



# Discussion on the new European Digital Identity framework

25 May 2023

# Digital Identity our core topic

## A long-standing expertise

For more than 20 years Eurosmart supports digital identity topics at the EU level:

**1999** eSignature Directive

**2014** eIDAS regulation

**Today's** European Digital Identity Framework – EU DI Wallet

## eIDAS 2 and recent achievements

- 
- **EP - ITRE** Public hearing
  - **CoR** public hearing
  - Hearing at the **eIDAS expert group**
  - Providing industry's views to a wide range of stakeholders (**DG CNECT, MEPs, ENISA, National agencies** etc.)

# Digital Markets Act (DMA)

## The Digital Markets Act (DMA) as a crucial safeguard for eIDAS

**Recommendation: insert a specific article on the interaction between the eIDAS and the DMA**

European Digital Identity Wallets, electronic identification means, qualified signature creation devices and qualified trust services are instrumental to support the various services eIDAS introduces.

It shall be possible for any organisations to provide European Digital Identity Wallets, electronic identification means, qualified signature creation devices and qualified trust services **independently of gatekeepers**

### **Eurosmart's proposal:**

#### *Interaction with the Digital Markets Act*

- 1. Organisations providing European Digital Identity Wallets, electronic identification means, qualified signature creation devices and qualified trust services are providers of services, providers of hardware or alternative providers of services for the purpose of implementing Article 6(7) of Regulation XXX (Digital Markets Act).*
- 2. Gatekeepers, as defined by Article 3 of Regulation XXX (Digital Markets Act), shall not prevent organisation providing European Digital Identity Wallets, electronic identification means, qualified signature creation devices and qualified trust services from accessing operating systems, virtual assistants, hardware and software features on security grounds, unless they present reasonable evidence to the European Commission.*

# Security and certification

## Guiding principles

- 1 Mandatory certification of the Wallet with a **European cybersecurity scheme level High (Cybersecurity Act)** or a **scheme providing an equivalent level of security**
- 2 Certificates to be issued by national cybersecurity certification authorities (or under their delegation)
- + national schemes or European schemes, **no private schemes**

## Rely on European certification schemes

- EUCC scheme level High for secure element
- EUCS scheme level High for cloud components: particularly interesting as it could incorporate **“immunity requirements”** (no extra-territorial access to data)



Clause could be inserted in Article 6c to state that the **EC is empowered to make European schemes mandatory (via IA)**

*Note: some schemes do not exist yet at European level (e.g. biometrics, secure software), national schemes can be used in the meantime*

# Mandatory support of offline mode

## Offline support for the wallet is key

**It should not be an option but mandatory**

Necessary for use cases where there is no connectivity on the Wallet side (no network, no connection,..)

Key for the uptake and the fast adoption

### **Recommendation:**

**Specify that the wallet shall mandatorily support offline mode for the following features:**

- Authentication
- Presentation of PIDs
- Presentation of attestation

Offline features shall therefore also be in the scope of certification of the wallet

# Clear guidance for LoA

## Clarify implementation of eIDAS LoA

**LoA criteria are fuzzy and substantially impede interoperability, recognition and deployments**

**Guidance for the implementation of the levels of assurance (LoA) which support the eIDAS Regulation are needed**

- Identify standards and compliancy requirements
- Particularly relevant for level “high” (Wallet)



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