

INTRODUCTION TO  
OPEN ISSUES ON ELECTRONIC COMMERCE:  
THE DIGITAL IDENTITY  
UNCITRAL WORKSHOP

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# WELCOME



ALMA MATER STUDIORUM  
UNIVERSITÀ DI BOLOGNA

*The Digital Identity: the European Prospective*

h. 10.00-11.00 a.m.

Speakers:

**Eric A. Caprioli** - Avocat à la Cour de Paris - Ph.D, Member of the French delegation at the UNCITRAL Working Group on Electronic Commerce

**Andrea Servida** - Head of Task Force Legislation Team (eIDAS), European Commission

Discussion

Chair:

**Didier Gobert** - Head of the Electronic commerce service, Public Federal Service Economy and trainer in ICT law - Belgium

*The Digital Identity: the Global Prospective*

h. 11.00-12.00 a.m.

Speakers:

**Thomas J. Smedinghoff** - Of Counsel in the Privacy & Cybersecurity Practice Group in the Chicago office of Locke Lord LLP; Chair of the Identity Management Legal Task Force of the American Bar Association

**Hong Xue** - Full Professor of Law at Beijing Normal University (BNU), Director of BNU Institute for Internet Policy & Law (IIPL) and Co-Director of UNCITRAL-BNU Joint Certificate Program on International E-Commerce Law (JCP)

Discussion

Chair:

**Francesco Delfini** - Full Professor of Private Law at the University of Milan

*Open Issues on Electronic Commerce*

h. 12.00 a.m.-1.00 p.m.

Speakers

**Andrea Stazi** - Public Policy and Government Relations Manager at Google

Discussion

**Ala Musi** - China Electronic Commerce Association Policy & Law Committee Deputy  
Director, Alibaba

Discussion

Chair:

**Alberto M. Gambino** - President of the Italian Academy of the Internet Code (IAIC), Full  
Professor of Private Law at the European University of Rome

*Closing remarks*

h. 1.00 p.m.-1.30 p.m.

**Luca Castellani** - Secretary of the Working Group IV (Electronic Commerce) UNCITRAL

# WHY TO DISCUSS DIGITAL IDENTITY

“On the Internet, nobody knows you’re a dog”

Peter Steiner, *The New Yorker*, July 1993



digital  
identity





objective



subjective

# OBJECTIVE IDENTITY

- Objective elements of identification
- Public interest
- Protected by the law
  - person
  - other parties



# SUBJECTIVE IDENTITY

- Objective identity + individual's social image
- Social perception

# SUBJECTIVE IDENTITY UNDER ITALIAN LAW

- “Personal Identity”
  - right not to have their social image misrepresented
- “Right to be forgotten”

TODAY TOPIC:  
OBJECTIVE IDENTITY

# ITALIAN LEGISLATION

- **SPID:** *Sistema Pubblico per la gestione dell'Identità Digitale di cittadini e imprese* (identity management public system)
- Limit: national legislation

# EUROPEAN LEGISLATION

- European Regulation 910/2014
- **EIDAS:** *Electronic Identification Authentication Signatures*
- Limit: cannot be used internationally as it is



# INTERNATIONAL LEGISLATION

- There is a need for global regulation
- UNCITRAL can play a leading role

LET'S START ...