



# **Proposal for a Regulation on Electronic identification and trust services for electronic transactions in the internal market [COM(2012) 238 final]**

## **Progress of the legislative process**

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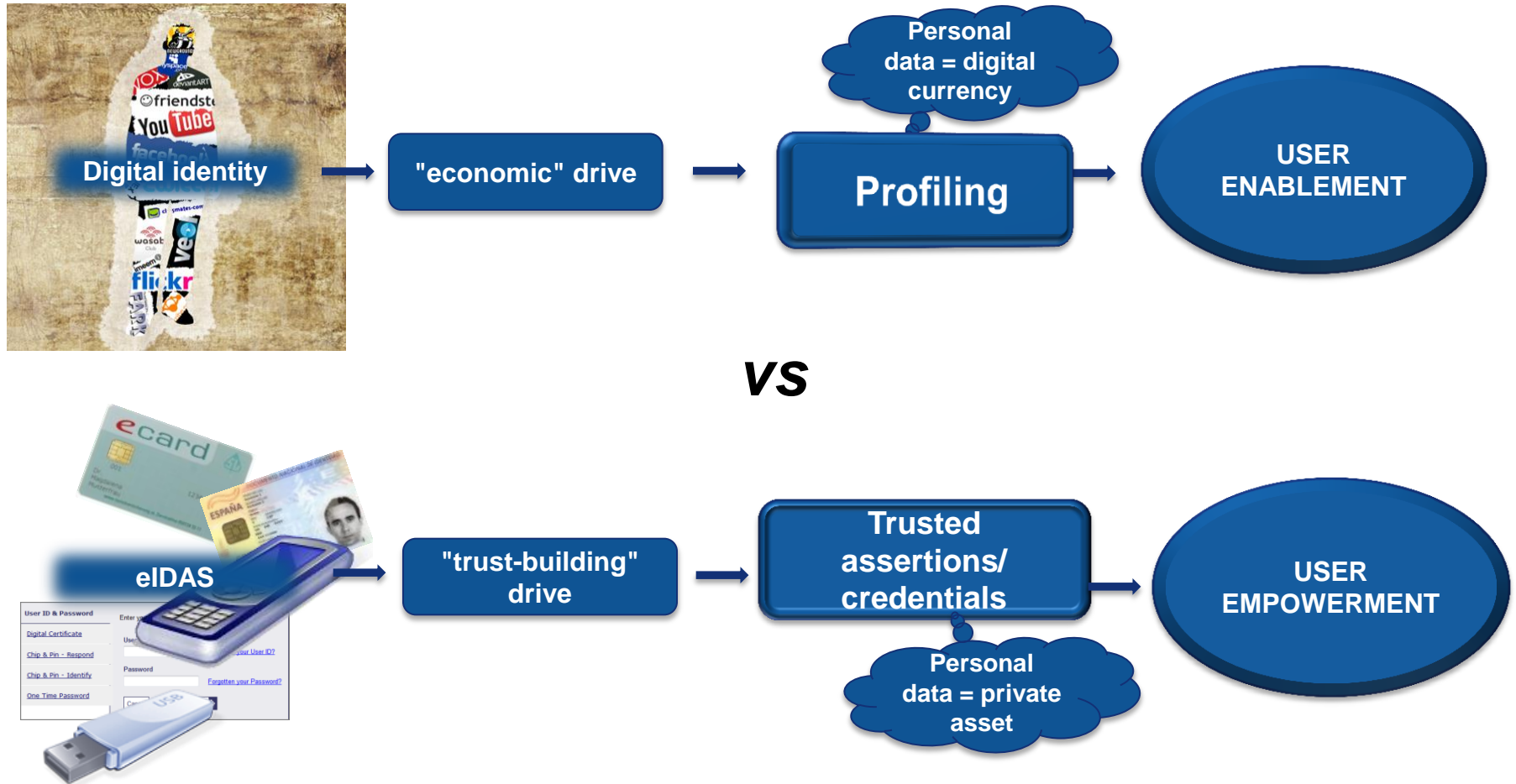
# Policy context

- EU legal framework only for **e-signatures**
  - No comprehensive EU **cross-border** and **cross-sector** framework for e-identification, authentication, signatures and related trust services
- ➔ Commission's "eIDAS" legislative proposal  
on 4.6.2012

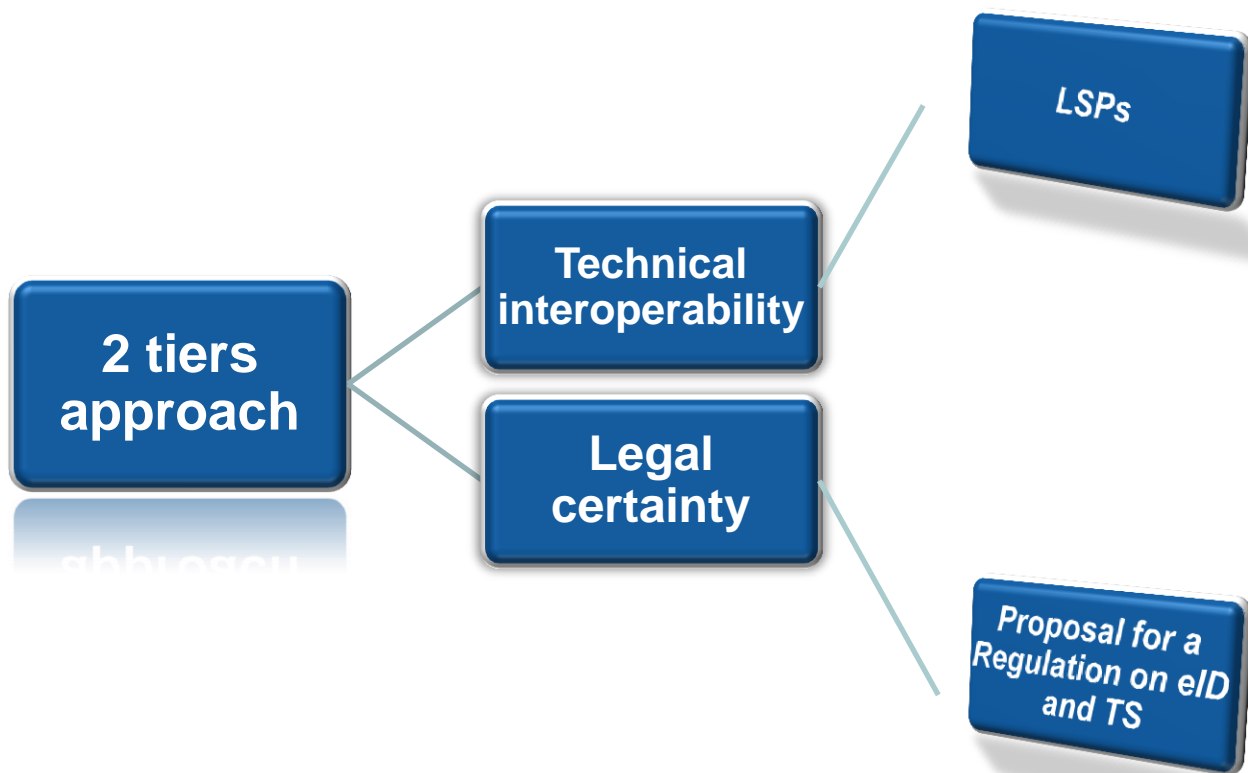
# eIDAS is on the top of EU political agenda

- **European Council of 13-14.12.2012:**
  - Called on the co-legislators to **speed up the work on eIDAS proposal**.
  - Invites **Council** and **Parliament** to give the proposal the highest priority with a view to its **adoption by the end of the current parliamentary cycle** at the latest (= June 2014).
- **European Council of 14-15.3.2013:**
  - The rapid conclusion of the work is an **essential priority**,
  - eIDAS is a **key file**

# "Digital identity" vs electronic identification and trust services



# Rolling out eIDAS: the EU approach



**WHY?**

# Large Scale Pilots (LSPs)



Interoperable e-procurement



19 partners  
11 countries



Total Budget  
30.8M€



Electronic Identity



32 partners  
14 countries



Total Budget  
26M€



Patient Summary/ePrescribing



47 partners  
23 countries



Total Budget  
23M€



Business mobility



33 partners  
16 countries



Total Budget  
24M€



eJustice



17 partners  
15 countries



Total Budget  
14M€

and the most recent ones **STORK2.0** and **eSENSE**

# What is the proposal's ambition?

- Strengthen EU Single Market by boosting TRUST and CONVENIENCE in secure and seamless cross-border electronic transactions



# Scope of eIDAS

## 1. Mutual recognition of **electronic identification**

## 2. **Electronic trust services:**

- **Electronic signatures** interoperability and usability
- **Electronic seals** interoperability and usability
- Cross-border dimension of:
  - 1. Time stamping,**
  - 2. Electronic delivery service,**
  - 3. Electronic documents admissibility,**
  - 4. Website authentication.**





# How does it work for mutual recognition of eID?

- **A EU Member State:**

1. **May 'notify'** the 'national' electronic identification scheme(s) used at home for access to its public services
2. **Must** recognise 'notified' eIDs of other Member States for cross-border access to its online services when its national laws mandate e-identification
3. Must provide a free online **authentication** facility for its 'notified' eID(s)
4. Is **liable** for unambiguous identification of persons and for authentication;
5. May allow the private sector to use 'notified' eID

# What is foreseen for electronic trust services?

## Common Principles:

- **Technological neutrality**
- Mutual recognition of «**qualified**» electronic trust services (including non EU countries)
- Strengthens and harmonises **national supervision** of qualified trust service providers and trust services
- Reinforces **data protection** + obligation for **data minimisation**
- Uses **secondary legislation** to ensure flexibility vis-à-vis technological developments and best practice

# What is foreseen for electronic trust services?

## eSignature

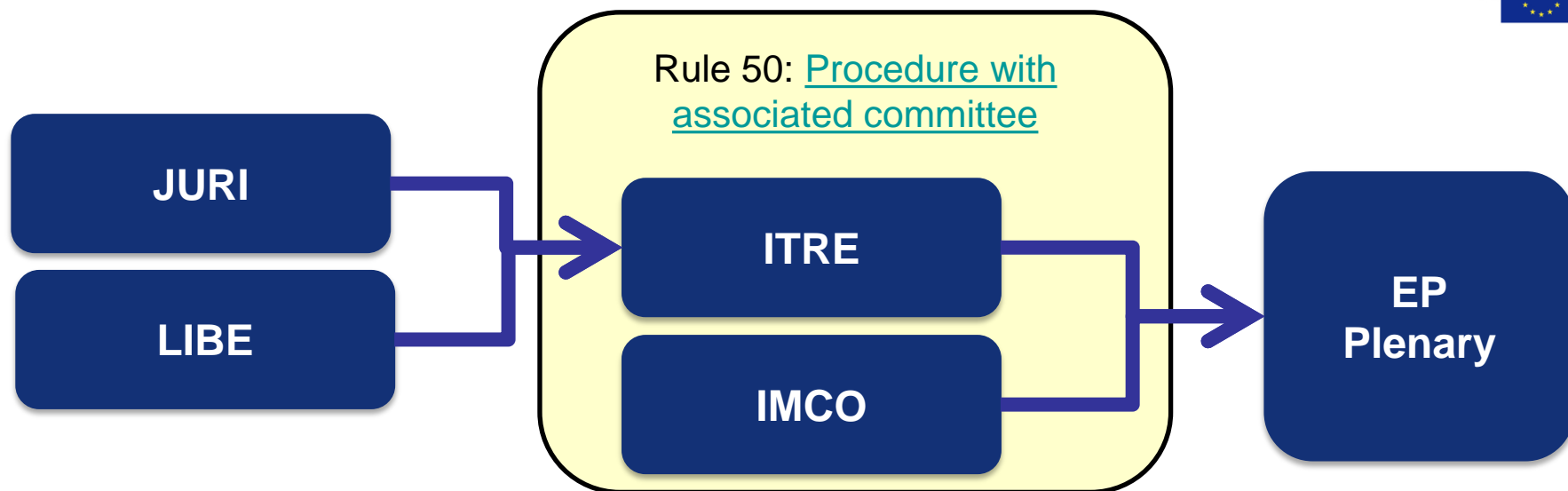
- Builds on existing eSignature infrastructure and clarifies concepts related to eSig. (**natural** persons)
- Introduces **eSeals** (**legal** persons)
- Allows for full reference to standards
- Clarifies validation of qualified eSignatures
- Ensures long term preservation
- Allows «server / remote» and «mobile» signing



## Council of the European Union, "TELECOM" Working Party

- **Cypriot Presidency (2H2012):**
  - [Progress report to Telecom Council of 20.12.2012](#)
- **Irish Presidency (1H2013):**
  - [Progress report to Telecom Council of 6-7.6.2013](#)
- **Lithuanian Presidency (2H2013)**
  - Telecom Council on 6.12.2013
- **Greek Presidency (1H2014)**

# eIDAS State of Play – European Parliament



## Committee votes on their amendments:

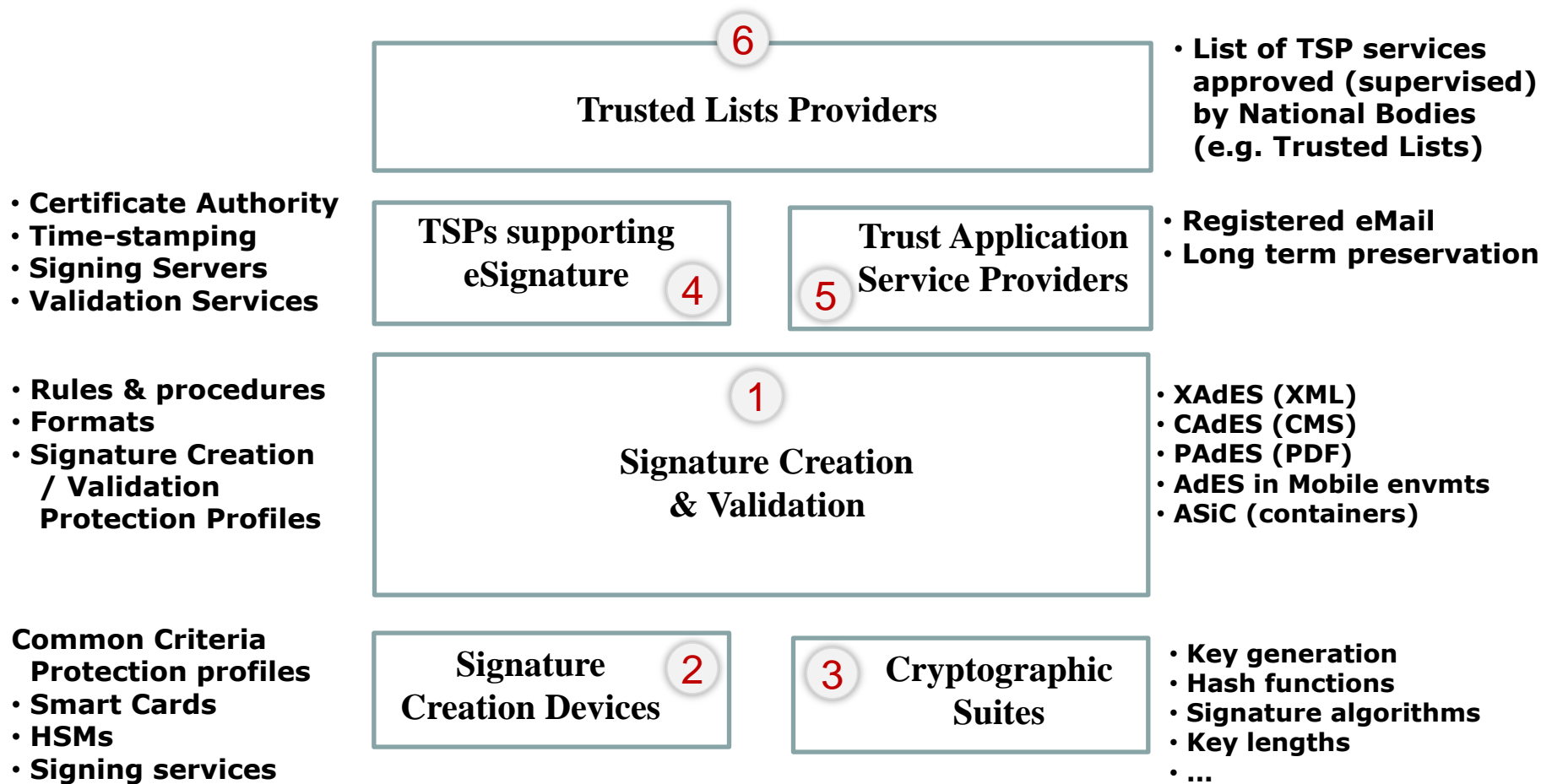
- JURI - Committee on Legal Affairs: [opinion voted on 20 June 2013](#)
- LIBE - Committee on Civil Liberties, Justice and Home Affairs: [9 July 2013](#)
- IMCO - Committee on Internal Market and Consumer Protection: [9 July 2013](#)
- **ITRE - Committee on Industry, Research and Energy: 14 October 2013**
- EP Plenary: Vote on 1st reading – date not fixed

# EP and Council focal points for discussion

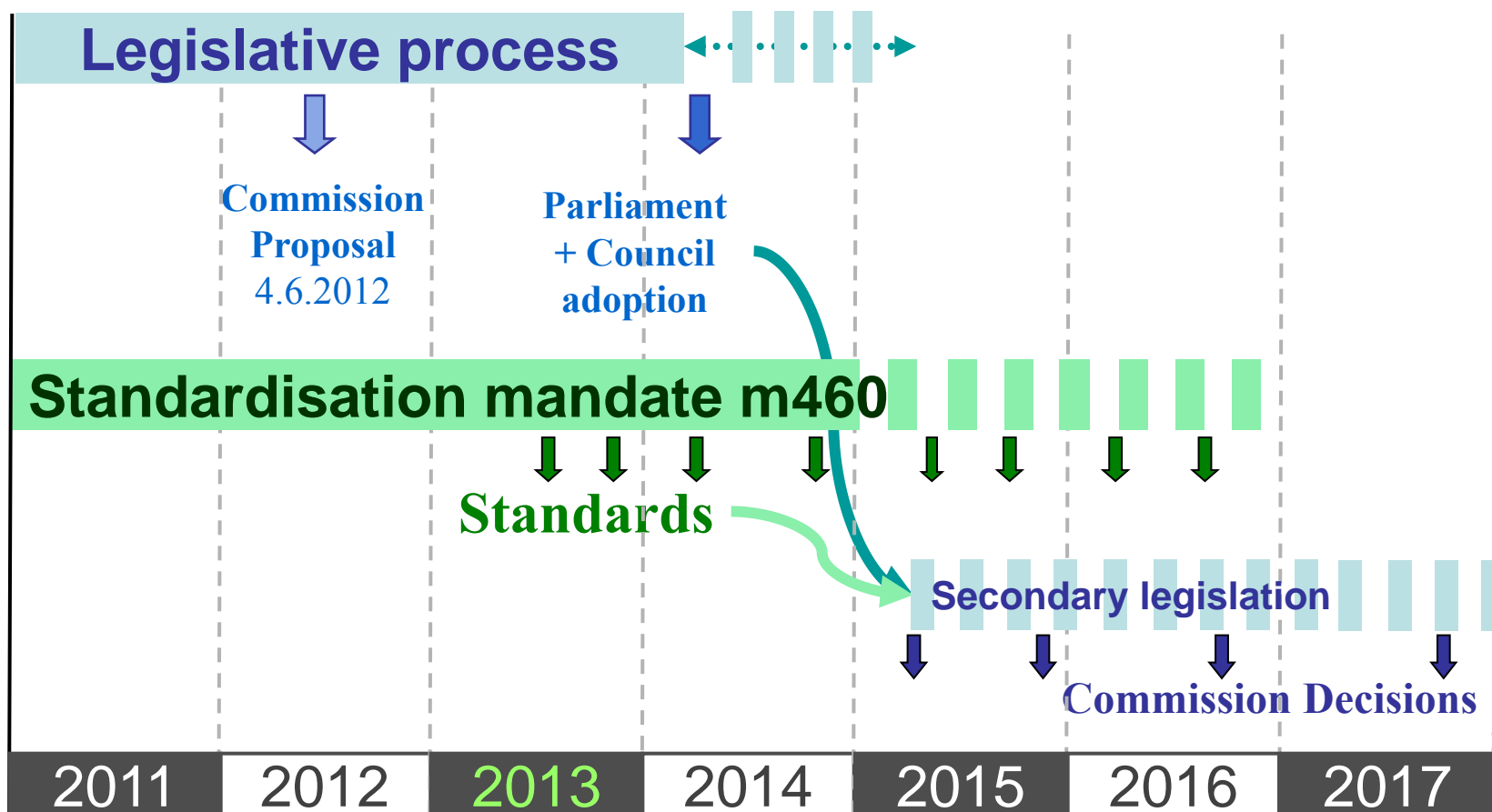
- **eID:**
  - Scope, interoperability, data protection, liability, ...
  - Requirements on security level(s) of eID schemes to be “notified”
- **Trust services (generic):**
  - Limitation on trust service providers liability
  - Obligation and supervision of non “qualified” providers and services
  - Providers’ conformity assessment according to Regulation 765/2008
  - Prior authorisation for QTSPs
  - Recognition of 3<sup>rd</sup> country providers and services
  - Delegated acts
- **eSignature and related services:**
  - eSignature certificates: specific attributes, suspension, ...
  - IT security certification of signature creation devices
  - Scope width: eSeals, eDelivery, eDocument, Website authentication

# Standardisation mandate m460

## by CEN and ETSI



# eIDAS: Indicative process



*NB. Dates are indicative*



# IAS Study

## Objectives and tasks:

### 1. Technical and legal building blocks

- Provide input for **devising technical and legal building blocks** needed for the preparatory work in the areas envisaged in the planned secondary legislation.
- Provide input for **standardisation activities** related to planned secondary legislation in the proposal for a Regulation

### 2. Market take-up of eID and trust services

- **Monitor the take-up** of electronic identification (eID), electronic authentication and electronic trust services (eTS) and **evaluate the impact** of national and EU legislation.
- Build upon and **further develop the results** of the studies commissioned by the Commission on country profiles delivered in 2009.
- Complement and enhance the **Impact Assessment** report accompanying the proposal for a Regulation and the existing market studies, by collecting additional and updated data and by defining and measuring core progress indicators.

### 3. Communication and awareness

- Propose a **communication strategy** and outline an **awareness raising campaign** to promote the uptake of trusted services by EU citizens and SMEs.

### 4. Technical assistance

- Provide **technical assistance** to the Commission on eID, authentication and eTS in particular by providing thematic technical reports, briefings and analysis.

## Study partners:



[www.iasproject.eu](http://www.iasproject.eu)

## Study details:

### 1. Study duration

- Start: January 2013
- End: January 2015

### 2. Study deliverables

- Recommendations for implementing acts
- Monitoring eTS and eID
- Enhancing eTS market analysis
- follow-up of mandate m460

### 3. Study workshops

1. 25 September 2013
2. 1Q2014

4. Commission reference: SMART 2012/0001

# For further information and feedback



<http://ec.europa.eu/digital-agenda/en/trust-services-and-eid>



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