

eIDAS Clarification on “authentic sources” is necessary!
Strengthen the basis for qualified attestation of attributes

After Parliament endorsed the ITRE committee decision on March 16, trialogue has started on eIDAS¹ to establish a framework for a European Digital Identity.

The European Signature Dialog² supports the upcoming trialogue and strongly endorses important changes that will make eIDAS even **more powerful and coherent**.

Like the Council and the Commission, the European Parliament supports the concept of attestation of attributes to enable the provision of verified proofs of attributes in the context of the **European Digital Identity Wallet (EDIW)** in the future.

The **authenticity of the information** in the attestation of attributes **is ensured** by requiring use of an **“authentic source”** as defined at eIDAS Article 3 No. 46. This requirement applies regardless of whether the actual identity or attestation of attributes is issued by a TSP, QTSP or directly by or on behalf of the authentic source.

Here is how the ITRE draft defines “authentic source”:

‘authentic source’ is a repository or system, held under the responsibility of a public sector body or private entity, that contains attributes about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in Union or national law;

Article 45d of the ITRE draft is titled “Verification of attributes against authentic sources” and allows qualified providers of electronic attestations of attributes to verify by electronic means at the request of the user, the authenticity of the attribute directly against the relevant authentic source at national level or via designated intermediaries recognised at national level in accordance with national or Union law.

The authentic source thus plays a decisive role in the EUDI ecosystem, as the **quality** of the information in an attestation of attributes **depends on it**. As we understand it, it’s the member states themselves who decide which institution is an authentic source in their jurisdiction.

In this context, the ESD sees the need **to urgently consider** the following points during the trialogue in order to enable the use of authentic sources **without doubt**:

⇒ **How can an authentic source be identified and what can it reveal?** This issue should be regulated clearly, transparently, verifiably and uniformly across the EU, especially if we

¹ Regulation (EU) No 910/2014.

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

want to achieve a common European digital single market. This can be done by means of adding further details in a subsequent **implementing act**.

- ⇒ **Who supervises authentic sources and ensures that the system works?** There is a need for an institution to be designated for each member state at a national level to ensure that the common rules on authentic sources are respected and implemented. The designated institution will be an important stakeholder for the further development and improvement of the eIDAS ecosystem and the EU digital identity wallet.
- ⇒ **How can you make sure that you are actually connected online to the authentic source you want?** There is a need for mutual authentication between the issuer of wallet attributes and the authentic source to ensure that each is actually connected to the other party, and not to an imposter. Here, one could draw on the experience of Payment Service Directive 2 (PSD2), which has proven itself in the market. Uniform requirements are also needed here by Implementing act to ensure that the system is equally usable in all member states.

In case you wish more information please write or call us:

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