

Ensuring legally significant trusted transboundary electronic interaction

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Domain	
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Project Proposal	Ensuring legally significant trusted transboundary electronic interaction
Supporting VC	
Project Lead	Aleksandr Sazonov
HoD Support	RU EU DK NO
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Project Identifier (PID)	Project Proposal	Project Status
P1021	Ensuring legally significant trusted transboundary electronic interaction	In development

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Project Deliverables

Deliverable	ODP1	ODP2	ODP3	ODP4	ODP5	ODP6	ODP7	Notes
Ensuring legally significant trusted transboundary electronic interaction (Recommendation Draft, Report)								

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Project Leadership

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Russian Federation	European Union	Denmark	Norway
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Projects Activities

Team Calendars

Project Updates

Page	Edits	Last Update
Ensuring legally significant trusted transboundary electronic interaction	31	2241 days ago
Ensuring legally significant trusted transboundary electronic interaction (Recommendation Draft, Report)	15	2487 days ago

Executive Summary

Project purpose

A rapid development of information technologies has given rise to their application practically in all spheres of society's life. Mobile communications ensures an easy connection to the Internet network and information exchange regardless of time and geography. It can be stated that information accessibility is ensured, but the same cannot be said about legal validity.

Ensuring legal significance of electronic interaction is a complex problem and includes legal, organizational and technical aspects, whose solution is subject to both other UN/CEFACT recommendations and cooperation with the UNCITRAL and various standardization organizations.

Specific requirements for ensuring validity of electronic data and legal significance of electronic interaction vary from industry to industry and from country to country, and there is no one-size-fits-all solution. The result is an increasingly fragmented landscape of unconnected infrastructures and systems that impact the reliability, traceability and integrity of electronic data transfer when exchanging electronic data. In effect creating "islands of trust" in a sea of uncertainty.

The purposes of this project are:

- to formulate basic principles and prepare a recommendation on establishing coordinating infrastructures for enabling legal significance of

transboundary electronic interaction in trade scenarios;

to study infrastructures for transboundary electronic interaction in trade scenarios in view of identifying the UNECE recommendations package on the subject.

Project scope

The UN/CEFACT Program of Work 2012-2013 identifies as its Key Activity Area 1.2.2:

"Publication and maintenance of recommendations to countries and the private sector on the use of UN/CEFACT recommendations, standards and instruments to facilitate international trade."

Within this activity, this project has the following scope:

Establish a common terminology consistent with other recommendations and UNCITRAL documents.

Identify the principles of establishing and operating regional and international coordination organizations for ensuring trust in infrastructures that satisfy organizational and administrative regulation of legally significant transboundary electronic data exchange

Identify the underlying principles and content for Model MoUs/Agreements between two or more countries regarding Mutual Recognition of Digital and Electronic Signature Certificates

Identify approaches to ensuring interoperability of technical systems, infrastructures of transboundary electronic data exchange and end users including functional requirements and information security requirements.

Identify appropriate trust services types provided by the trusted infrastructures for ensuring legally significant transboundary electronic data exchange.

Identify the possible levels of trust afforded by the trusted infrastructures and mechanisms by which these levels can be provided. For example, lower levels of trust may not require government directives for achieving a legally significant electronic interaction. UN/CEFACT recognizes that guidance for required levels (possibly higher) of trust and for desired levels of authentication depends on specific circumstances but such guidance does not constitute the scope of this recommendation. For these different levels of trust identify:

common set of requirements trust services must comply with. Such requirements are to cover the following aspects: security, accessibility, and interoperability

best practices for trust services initiation, certification and audit procedures.

Identification of international organizations in different areas of normative and legal regulation and policies (such as WTO, UNCITRAL, WCO and others) for participation in the defining conditions for establishing necessary level of trust between the participants of the trusted infrastructure that will ensure legal significance of transboundary electronic exchange of data issued in different jurisdictions.

Identification of international organizations in different areas of standardization (such as ISO, W3C, ETSI and others) for participation in all the technical aspects of forming and functioning transboundary trust space.

A possible framework for the trusted exchange of electronic data is described by the table below:

Interoperability layers	Documents	Organizations
Political context	Trade agreements	UNCITRAL
Legal interoperability	International laws	
Legislative alignment	WTO/UN directives	
Organizational interoperability	Trade recommendations	UN/CEFACT
Organization/process alignment	Business processes	
Semantic interoperability	Information requirements	
Semantic alignment	Structures for exchanges	ISO/ETSI
Technical interoperability	Syntax expressions	
Interaction & transport	Infrastructures	

All components in this framework must comply with the rules on commercial transactions (including legal and legislative guides and recommendations) as defined by UNCITRAL.

Any recommendations for the trusted exchange of electronic data must be based on the principles of technical neutrality, applicability and cost efficiency. Recommendations must not imply the implementation and use of specific high-tech information and communication technology (ICT).

However benefits may be enhanced, if stakeholders identify and adopt standardized technologies for implementation of these recommendations.

Project Overview

