

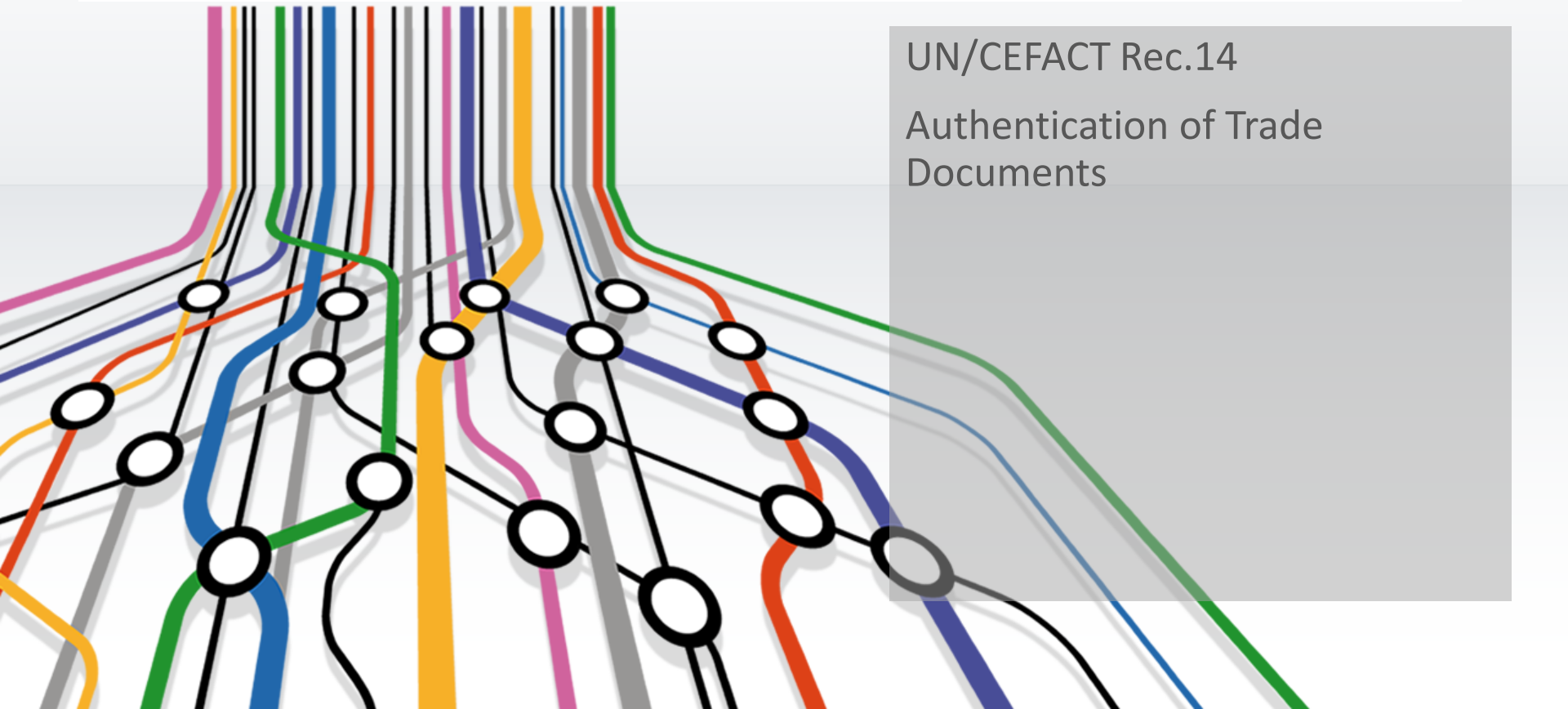
# 29th UN/CEFACT Forum

Trusted Transboundary Environment Conference

29 March 2017

UN/CEFACT Rec.14

Authentication of Trade Documents



# Rec.14 Recommended Practice

- Actively consider the removal of the requirement for a signature (manual-ink or its electronic equivalent) from trade documents except where essential for the function of the document or the activity and refrain from requiring a signature in new rulings or practices;
- Consider the introduction of electronic methods to authenticate trade documents;
- Create a legal or contractual framework that permits and gives equal status to such authentication methods;
- A regular review of the documentation used for domestic and cross border trade by a joint public and private sector working party.

# Function of a signature

Identification function

Evidentiary function

Attribution function

# Going paper to electronic

- Study of how the ink-signature was used in the context of the transaction.
- Electronic signatures allow to do much more than a manual/ink-signature.
  - Tendancy to want to do too much
  - Tendancy to go for very elaborate solution with many options that never existed in the paper-based world
- Result can be
  - More expensive for traders
  - More difficult to implement for traders
  - Trade de-facilitation.

# Technology neutrality

- In so far as possible, legislation should remain technology neutral; it should not discriminate between forms of technology.
- Technological guidance, when provided, should be based on minimal requirements perhaps with examples, but with the possibility of responding to these requirements with other solutions which would be functionally equivalent.

## Level of reliability

The chosen method of authentication should be “as reliable as was appropriate for the purpose for which the data message was generated or communicated, in the light of all the circumstances, including any relevant agreement.”

# Electronic vs. Digital Signature

## Electronic Signature

- data in electronic form in, affixed to or logically associated with, a data message, which may be used to identify the signatory in relation to the data message and to indicate the signatory's intention in respect of the information contained in the data message.
- Technologically neutral.

## Digital Signature

- implies that a technological choice has been made (for solutions with asymmetrical encryption, Public Key Infrastructure (PKI) signature technology being the main example).

# Point of view

- UN/CEFACT should not promote the systematic use of authentication methods which add burdens to traders without appropriate justification.
- UN/CEFACT recommendations must remain technologically neutral (and apply to all types of authentication – not just the “most robust”)
- UN/CEFACT recommendations must be implementable without infrastructures that don't yet exist
- Possible to make a white paper or Rec14 repository contribution.



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Thank you for your attention.

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