

## **Standardization mandate addressed to CEN, CENELEC and ETSI in the field of Information Society Standardization**

### **1 Title**

Mandate addressed to CEN, CENELEC and ETSI in support of the European legal framework for electronic signatures- Phase 2: Implementation of the work programme resulting from mandate M279 and presented in Section 8.3 of the (draft) report prepared by EESSI (<http://www.ict.etsi.org>)

### **2 Rationale**

#### **2.1 Background**

The development and use of electronic signature products and services is still in its introductory stage. Systems exist that use electronic signatures for commerce, administration and public services. However, there is no complete set of agreed standards or technical specifications for their use. Without a set of internationally agreed standards and specifications it will be difficult to provide a common level of security which can be recognised as being legally valid for use of electronic signatures across Europe.

The aim of the Directive for electronic signatures is to provide a common framework for the legal recognition of electronic signatures; it sets requirements for trusted service providers supporting electronic signatures as well as requirements for signature-creating devices. These requirements need to be underpinned by standards and specifications that can be used for claiming compliance to the requirements set by the Directive, so that products and services supporting electronic signatures can be known to provide legally valid signatures.

A consistent and coherent approach, both at European and international level is necessary so that the legal framework for electronic signatures in Europe can be built upon internationally agreed standards and other voluntary agreements which can be used to provide signatures which can be recognised legally across Europe.

## **2.2 Mandate M 279 (SOGITS 1107)**

With the view to providing timely standards and specifications permitting full and efficient implementation of the European legal framework, based on consistent Member States legislation, standardization initiatives have been encouraged at an early stage. Emphasis was put on the need to involve all economic players and to obtain adequate international co-ordination.

To further this objective, CEN, CENELEC, ETSI and other involved associations within the framework of the ICTSB were invited, by Mandate 279 to “ set the scene” in view of preparing standardization initiatives in support of the implementation of the Directive. The Mandate addressed following issues in particular:

- Creation of adequate and open platforms permitting participation of all involved economic players.
- Analysis of the standardization requirements in support of the Directive, including the off-line use of electronic signatures and in relation to electronic signature products and services to be made available to the end user.
- Assessment of available standards/specifications and current initiatives at global and regional level, both by formal standardization bodies and industry consortia.
- Identification of gaps and needs for additional standardization initiatives in all relevant forms of consensus building such as standards, specifications, agreements, workshops etc.
- Creation of adequate international liaisons with the view to achieve internationally agreed standards.

In response to the Mandate, the European standardization organisations, under the auspices of the ICT Standards Board, have launched the “European Electronic Signature Standardization Initiative” (EESSI); EESSI has prepared a report on the issues requested by the Mandate. An open meeting will be organised in view of obtaining broad consensus on the work programme on 1 July; the results will be submitted to the ICT Standards Board for approval on 20 July.

### **3 Scope and objective of the next phase**

The objective of the next phase is to implement the workprogramme resulting from Mandate 279, as prepared by EESSI and adopted by the ICT Standards Board with a view to providing the market with standards and specifications in support of the implementation of the Directive. Following a decision by the Committee described in Article 9 of the Directive, products and services supporting electronic signatures, compliant with these specifications would subsequently be compliant to the requirements set by Directive and provide legally valid signatures.

### **4 Description of the mandated work**

CEN, CENELEC and ETSI are invited to implement the work programme resulting from the execution of Mandate M279. This includes the following tasks :

- The further standardization work shall be carried out on the basis of the work programme defined in the final report of EESSI, which should be considered as the European focal point for standardization work in the domain of electronic signatures.
- The European standardization organisations CEN, CENELEC and ETSI shall, in the context of EESSI, ensure the continuation of open and transparent liaison arrangements with all stakeholders; emphasis should be given to the involvement of national organisations/authorities concerned with the implementation of the Directive.
- Every effort shall be made to ensure that the standards and specifications proposed in support of the Directive are internationally accepted. Therefore, the execution of the EESSI work programme needs to be performed in close co-operation and liaison with relevant international organisations. With the view to obtaining broad participation of all stakeholders at European and international level, appropriate awareness and promotion initiatives shall be undertaken
- CEN, CENELEC and ETSI shall ensure that EESSI maintains appropriate monitoring of the execution of the work programme

including adequate liaisons with external organisations involved such as: EA, W3C, ICC, IETF, ISO/IEC/JTC1-SC27, ABA and ITU.

## **5 Execution of the Mandate**

**5.1** Within three months of the date of acceptance of this mandate, CEN, CENELEC and ETSI shall present to the Commission a report setting out the arrangements they have made for the execution of this mandate. Particular attention shall be given to the involvement of all relevant parties and to the international working arrangements set up to identify and adopt internationally agreed standards.

**5.2** CEN, CENELEC and ETSI, are invited to put in place as soon as possible, adequate monitoring mechanisms for the execution of the work programme and for the international co-ordination.

**5.3** CEN, CENELEC and ETSI shall present progress reports to the Commission. SOGITS will be informed on a regular basis..

**5.4** Three years after the commencement of the work, an evaluation report shall be presented by CEN, CENELEC and ETSI to the Commission on the results achieved in terms of market impact. The terms of reference of the report shall be agreed between the three European standards bodies and the Commission services, after consultations with SOGITS.

**5.5** CEN, CENELEC and ETSI will present to the Commission the standards listed in the programme in accordance with the Mandate.

**5.6** Acceptance by CEN, CENELEC and ETSI of the work programme noted in § 4 above starts as appropriate the standstill period in accordance with Article 6 of Directive 98/34/EEC as amended.

