Digital Privacy
& Authentication in the Canadian "Commons"

and the "Common Wealth"

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0PN-Digtal Transparency Lab

Digital Transparency Lab

- **2023 DIACC Member Fall Plenary, TFEC Working Session**

Authentication and Privacy in Canada (With brief background and comments)

Controller Credential Registry & Cyber Notary Program Services
- Risk, Governance, and Control Interoperability for Digital identity
- Digital Transparency and Consent Sandbox for Digital Commons Trust Frameworks & Architectures

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Thanks for the opportunity!

Digital Privacy and Co-Regulation Public Infrastructure and Applications are Requirements for a functioning Digital Commons

- Privacy Landscape in Canada & Internationally (regulating authentication with transparency and consent)
- Authentication & Privacy in Canada
- PCTF Digital Privacy Program – A Tremendous Opportunity for the PCTF
- Closing Comments

Journey, Experience, Perspective

- Digital Identity Social-Legal anthropologist by training , Education (3 Degree's from Carleton U 1998) and through career
  Post Grad in Social Research Methods field of Surveillance & Transparency (London UK)

- Focused on the human governance of physical and digital security and surveillance

- Student of identity & trust since 1998 (Entrust LDAP Registries)

- Started a work group on Identity & Trust @Identity Commons in 2005

- Launched Identity Trust C.I.C, the first Community Interest Company for
  a Trust Registry in 2007 - presented Identity Trust to UK Parliament in 2008

- First Surveillance Trust Registry in 2012 –

- "The Biggest Lie on the Internet" Campaign with - Ongoing participation in Standards-setting and community development in this emerging field.

- Kantara Consent Receipt – published as ISO/IEC 27560 Consent Record information Structure - extends ISO/IEC 29100 security and privacy interoperability framework (Compatible with CoE Conv. 108 + and the GDPR)

Kantara ANCR WG

Evolving Canadian & International Privacy Landscape

- Meaningful (transparent and comprehensive) Consent Law set to meet the highest international standards

- Quebec Law 25 Came Into Force Sept 22 – Innovating in Dynamic Consent & Authentication (follow up to Bill 64)

- Digital Markets Act and Digital Services Act in EU – Regulating Big Tech – implementing data sovereignty – plugging holes in the bucket

- Convention 108 + Adequacy Benchmark
  - Ratified in the Council Of Europe –when 33 countries enact this legislation
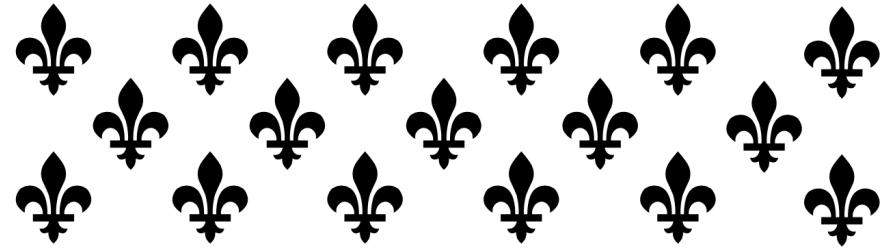
NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION   FORTY-SECOND LEGISLATURE

Bill 64

An Act to modernize legislative provisions as regards the protection of personal information

Authentication & Privacy in Canada

Quebec Law 25 - **Guidance** on Consent

"**25. Authentication of the person concerned.** Since consent is an expression of personal will, an organization must ensure that it obtains the consent of the person concerned themself (or their legal representative, where applicable). In doing so, the organization must aim for a reasonable degree of certainty that the individual giving consent has been authenticated, depending on the context of its activities"

Authentication Assurance Options in PCTF
- Bio-metric Assurance – Relative to NIST LoA's
  - 1. Requires Notice – Purpose that justifies Bio-Metric
  - 2. Authentication services are not outside country – or required more transparency
- PCTF - Privacy, Notice & Consent Modules
  - Only National Identity-Trust Framework with Privacy as an Overarching module

PCTF Privacy provides Alternative s to Biometric Authentication Assurance
- Self-Asserted – Low Assurance (prove in Canada)
  - Free Digital Privacy
- Verified Witness - A Signed Receipt
- Validated Authentication Claim – with a Relying Party – that the individual is connected to.
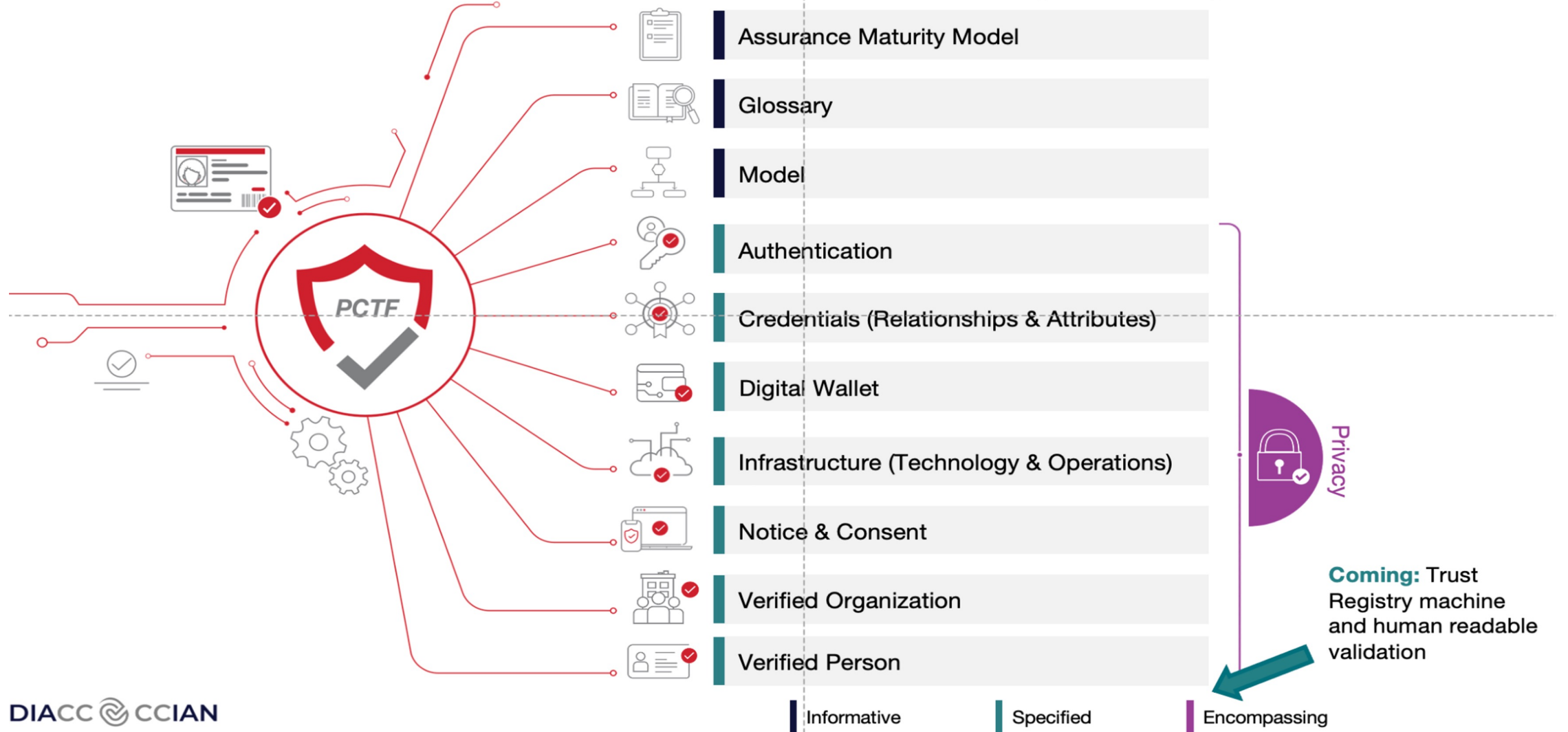- Cyber-Notary (Validate & Verify Entitlements)

Bill C27 – Breaks PCTF Authentication

- Bill C27 57(3)

- "must include reasonable measures to authenticate the identity of the individual to whom the personal information relates. "

The first time that authentication has appeared in any proposed privacy law - disaster.

- Does not require Controller to Identify themselves,
  - Not only not regulated – but services can bio-authenticate without notice – using whatever tech they want
  - From anywhere in the world - aka – Russian/China Single Sign On Services in Ed-Tech
  - Bill C27 threatens the PCTF and to destroy the Identity Management industry in Canada
  - Non-Verified Orgs – Authenticating Us – from anywhere in the world – further exposing our most vulnerable
- Individuals don't know who is authenticating them, trust in digital identity would plummet
  - Secret surveillance without consent
- Adoption would be more difficult

Pan-Canadian Trust Framework (PCTF)

- Assurance Maturity Model
- Glossary
- Model
- Authentication
- Credentials (Relationships & Attributes)
- Digital Wallet
- Infrastructure (Technology & Operations)
- Notice & Consent
- Verified Organization
- Verified Person

Privacy

Coming: Trust Registry machine and human readable validation

DIACC ⊘ CCIAN

Informative | Specified | Encompassing

Critical and Strategic PCTF Privacy Program for2024

Digital Privacy is not a balance of commerce, security and privacy

Personal Data Control can create innovations in commerce, security,

and privacy,

Quebec Privacy Law 25 – Opens the Door for PCTF Innovation

PCTF Components and Architecture provide for PCTF Privacy Profiles to be developed that implement interoperable data governance

Human to Tech – Digital Identity

PCTF Privacy Architecture is a superpower for Canada to innovate and lead internationally in privacy and security innovation

The International and EU / Common Wealth Privacy Regulations Coming into Force Provide the Requirements

PCTF –this community – together we can move beyond the need for Federal Privacy Regulation altogether.

PCTF – Privacy & Consent Profiles for Authentication – Could be first to the International market with the Voila Verified Icon & Program –

PCTF – Verified Claim and Trust Registry Architecture enable Distributed and Decentralized Digital Governance Models

Claims Based Architecture – Low to high assurance

Extend Voila Verified with a Digital Privacy Org Controller Credential Certification

Voila Verified Icon – Digital Privacy Signal for international transparency could pioneer the next generation internet

0PN: Digital Privacy Commons
Transparency and Assurance Framework

Differential Transparency Signal

4 Levels of Assurance

3 Vectors of Contextual Data Gov (modes of governance in a wallet)

Personal Data Control

Data Protection

Data Co-Regulation

Digital Privacy Controller Credential (verified org) Certified

Permissionless: Self – Authorizing and authenticating for low assurance access to privacy rights
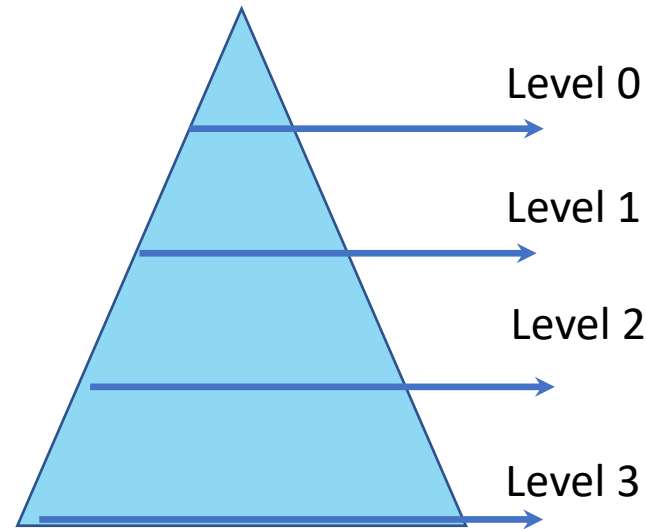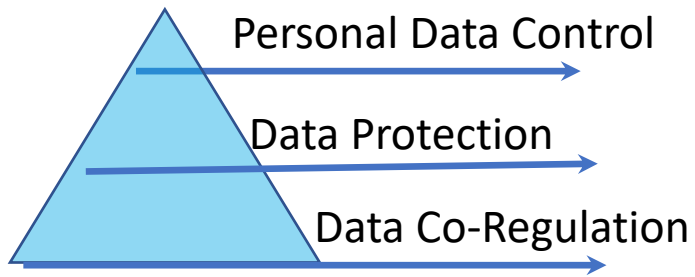- Passwordless – Claims Based

Level 0

Level 1

Level 2

Level 3

Validated, Witnessed, Twinned, and Notarized

Cyber Notary & (Digital Privacy) Controller Registry

- Regulated Authentication
- Regulated Transparency and Consent

Digital Commons Privacy Profiles
- Hyper local
- Children
- Youth
- Community
- Regional
- National
- International

Assuring Scope of Disclosure

Digital Twin – ISO 27566

Closing Comments to 10x Adoption

Digital Privacy Notary = Authentication Alternatives = Massive Adoption

❖ PCTF 'Digital' Privacy Profile Program for PCTF for National and International Digital Governance Interoperability

   ❖ 0PN-Digital Commons: Cyber-Notary Authentication & Controller Credential Trust Registry

   ❖ Enabling people to create their own identity and choose how they provide assurance for contextual identity

   ❖ 100% Accessible & Inclusive - Permissionless access for 4th sector for low assurance 0 friction access to digital privacy

   ❖ Digital Freedom Technology Required Free Digital Privacy - means privacy access before bio-metric authentication – Big Tech Services need not be authenticating Canadians and controlling our data.

❖ Cyber Notary-Claims Validation based Authorization

   ❖ People can create their own identities to massively accelerate adoption

❖ PCTF - Data Controller Credential (verified org) Certification Program

   ❖ A RoPA-T (Record of Processing Activity – Transparency) receipt program where people need not disclose or share personal data on the public internet

❖ Kantara ANCR WG – Digital Privacy Transparency Conformance and Compliance Scheme

Thank You !

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