

Ref.: Commission Implementing Regulation proposal on initiation of qualified trust services

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

article	Comment	Proposed solution
Article 1.2 <i>“(f) a description of how compliance of the notifying trust service provider and the qualified trust service they intend to provide with the requirements laid down in Regulation (EU) No 910/2014 and Article 21(2) of Directive (EU) 2022/2555 of the European Parliament and of the Council is assessed, including recourse, for at least the following elements:</i> <i>– analysis of the trust service provider’s provided information;</i> <i>– interviews with representatives of the trust service provider or the conformity assessment body;</i> <i>– performing on-site verifications.”</i>	Now, Supervisory Bodies have the faculty to decide if to perform on-site verifications before granting the status of “qualified”. The wording of the article makes it mandatory, with the effect to raise the pressure to Supervisory Bodies, rise costs for QTSPs, expand the timeframe needed to get the qualified status. It should be reinstated the faculty for Supervisory Body to decide if an on-site inspection is needed, previously evaluating the context and the documents provided.	Add to point (f) “where needed” after “performing on-site verifications”.



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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