

# Build trust and a consistent ecosystem

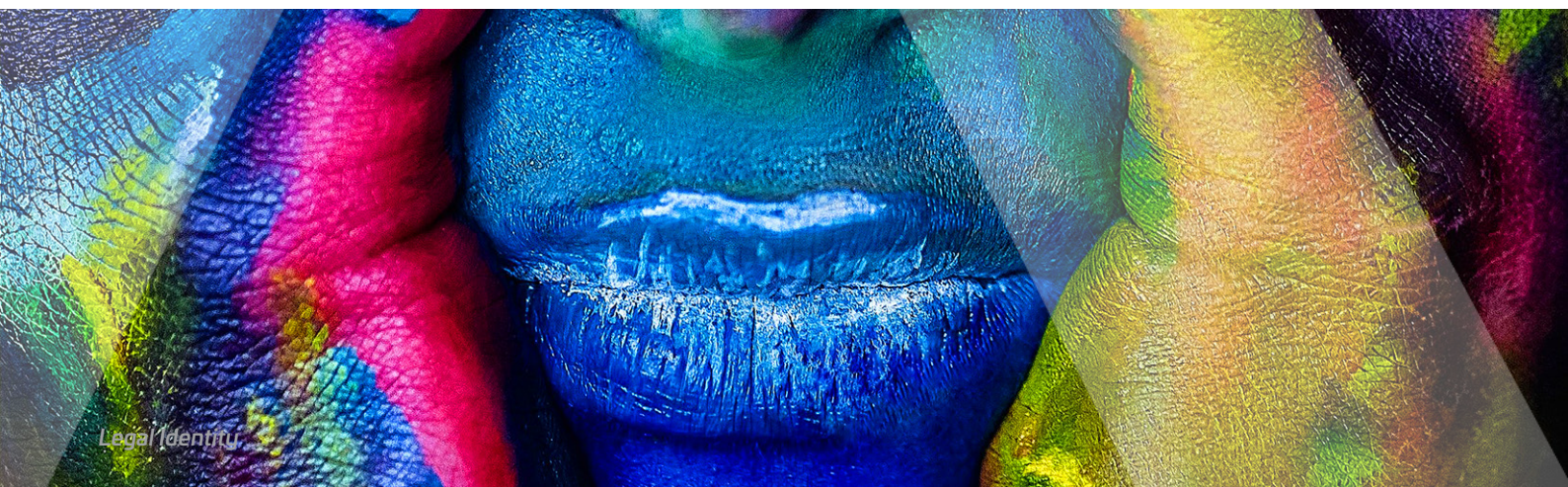
For successful implementation, a unique legal identity solution must be deemed legitimate by civil society. This implies a clearly defined legal framework and the designation of a single entity to carry the project.

## Lack of legal framework, lack of accountability and legitimacy

---

Without a favourable ecosystem, the project will face many difficulties.

- 1. The lack of a definite legal framework** (defining tools used, data collected, uses authorised, etc.) deprives the project of any legitimacy. However, «in recent years, while many African countries have come to adopt new digital identity technologies, they still lack the appropriate legal frameworks to support and regulate modern identity management systems», warned in 2019 a Concept Note of the Fifth Conference of African Ministers in charge of Civil Registration.
- 2. The lack of solid guarantees for the protection of personal data and individual freedoms** will lead to rejection by civil society within the country, and will arouse suspicion internationally.
- 3. The lack of a single entity, specifically tasked for the project**, can generate tensions between different state bodies which will claim the project's responsibility and supervision as their own. In Burkina Faso, civil status is the joint responsibility of both the Ministry of Justice and the Ministry of Territorial Administration and Decentralisation (MTAD). A Department of Civil Status Centres, Courts and Statistics collects statistical data, transmits it to the General Department for the Modernisation of Civil Status. Health centres issue birth notifications. This context makes the deployment of a single identity solution more complex.



# Thales' vision

A single legal identity solution must be implemented **within a protective legal framework**, covering biometrics, data protection and security issues.

Public debate around the subject must be held in full transparency. It must be an opportunity to discuss the issues at stake and the chosen solutions, and help **build trust**.

The project must be carried by **a single, autonomous and independent entity**, with no ties to one or more State bodies.

On the technical side, the solution must **guarantee complete security of stored data** (biometric and identity), avoid any misappropriation and ensure compliance with the rules: this security must be built in the solution, in a logic of « **Security by Design** ».

## Use cases and good practices

- **In Peru, a single entity oversees the legal identity program: the Registro Nacional de Identificación y Estado Civil (RENIEC).** Its status is unique in South America. In most countries, entities responsible for civil status are integrated in ministries (Chile, Mexico, Uruguay) or part of the electoral system (Bolivia, Colombia, Costa Rica, Panama, El Salvador). But RENIEC is autonomous and endowed with its own budget. In 2007, it required local civil status bodies to hand over their registration records to its own centralised storage and processing data-center.
- **In 2017, Jamaica wanted to launch a digital and biometric National Identification System (NIS),** supported by the National Identification and Registration Act (NIRA). NIRA authorised the creation of a database of identified information and criminalised failure to register with NIS. In April 2019, the Jamaican Constitutional Court, ruling that the biometric identification requirement violated the Constitution and the right to privacy, cancelled NIRA and dissolved NIS. **In 2020, a new law is drawn up and the project is back on track.**

### To know more

*Sheet # 1: Non-registration*

*Sheet # 2: Non-accessibility and exclusion*

*Statement Paper: The benefits of a Unique Legal Identity for Nations and Populations: a vision from Thales*

<https://www.thalesgroup.com/en/markets/digital-identity-and-security/government/inspired/legal-identity>

[thalesgroup.com](https://www.thalesgroup.com)