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## **CCBE Recommendations on Electronic ID cards for the legal profession**

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**Conseil des barreaux européens – Council of Bars and Law Societies of Europe**

*association internationale sans but lucratif - RPM Bruxelles 0.467.250.186*

Avenue de la Joyeuse Entrée 1-5 – B 1040 Brussels – Belgium – Tel.+32 (0)2 234 65 10 – Fax.+32 (0)2 234 65 11/12 – E-mail [ccbe@ccbe.org](mailto:ccbe@ccbe.org) – [www.ccbe.org](http://www.ccbe.org)

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## CCBE Recommendations on Electronic ID cards for the legal profession

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### Introduction:

The CCBE IT Law Committee is proposing guidelines for the content and format of data used in identity cards by CCBE members across Europe. Member Bars are encouraged to adopt the CCBE identity card design as a standard, but these guidelines are intended to cover all lawyer identity cards to ensure standardization and interoperability.

The advantage of a uniform or interoperational identity card for the legal profession is that it will assist in vouching the status of lawyers across the EU. Status and revocation will be able to be managed by each Member Bar remotely. Furthermore, such a card would produce a standard across the EU before each Member State Government imposes individual and perhaps incompatible standards. This would avoid a potential barrier to free movement of employment if, for example, a Member State required citizens' ID cards for certain legal purposes thus preventing non-citizen lawyers from acting in certain matters. Additionally, agreed information field formats will assist the interoperation of information.

If prompt action is not taken, and introduction of a Standard Smartcard is delayed for three to five years, technology may have superseded Smartcards with biometrics. Member States/Bars which may have introduced their own systems would lose the opportunity for compatibility.

### Recommendations:

The data on the CCBE identity card (or a national card following these guidelines) should incorporate the following:

1. On its exterior face the same information as at present:
  - Name
  - Title
  - Date of Birth
  - Registration number
  - Validation date
  - CCBE Logo
  - Logo of national/regional bar
  - Photograph
  - The function of the card in twelve different languages: e.g. lawyers professional identity card
  - A chip and a magnetic strip which can be used for storage place
2. A chip capable of being read by generic smartcard readers
3. A further copy of some of the same information (subject to revision) shown on the exterior including digital photograph should be on the chip for reasons of verification and security
4. The information fields should be in an agreed layout consistent with the current standard data fields for EU Digital Signatures (x.509.v3)
5. The card should be capable of optional incorporation of a Digital Signature complying with EU standards to permit execution of documents and secure encryption and vouching of e-mail
6. The remaining information fields not taken up by standard information/digital signature should be reserved for individual Member Bars to add specific information.
7. On the card there should be no data of complaints or claims records, and status would relate solely to whether or not current unrestricted membership was held.

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## **ANNEX: CCBE Subgroup on the electronic card**

### **Commentary on the Recommendations on Electronic ID cards for the legal profession**

#### **1. Introduction**

The CCBE subgroup on the electronic card has drafted recommendations on the use of the electronic ID card by the legal profession. These recommendations were approved by the standing committee of the CCBE on the 13<sup>th</sup> of October 2006. After the approval by the standing committee the subgroup discussed the content of the recommendations in a meeting on the 9<sup>th</sup> of November 2006.

The subgroup is pleased that the standing committee has approved the recommendation, but wants to clarify several issues regarding the use of the electronic ID card. These issues were raised by several members of the subgroup. The subgroup also wants to make a few phrasing modifications on the recommendation. These phrasing modifications are not substantial and will not harm the content of the recommendations.

With this commentary the Subgroup believes that the recommendations are clearer and can be implemented by all Member Bars.

#### **2. Commentary on the recommendations**

In recommendation 1 a number of items are mentioned which should be placed on the exterior and on the interior of the card. With three of the items mentioned on this list phrasing modifications are needed. The modifications (which are not substantial) are:

- Date of birth (optional)  
The date of birth is optional because some governments do not allow the use of the date of birth for privacy reasons. Member Bars can replace the date of birth with the date of registration.
- The function of the card in the languages of the European Union  
The ID card is the lawyers' professional identity card. In order to make the ID card compatible in all Member States of the European Union the function should be placed on the card in English, French and the language of the issuing Bar.
- A chip and a magnetic strip (optional) which can be used for storage place  
The chip is an intrinsic part of the electronic version of the ID card but the magnetic strip will be optional for Member Bars. The chip will be used for the storage of information and digital certificates. The magnetic strip can be used for the storage of information, but this will be optional for the Member Bars.

The chip which is placed on the ID card must be capable of being read by generic smartcard readers (recommendation 2). The advantage of this kind of chip is that Member Bars and their lawyers are no longer dependent on one or two suppliers of smartcard readers. A second advantage is that the ID card can be used in different countries of the European Union because of the generic standard. This will help the interoperability of the ID card.

For extra security reasons and reasons of verification the information on the ID card should be placed on the chip (recommendation 3). By placing the same information on the exterior as well as on the chip it will be difficult to counterfeit the ID card.

The digital certificate that will be placed on the card together with the information should be consistent with the current standard data fields for EU Digital Signatures (recommendations 4 and 5). At this moment this current standard is x.509.v3. By adopting the standards used by the European Union the CCBE and its Member Bars are using the latest technology when implementing the recommendations. This will provide a significant advantage for the further use of the electronic ID card.

When the remaining storage capacity of the chip is not used by digital information or a digital certificate, it can be used by individual Member Bars (recommendation 6). The Member Bars can put additional information on the ID card which can be used by the lawyer. This information can vary from the date of registration, the city or region in which the lawyer works, etc. The extra information however can not include data about complaints or claims records (recommendation 7).

### **3. The implementations of the recommendations**

There is no timeframe set for the introduction of these recommendations (and its commentary) within the Member Bars. The Member Bars should only have to introduce these recommendations or guidelines when adopting for a new electronic identity card. Reason for this it that several Member Bars have already introduced electronic identity cards for their lawyers. It would be a financial and organizational burden upon these Member Bars and their lawyers to implement a new electronic identity card according to these recommendations.

### **4. Conclusion**

With this commentary the Subgroup on the electronic card is attempting to clarify the recommendation which were approved by the standing committee. When adopting these recommendations on the use of the electronic ID card the Member Bars are facilitating the standardization and interoperability between lawyers of the European Union.