**3GPP TSG-SA3 Meeting #103-e *draft\_S3-212123-r11***

e-meeting, 17 - 28 May 2021

**Title: LS on User consent**

**Response to:**

**Release: Rel-17**

**Work Item: UC3S**

**Source: SA3**

**To: SA2**

**Cc:**

**Contact person:**

**Name:** Anja Jerichow

**Email Address:** anja(dot)jerichow(at)nokia(dot)com

**Send any reply LS to: 3GPP Liaisons Coordinator,** [**mailto:3GPPLiaison@etsi.org**](mailto:3GPPLiaison@etsi.org)

**Attachments:**

# 1 Overall description

SA3 would like to inform SA2 on the work status of user consent study in TR 33.867 regarding user consent and revocation.

In the context of eNA, data is processed for specific purposes and provided to external applications. Thus, a solution for user consent is important to have in Rel-17 along with the normative eNA feature currently progressed by SA2. SA3 has so far identified key issue #2 on “User consent for UE data collection” and key issue #3 "Modification or revocation of user consent" in TR 33.867, for which solutions also related to eNA are needed.

SA3 would like to mention: user consent requirements vary across regulatory environments, thus, the mechanisms for user consent don not need to be specified as “shall”. Instead a wording such as "depending on local regulatory requirements, … shall …" is sufficient. It is not in the remit of SA3 to decide in detail which data (raw data, analytics reports, models, etc.) might be subject to user consent in certain legal jurisdictions, therefore, requirements and recommendations given below are for "data subject to user consent". The final interpretation can only be provided by legal proceedings in courts.

SA3 would like to provide the following comments on SA2 conclusions in KI#15 User consent for UE data collection/analysis:

|  |  |  |
| --- | --- | --- |
| **Copied from 23.700-91 conclusions on KI#15 User consent for UE data collection/analysis** | | **SA3 responses** |
| a) | UDR (via UDM services) holds the user consent for user related data which is provisioned by MNO as a user subscription information. | There is general agreement in SA3 that UDR (via UDM services) holds the user consent for user related data which is stored as a user subscription information. |
| b) | A service provider (external to MNO domain) may use NEF parameterProvision\_Update service to update or to revoke the user consent to the UDM/ UDR (when applicable). | Each data controller is responsible for ensuring user consent is given related to the data they are responsible for. Therefore, external entities are only allowed to modify the consent setting for data that they are controller of, i.e., the consent that were provided by the external entity. |
| c) | Alternatively, the user consent parameter may be configured by MNO in the UDM/UDR (when applicable). | It is useful to allow an operator to manage user consent parameters in the UDM/UDR, i.e. the user consent provided along with the data type needs to be written in the subscription database.  Note: the word “configure” sounds confusing, as the user consent by nature can be changed on demand of the user/subscriber during the lifetime of a subscription.  The detailed data model for user consent parameters is still under discussion in SA3. |
| d) | Another option is the ASP configures the ASP's Application in UE to provide input data only if user consent is obtained. | SA3 would like to point out that ASP’s application on UE shall not provide input data if consent is not given. How that "configuration of ASP's application in UE to provide input data only if user consent is obtained" happens is not in the remit of 3GPP scope. |
| e) | A functionality to be provided to support tracking the distribution and usage of any user related information that may be subject to user consent.  NOTE 1: Whether the functionality described in bullet item e) is hosted by NWDAF, DCCF (and possible interactions with DRF) or as a standalone NF is decided in normative phase in alignment with SA WG3 feedback. | SA3 agrees that a functionality to support tracking is needed. Where this functionality is hosted, is up to SA2 specification.  SA3 agrees the requirement about tracking the distribution and usage of any user consent information that may be subject to user consent is valid. SA3 will define and address the potential security requirement accordingly and will inform SA2. |
| f) | The functionality described in bullet item e) subscribes to the UDM/UDR to receive notifications for any changes in the user consent. | Comment on e) applies. Further, whether the functionality (to be defined in SA2) needs to subscribe to notifications for changes in the user consent depends on where it is hosted. When hosted in UDM/UDR, this is irrelevant. |
| g) | If a requested data is subject to user consent, the NWDAF and/or the functionality described in e) may check the user consent from the UDM/UDR before the data collection.  NOTE 2: This does not preclude that also other entities (e.g. AMF or SMF) to check availability of user consent with UDM/UDR. | If a requested data is subject to user consent, the user consent must be checked.  SA3 TR 33.867 has currently 2 potential solutions recorded, whether user consent checking is done by NWDAF or by the data producer has not been decided so far. SA3 will report on this later. |
| h) | User consent for the user data provided by a data source to a data consumer may have a validity time. On expiry of this validity time, the user data should be either deleted or the user consent for this data to be renegotiated. | SA3 agrees that providing a validity time of user consent seems to be useful as it allows to reduce the amount of tracked data. Deletion and renegotiation are important to have. Note, only for data that is subject to user consent, a requirement on deletion and renegotiation exists. |
| i) | (Subject to applicability of Data Protection Regulations) in case of user consent revocation at UDM/UDR, NWDAF deletes the related user data and terminates the data collection from the corresponding source NF. | SA3 agrees on the principle of user revocation. It is currently being discussed in SA3. SA3 will define necessary mechanisms and/or requirements and will inform SA2. |
| j) | (Subject to applicability of Data Protection Regulations) in case of user consent revocation (at UDM/UDR), the functionality described in bullet item e) may send a request to NWDAF service consumer(s) to delete the related user data/ analytics. | SA3 agrees with the requirement that in case of user consent revocation, it must be possible to delete any data that is subject to user consent. Since the architectural design is in scope of SA2, please inform SA3 on the specified solution. Please note, that it is important to decide where the policy enforcement point is, i.e., the policy may be enforced at a different network function than the one requesting deletion and revocation. It must be clearly stated, who is the data collector and who is the data processor. SA3 will also define necessary mechanisms and/or requirements. |
| k) | (Subject to applicability of Data Protection Regulations) in case of user consent revocation (at UDM/UDR), NWDAF service consumer(s) may delete the related user data/analytics on request (refer to bullet item j) or on expiry of validity time (refer to bullet item h). | NWDAF service consumers shall delete the any data that is subject to user consent on request or expiry in line with regulatory jurisdiction.  . |

# 2 Actions

**To SA2**

**ACTION:** SA3 asks SA2 to take this information into account keep SA3 informed of its progress.

# 3 Dates of next TSG SA WG 3 meetings

SA3#103Bis-e 5 - 9 July 2021 Electronic meeting (TBC)

SA3#104-e 16 - 27 August 2021 Electronic meeting