eIDAS Regulation (EU) 910/2014

"Demystifying the new eIDAS framework: Regulation and Implementing Acts – content, intention & impact"

e-Signatures & e-Seals – Opportunities and Challenges
25 February 2016, Brussels

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**Half of EU enterprises** provide mobile devices for business use.

**276.5 million EUR turnover** of EU B2C eCommerce (2012).

**14% of EU SMEs** selling online.

**28% EU enterprises** use Social media.

**29% of EU enterprises** use e-Invoices.

**38% EU venture capital** is in ICT.

**17% EU patents** are in ICT.


**900,000 estimated demand/supply gap by 2020.**

**2.4% of workforce**

**55%** work outside ICT sector.

**4.1% yearly employment growth**

**28% EU enterprises** use e-Invoices.

**17% EU patents** are in ICT.

**ICT in Other Sectors**

- **ICT sector** 4.4%

**7% of GDP**

- Size of the digital economy

**17% of business R&D** by ICT sector

**6% of Gov’t R&D** is ICT

**72% of EU individuals** use INTERNET regularly.

**150 Million subscriptions** fixed Broadband.

**130 mobile subscriptions** per 100 people.

**ICT professionals**

- **2.4% of workforce**

- **4.1% yearly employment growth**

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**Digital Business**

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eIDAS: boosting trust & supporting businesses!

TRUST

CROSS-BORDER

CONVENIENCE

SEAMLESS
eIDAS and DSM priorities

Better access for consumers and businesses
- Geoblocking
- Copyright
- E-commerce
- Parcel delivery
- Reducing VAT burden

Advanced digital networks and innovative services
- Telecoms market
- Media services
- Platforms and intermediaries
- Trust and security

Enhance the digital economy
- Data economy
- Inclusive digital economy and society (digital skills & eGov)
- Interoperability and standardisation
eIDAS transformative role

- Reliability, simplicity and security are deciding factors for uptake
- Mobile and smart devices are central to everyday life
- Seamless user experience and usability should be cross-sector and cross-border
- Cross-sector & cross-border use of eIDAS calls for better regulatory alignment
- Businesses demand for trust, security and convenience
- EU interoperability vs federating eID at global level
Timeline

17.09.2014
Entry into force of the eIDAS Regulation

29/09/2015
Voluntary cross-border recognition

1.07.2016
Date of application of eIDAS rules for trust services

29/09/2018
Mandatory cross-border recognition

eID

Trust services

eSignature Directive rules
## The eIDAS Legal Framework

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eIDAS: the 3 eTS Implementing acts in a nutshell
The EU Trust Mark for Qualified Trust Services - (EU) 2015/806
COMMISSION IMPLEMENTING REGULATION ON EU TRUST MARK -(EU) 2015/806

Key principles of the EU Trust Mark for QTS:

- Can only be used by a qualified trust service provider
- Can only "label" its qualified trust services
- Can be used on any support (provided that the requirements of article 23 of the Regulation and of the implementing Regulation are met)
- The use of the EU trust mark is voluntary
- Foster transparency of the market
- Helps Customers distinguish between qualified trust services and non-qualified ones.
COMMISSION IMPLEMENTING REGULATION ON EU TRUST MARK -(EU) 2015/806

Key elements

- Legal basis – article 23 of the eIDAS Regulation
- Sets the form of the EU trust mark
- Sets the colour of the EU trust mark
- Sets the size of the EU trust mark
- Sets the obligation to clearly indicate the qualified services that the EU trust mark pertains to.
- Allows association with other graphical or textual elements provided that certain conditions are met.
COMMISSION IMPLEMENTING DECISION ON TRUSTED LISTS - (EU) 2015/1505

Key principles

eIDAS Trusted Lists:

- Ensure continuity with the existing TLs established under the Service Directive.
- Ensure legal certainty.
- Foster interoperability of qualified trust services by facilitating a.o. the validation of e-signatures and e-seals.
- Allow citizens, businesses and public administrations to easily get the status of a trust service.
COMMISSION IMPLEMENTING DECISION ON TRUSTED LISTS - (EU) 2015/1505

Key elements

• Legal basis – Article 22.5 of the eIDAS Regulation

• Mandatory
  ➢ MS to establish, maintain and publish TL in a Form suitable for automated processing.
  ➢ Member States to include information on qualified trust service providers

• Voluntary
  ➢ MS to establish, maintain and publish TL in HRF
  ➢ MS to include info on other trust service providers (not qualified).

• Technical Specification for establishing, maintaining and publishing TLs refers to ETSI TS 119 612 v2.1.1.
COMMISSION IMPLEMENTING DECISION ON eSIGN/eSEALs FORMATS - (EU) 2015/1506

Key principles

• Ensure continuity with the principles adopted under the Service Directive.

• Facilitates cross-border transactions / applications with public sector bodies in a different MS (such as e-procurement).

• Ensure technological neutrality by setting a method for the use of non-standardised formats.
COMMISSION IMPLEMENTING DECISION ON eSIGN/eSEALs FORMATS - (EU) 2015/1506

Key elements

• Legal basis – Article 27.5 and Article 37.5 of the eIDAS Regulation

• Standardised formats of AeS and AeSeals to be recognised by public sector bodies:
  - standards for XADES, CADES, PADES and ASiCS signatures and seals formats
  - Exclusion of long term archiving (LTAs) from the application of XADES, CADES and PADES signatures and seals standards

• Reference methods where alternative formats are used:

• MS where the trust service provider used by the signatory is established offers other MS signature validation possibilities that:
  - allow other MS to validate the received e-signature online, free of charge and in a way that is understandable for non-native speakers;
  - be indicated in the signed document, in the e-signature or in the electronic document container; and
  - confirm the validity of an AeS by meeting detailed requirements.
Principles applicable to secondary acts

Adoption of secondary legislation for which no obligation for adoption is set in the eIDAS Regulation would take into account the following principles:

- Framework consistency
- Stakeholders / market needs
- Favouring a non-regulatory / co-regulatory approach first
- Developments under other Regulatory frameworks
- Availability and adequacy of standards & technical specifications
ENISA Support for eIDAS

**ENISA** (European Agency for Network and Information Security):

- **2012** → Report on the implementing eIDAS art. 15
- **2013** → Guidelines for Trust Service Providers
- **2014**
  - Common audit schemes for trust services providers in MS.
  - Technical guidelines for independent auditing bodies and supervisory authorities
- **2015 focus on:**
  - Technical guidelines for Implementation of Art 19
  - ENISA Forum for trust services' stakeholders (1st meeting 30/6/15)
  - Evaluation of standards
  - Introduction of qualified website authentication certificates
- **2016 focus on:**
  - Technical guidelines for trust services
  - Technical guidelines for Implementation of Art 19
  - ENISA Forum for trust services' stakeholders (2nd meeting 24/5/16)
  - Update Evaluation of standards and website authentication reports
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 contributing 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 electronic identification and trust services.

**Timeline**

→ **Setting up**: first half of 2016

→ **Launch**: to be officially announced at the event marking the entry into application of the rules on trust services (end June 2016)
Workshop on "Website Authentication – opportunities and challenges for the market" - 8 March 2016

- **Objective:** give the opportunity to all actors to discuss the implementation of the new set of rules as well as to get ready to fully reap the benefits offered by qualified certificates for Website Authentication.

- **Participants:** key stakeholders such as national authorities, Certification Authorities, web browser manufacturers and representatives of sectors using website authentication certificates.

- **How to participate:** By invitation only. In cooperation with ENISA. Express interest to CNECT-TF-eIDAS-LT@ec.europa.eu
Stakeholder engagement – upcoming events (2/3)

Stakeholder event on "eID: emerging business cases – boosting uptake" - 31 March 2016

• **Objective:** discuss the opportunities and challenges for business to benefit from the transformative nature and wide use potential of eID. Overview of the concrete steps taken and the on-going work to improve regulatory alignment between the eIDAS Regulation and sector specific legislation (e.g. PSD2, AML4)

• **Participants:** The day will gather high-level business representatives across sectors to look together at the impact eID can have.

• **How to participate:** More info on our website. Express interest to CNECT-EIDAS-EVENTS@ec.europa.eu
Stakeholder engagement – upcoming events (3/3)

High-level event marking the entry into application of trust services under eIDAS - 30 June 2016

- **Objective:** Share experiences, real-cases, success stories, live demos and learn how to best leverage the opportunities in the new eIDAS Regulation and make the use of electronic trust services an everyday reality and the easiest and most convenient way to carry out electronic transactions.

- **Participants:** Vice-President Ansip (tbc), high-level representatives of both public and private sectors.

- **How to participate:** More info on website. Express interest to CNECT-EIDAS-EVENTS@ec.europa.eu.
EU the **first** and **only** region in the world to have:

- Policy
- Technology
- Regulation
- Rules
- Interoperability

In EU we have:

- World-class hardware, software and services providers, and administrations at the forefront of eGovernment
- 25 MS have eID means (3 planned) – 14 MS have eID cards
- Large Scale Pilot Projects to ensure interoperability
Proposal of EU Member States to UNCITRAL

- Joint proposal of the governments of Austria, Belgium, France, Italy and Poland
- On Legal issues related to identity management and trust services
- Building upon the principles stemming from the eIDAS Regulation
- 48th session of the Commission (29 June - 16 July 2015, Vienna) – Interregional consensus on the importance of the topic
- Set up an informal group of experts:
  - To support the Secretariat in preparing legislative proposals in order to start discussions in the Working Group
  - Open to all delegations.
  - If there is a need to collect additional information, possible organisation of a symposium on the topic.
- Next steps: UNCITRAL Colloquium ➔ 21-22 April 2016
For further information and feedback

Web page on eIDAS

Online eIDAS Participatory Platform
http://europa.eu/!qc98fX

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