

## Response to EC public consultation on the eIDAS Regulation

Our reference:	COB-TECH-20		
Referring to:	eIDAS Open Public Consultation		
Related documents:			
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Pages:	4	Transparency Register ID no.:	33213703459-54

### Summary

Digital identities and the associated processes of authentication and authorisation are an essential component of the digital single market and of national and European economies. Insurance Europe therefore believes that the scope of the existing eIDAS Regulation should be extended to the private sector to provide a level playing field for electronic identification.

The use of electronic identification to access online public services across borders can simplify the administrative procedure, save time and money, and offer greater certainty as to the authenticity of a user's identity. However, factors such as a lack of awareness and trust, as well as the limited number and scope of such schemes, currently limit their cross-border use.

Insurance Europe supports a single and universally accepted European digital identity scheme to allow individuals to securely identify themselves online, especially in a cross-border context. However, it also notes the importance of ensuring that this runs complementary to existing national publicly issued electronic identities.

Insurance Europe therefore welcomes the Commission's efforts to improve the effectiveness of the eIDAS Regulation, extend its benefits to the private sector and promote trusted digital identities for all Europeans.

## Section 5: Specific questions on electronic identity (eID)

Q1: To what extent do you agree or disagree with the following statements?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	I don't know/no opinion
The number of online public services to be accessed in a cross-border context by using one of the <a href="#">published</a> national eID schemes has considerably increased due to eIDAS.				<b>X</b>		
The eIDAS Regulation provides an adequate legal framework for cross-border electronic identification in Europe.						<b>X</b>
The eIDAS legal framework for cross-border electronic identification in Europe should be strengthened as a response to the COVID-19 crisis.			<b>X</b>			
The scope of the eIDAS Regulation should be extended to provide a level playing field for the private economic actors operating in the field of electronic identification.		<b>X</b>				
The interoperability framework established by the eIDAS is optimal and supports sufficiently the mutual recognition of the eID schemes.			<b>X</b>			

Q2: Do you agree that the use of electronic identification to access online public services across borders contributes to:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	I don't know/no opinion
Enhancing user friendliness		<b>X</b>				
Saving time		<b>X</b>				
Saving money		<b>X</b>				
The simplification of the administrative procedure		<b>X</b>				
An increase of service quality		<b>X</b>				
An increase of service security		<b>X</b>				
The protection of personal data		<b>X</b>				
The better access to services in another EU country		<b>X</b>				
An increase of the certainty on the authenticity of the users' identity	<b>X</b>					
Enhancing clarity on the liability of the provider of the electronic identity						<b>X</b>
The access to services to a larger group of users thanks to the uptake of eID		<b>X</b>				

Q3: In your opinion, are there currently any factors limiting the cross-border use of electronic identification?

- Yes

Q4: What are the factors limiting the cross-border use of electronic identification?

<input checked="" type="checkbox"/>	Lack of awareness
	No need for it / Not relevant
<input checked="" type="checkbox"/>	Limited number of <a href="#">notified</a> eID schemes
<input checked="" type="checkbox"/>	Lack of availability of relevant public services
<input checked="" type="checkbox"/>	Lack of trust
	Preference for paper-based solutions or face-to-face interactions
	Too expensive
<input checked="" type="checkbox"/>	Too complicated / not user-friendly / accessibility barriers for persons with disabilities
	Privacy concerns
<input checked="" type="checkbox"/>	Legal obstacles (example: face-to-face interaction required by national legislation)
<input checked="" type="checkbox"/>	Limited scope of eID schemes notified under the eIDAS Regulation (governmentally issued/recognised eIDs only)
	Suboptimal interoperability framework
	Other

Q5: To what extent do you agree that the eIDAS Regulation has achieved its objectives with regard to electronic identification?

- Disagree

Q6: Please elaborate on how the eIDAS Regulation has/not achieved its objectives with regard to electronic identification.

- The objectives have been achieved for electronic time stamps and registered delivery services. However, regarding electronic signatures, only a qualified electronic signature has the equivalent legal effect of a handwritten signature, which, technically and in terms of user experience, is very complex to implement. As soon as a non-qualified signature is used (which represents the majority of the cases), there are many legal uncertainties and the rules applicable to these different signatures are complex and not precise enough. This gives rise to different interpretations depending on the signature providers and also on the national authorities.

The eIDAS regulation should remain a general framework. However, its implementing acts and applicable standards should be more clearly referenced and, above all, be more precise on the means to be implemented, taking into account future technological advances.

Q7: In your opinion, should the eIDAS Regulation or its implementation be improved?

- Yes

Q8: Which of the following corrective actions should be taken?

	<i>Adopting guidelines to improve legal coherence and consistency</i>
	<i>Further harmonisation through requirements established in secondary legislation (implementing acts), standardisation and the introduction of certification to the advantage of particularly convenient and secure solutions</i>
	<i>A shift from voluntary to mandatory notification of national eID schemes</i>
<b>X</b>	<i>An obligation for Member States to make authentication available to the private sector</i>
<b>X</b>	<i>Introduction of new private sector digital identity trust services for identification, authentication and provision of attributes</i>
<b>X</b>	<i>Introduction of an obligation for the public sector to recognise attributes, credentials and attestations issued in electronic form by trust service providers and public authorities registered as authoritative sources</i>
	<i>Introduction of an obligation for the private sector to recognise trusted digital identities: eIDs notified under eIDAS and trust services for identification, authentication and provision of attributes</i>
	<i>Provision of identification for non-human entities (e.g AI agents, IoT devices)</i>

*Q9: In your opinion, should there be a single and universally accepted European digital identity scheme, complementary to the national publicly issued electronic identities, allowing for a simple, trusted and secure possibility for citizens to identify themselves online?*

**■ Yes**

*Q10: In your opinion, should there be a single and universally accepted European digital identity scheme, complementary to the national publicly issued electronic identities, allowing for a simple, trusted and secure possibility for citizens to identify themselves online?*

	<i>Trust (Government Sponsored)</i>
<b>X</b>	<i>Universal Acceptance</i>
<b>X</b>	<i>User convenience</i>
<b>X</b>	<i>Better control of personal data</i>
<b>X</b>	<i>Increased online security</i>
	<i>Cost savings thanks to economies of scale</i>
	<i>Other</i>

*Q11: Which possible dis-advantages of such single and uniform European digital identity scheme are you concerned of?*

<b>X</b>	<i>Complexity of set-up and Governance</i>
<b>X</b>	<i>Lack of flexibility to adapt to technological developments and changing user needs</i>
<b>X</b>	<i>Overlap with existing solutions</i>
<b>X</b>	<i>Discouragement of innovation and investments into alternative eID solutions</i>
<b>X</b>	<i>State surveillance concerns</i>
<b>X</b>	<i>Set up and operational costs</i>
	<i>Other</i>

*Q12: Please share any additional statements, documents, position papers concerning eID under the eIDAS framework and the future of digital identity.*

- Please see attached comments from Insurance Europe's [submission](#) to the roadmap consultation on an EU digital identity.