicable national regulation (for national trust service providers).

340 **Table 2: characteristics of the levels of qualification of trust services**

341 If *trust services* engaged in document lifecycle (incl. the chain of inter-domain gateways
342 between the document's issuer and recipient) have different *levels of qualification*, the overall
343 *level of qualification* is equal to the lowest of them.

344 VI. Communication with organizations in different areas of standardization

345 Communication with UN bodies specialized on legal frameworks elaboration

346 1) It is recommended to give a description of different possible legal regimes:

- 347 – based on international agreements (conventions) and/or on directly applicable
348 international regulation;
- 349 – based on commercial agreements and/or common trade practice;
- 350 – without special international regulation.

351 Legal regimes can be additionally supported by traditional institutes (governmental
352 authorities, judicial settlement, risk insurances, notary ship and others) through mutual
353 recognition of electronic documents secured by *trust services*.

354 Established legal regimes can also provide for imposing special requirements on the material
355 and financial support of the business activity of specialized providers in case of damage to
356 their users, including cases of compromising personal data.

357 Issues of institutional guarantees and legal regimes for constituting and functioning regional
358 and global transboundary trusted environment are proposed to be considered in a separate
359 document by a specialized UN body.

360 2) It is recommended to describe the mechanisms of interaction of particular states and their
361 international unions with other international formats in the frames of constituting of a
362 common transboundary trusted environment:

⁴ E.g. trust services that operates in accordance with European Regulation (eIDAS) or Eurasian Economic Union Agreement and other documents.

363 2.1) By means of the complete or a partial joining a state to an existing legal regime on the
364 basis of international treaties and/or directly applicable international regulations, in which
365 frames a task on forming a regional transboundary trusted environment has already been set
366 or solved. This existing legal regime ensures institutional guarantees to the subjects of
367 electronic interaction.

368 2.2) On the basis of interaction between different international unions:

369 – in the first stage, a group of states creates an regional *domain* ensuring institutional
370 guarantees for the subjects of electronic interaction within the legal regime specified by
371 these states;

372 – in the second stage, the protocols of trusted interaction with other international unions are
373 specified as related to mutual recognition of different legal regimes. This mutual
374 recognition shall regard to institutional guarantees and information security requirements
375 appertaining to each of the international formats, possibly on the basis of a inter-domain
376 gateway being operated in the frames of an international legal regime.

377 2.3) On the basis of interaction of a state with other states or international unions:

378 – in the first stage, a state creates its own *domain* functioning in the frames of national legal
379 regime specified by this state;

380 – in the second stage, the protocols of trusted interaction with other states and/or
381 international unions are specified as related to mutual recognition of different legal
382 regimes. This mutual recognition shall regard to institutional guarantees and information
383 security requirements appertaining to these states and international formats, possibly on
384 the basis of a inter-domain gateway being operated in the frames of an international legal
385 regime.

386 3) It is recommended to describe *domain*-constituting mechanisms, similar to item 2), for
387 legal regimes based on commercial agreements and/or common trade practice.

388 **Communication with international organizations in different areas of standardization** 389 **on technical and organizational aspects of forming and functioning transboundary** 390 **trusted environment**

391 It is recommended to take into consideration the following aspects of standardization:

392 1. Technical and technological aspect

393 The main objective of standardization in this area is facilitating technical interoperability
394 within the transboundary trusted environment. This should cover all technical aspects that
395 necessarily impact functional and security interoperability like documents and data formats,
396 communication protocols, format and protocol conversions, technical interfaces, the
397 equivalence of the assurance (security) level of technical components, etc.

398 2. Organizational aspect

399 The main objective of standardization in this area is supporting a *level of trust* between
400 *domains* being sufficient for a mutual recognition (legalisation) of electronic documents and
401 data, which are issued in different *domains* (jurisdictions). This includes, but is not limited to,
402 procedures in respect of performing conformity audits of *trust service* providers by
403 independent conformity assessment bodies, of accrediting these conformity assessment
404 bodies, of mutual “peer-to-peer” audits between the members of the International
405 Coordination Council, objects and areas subjected to the audits and the applicable audit
406 criteria.

407 The specified aspects should be considered as applied to different *levels of qualification* of
408 *trust services*. If a *trust service* with a lower *level of qualification* interacts with a *trust service*
409 with a higher *level of qualification*, the whole *level of qualification* of the interaction between
410 both *trust services* will be at most equal to the lower *level of qualification*.

411 **GLOSSARY**

412 *Italic face* tags the terms defined in the current Recommendation.

413 For the purposes of this document the following terms apply:

414 ***Common Trust Infrastructure (CTI)***

415 – an infrastructure designed to help ensure the *legal significance* of transboundary
416 electronic interaction. CTI provides a set of *trust services* harmonized on the legal,
417 organizational and technical / technological levels to its users.

418 ***degree of confidence*** (of the participants of electronic interaction in each other and in the ICT
419 services processing the electronic interaction between them)

420 – a societal function of an established or felt degree of confidence of the participants of
421 electronic interaction in each other and in the ICT services processing the electronic
422 interaction between them.

423 ***legal significance (of an action)***

424 – a property of an action (of a process) to originate (to result in) documents (*data unit*)
425 possessing *legal validity*.

426 ***legal significance (of a document)***

427 – a property of a document (data unit) to change the legal status of a *subject of law* (a
428 natural or legal person who in law has the capacity to realize rights and juridical duties).
429

430 *A legally significant document is always also a legally valid one with concrete content.*

431
432 *Legal validity* (also called ‘legal force’) is a property of a document (data unit) to be
433 applicable for judicature, i.e. be deemed to have satisfied the requirements of applicable
434 law. The *legal validity* is conferred to a document by the legislation in force, by the
435 authority of its issuer and by the established order of its issuing (e.g. it shall be usable for
436 a subsequent reference).

437 ***level of qualification (or qualification level) (of a service)***

438 – a property of a service to evidently fulfill a pre-defined set of requirements on it.

439 ***levels of trust (between domains)***

440 – a societal function determining the degree of trust between *domains*.
441 Depending on an established *level of trust*, *domains* are prepared to share a certain amount
442 of resources and to jointly use certain infrastructures, i.e. *domains* are prepared to delegate
443 part of their inherent powers, functions and resources to a common trust infrastructure
444 (CTI), in which they jointly trust. The higher is the *level of trust* in this CTI the more
445 inherent powers *domains* are prepared to delegate to the CTI.

446 ***domain (trust domain)***

447 – informational and legal space using the same *CTI*. A *domain* can coincide with a single
448 jurisdiction or can unite several jurisdictions.

449 ***trust service***

450 – (high level definition) - an electronic service purposing to ensure a certain *degree of*
451 *confidence* between the participants of electronic interaction.

452 ***trusted electronic interaction***

453 – the exchange of any data in electronic form in such a way that a user of these data
454 undoubtedly accepts them according to its operational policy. Each user's operational
455 policy determines whether the electronic interaction is considered as a *trusted* one. Hence,
456 the determination of the trustworthiness of data received in an electronic exchange varies
457 from one user to another. Any electronic interaction utilizes information and
458 communication technologies services (such as an internet provider, email provider,
459 message exchange services of any kind, cloud storages, etc.). But *trusted electronic*
460 *interaction* is provided by using *trust services*.

461 **ANNEX 1**

462 Mathematical description of inter-domain gateway functions

- 463 ○ The set of rules to translate the related requirements between two *domains* A and B
464 should be laid down within inter-domain gateway

465 $A := \{a_1, a_2, \dots, a_N\}$

466 $B := \{b_1, b_2, \dots, b_M\}$

467 $E(a) := A \rightarrow B$

468 *Where A is the set of requirements (attributes) for domain A, B – the set of*
469 *requirements for domain B and E(a) is the set of transformation rules from A to B.*
470 *Taking in mind that powers of sets (i.e. quantity of requirements in a real word) can*
471 *be not equal ($N \neq M$), there should be rules defined to lead both sets to equal power*
472 *K where $K := \text{MAX}(N, M)$.*

- 473 ○ The degree of trust to such set of transformation rules can be defined as transformation
474 to some universal superset of requirements, and such transformation is performed
475 inside each *domain*.

476 $E(a) := A \rightarrow X$

477 $E(x) := X \rightarrow B$

478 Where X is universal superset of requirements for A and B.