IDnow.

ENISA Trust Services Forum : Panel on "Global Recognition of EU Trust Services – what are the challenges?"

TRUST vs. LIABILITY

Johannes Leser

VP Trust Services

Trust is nothing without LIABILITY

In essence, the eIDAS Regulation provides a framework to promote:

- Transparency and **accountability**: well-defined minimal obligations for TSPs and **liability**;

- Guarantee of trustworthiness of the services together with security requirements for TSPs;

- Technological neutrality: avoiding requirements which could only be met by a specific technology;

- Market rules and standardization certainty.

Source: www.enisa.europa.eu

In a digital world users want to TRUST in digital services

- By appliyng standards and technologies big tech companies try to be seen as trusted or offer a Trust Service

- But usually there is no intention to take responsibility to the services offered. So there are no rules which make these companies liable unedrlying

- Without a framework and a legal basis which indicates the accountability and liability there will not be a trust service users can rely on

- Example GDPR:
  - Already there have been privacy rules out there applied by different companies
  - But only with the existence of the General Data Protection Regulation GDPR companies have applied working data privacy in their web offerings
  - So no privacy without liability

IDnow. 3

Challenge:

- We have to explain to countries outside EU that without a framework and regulation of trust services we can not achive TRUST in digital services because we are missing the LIABILITY

- Relying on international Standards only will not solve the missing LIABILITY

- When we have an understanding of this need it will be more easy to have a global recognition of EU Trust Services and the idea behind it

Thank you !