

## **Maintain assurance level "substantial" in eIDAS Article 24 No.1 until EUDI wallets have received a certain level of usage!**

### **Transition without interruption**

After Parliament endorsed the ITRE committee eIDAS draft on March 16, trilogue has started on eIDAS<sup>1</sup> that establishes a framework for a European Digital Identity.

The European Signature Dialog<sup>2</sup> supports the upcoming interinstitutional negotiations and wants to draw attention to an important point that can make eIDAS even **more powerful and coherent**.

Before issuing a qualified certificate or qualified attribute of attestation, the identity and any specific attribute of a natural or legal person must be verified.

Both the Council and the Parliament have proposed dropping support for the verification assurance level "substantial" for the European Digital Identity Wallet or a notified electronic identification and only accepting the verification assurance level "high" as set out in eIDAS Article 8. This will cause major problems for many member states who currently accept verification at the "substantial" level and should only happen during a gradual transition period.

Currently, identification means at the assurance level "substantial" are widely used for the issuance of qualified certificates by qualified trust service providers (QTSP) by many member states. This has made the qualified electronic signature, for example, a successful model that is indispensable in the digital transformation process.

Along with other organizations from the qualified trust service provider sector, the ESD supports the open letter<sup>3</sup> of the Cloud Signature Consortium, in which these important concerns about Article 24 of the eIDAS revision are already addressed.

We are aware that the question of whether or not to drop support for the assurance level "substantial" is being discussed very intensively in the trilogue. As a compromise, the ESD strongly suggests that it should continue to be possible to use the assurance level "substantial" until the **EUDI wallet reaches a defined level of distribution of the EUDI wallet at the assurance level "high"**.

How could this be done? There could be a new provision in eIDAS, for example, that sets a trigger **installation rate of the EUDI wallet at a "high" level of assurance of 75 per cent in the EU**. At that point, support for the assurance level "substantial" would be dropped at a set time some months later. This would allow the existing and proven methods of attribute verification in member states to continue to be used until an effective and defined dissemination of the EUDI wallet has been achieved. In addition, this would also prevent a significant cut in the issuance of qualified certificates (because of the new "high" requirement") and allow for an uninterrupted use of qualified certificates during a defined transition period to "high".

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<sup>1</sup> Regulation (EU) No 910/2014.

<sup>2</sup> The European Signature Dialog (ESD) represents the leading Trust Service Providers (TSPs) that enable secure digital interactions across Europe every day.

<sup>3</sup> [https://cloudsignatureconsortium.org/wp-content/uploads/2023/02/CSC-open-letter-art.-24-eIDAS-2-2023\\_01\\_18-2.pdf](https://cloudsignatureconsortium.org/wp-content/uploads/2023/02/CSC-open-letter-art.-24-eIDAS-2-2023_01_18-2.pdf)