Electronic equivalent of physical signatures and seals (eCITES)
Conf. 12.3 (Rev. CoP17) requires a functional equivalence of physical and electronic signatures:

2 e) if a permit or certificate form, whether issued in an electronic or paper format, includes a place for the signature of the applicant, the absence of the handwritten signature or in case of electronic forms any electronic equivalent should render the permit or certificate invalid;

Three signatures on a CITES permit:

- Applicant (signature)
- Management Authority (seal, signature and security stamp)
- Customs officer (signature), Customs office (seal)
How to deal with the electronic equivalent of physical signatures and seals?

13. This permit/certificate is issued by:

Place

Date

Security stamp, signature and official seal

To be completed by the official who issues the permit. The name of the official must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.
UN/CEFCAT Recommendation 14

Defining the equivalent of a physical signatures is an issue for many international trade documents that are used on electronic exchanges
UN/CEFACT Recommendation 14 on Authentication of trade documents

Distinguishes between a digital and an electronic signature:

- **Electronic signature**: a process that provides a functional equivalent to a physical signature (think your eBanking application)
- **Digital signature**: a specific implementation of an electronic signature using cryptographic methods (think Bitcoin)

Most electronic trade documents use electronic signatures

**Example for electronic Signatures: your eBanking application**

- You connect with your password to your eBanking application ➔ the bank knows it's you
- You transfer funds and log out
- The bank keeps a record of the transactions of this session
- If you later challenge one of the transactions your bank can proof that the transfer was done by you ➔ The whole process constitutes an electronic signature which is the equivalent of the physical signature
Electronic signatures in CITES permits

Documents:
- Note on electronic signatures in CITES permits and certificates [SC70 Doc. 39 Annex 1](#)
- Decision CoP18 [18.125 e)](#)

Decision CoP18 18.125 e)

- 18.125 e) i parties should apply UN/CEFACT Recommendation 14 for CITES permits
- 18.125 e) ii to vi specify certain requirements that an eCITES system must meet
  (authentication of users, record of audit trails,...)
- 18.125 e) iv

recognize that in electronic CITES systems that meet the above requirements i) – iv), the electronic equivalent of a physical signature and seal may be provided through the authenticated identification of any of the following individuals: the permit applicant; the official who issued or authorized the permit or certificate; the official who altered the permit or certificate; the issuing authority; and the inspecting official who endorsed the permit or certificate

A permit issued by a system that meets 18.125 e) requirements is considered to contain an electronic signature.

It is sufficient that the permit contains the information (name, office, location, date) of the signature

Parties start to apply CoP18 18.125 e) also to their paper permits!
Switzerland notification to Parties 2019/045 on the Swiss e-Permitting system:

2 e) in order to integrate the entire permitting process in an electronic workflow, Switzerland’s permits will be issued with a facsimile signature.
Conclusion I: Electronic signatures in CITES permits

For electronic CITES permits as per decision CoP18.125

1. Your eCITES system meets requirements of decision CoP18 18.125

2. Your electronic permit contains the name of the persons that requested, approved or transacted (Customs) the permit, including dates, location, office as required

3. You send this electronic permit to another MA using a secured protocol which prevents any tempering of the transmission (for example Internet in combination Transport Layer Security (TLS) )

⇒ Your electronic CITES permit contains the electronic equivalent of the physical signatures and seals

For paper CITES permits as per current practice Singapore, Switzerland

1. Your eCITES system meets requirements of decision CoP18 18.125

2. Your paper permit contains the name of the persons that requested, approved or transacted (Customs) the permit, including dates, location, office as required

3. Your eCITES system provides an online means to validate (check) the data in the paper permit

⇒ Your paper permit contains the electronic equivalent of the physical signatures and seals
Thank you!

Markus.Pikart@UNECE.org