

Ref.: Commission Implementing Regulation proposal on qualified preservation services for qualified electronic signatures and for qualified electronic seals

ESD feedback and proposal

The European Signature Dialog (ESD) is an initiative that represents the leading European Qualified Trust Service Providers (QTSPs), that play a crucial role in enabling secure digital interactions across Europe, facilitating communication and transactions between public entities, businesses, and individuals. The ESD is deeply involved in discussions and negotiations surrounding the eIDAS Regulation.

ESD expresses heartfelt appreciation to the European Commission for allowing to participate in the open consultation concerning the Commission Implementing Decisions on trust services, as regulated by Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014, which pertains to electronic identification and trust services for electronic transactions within the internal market (eIDAS Regulation).

Qualified Trust Service Providers (QTSPs) play a pivotal role in the digital single market by ensuring trust and security in electronic transactions. Qualified Trust Services are essential for enabling mission-critical digital processes across various sectors; for instance, in the financial industry, QTSPs facilitate secure online banking and customer onboarding, ensuring that transactions are both authenticated and encrypted. In healthcare, they support the secure exchange of sensitive patient data and electronic health records, maintaining confidentiality and integrity. Additionally, in the public sector, QTSPs enable secure digital identification and electronic signatures for government services, streamlining administrative processes and enhancing citizen trust in digital interactions. By providing these crucial services, QTSPs help build a reliable and secure digital infrastructure that is fundamental for the smooth operation of the digital single market.

In this document, we offer comprehensive comments and feedback on the proposed Commission Implementing Decisions. Our feedback has been elaborate leveraging the deep knowledge of our members and experts, taking into consideration the technological and compliance impacts, as well as the user experience and the impacts on the business, to ensure the effective functioning of the Digital Single Market in Europe, safeguarding and enhancing the existing areas of excellence within the European market, preserving investments, and facilitating a

seamless transition for QTSPs that currently provide Qualified Trust Services. We highlight the necessity of interoperability frameworks among various services and providers to promote a competitive, resilient, and innovative market.

Therefore, we request that the implementing acts mandating new standards, which introduce more stringent requirements and certifications, come into effect after a necessary adjustment period (24 to 30 months). This timeframe will allow the entire supply chain, including accredited laboratories, Conformity Assessment Bodies (CABs), Regulating Authorities, Supervisory Bodies, QTSPs, and their suppliers, to adapt accordingly. The introduction of new stringent requirements and certifications necessitates investments and adjustments to processes, technologies, and organizations, which require time. We urge the Commission to avoid decisions that could disrupt service provision, potentially causing severe consequences in mission-critical processes such as customer onboarding, digital health and telemedicine, public administration and justice, as well as the submission of annual financial statements to business registries.

1. ESD feedback

Qualified Preservation of Seals and Signatures has the potential to become a pivotal trust service in the Digital Single Market, particularly with the introduction of the upcoming Qualified Archiving trust service. These services will be instrumental in ensuring the long-term validity and reliability of digital transactions, thereby enhancing trust and fostering innovation across the European digital economy. Two key areas in the annex of the proposed Commission Implementing Decisions require clarification or adjustment, as detailed in the table:

article	Comment	Proposed solution
Annex 1. (7) 7.12 Signature Validation Service provisioning termination and termination plans.	It is not clear why the is reference made in item (7) is now to “Signature Validation Provisiong termination and termination plans” and no longer to “TSP termination and termination plans” as in the current version of ETSI 119 511. It is probably a typo.	Correct the typo or explain why the change was made.

Annex 1. (9) b) the preservation service shall ensure that the information preserved is such that, when provided as input to the process specified in clause 4.4 of ETSI TS 119 172-4 [9], the output of this process clearly determines whether or not the digital signature or seal is technically suitable to implement an EU qualified electronic signature or EU qualified electronic seal at any given time during the preservation period.	In the context of long-term preservation, the verification of a digital signature is deemed valid if it is related to the moment at which the signature was preserved. Over time, certain conditions may arise, such as the termination of the Certification Authority that issued the signature or the obsolescence of the cryptographic algorithm used for its generation, which can make it impossible to implement the signature at a later date. Therefore, it is essential to ensure that the preserved information is sufficient to determine the technical suitability of the signature at the time of its preservation.	Make clearer the assumption and the scope of point OVR-A-02 – b. It should be -at least- specified which data are expected to keep the signature implementable over time.
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In conclusion, we appreciate the opportunity to provide our detailed comments and feedback on the proposed Commission Implementing Decisions. We believe that our insights will contribute to the effective functioning of the Digital Single Market and support the continued excellence of European market.

For any further contributions or discussions, please feel free to contact us at:

European Signature Dialog (ESD) Email: office@european-signature-dialog.eu

We look forward to continued collaboration with the European Commission to ensure a secure, interoperable, and innovative trust services ecosystem.

Thank you for your attention and consideration.



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