eIDAS Regulation


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eIDAS – Main characteristics

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

- **Horizontal application**
  
  Better Regulation Toolbox (Tool 23: ICT assessment, the digital economy and society) – explicit reference to eIDAS

- **Exception: closed group**
  
  This Regulation does not apply to the provision of trust services that are used exclusively within closed systems resulting from national law or from agreements between a *defined set* of participants
eIDAS = Toolbox

- Website authentication
- E-registered delivery
- Preservation
- E-signature
- E-seals
- Time stamp
- eID
E-Transactions workflow

Website authentication → eID → Creation of the electronic document

E-registered delivery → Time stamp → E-signature → E-seals

Preservation: Electronic storage of the submitted documents and acknowledgment of receipt
Website authentication

Objective: protecting sensitive information

Paperworld equivalence: none

How to use: Buy from TSP

qualified trust services: higher requirements, specific legal effect
Features: whenever identity of actors important
Assurance levels high/substantial/low

Paperworld equivalence: using ID documents in face-to-face situation or sending copies or identity proofing by attorney/notary

How to use: relying on eID issued by state(s), relying on authentication service provided by state(s)
Levels of Assurance - (EU) 2015/1502

Elements of Levels of Assurance

<table>
<thead>
<tr>
<th>Enrolment</th>
<th>eID means management</th>
<th>Authentication</th>
<th>Management, organisation</th>
</tr>
</thead>
</table>
| • application  
• registration  
• identity proofing | • design  
• issuance  
• suspension  
• renewal, etc. |                      | • ISM,  
• record keeping  
• facilities and staff,  
• controls,  
• compliance, etc |

An example of differences between LoA: identity proofing

<table>
<thead>
<tr>
<th>Physical appearance at registration (or at earlier stage)</th>
<th>Level high: substantial plus</th>
<th>Level substantial: low plus</th>
<th>Level low</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required</td>
<td>Not required</td>
<td>Not required</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verification of identity evidence</th>
<th>Level high: substantial plus</th>
<th>Level substantial: low plus</th>
<th>Level low</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verified possession of valid identity evidence (like photo/bio)</td>
<td>Based on recognised evidence checked to be genuine</td>
<td>No direct verification of identity evidence assumed to be genuine</td>
<td></td>
</tr>
</tbody>
</table>
E-Transactions workflow

- Website authentication
- eID
- Creation of the electronic document
  - E-registered delivery
  - Time stamp
  - E-signature
  - E-seals

Preservation: Electronic storage of the submitted documents and acknowledgment of receipt
Relevance: any documents

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

How to use:
• No specific rules
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.
E-Transactions workflow

- Website authentication
- eID
- Creation of the electronic document
- Time stamp
- E-signature
- E-seals
- E-registered delivery
- Preservation: Electronic storage of the submitted documents and acknowledgment of receipt
Relevance: any electronic document to be signed

Paperworld equivalence: handwritten signature

How to use:
• validate 3rd parties' signatures (by TSP)
• Buy from TSP (for courts etc)
Purpose: ensures the authenticity of any documents created by an entity

Paperworld equivalence: seal (+signature of representative)

How to use:
• validate 3rd parties' seals by TSP
• Buy from TSP (for courts etc)
E-Transactions workflow

Website authentication

eID

Creation of the electronic document

E-registered delivery

Time stamp

E-signature

E-seals

Preservation: Electronic storage of the submitted documents and acknowledgment of receipt
Purpose: ensures the time of creation/submission of any document

Paperworld equivalence: rubber time stamp by postal service/registry of court etc.

How to use:
• validate 3rd parties' seals by TSP
• Buy from TSP (for courts etc)
E-Transactions workflow

Website authentication → eID → Creation of the electronic document

E-registered delivery → Time stamp → E-signature → E-seals

Preservation: Electronic storage of the submitted documents and acknowledgment of receipt
Feature: secure transmission of document between parties

Paperworld equivalence: post, courier

How to use:
• Buy from TSP
E-Transactions workflow

- Website authentication
- eID
- Creation of the electronic document
- E-registered delivery
- Time stamp
- E-signature
- E-seals

Preservation: Electronic storage of the submitted documents and acknowledgment of receipt
Relevance: archiving documents (for long term)

Paperworld equivalence: archive

How to use:
• Buy from TSP
Interoperability infrastructure under CEF

STORK I & II

e-SENS

CEF/DSIs

- eIDAS – Interoperability Architecture
- eIDAS SAML Attribute Profile
- eIDAS SAML Message Format (Version 1.0)
- eIDAS - Cryptographic requirements for the Interoperability Framework - TLS and SAML

Opinion of the Cooperation Network (art 14 (d) of CID 2015/296): 27.11.15 - eID DSI v.1 eIDAS compliant

Mutual recognition
Timeline

17.09.2014
Entry into force of the eIDAS Regulation

29/09/2015
Voluntary cross-border recognition

29/09/2018
Mandatory cross-border recognition

1.07.2016
Date of application of eIDAS rules for trust services
### The eIDAS Legal Framework

<table>
<thead>
<tr>
<th>Legal Act</th>
<th>Reference</th>
<th>Adoption date</th>
<th>Entry into force</th>
</tr>
</thead>
<tbody>
<tr>
<td>eID</td>
<td>910/2014</td>
<td>23.07.2014</td>
<td>17.09.2014 (1.07.2016 - application provisions on TS)</td>
</tr>
<tr>
<td>ID on procedural arrangements for MS cooperation on eID (art. 12.7)</td>
<td>2015/296</td>
<td>24.02.2015</td>
<td>17.03.2015</td>
</tr>
<tr>
<td>IR assurance levels for electronic identification means (art. 8.3)</td>
<td>2015/1502</td>
<td>8.09.2015</td>
<td>29.09.2015</td>
</tr>
<tr>
<td>ID on circumstances, formats and procedures of notification (art. 9.5)</td>
<td>2015/1984</td>
<td>3.11.2015</td>
<td>5.11.2015 (notified to Ms)</td>
</tr>
<tr>
<td>Trust services</td>
<td>2015/806</td>
<td>22.05.2015</td>
<td>12.06.2015</td>
</tr>
<tr>
<td>IR on EU Trust Mark for Qualified Trust Services (art.23.3)</td>
<td>2015/1505</td>
<td>8.09.2015</td>
<td>29.09.2015</td>
</tr>
<tr>
<td>ID on technical specifications and formats relating to trusted lists (art. 22.5)</td>
<td>2015/1506</td>
<td>8.09.2015</td>
<td>29.09.2015</td>
</tr>
<tr>
<td>ID on formats of advanced electronic signatures and seals (art. 27.5 &amp; 37.5)</td>
<td>2016/650</td>
<td>25.04.2016</td>
<td>05.2016</td>
</tr>
</tbody>
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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 twitter account
@EU_eIDAS