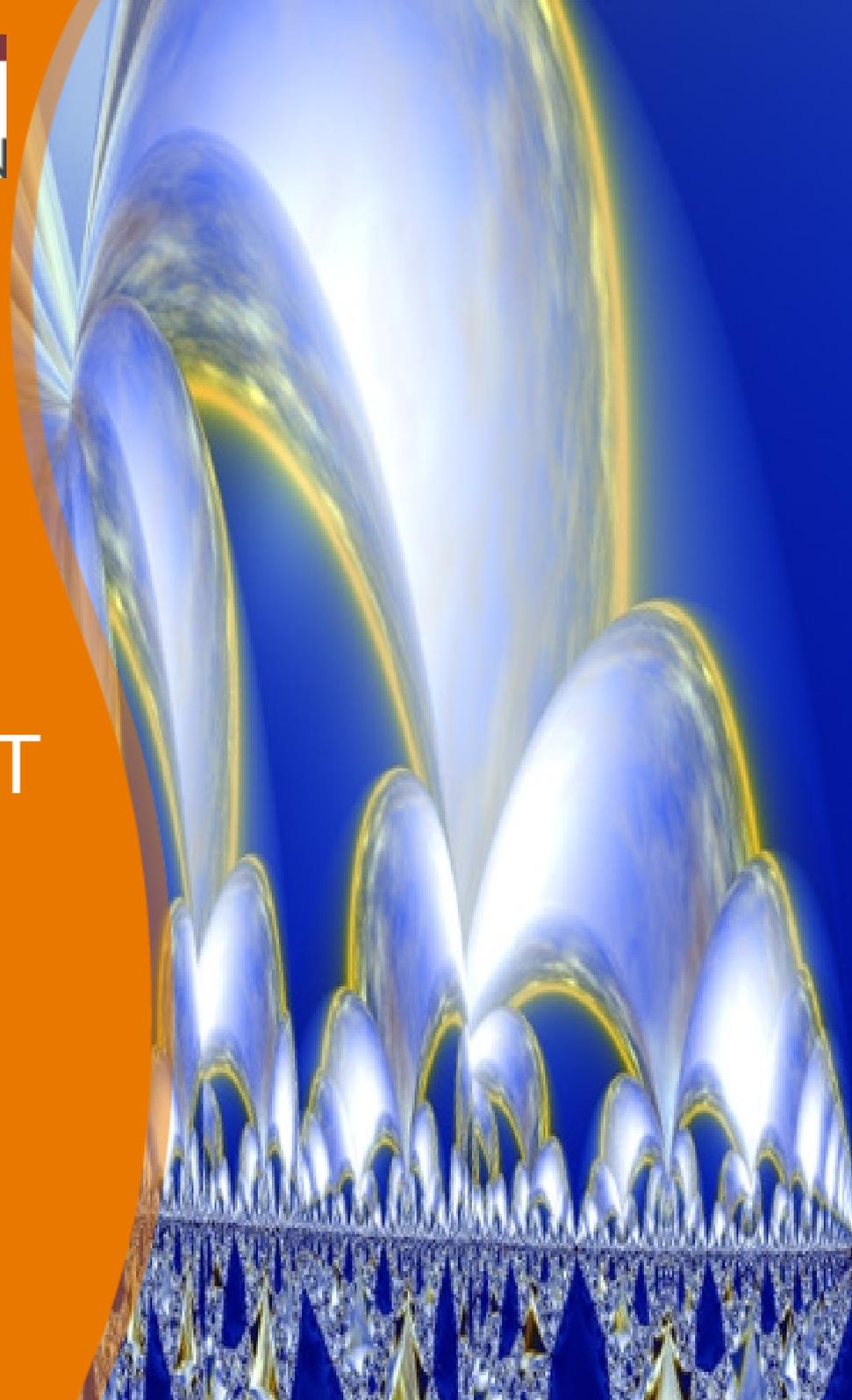




Weds. 28th March 2007

A CONTRACTUAL FRAMEWORK OUTLINE FOR CIRCLES OF TRUST

A webcast on behalf of the
Liberty Alliance
Public Policy Expert Group



Who's on the line?

Christine Varney

- > Hogan and Hartson law firm since 1997
- > Head of Internet Practice Group
- > Five years in government service, including 3 years as a Federal Trade Commissioner and 2 years as secretary to the cabinet in the Clinton White House

<http://www.hhlaw.com/cvarney/>

Robin Wilton

- > Sun Microsystems since 2000; IT and security since 1985
- > Corporate Architect for Federated Identity, in the CTO organisation
- > Co-chair of Liberty's Public Policy Expert Group, participant in the Special Interest Group on Identity Theft.

<http://blogs.sun.com/racingsnake/>

Aim of the Framework Document

- Liberty's concept of a “Circle of Trust” (CoT) codified several new ideas in the world of digital identity;
 - > The relative roles of Identity Provider (IDP), Attribute Provider (AP) and Service Provider (SP) in a federated system;
 - > The relative roles of technical and non-technical infrastructures in meeting the objectives of such a system
- This intentionally simplified concept must often differ from the 'real' implementation of it – for instance, an IDP is very often also a Service Provider and/or an Attribute Provider.
- As the Circle of Trust concept has matured over the last 5 years, so has Liberty members' understanding of the various appropriate options and their implications.
- We also found that the business, legal and technical descriptions of the same CoT were expressed in different languages, which were often hard to reconcile.
- From a technical implementation perspective, it is vital to be informed by a clear statement of the commercial and legal dimensions of the proposed system.

This document aims to establish the common language in which the stakeholders can express and understand their different views of the federation relationship.

Scope

What the Framework Document is:

- > A synthesis of legal, public sector, commercial and technical experience.
- > A common ground which business and legal stakeholders can use to build mutual understanding.
- > A basis for further work – defining other possible models, or draft contracts for a given industry/country.
- > A simple description of alternative models, with high-level checklists of relevant factors.

What it is not:

- > The definitive guide to the differences between national laws relating to these kinds of contractual structure.
- > A substitute for legal advice.

This document is intended to help you. If you think it needs to be enhanced, extended or supplemented, please let us know. We're keen to learn and to improve it.

Refine, extend, populate...

Summary of Contents

- What is the role of a contractual framework... why have one?
- High-level checklist of questions to discuss (legal/business)
- Three kinds of organisational structure, and how to choose the right one
- Checklist of generally-applicable terms, rules and policies
- Other relevant Liberty resources and guidance.

The Three Initial Models

The “Collaborative” Model

- > The participants agree to form a separate legal entity which will be contractually defined to act as the 'governing body' for the scheme;

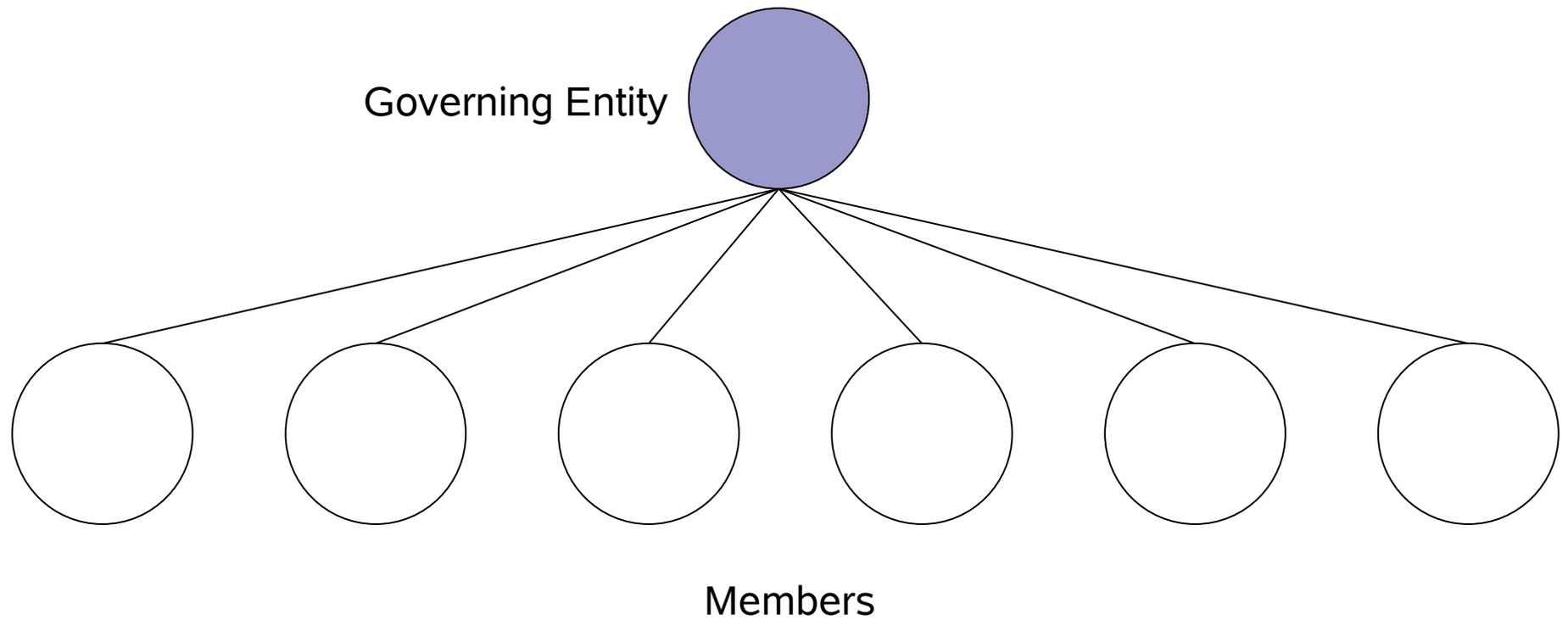
The “Consortium” Model

- > A multi-party contract is established so that the parties share a single agreement defining the scheme (they might then take equal roles in a steering committee);

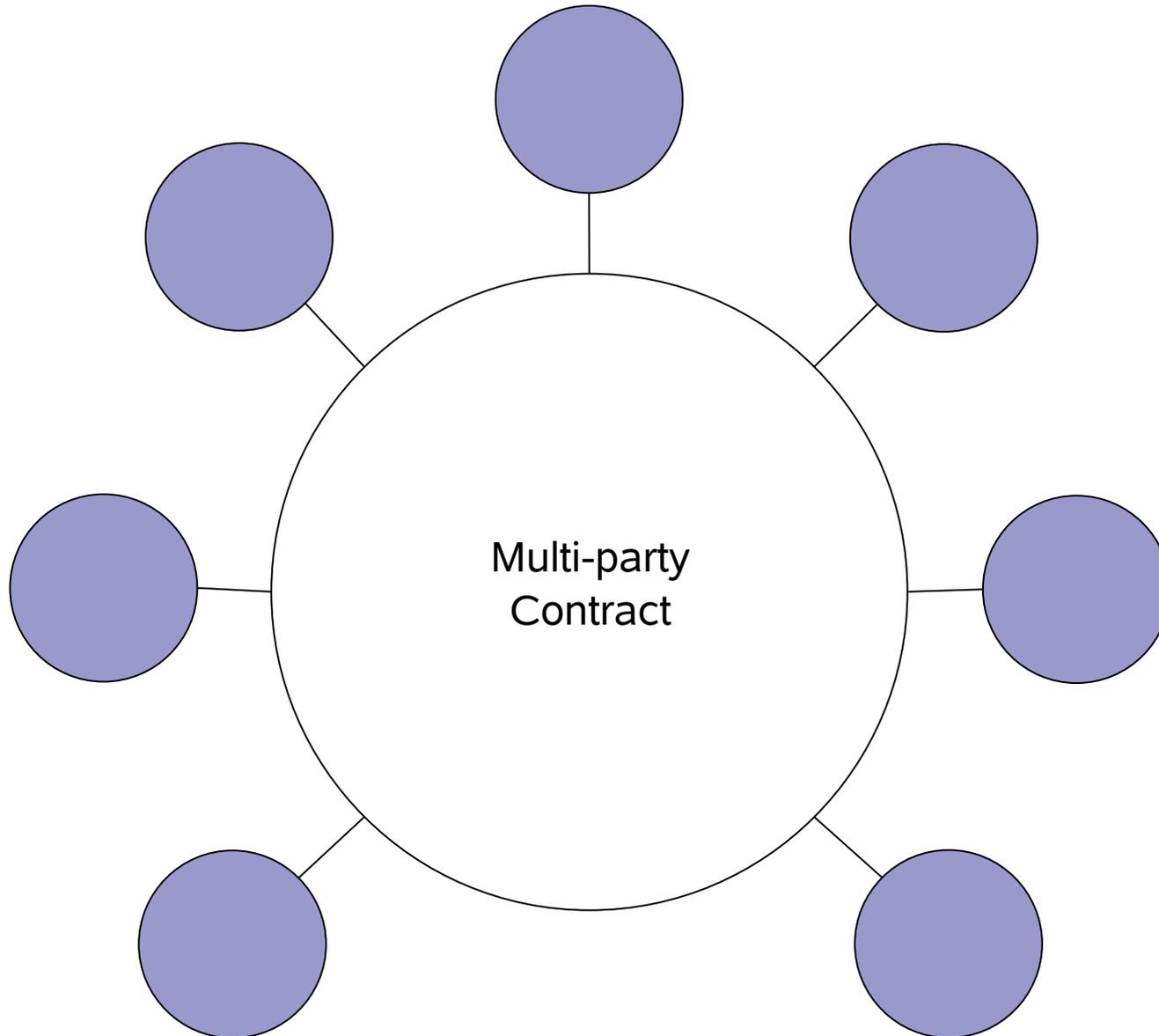
The “Centralised” Model

- > One of the participants itself takes on the role of governing body, and establishes the appropriate contractual relationships with each of the other participants (depending on their role, responsibilities and relationship to the governing body).
- > The “centralised” model can be used to reflect a number of different ways of operating the scheme.

'Collaborative' model



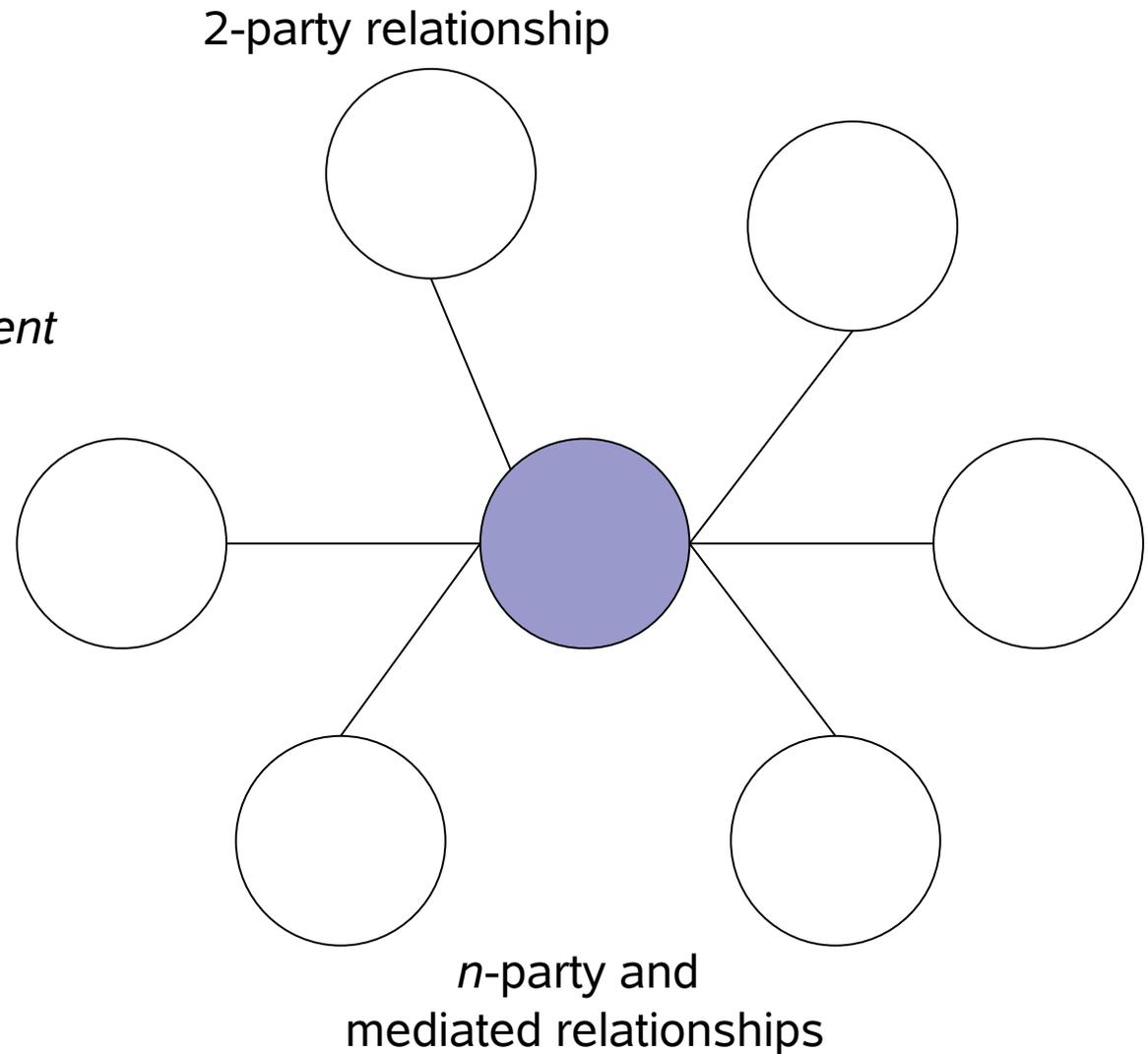
'Consortium' model



'Centralised' model -1

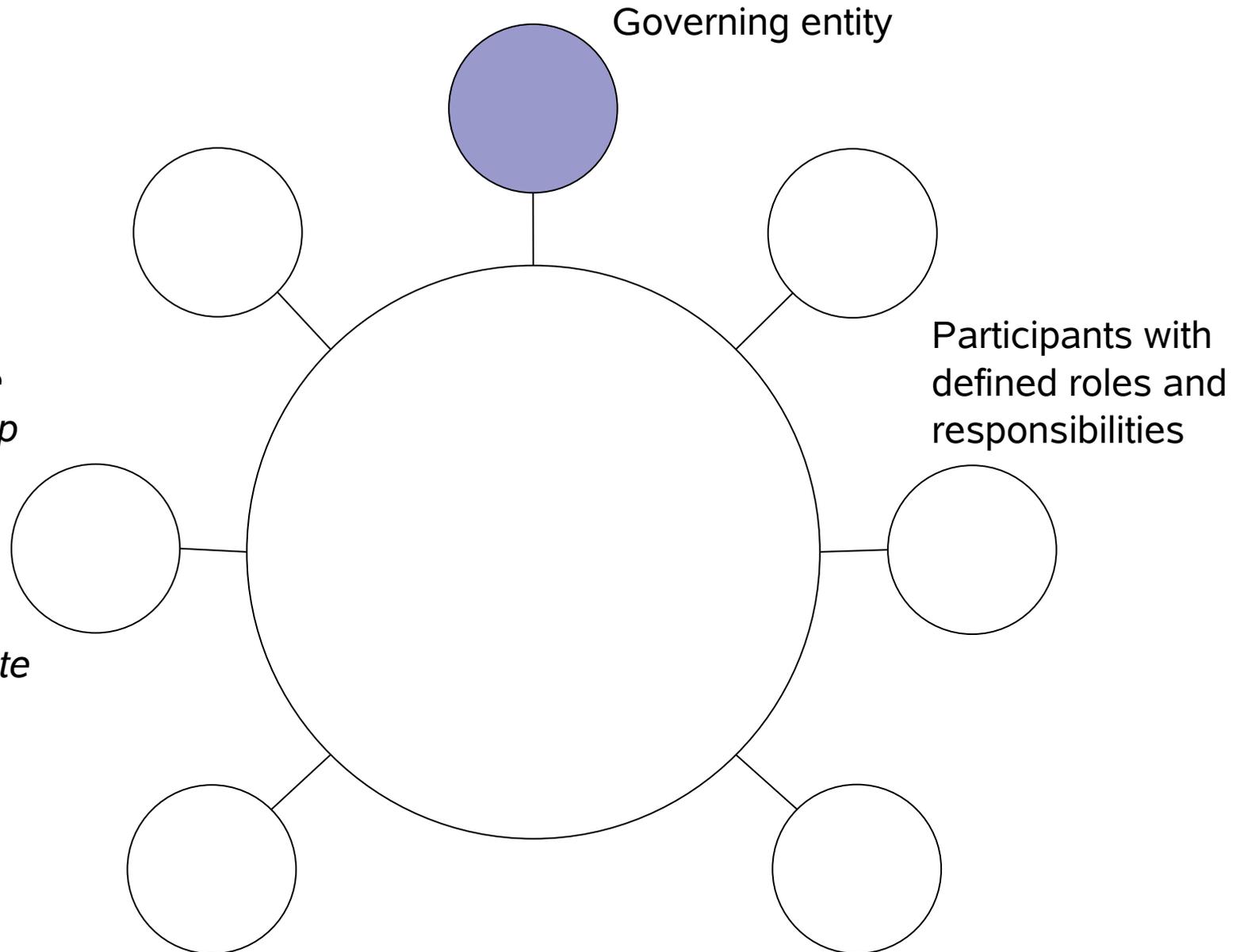
This model reflects specific 'structural' relationships between the governing body and the different types of member.

The relationships may well be asymmetric - for instance, between a telco, its subscribers, and its content providers.



'Centralised' model - 2

This variant might be used to reflect a more 'functional' relationship between the various participants – for instance, sharing services for strong authentication, attribute exchange and so on.



Some Factors in Choosing Which Model

To what extent do the founding parties wish/intend/have to

- establish,
- control,
- operate the scheme?

Is it clear how the type and number of members will change over time?

Does the scheme cross industry sectoral or national boundaries?

What implications does this have in terms of:

- Applicable jurisdiction;
- Legal, regulatory, and governance requirements;
- Economic, tax-related and financial laws;
- Workforce, competition and intellectual property laws;
- Privacy, data protection and freedom of information laws.

Generally-applicable Principles

- Clear definitions of terminology, roles of the participants;
- Business rules
 - > transparency, roles, auditability, enforcement, liability;
- Privacy and security measures;
- Technical standards;
- Operational rules
 - > SLAs, project and change management, daily governance
- 'Joiner/Mover/Leaver' rules
- End-user interface requirements, 'public persona' of the scheme

Summary

- Large-scale federation schemes can be complex. If they involved no complexity and no risk, they probably wouldn't deliver much benefit...
- Part of that complexity is in choosing the organisational structure which best reflects the aims of the participants;
- That structure needs to align the business, legal and technical means to achieve a clear over-all objective for the scheme.

- This is still an evolving area, and new business models may require new models and contractual frameworks;
- We plan to continue to develop these resources: we would welcome your experiences, your advice and your participation as we do so.

For More Information

Liberty Alliance home page

- > <http://www.projectliberty.org>

Liberty Alliance Resource Centre

- > http://www.projectliberty.org/index.php/liberty/resource_center

Find the Framework Document and other white papers

- > http://www.projectliberty.org/index.php/liberty/resource_center/papers

Main page of the OpenLiberty wiki

- > http://www.openliberty.org/wiki/index.php/Main_Page

Email contacts for specific questions

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THANK YOU

