

Ref.: Commission Implementing Regulation proposal on notification of information on certified qualified electronic signature creation devices and certified qualified electronic seal creation devices.

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

For a Qualified Trust Service Provider (QTSP), it is essential to have the assurance that a Qualified Signature Creation Device (QSCD) remains supported and qualified by its manufacturer. This certainty is fundamental for maintaining the integrity and reliability of the trust services provided. Continuous support for a QSCD ensures that any vulnerabilities or issues are promptly addressed, thereby safeguarding the security of digital signatures. Additionally, the qualification status of the QSCD guarantees compliance with regulatory standards, which is crucial for the legal validity of the signatures created. Ongoing support and qualification from the manufacturer also facilitate seamless updates and enhancements, ensuring that the QSCD remains compatible with evolving technological and regulatory requirements. This stability and reliability are vital for QTSPs to build and maintain trust with their clients, fostering a secure and resilient digital ecosystem and avoiding costly migrations between different QSCDs, which could disrupt mission-critical services.

We propose that the Commission, during the notification process, collect information about the certification plan from the manufacturer, ensuring that the certification of the QSCD will be maintained over time. This proactive measure will provide QTSPs with the necessary confidence in the long-term reliability and compliance of the QSCD, further strengthening the trust services framework across Europe.

article	Comment	Proposed solution
ANNEX Information to be notified by Member States in accordance with Article 31(1) ... 9. the effective starting date of certification; 10. the certification status; 11. the expiry date of certification; 12. if available, whether certification is not planned to be continued after the current certification for the current configuration of the qualified signature creation devices or qualified electronic seal creation devices; ... Article 2. Where there are any changes to the submitted information after the initial submission, including changes to the certification status of signature creation devices and seal creation devices, Member States shall submit the updated information with accompanying documents through the channel referred to in paragraph 1.	The notified Information 12. defined in the ANNEX (planned discontinuation of certification for the current configuration of QESCD or QESealCD) is indeed a critical information for the QTSP operations and investments planning. The QTSP must program in advance the substitution QESCDs or QESealCDs in use, since these are devices with special hardware and software characteristics that determine specific and proprietary dependencies for the QTSP implemented procedures and processes. The typical scenery sees a product device that is certified in one Member State that is used by QTSPs in many other Member States.	The planned lifespan of the device should be subject to the supervision of the relevant authorities. The device producer should be obliged to inform without delay the relevant authorities about a change in the certification plan and the Member State should notify the change to the Commission. The device producer should bear consequences (fines, reimbursement of costs to QTSPs, etc) in case of non-compliance.



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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