

ESD presents

Five top reasons FOR adoption of the new eIDAS Article 45 on QWACs¹

eIDAS article 45 must be adopted because...

- 1** ... **EU citizens have the right to know with who they are dealing with.** Article 45 enables recourse by giving users the verified entity behind the website in a user-friendly manner. This website identity information is used not just by consumers, but also by anti-phishing services and law enforcement as well.
- 2** ... **it sets minimum legal requirements and liability for website owners.** EU security should be set by **elected governments** and their administrative agencies, not by foreign big-tech companies, just as with other industries such as airplanes and automobiles. With Article 45, *all* parties, including the browsers, can work together to *strengthen* the rules on how QTSPs operate by participating in *standardization bodies* such as ETSI and the CA/Browser Forum.
- 3** ... **the EU already tried to get the browsers to respect EU sovereignty**, accept QTSPs, and show website identity, but the browsers have ignored the arguments of the Commission for years and actually removed all existing website identity information in 2019. Their argument was that consumers “don’t care” about website identity, but what they are really saying is that consumers are too dumb to make their own decisions and so website identity data should be hidden from them. This needs to be fixed.
- 4** ... **it protects our (critical) digital infrastructures** from trust decisions made exclusively by foreign big-tech companies. Other laws like the DSA ² can also improve website security, but these other laws only apply *retroactively* to impose a penalty after a breach occurs.
- 5** ... **it addresses antitrust concerns with past browser decisions as raised by the Germany's antitrust authority** (the Bundeskartellamt).

¹ QWACs = Qualified Web Authentication Certificates

² DSA = Digital Services Act