

Trust Frameworks: Their Critical Role in Governing Identity Systems and Allocating Liability





Technology Tools + Governing Rules = Trust

Governance Rules: Options

Bi-lateral Contracts

Loosely Coupled SLA's

Terms of Service Agreements

Trust Frameworks

Why Trust Frameworks?

Functionality/Interoperability

Internet/Scalability

Openness/Transparency

Opportunity Cost /Time-to-Market

Evolving Definitions of Trust Frameworks

US FICAM: processes and controls for determining an identity provider's compliance to OMB M-04-04 Levels of Assurance

ISO 29115 Draft: a set of requirements and enforcement mechanisms

OITF Model: a set of technical, operational, and legal requirements and enforcement mechanisms

US NSTIC 4/15/2011 Final: It defines the rights and responsibilities; specifies the policies and standards; and defines the community-specific processes and procedures

A Trust Framework Is:

a legally enforceable

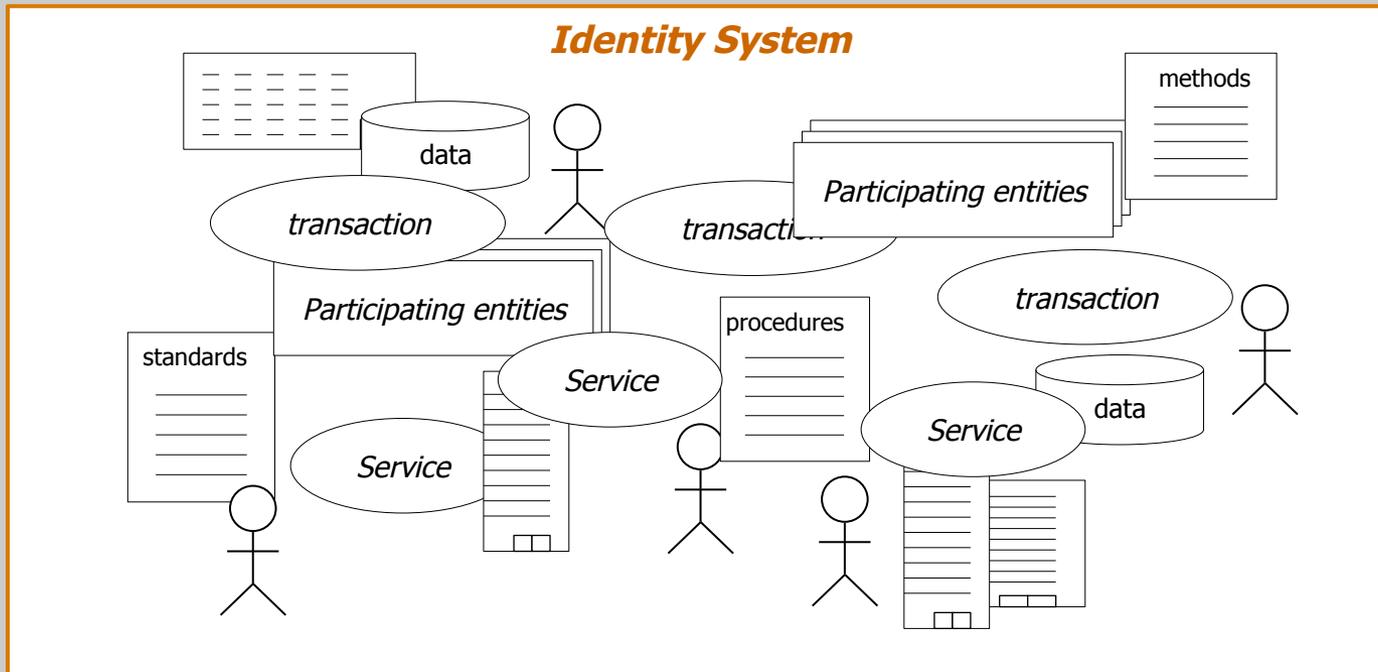
set of specifications, rules, and agreements

that governs an identity system.

Identity System: Tools + Trust Framework: Rules

An Identity System is Governed by a Trust Framework

Trust Framework





Trust Frameworks for Identity Systems

Esther Makaay - SIDN
Tom Smedinghoff - Locke Lord LLP
Don Thibeau - Open Identity Exchange

May 2017

Characteristics of a Trust Framework

- 1 Scope
- 2 Purpose
- 3 Form
- 4 Role Definition
- 5 Content / Issues Addressed
- 6 Authorship and Control
- 7 Enforceable

Trust Framework Scope

Governs a single identity system

- i.e., each identity system will have its own trust framework
- Many identity systems interoperate

Thus, many trust frameworks will exist

- Many trust frameworks will interoperate

Trust Framework

Identity System

Existing Law & Regulations

General Identity System Law & Regulations

Trust Framework

Identity System

Trust Framework

Identity System

Trust Framework

Identity System

Trust Framework Purpose

Defines and governs the operation of a specific identity system

Defines the rights, responsibilities, and obligations of the participants

For three basic purposes:

- 1 To ensure that the identity system is *operational*
 - i.e., that it functions properly
- 2 To ensure that the identity system is *trustworthy*
 - i.e., that the participants are willing to participate , trust the results, and act in reliance on them
- 3 To address the legal issues
 - And ensure that it is enforceable

Trust Framework Form

- Words on paper
- Can take a variety of forms
- Can be one or several documents
- Can be long or short
- Can be self-contained or incorporate pre-existing standards or requirements
- Can be comprehensive or defer to existing standards and/or laws for many issues

Trust Framework Role Definition

Typically defines specific roles

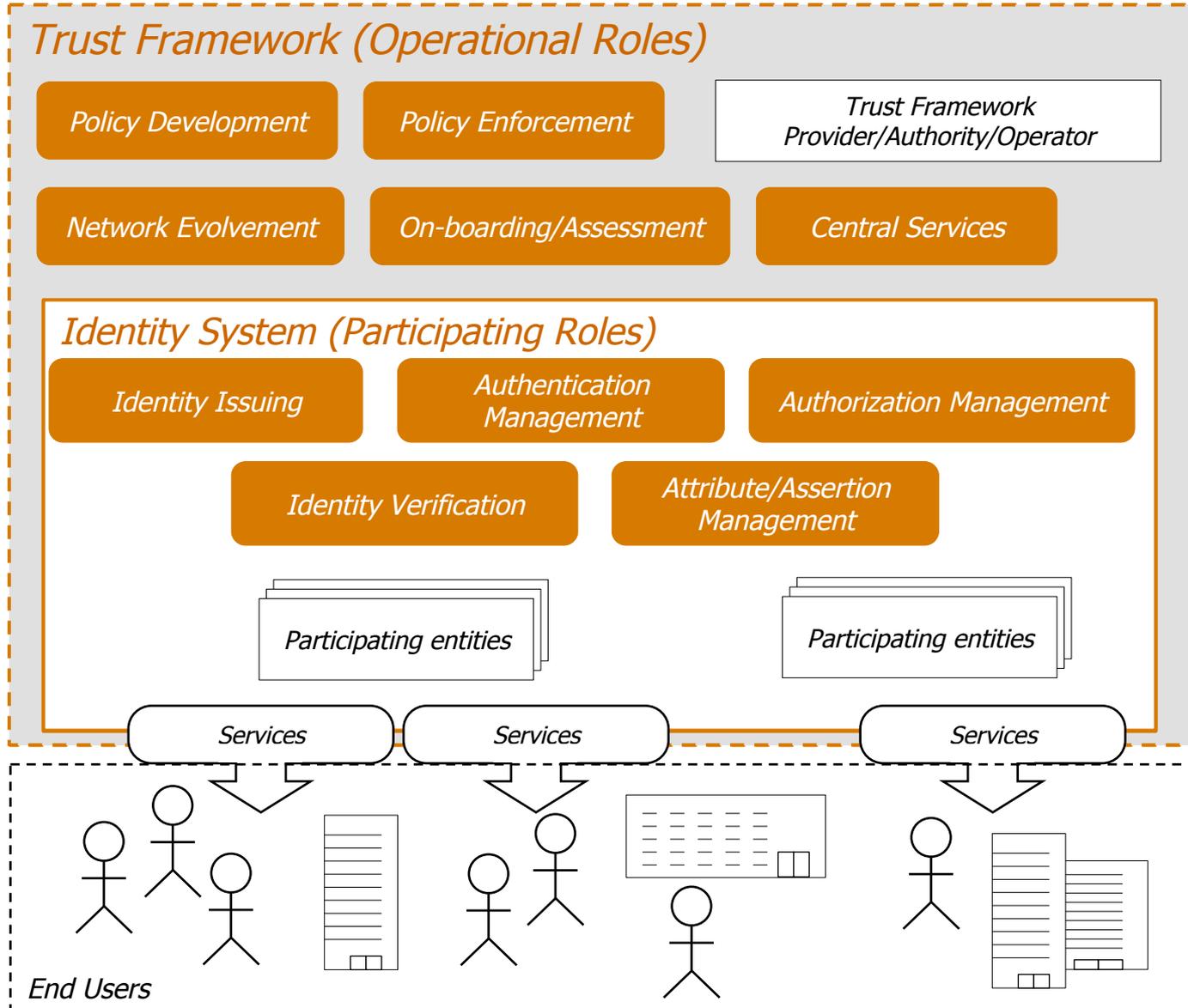
Operational Roles

- To develop and maintain the trust framework itself
- To govern aspects of the operation of the identity system

Participating Roles

- Identity issuing roles
- Identity verification roles
- Identity consuming roles (relying parties)

Trust Framework Roles



Trust Framework Content

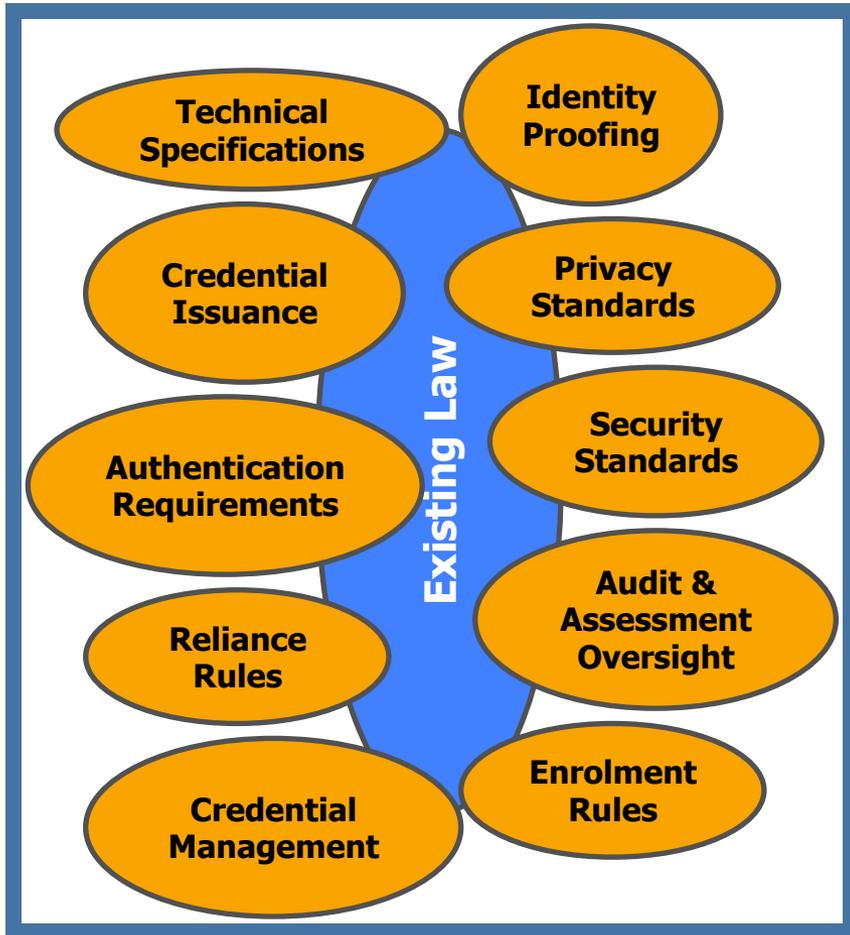
Specifications, rules, and agreements that address the

- ✓ business,
- ✓ technical,
- ✓ operational, and
- ✓ legal issues

of importance to the functioning and trustworthiness of the identity system

Trust Frameworks Might Include . . .

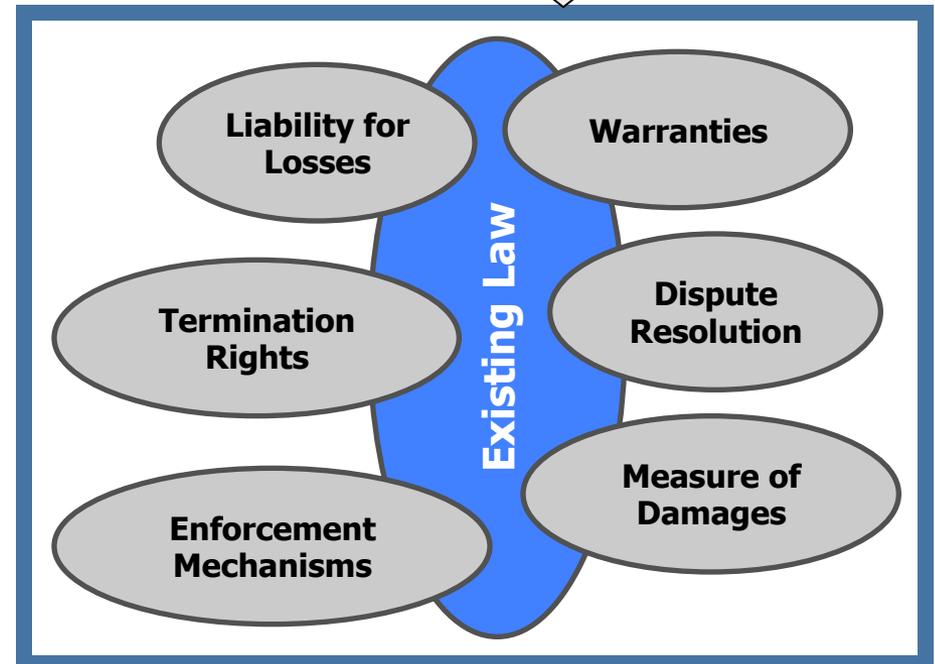
Business, Technical, and Operational Rules



Enforcement Element



Legal Rules (Contractual)



Trust Framework Authorship & Control

Who writes and updates the trust framework?

Many options, including –

- A separate entity established for the express purpose of writing and updating the trust framework (think, e.g., Visa in the credit card world)
- A participating entity that established or controls the identity system (e.g., GSA, UK Cabinet Office, Google, Facebook, etc.)
- A committee of all or some of the participants in the identity system
- Other

Trust Framework Enforceability

- How is trust framework made enforceable on the parties?
- Private sector identity systems – usually rely on contracts
- Public sector identity systems – can rely on either contract or regulations

1. General Commercial Law

2. General Identity Management Law

Trust Framework 1

Identity System 1

Trust Framework N

Identity System N

Trust Framework 2

Identity System 2

3. Identity System-Specific Rules

Where is Liability Addressed?

Default is that liability rules come from existing General Commercial Law

Three problems with this approach:

- 1 Existing law is not written to address identity systems, so the answers may be vague and uncertain – no predictable rules
- 2 Many of the potential liability situations that could occur in an identity context may simply not be anticipated or addressed by existing law
- 3 If liability is addressed, we may not like the answers we get from existing law

Solution is to use the trust framework

- Tailored for a specific identity system
- Can set liability rules appropriate for the identity system, its goals, and its participants
- Parties agree to liability rules by contract
- Can alter rules under existing law (except where expressly prohibited)

OIX Started This Work 7 Years Ago



AN OPEN MARKET SOLUTION FOR ONLINE IDENTITY ASSURANCE

A New Solution for Internet-Scale Identity Assurance: the Open Identity Exchange

AUTHORS:

Don Thibeau - OpenID Foundation
Tony Nadalin - Microsoft
Mary Rundle - Microsoft
Drummond Reed - Information Cards
Eve Maler - PayPal

MARCH 2010

March 2010



THE VOCABULARY OF IDENTITY SYSTEMS LIABILITY

What is Liability? When Does it Arise?

Identity System Liability White Paper, Phase 1

THE OPEN IDENTITY EXCHANGE | EDWARDS WILDMAN PALMER LLP

By Thomas J. Smedinghoff, Mark Deem, and Sam Eckland^d

June 2014



TRUSTMARKS IN THE IDENTITY ECOSYSTEM

Definitions, Use, and Governance

White Paper
IDENTITY STEERING GROUP

By Dr. Gilad L. Rosner

September 2015

OIX Curates a Global Conversation

OIX White Paper
The Trust Framework Series

Trust Frameworks for Identity Systems

Esther Makaay - SIDN
Tom Smedinghoff - Locke Lord LLP
Don Thibeau - Open Identity Exchange
May 2017

OIX White Paper
The Trust Framework Series

Developing a Trust Framework Model for Identity Systems: A Best Current Practice (BCP) Approach

Tom Smedinghoff - Locke Lord LLP
August 2017

OIX White Paper
The Trust Framework Series

A Global Inventory of Trust Frameworks and Trust Schemes

Sue Dawes - Open Identity Exchange
Mike Leszcz - Open Identity Exchange
Don Thibeau - Open Identity Exchange
May 2017

Soon to be Published OIX Trust Framework White Papers

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OIX White Paper
The Trust Framework Series

Trust Frameworks and Attribute Exchanges

December 2017

OIX White Paper
The Trust Framework Series

Self-Certification and Identity Systems

Don Thibeau - Open Identity Exchange

October 2017

OIX White Paper
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A Case Study: Cross Border Banking Services

The Connect Europe Facility (CEF) Project

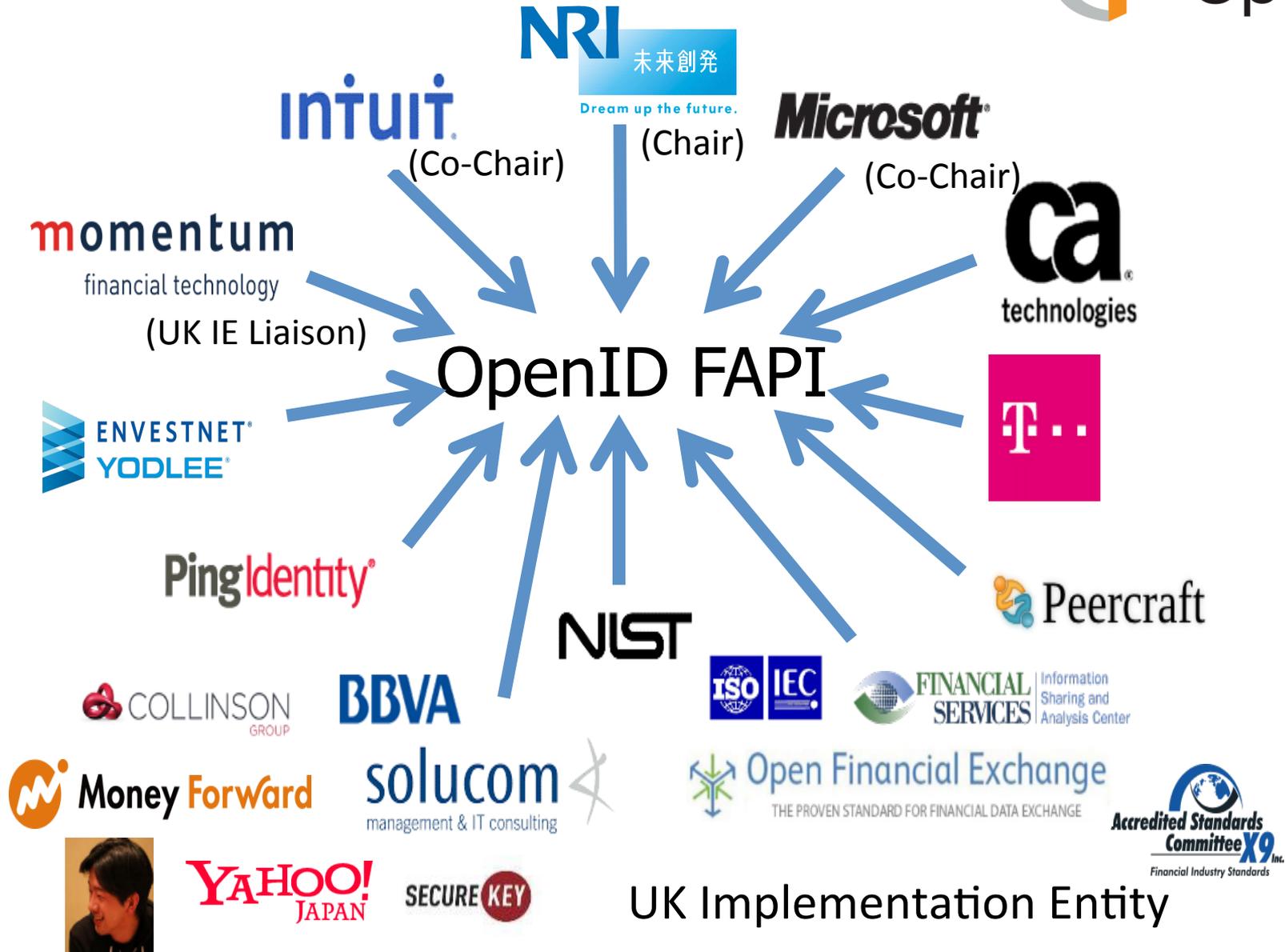
December 2017

OIX Trust Framework White Papers Being Developed

International Identity Management Law & Policy Workshops



Identity Management Legal Task Force



UK Implementation Entity



A Trusted Place for Trust Frameworks



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tScheme Trust Body for UK's Trust-Service Status List (TSL)

Creates, hosts and maintains the UK's Trust Service-status List (TSL) on behalf of the Department for Business, Innovation and Skills (BIS)



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Don Thibeau

Chairman | Open Identity Exchange

Executive Director | OpenID Foundation

don@openidentityexchange.org

Skype: donthibeau

Twitter: @4thibeau

