Arab ICT Organization (AICTO)

Information Technology Authority Sultanate Of Oman

International Telecommunication Union (ITU)

African Telecommunication Union (ATU)

National Digital Certification Agency Tunisia

E-Signature Law of Iraq no. (78) of 2012

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Background

❑**Ministry of communication (MOC) ,** as governmental authority
is in charge of the communication and postal sectors, has 4
companies which provide government services:

• Iraq Telecommunications and infrastructure Company (ITIC).

• State Company of Internet Services (SCIS) .

• Salam General Company. (SGC)

• State Company of Post Services.(SCPS)

❑**The regulator in Iraq is the Communication and Media Commission (CMC)**

Background

- **ITIC :**The Iraq Telecommunications and infrastructure Company . is the monopoly provider of fixed wire telephone service, fiber nationwide backbone networks, and international connectivity through submarine cables, and cross-border fiber cables.

- **SCIS**: founded in the year 2000, provides Optical cable and broadband network services for e-government applications, wired and wireless access to the Internet as well as design and hosting Web pages for government departments and the private sector.

- **SGC**: General Company provides integrated system solution for

    governmental enterprises like private switching, encryption, surveillance... etc..

- **SCPS** : State Company of Post Services.

Current Status

- **Iraq requirements for the next phase:**

- **Establish National Data Center.**

- **Legislation of Cybercrime Law or any other similar supporting legislation and The national cybersecurity strategy must be issued.**

- **Establish High level authorized Cyber Security organization which responsible for policy-making and implementation of such related issues.**

- **The E-Signature law has been legislated but the necessary infrastructure and experience required for its application are not available yet.**

- **Establish Electronic Authentication organization.**

Current Status

- Iraq requirements for the next phase:
- **The Internet Iraqi Gateways** (IIG) project has been under test yet and to be expanded and developed within the next months
- Wide increase in Internet subscribers' penetration with high demand for broadband service, without enough precautions that protect citizen privacy and security also.
- High dependency on the private sector in providing broadband service, without enough satisfying cybersecurity precautions.
- Individual small projects for data storage and web hosting (to serve as data centers) .

Laws And legislation

- **Electronic signature law and electronic transactions no(78) of 2012.**

- **Electronic payment nedam no (3) of 2014.**

- **Proposed draft law on cybercrime.**

SCIS

- SCIS: The company is responsible for the implementation of E- signature and E-commerce, according to law no. (78) year 2012.

- The E-Signature law has been legislated and we will start to Implementation the necessary requirement for its application at 2018.

E-Signature law

- **The goals of this law, Article 2 explains:**
  First: provide the legal framework for the use of electronic means to conduct electronic transactions.
  Second: granting legal, authentic electronic transactions and electronic signature and the organization of its provisions.
  Third: strengthening the confidence in the authenticity and integrity of electronic transactions.
  The scope of this law / article-3 first:
  A- electronic transactions carried out by natural persons.
  B-for transactions that the parties agree on the implementation of electronic.
  C- securities and commercial electronic means.

E-Signature law

- **There are issues of the provisions of this law does not apply to them, which reported an article 3/second namely:**
  - A transactions relating to personal status and personal material issues.
  - B creates a commandment and moratorium and modify their provisions .
  - C transactions relating to the disposition of immovable property, including the related agencies and their title deeds and the establishment of rights in REM, excluding leases with this money.
  - D transactions that law draw To it a certain formality .
  - E Courts and advertisements and announcements to come and search warrants and arrest warrants and judicial decision procedures.
    And. Any document law requires documented mediated notary.

E-Signature law /Items Related to SCIS

- **According to the Law 78 in 2012 ITEM - 6 - :**
- **The SCIS implemented the following:**
- **First:** granting licenses to issue certificates after obtaining the approval of the Minister and in accordance with law.
- **Second:** determine technical standards for electronic signature systems and adjust their technical specifications and technical.
- **Third:** follow-up and supervision of the performance of those working in the field of issuing certificates and evaluate its performance.

E-Signature law /Items Related to SCIS

- According to the Law 78 in 2012 ITEM - 6 - :

- **Fourth:** consider complaints about the activities of an electronic signature or ratification certificate and electronic transactions and take appropriate decisions in the matter according to the law.
Fifth: provide technical advice to those working in the fields of electronic signature and ratification of certificates.
Sixth: set up training courses for workers in the fields of electronic signature and ratification of certificates and the establishment of educational seminars and conferences in this regard.

Electronic payment nedam no (3) of 2014

- **The system of electronic payments services was issued to facilitate the implementation of the electronic signature law and electronic transactions No. 78.**

- **The most important activities of electronic payment services:**

- **1- Issuing electronic payment tools for money.**

- **2 - Management of deposits and withdrawals through ATM.**

- **3 - The implementation of electronic payments through electronic means.**

- **4- It is not permissible to practice the activity except with a license from the Central Bank of Iraq.**

Electronic services implemented in Iraq

- **National ID Card . (http://www.nid-moi.gov.iq)**
- **The electronic passport.**

- **Electronic voter card.**

- **Electronic Payroll Card.**

Challenges and Risks

- **The challenges that we can face when implementing an e- signature project in Iraq?:**

- Lack of awareness of citizens.

- Use of the project by citizens.

- Citizens' lack of confidence in government institutions.

- Conflict of duties between ministries and the lack of a clear vision of action.

- Hacker Attack on websites.

- The difficulty of obtaining approvals from the higher authorities.

- Lack of confidence in security and security.

Challenges and Risks

- **The challenges that will face Iraq when connecting to AAECA-Net:**

- **1. Technical Challenges**: The need for efficient and efficient infrastructure to absorb this advanced technology, especially when used in financial transactions.

- **2. Legal challenges**: Complete the package of laws and legislation related to the use of technology in public life, such as e-commerce and cybercrime, as they represent the main links in the integration of legal legislation, some of them to fill gaps and create an appropriate working environment.

ITU-T Bridging the Standardization Gap

Challenges and Risks

- **3. Societal challenges:** The Arab societies lack a culture of dealing with legal legislation related to the use of modern technology in the field of communication and informatics and the need for a wide educational campaign adopted by competent authorities to raise the level of cultural awareness in this field.

- **4. Administrative Corruption:** Due to the authenticity of the electronic signature in the proof and the results achieved when it is widely applied and used, it is often faced with the difficulties and obstacles in its implementation. The purpose is to maintain the classic dry legal legislation to limit the use of technology to serve the society, To ensure the best results.

Questions I need to ask

- 1- Presenting the draft agreement or protocol on which cooperation between the Arab countries will be based and discussed.

- 2 - What equipment we need ? And what equipment should be compatible between countries OR each country that has its own standards for the devices and that subject

- Does it affect connectivity?

- 3. Has the roadmap been prepared, a specific plan has been established and a time period for linking has been established?

- 4 - There are some countries do not have laws on the part of electronic authentication Some of them have laws and did not enter into force and the other have laws and implemented how to deal in this case?

- 5 - Is there a specific application to be tested in the first stage and what is it?

- And what is required of each side to be equipped with equipment or legislation to be implemented?

Thank you

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