



eIDAS Regulation (EU) 910/2014

*Boosting trust & security in the
Digital Single Market*

**eIDAS and Centralised Electronic
Signatures - transforming
digitalisation**

22 November, 2016 - London

Elena ALAMPI
DG CONNECT, European Commission
"eGovernment and Trust"

elena.alampi@ec.europa.eu



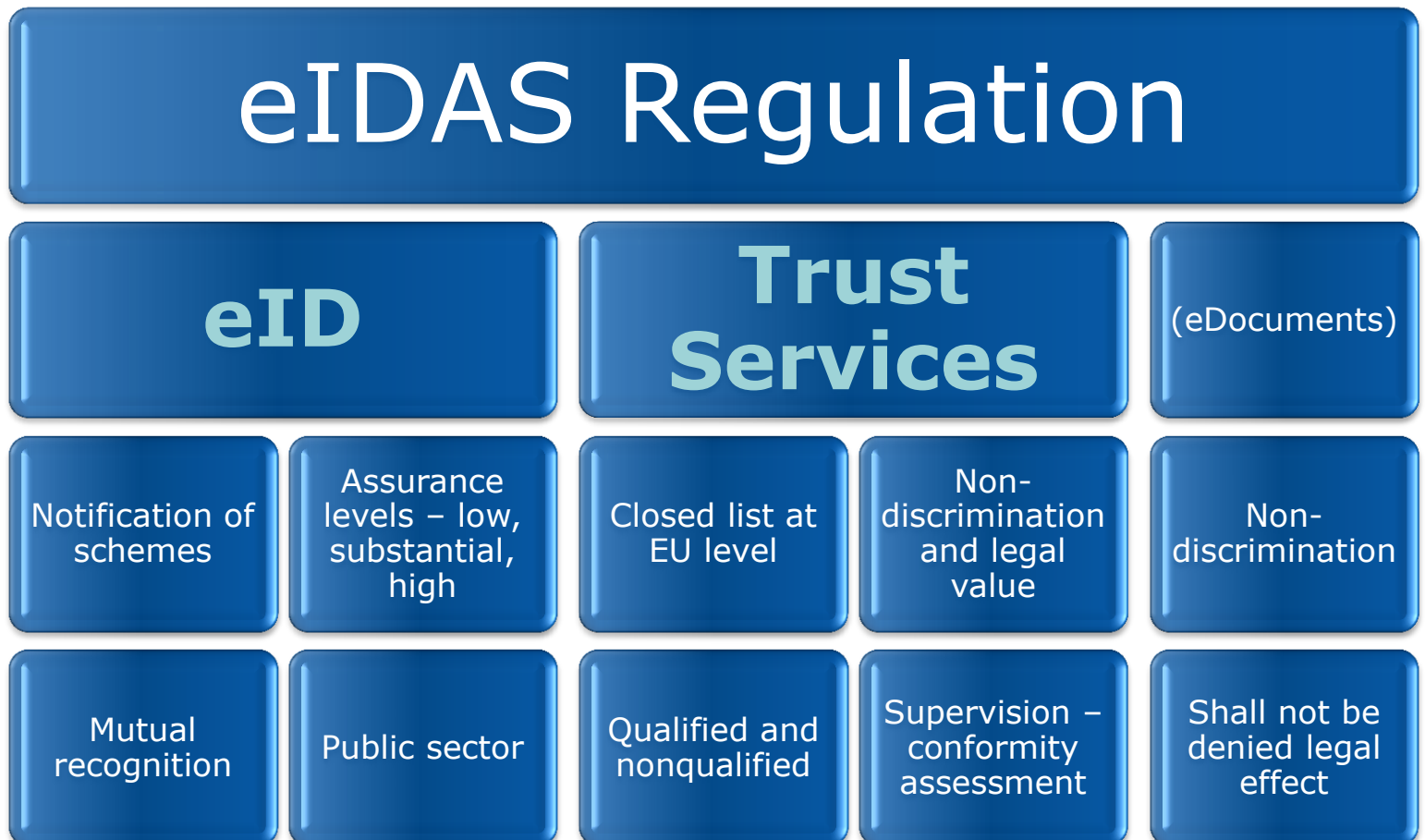
Art 114 TFEU on internal market as the legal basis → Free movement of products and services

One Regulation for eID and trust services **directly applicable in the 28 MS**

28 implementing acts and **1 delegated act** to further specify the technical aspects of the Regulation:

- *eID: 4 implementing acts*
- *eTS: 24 implementing acts and 1 delegated act*

eIDAS Regulation: scope and main principles



The eIDAS Regulation provides for eID & TS:

Technological neutrality

Non-discrimination

Interoperability

Cross-border recognition

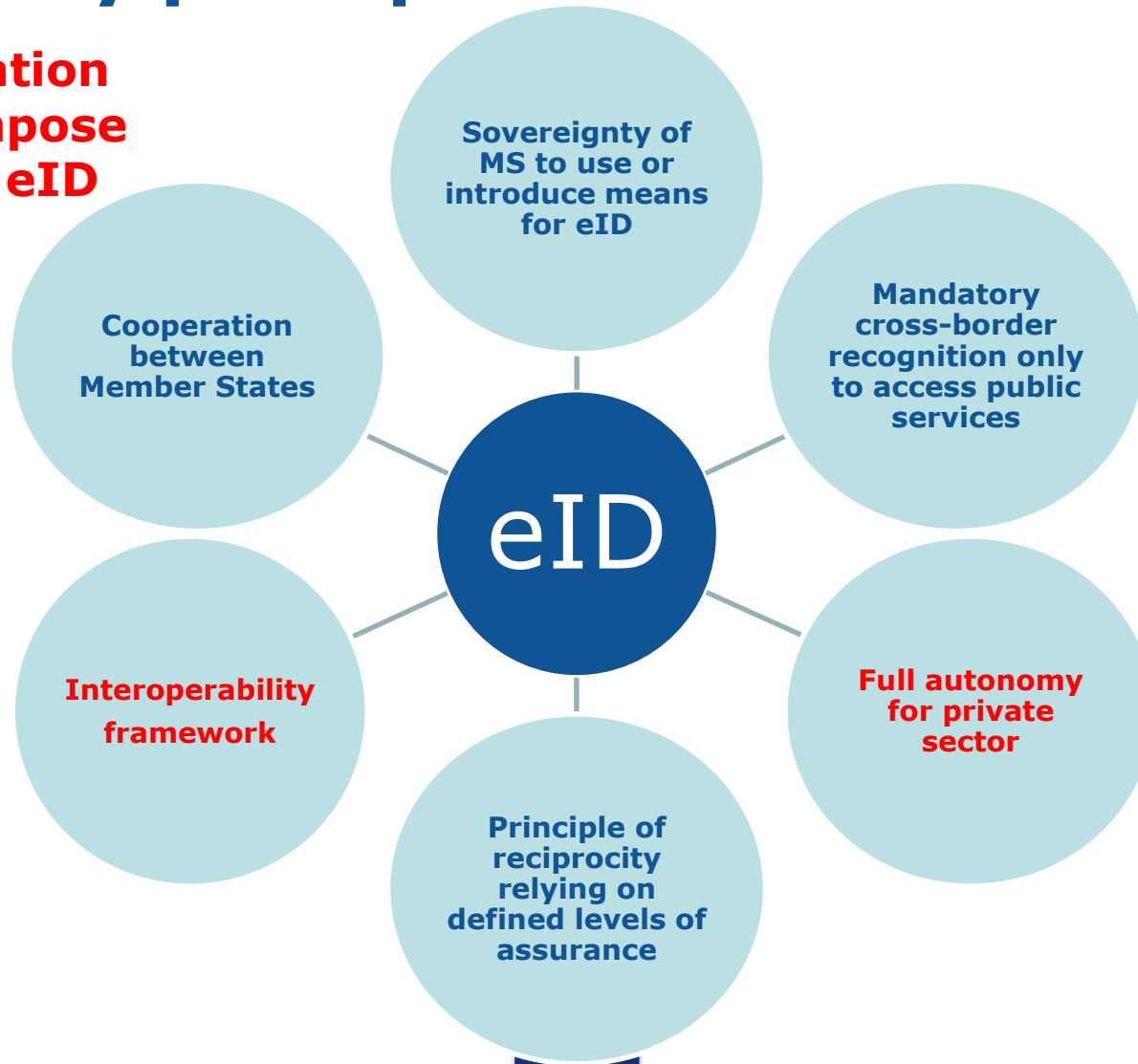
Legal certainty

Security

Liability

eIDAS: Key principles for eID

**The Regulation
does not impose
the use of eID**



Countries with nationally supported eID schemes

Nearly all Member States (will) have a nationally supported eID scheme in place

Preliminary data from the ongoing CEF eID Stakeholder Analysis Report by Deloitte

- Countries with eID schemes:
AT, BE, DE, DK, EE, ES, FI, HR, HU, IT, IS, LT, LU, LV,
MT, NL, NO, PT, RO, SE, SK, TR, UK
- Countries setting-up national eID schemes:
BG, CY, CZ, EL, FR, SI
- Countries to be confirmed:
IE, PL



Information provided by MSs (as of 1 January 2016):
eID cards in 15 MSs (6 planned), other eID means in 24 MSs
25 MSs having either an eID card or other eID means



**Horizontal principles: Liability;
Supervision; International aspects;
Security requirements; data protection;
Qualified services; Prior authorisation;
trusted lists; EU trust mark**

**Electronic
signatures
, including
validation
and
preservati
on
services**

**Electronic
seals,
including
validation
and
preservati
on
services**

**Time
stamping**

**Electronic
registered
delivery
service**

**Website
authentic
ation**

The EU Trust Mark for Qualified Trust Services – CIR (EU) 2015/806



- Frequently asked questions
- User manual
- Downloadable files



eIDAS - Electronic signature and seals

- **Non-discrimination as evidence in legal proceedings** (art.25.1-35.1)
- **Legal effect** (art.25.2-35.2)
 - **Qualified e-Signature:**
 - ✓ only for natural persons
 - ✓ Assimilation to handwritten signature
 - **Qualified e-Seal:**
 - ✓ only for legal persons
 - ✓ Presumption of integrity of the data and correctness of the origin
- **Recognition in all MS of a qualified electronic signature /seal based on a qualified certificate issued in one MS** (art.25.3-35.3)

eIDAS - Electronic documents

Non-discrimination of electronic documents vis-à-vis paper documents as evidence in legal proceedings (art.46)

Ensures validity and legal certainty of cross-border electronic transactions through the impossibility for Courts to reject a document on the grounds that it is in electronic form

Timeline

2014

2015

2016

2017

2018

2019

17.09.2014
**Entry into
force of the
eIDAS
Regulation**

26.11.15 – eID DSI
v.1 eIDAS compliant

eID

29/09/2015
Voluntary cross-border recognition

29/09/2018
**Mandatory cross-
border recognition**

**Trust
services**

**eSignature Directive
rules**

1.07.2016
**Date of application of eIDAS rules for trust
services**



The eIDAS Legal Framework

	Legal Act	Reference	Adoption date	Entry into force
	eIDAS Regulation	910/2014	23.07.2014	17.09.2014 (1.07.2016 - application provisions on TS)
eID	ID on procedural arrangements for MS <u>cooperation</u> on eID (art. 12.7)	2015/296	24.02.2015	17.03.2015
	IR on <u>interoperability framework</u> (art. 12.8) <i>Corrigendum C(2015) 8550 of 4.02.2016</i>	2015/1501	8.09.2015	29.09.2015
	IR <u>assurance levels for electronic identification means</u> (art. 8.3)	2015/1502	8.09.2015	29.09.2015
	ID on circumstances, formats and procedures of <u>notification</u> (art. 9.5)	2015/1984	3.11.2015	5.11.2015 (notified to Ms)
Trust services	IR on <u>EU Trust Mark</u> for Qualified Trust Services (art.23.3)	2015/806	22.05.2015	12.06.2015
	ID on technical specifications and formats relating to <u>trusted lists</u> (art. 22.5)	2015/1505	8.09.2015	29.09.2015
	ID on <u>formats of advanced electronic signatures and seals</u> (art. 27.5 & 37.5)	2015/1506	8.09.2015	29.09.2015
	ID on <u>standards for the security assessment of qualified signature and seal creation devices</u> (art. 30.3 & 39.2)	2016/650	25.04.2016	05.2016

eIDAS transformative role: Opportunities for eServices

EU **cross-border market** for banks → potential for business growth across EU

Trusted credentials to **discharge regulatory requirements** (e.g. Anti-Money Laundering, PSD2, KYC...)

On-line seamless consumer experience without face-to-face verification

Verified identities to check credit rating and contact with public administrations (tax agencies)

Easier access to distance credit for consumers

Opportunities for eServices

Lower risk & more convenience by relying on e-ID and trust services

Where does eIDAS have an impact?



UMM&DS - Uniform User Management and Digital Signatures

eHGI - eHealth Governance Initiative

ECI - European Citizens' Initiative

ESSN - European Social Security Number

SUP - Directive on single-member private limited liability companies

PSD2 - Revised Directive on Payment Services

AML4 - 4th Anti-Money Laundering Directive

Promoting eIDAS Regulatory fitness in other sector specific legislations

- **Better Regulation Toolbox** (*Tool 23: ICT assessment, the digital economy and society*) – explicit reference to eIDAS
- Close **bilateral cooperation** with other DGs on specific regulatory initiatives

Examples relevant to banking and financial sectors:

- Cooperation with FISMA and the European Banking Authority (EBA) on the role of notified eID and trust services to meet the requirements under the **PSD2**:
 - **EBA discussion paper** (*of 8/12/15*) on strong customer authentication and secure communication under PSD2 - eIDAS is presented as a possible solution
 - **EBA Consultation Paper** (*of 12/8/16*) on draft regulatory technical standards on strong customer authentication and common and secure communication
 - **Green paper** (*of 10/12/15*) on retail financial services and related public consultation - eIDAS featured with respect to the cross border benefits of e-signature and eID.
- Cooperation with JUST on supporting the transposition of the **AMLD4 Directive** at national level, as well as on the recent **proposal to amend AMLD4** (of 5/7/16), in order to ensure consistency with eIDAS.

EU e-Government Action Plan 2016-2020. Accelerating the digital transformation of government ([COM\(2016\) 179 final](#))

Underlying principles:

*Digital
by
Default*

*Once
only
principle*

*Inclusiveness
and
accessibility*

*Openness
and
transparency*

*Cross-border
by
default*

*Interoperability
by
default*

*Trustworthiness
and
Security*

References to eIDAS: Policy priority 1 ("Modernise public administration with ICT, using key digital enablers") - actions:

- *"Further efforts by all administrations are needed to accelerate the take up of electronic identification and trust services for electronic transactions in the internal market [...] actions to accelerate cross-border and cross-sector use of eID (including mobile ID) in digitally enabled sectors (such as banking, finance, eCommerce and sharing economy) and in the public sector namely on the European e-Justice Portal. The Commission will also explore the need to facilitate the usage of remote identification and secure authentication in the retail financial services"*
- *"The Commission will gradually introduce the 'digital by default' principle when interacting online with external stakeholders, using eIDAS services (in 2018), eInvoicing (in 2018) and eProcurement (in 2019)."*

Stakeholder engagement - eIDAS Observatory

Purpose

- Help **facilitate the use** of cross-border electronic identification and trust services
- Foster **transparency and accountability** by identifying market hurdles and good practices, promoting knowledge-sharing and developing initiatives for innovation
- Contribute to the **enhancement of trust and security** of digital transactions thus to the building of the Digital Single Market
- Act as a **virtual network** of stakeholders to exchange ideas and good practices as well as recommend actions and initiatives to ease the uptake of eID and trust services

Launch

- Officially launched **by VP Ansip** during the event "[A new leap in the eIDAS journey: new trust services for a Digital Single Market](#)" on 30 June 2016

For further information and feedback

Web page on eIDAS

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

eIDAS Observatory

<https://ec.europa.eu/futurium/en/eidas-observatory>

Text of eIDAS Regulation in all languages

<http://europa.eu/!ux73KG>

Connecting Europe Facility – Catalogue of Building Blocks

<http://europa.eu/!DN99RQ>

eIDAS functional mailbox & twitter account

CNECT-TF-eIDAS-LT@ec.europa.eu

[@EU_eIDAS](https://twitter.com/EU_eIDAS)

