

16/10/2018

**Codex Committee on Food Import and Export Inspection and Certification
Systems (24th Session)**

Brisbane, Australia, 22-26 October 2018

European Union comments on

Agenda Item 5:

**Proposed draft guidance on paperless use of electronic certificates (revision
of the Guidelines for Design, Production, Issuance and Use of Generic
Official Certificates - CXG 38-2001)**

(CX/FICS 18/24/5)

***Mixed Competence
European Union Vote***

The European Union and its Member States (EUMS) would like to thank the Netherlands and Australia for leading the work on electronic certification.

The EUMS generally agree with the proposed revisions of CXG 38-2001 with the following comments:

Paragraph 30, 2nd indent:

“confidence in the reliability and security of all components involved in the electronic exchange of official certificates including **non-repudiation** ~~the integrity~~ of the messages and overall security of the applied data exchange mechanism”

Paragraph 43, 3rd indent:

“ensure **non-repudiation (to guarantee authenticity and integrity)** ~~authenticity and integrity~~ and security of the electronically exchanged official certificates by the use of international standards and recommendations (see annex) with regards to:

- the exchange mechanism
- the connection protocol responsible for the end-to-end communication
- the message language, structure and ~~exchange protocol~~ **non-repudiation**”

Annex II, section 4, point 5

“**Non-repudiation** ~~Integrity and/or authenticity~~ and/or security protocols (including electronic signature **and signer-identity**)”

Rationale: Non-repudiation¹ of the electronic certificate is essential for a trustworthy replacement of the present paper based certificate. The more comprehensive way of fulfilling such a requirement is to use electronic signature on the certificate that is electronically exchanged. A full replacement of the present paper based certificate should only take place when the electronic signature secures the link to the identity of the signer and the integrity of the document in a reliable manner.

¹ ISO/CEI 13888 Information technology - Security techniques - Non-repudiation: "the goal of the non-repudiation service is to generate, collect, maintain, make available and validate evidence concerning a claimed event or action in order to resolve disputes about the occurrence or non-occurrence of the event or action."