



European  
Commission

# Belgium Digital Act

*Electronic archiving certification Schema*

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# Digital Act

Belgian law of July 21st 2016  
regarding trust services



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## Transposition of the e-IDAS Regulation **Identification of requirements**

- Definition of a framework for trust services
- Confirmation of the principles of non-discrimination, assimilation and technological neutrality
- Retention of only 2 levels: trusted service and qualified trusted service
- Preservation of integrity, legibility and authenticity
- Ensuring faithful and durable reproduction
- Minimum metadata management
- Documentation on
  - How to access
  - Security policy
  - Preservation policy
  - Continuity policy

## Creation of qualified archiving


- Definition of a reference for digital archiving with 2 components
  - Digital preservation
  - Scanning
- Possibility of using a trusted service provider or being certified on one's own behalf
- Several recognised qualification schemes

## **Standard & audit scheme**

### **Royal Decree 29 March 2019**

- Presumption of conformity by following standards
- Qualification scheme published in 2019

# The Digital Act Task Force

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- ✓ Defining representative standards
  - ✓ Analyse these standards against legal requirements
  - ✓ Defining a certification scheme

## Market qualification needs



Service provider - Scanning (Qualified Archiving)

Service provider - Preservation (Qualified Archiving)



Digitisation of records (Pre-Qualified Service)

Long-term preservation (Pre-Qualified Service)



Scanning system integration

Integration of a long-term preservation system.

## Standard's list in the Royal Decree

ISO 16363

ISO 16175

ISO 14641

DIN 31644

CORE TRUST SEAL

➤ **Conformity presumption**

# Certification scheme

How to become qualified



## ETSI EN 319 401

*Electronic Signatures and Infrastructures (ESI); General Policy Requirements for Trust Service Providers".*

- For the "organisational" part
- Common to all eIDAS trust services



## ETSI TS 119 612

*Electronic Signatures and Infrastructures (ESI); Trusted Lists*

- For the preservation of the electronic signature



## ISO 14641:2018

*Electronic document management - Design and operation of an information system for the preservation of electronic documents - Specifications*

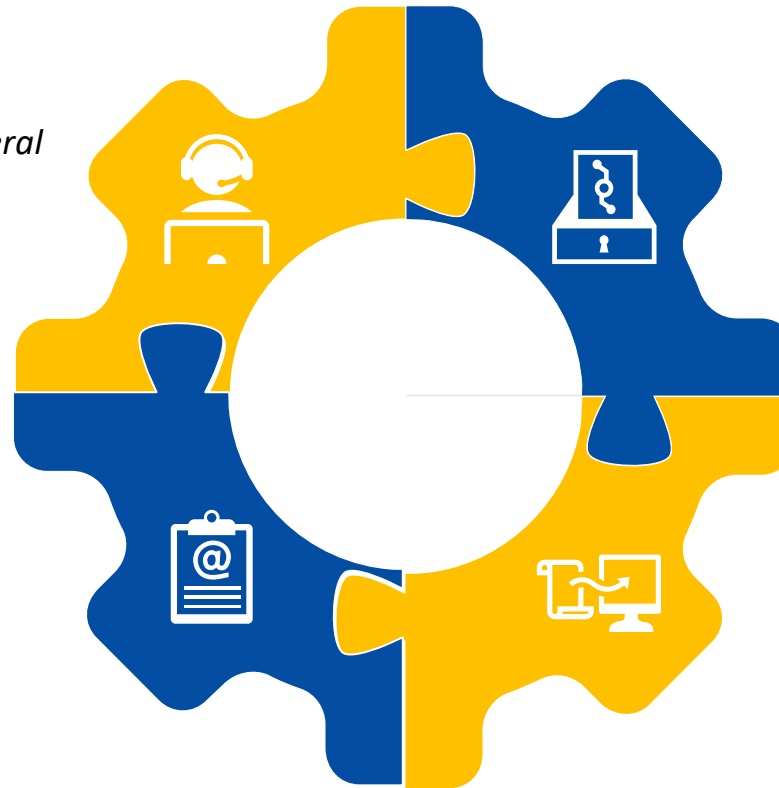
- Business Specification for Electronic Archiving
- Based on the OAIS - FR standard



## NF Z42-026:2017

*Definition and specification of services for the faithful digitisation of paper documents and control of these services*

- For the digitisation of documents



# Qualification scheme

105 requirements

Policies & practices	Archival management and operation	Archival operations
Archiving service practice statement	Human resources	Import / capture
Operational procedures	Asset management	AIP Generation
Information security policy	Access control	Access
Archival profile	Cryptographic control	Export / Restitution
Archival evidence policy	Physical and environmental security	Disposal
Augmentation of preservation evidences		
Time Stamp	Operation security	
Preservation evidences	Network security	
Signature validation policy	Incident management	
Preservation of digital signatures	Collection of evidence	
	Business continuity management	
	Compliance	
	Cryptographic monitoring	
	Subcontractors	

# Digital Act

## 2 sides of the coin



### Archiving with legal value

The digital document is *de facto* recognised and archiving under the Digital Act demonstrates its legal value.



### Qualified archiving following eIDAS

There is no qualification requirement, but

- Qualified archiving reverses the burden of proof
- Provides a presumption of heritage archiving



### Organisational & technical measures

The qualification scheme covers technical tools but also governance and process aspects.



### OAIS

Several standards are identified as the basis for compliance, but all are based on the *Open Archival Information System* model



# Digital Act

2 sides of the coin



## Too long timeline

3 years between legal text and royal decree; and yet three years to get the certification scheme.



## Few market impact

Only 1 qualified provider so far.  
Few or no interest in already existing solution



## Few or no legal references

The Digital Act should have been a reference for entire digital preservation legal framework.



## Standards confusion

Still a confusion on the standard to use and difference with the certification scheme



# Conclusions



# Thank you



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