

# eIDAS Review | Technology providers, providers of trust services not covered by eIDAS, interest representation organisations of technology providers, standardisation organisations

Fields marked with \* are mandatory.

## Introduction to the study

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The European Commission (DG CNECT) has commissioned a study to assess the performance of the eIDAS Regulation compared with its objectives and to establish whether it remains fit for purpose to deliver the intended results and impacts.

The purpose of the evaluation study is to:

- Assess the **efficiency, effectiveness, coherence, relevance and EU added value** of the Regulation in line with the European commission's Better Regulation Guidelines;
- To suggest **recommendations** on the Regulation going forward.

In this survey, we would like to gather the views of **Technology providers, providers of trust services not covered by eIDAS, interest representation organisations of technology providers, and standardisation organisations.**

Your contribution may be expressed in the study as data originating from your Member State but personal information will not be shared.

We kindly request you to complete the survey by **31 August 2020.**

Should you have any questions, please do not hesitate to contact the study team ([beeidasevaluation@deloitte.com](mailto:beeidasevaluation@deloitte.com)) or European Commission - DG CNECT ([Michal.HRBATY@ec.europa.eu](mailto:Michal.HRBATY@ec.europa.eu)).

We thank you in advance for your cooperation and contribution to this study.

### Confidentiality and privacy statement

*Objectives and context*

This study aims to provide a basis for the European Commission to assess to what extent the eIDAS framework remains fit for purpose delivering the intended outcomes, results and impacts. This survey is part of a wider methodology that the study team is deploying for collecting relevant data and information from stakeholders at EU and national level. Other data collection tools, including interviews and a literature review, will also be undertaken. As far as this survey and this study are concerned, the Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data[1], is applicable.

The European Commission's Directorate-General for Communications Networks, Content and Technology (DG CNECT) has mandated a consortium consisting of three external companies, Deloitte Consulting and Advisory CVBA, VVA Brussels Sprl and Spark Legal Network, to carry out this evaluation study and survey. CNECT has further mandated PricewaterhouseCoopers S.P.A. (PwC) and DLA Piper to carry out an impact assessment based on the evaluation study and to assess future policy options. In this context, Deloitte, VVA, Spark, PwC and DLA Piper are the Processor of the data collected, acting on behalf of and under the responsibility of DG CNECT, which is considered as Controller.

#### *Data collected and who has access to your information*

The survey is confidential and all responses will be analysed in aggregate unless you specifically opt in for possible follow up questions in the framework of this study by providing your email address (cf. last question of the questionnaire). The personal data (name(s)/surname(s)/phone number(s)/e-mail address (es)) which will be collected if you opt in and agree to be contacted after the survey will only be used by the Processor and the Controller to contact you and ask for your availability for a follow up interview or invite you to a workshop related to the review of the eIDAS regulation. The access to all personal data as well as all information collected in the context of this survey is only granted through User ID/Password to a defined population of users, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with Union legislation. The users concerned are members of the European Commission mandating the study and the contractors.

#### *How do we protect your information and for how long we keep them*

The collected personal data and all information gathered through this survey are temporarily stored on a computer of the external contractors during the collection and procession of the data, acting as processor, who have to guarantee the data protection and confidentiality required by the applicable data protection Regulation. Access to the EU Survey application is via a non-encrypted connection using the normal http protocol. Your information will be retained for up to 5 years after the end of this study, in accordance with the rules concerning checks and audits of European Institutions.

#### *How can you verify, modify or delete your information*

In case you want to verify which personal data is stored on your behalf by the responsible controller, have it modified, corrected or deleted, please contact the Controller (CNECT-H4@ec.europa.eu) and by explicitly specifying your request.

[1][1] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45

## Section 1 - Profiling

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\* Please indicate the category that you fall into:

- Technology provider
- Providers of other non 'eIDAS' trust services (e.g. e-Archiving)
- Interest representations of technology providers
- Standardization organizations
- Other + comment

\* Please indicate the size of your organization:

- Microenterprise
- SMEs
- Large organisation
- Public administration
- Other – Please list.

\* Free Text Question

\* Please indicate the types of services that you provide.

## Section 2 - Questions

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To what extent has the eIDAS Regulation met its specific objective of increasing the **availability and take-up** of electronic identification and trust services? To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That the implementation of the Regulation has resulted in an increase cross border availability of eID in Europe.	<input type="radio"/>				
That the implementation of the Regulation has resulted in an increase in use of trust services in Europe.	<input type="radio"/>				
That the Regulation has enhanced the quality of trust services on offer to the market.	<input type="radio"/>				

That the Regulation has adequately provided for interoperability of different technological solutions and the use of trust services.	<input type="radio"/>				
That the procedure to recognize third country trust services in the Union and for qualified trust services to be recognized in the third country in question via an international agreement is adequate (Article 14).	<input type="radio"/>				

To what extent has eIDAS met its specific objective of ensuring an **optimal level and scope of governance** of electronic identification and trust services? To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That the standards and solutions developed by the Regulation for cross border eID services adequately address users' needs.	<input type="radio"/>				
That the standards and solutions developed by the Regulation for trust services adequately address users' needs.	<input type="radio"/>				
That the Regulation should be <b>expanded</b> to include other trust services (e.g. e-Archiving).	<input type="radio"/>				
That the number of trust services covered by the Regulation could be expanded in its current form.	<input type="radio"/>				
That cooperation and sharing/exchange of information between the trust services supervisory bodies and other standardization organizations is adequate.	<input type="radio"/>				
That the scope of the principle of mutual assistance should be extended to include other standardization organizations.	<input type="radio"/>				
That the supervisory regime for all trust service providers establishes a level playing field for security and accountability.	<input type="radio"/>				

To what extent has the eIDAS Regulation intervention been **cost-effective**? To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That the current compliance standards and processes under the Regulation are not overly burdensome.	<input type="radio"/>				

To what extent has the eIDAS Regulation met its specific objective to **stimulate competitive market developments**? To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That the Regulation has stimulated market developments.	<input type="radio"/>				
That the Regulation <b>does not hinder technological developments</b> in the market.	<input type="radio"/>				
That the Regulation is sufficiently adaptable in its current form to take into account new technological developments.	<input type="radio"/>				
That the <b>principle of technological neutrality</b> creates fair competition in the market.	<input type="radio"/>				
That the <b>principle of technological neutrality</b> creates opportunities for market developments.	<input type="radio"/>				

To what extent has the eIDAS Regulation met its specific objective of ensuring **trust and confidence** in trust services? To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That the Regulation has ensured trust and confidence in the security of electronic identification and trust services.	<input type="radio"/>				
That the Regulation has ensured trust and confidence in the legal certainty of electronic identification and trust services.	<input type="radio"/>				
That the provisions of the Regulation concerning the division of liability are clear.	<input type="radio"/>				
That the <b>EU Trusted List</b> and <b>Trust Mark</b> has increased trust and confidence in the relevant trust services.	<input type="radio"/>				
That the Regulation fosters <b>transparency</b> in the trust services market.	<input type="radio"/>				
That the Regulation adequately addresses <b>data and privacy concerns</b> .	<input type="radio"/>				

To what extent is the eIDAS Regulation **coherent** with relevant Member States' rules and regulations or at international level? To what extent do you agree with the following statements?

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	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That the solutions and standards under the Regulation are coherent with other solutions and standards set by other standardisation organisations (e.g. data and privacy).	<input type="radio"/>				
That national laws in the Member States are coherent with the Regulation.	<input type="radio"/>				
That the Regulation is coherent with other related legislation or policies at EU level.	<input type="radio"/>				

To what extent do you agree that the eIDAS Regulation has met its objective to improve **EU added value**?  
 To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
That there is additional value resulting from the Regulation compared to what could be achieved with similar regulatory frameworks at national level.	<input type="radio"/>				
That areas of the Regulation require further harmonization at European level.	<input type="radio"/>				
That further intervention is required in the regulation and supervision of trust services at European level.	<input type="radio"/>				

### Section 3 - Revision of the eIDAS Framework

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The EC is in the course of revising the eIDAS regulation. In reference to one of the policy Options which is «extend eIDAS to the private sector» please evaluate to what extent the expected benefits of adopting each of the following measure for your organisation are higher/lower than the costs related to their implementation.

**Option 2** would extend the scope of eID regulation under eIDAS to the private sector, notably introducing new trust services for identification, authentication and provision of attributes, credentials and attestations and allowing the provision of identification for non-human entities (e.g AI agents, IoT devices). The introduction of requirements for digital identity providers to ensure data protection (e.g. separate identity and activity data) could be considered.

	Benefits significantly outweigh the costs	Benefits roughly outweigh the costs	Not sure / not applicable	Costs roughly outweigh the benefits	Costs significantly outweighs the benefits
Focus on eID as a trust service in the eIDAS regulation (Ensuring the availability of eID means for cross-border use based on a common European framework already a success for « other » trust services, Complementing the schemes notified by Member States, Providing legal value to Qualified Electronic Identity means)	●	●	●	●	●
Focus on Trust Services for Attributes, Credentials, Attestations (Introduce the obligation for public sector to recognise attributes issued by public authorities (equivalent to mutual recognition of eID) Introduce a new chapter in the section on Trust Services in the eIDAS Regulation –	●	●	●	●	●

electronic attestation of attributes)					
Focus on the Governance of eID as a trust service (Extending the Cooperation Network mandate to endorse privately issued qualified eID schemes to be deployed and recognised at European level; establishing of a European Supervisory Authority for Trust Services)	●	●	●	●	●
Focus on the levels of assurance (Merging level “high” and “substantial” for eID to avoid different understanding and practical difference between LoA; Provide more clarification /guidance on which LoA is required for certain types of online services)	●	●	●	●	●
Focus on protection of data and privacy (establish Obligations on digital services providers to split data between data collected for the purpose of user identification and the provision of the digital ID service, and (2) data generated by the user’s	●	●	●	●	●

subsequent activity on the third party service providers' website, and transparency)					
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## Section 4 - Final remarks

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Do you have any particular comment on the effectiveness, efficiency, coherence, relevance and EU-added value of the eIDAS regulation?

Please share any additional document with the evaluation team

The maximum file size is 1 MB

Please indicate an email if you consent to be further contacted by the evaluation and/or impact assessment teams in the context of the eIDAS review exercise. *Please note that consenting to this request does not guarantee that you will be further contacted by one of the two study teams*