Regulation on "electronic identification and trust services for electronic transactions in the internal market"

in perspective of legislation and standardization activities

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Agenda

- Status of the eIDAS regulation and key principles
- The IAS2 Study
- TC ESI and its activities
Status and Presentation of the Regulation

Electronic identification and trust services for electronic transactions in the internal market – the eIDAS Regulation
Proposal for a Regulation adopted by Commission on 04 June 2012.


Imminent publication in the Official Journal. Entry into force on 20 days after publication (i.e. as of that date, in 2014, next implementation steps may be taken),

Would apply as from 1 July 2016 (i.e. as of that date the Regulation would affect the targeted services, and competing national legislation – e.g. national laws on electronic signatures and time stamping – would automatically be replaced by the EU-level legislation).

Legislative work still on-going: secondary legislation (1 delegated and 28 implementing acts) needed (can be done in a step-by-step process) to:
- introduce important technical details (e.g. the processes to be followed for notifying eIDs to the Commission), or
- setting the technical standards that meet the requirements of the legislation.
eIDAS Regulation – goal and scope

GOAL

Strengthen EU Single Market by boosting **TRUST** and **CONVENIENCE** in **secure** and **seamless** cross-border electronic transactions

SCOPE

A. Mutual recognition of electronic identification

B. Electronic trust services

1. Electronic signatures and Electronic seals interoperability and usability (incl. validation, preservation),
2. Time stamping,
3. Electronic registered delivery service,
4. Electronic documents admissibility,
5. Website authentication certificates.
Mutual recognition of electronic identification

Promotes the usage of eID means for online access (not regulated at EU level before) – mandatory recognition of electronic identification builds on:

- Voluntary notification of eID schemes
- Cooperation and interoperability mechanisms
- Assurance levels (High, Substantial (low)) – links STORK QAA & ISO 29115
- Interoperability framework
- Access to authentication capabilities; free of charge for public sector bodies and according to national rules for private sector relying parties
Electronic trust services

Commonalities – TSPs regulation

- Trustworthiness, transparency and accountability:
  - well-defined liability and minimal obligations for TSPs
  - security requirements for TSPs
  - supervision (light-touch reactive monitoring for TSPs and audit for QTSPs)
- Technologically neutral
  - no specification on how to achieve (security) requirements for TSPs
  - presumption of compliance against voluntary standards in secondary legislation
- Qualified level
  - QTSPs supervised by Member States Supervisory Bodies and QServices in EU Trusted List (trust store)

Specificities – Trust Services (hooked to a TSP)

- Qualified level: higher legal effect, possible international recognition
- E.g. Q_validation, Q_preservation, ...
IAS2

Study to support the implementation of a pan-European framework on electronic identification and trust services for electronic transactions in the internal market

SMART 2012/0001
In parallel with the ordinary legislative procedure, there is a need to:

1. Work on the analysis of the elements that would help develop secondary legislation (delegated and implementing acts) foreseen in the Regulation;

2. Ensure coherence of the proposed initiative vis-à-vis activities carried out by the European Institutions' services;

3. Foster take-up of electronic identification, authentication and trust services by raising SME and citizens' awareness on their potential, including leveraging the “Large Scale Pilots” to create a positive understanding and environment for the acceptance and uptake of the new legislative framework.
**Objectives and Tasks**

1. **Technical and Legal Building Blocks**
   - Provide input for devising technical and legal building blocks needed for the preparatory work in the areas envisaged in the planned secondary legislation.
   - Provide input for standardisation activities related to planned secondary legislation in the proposal for a Regulation.

2. **Market take-up of eID and Trust Services**
   - Monitor the take-up of electronic identification (eID), electronic authentication and electronic trust services (eTS) and evaluate the impact of national and EU legislation.
   - Build upon and further develop the results of the studies commissioned by the Commission on country profiles delivered in 2009.
   - Complement and enhance the Impact Assessment report accompanying the proposal for a Regulation and the existing market studies, by collecting additional and updated data and by defining and measuring core progress indicators.

3. **Communication and Awareness**
   - Propose a communication strategy and outline an awareness raising campaign to promote the uptake of trusted services by EU citizens and SMEs.

4. **Technical assistance**
   - Provide technical assistance to the Commission on eID, authentication and eTS in particular by providing thematic technical reports, briefings and analysis.

**Project Partners**

**Project details**

1. **Project Duration**
   - Start: January 2013
   - End: January 2015

2. **Project Deliverables**
   - Recommendations for implementing acts
   - Monitoring eTS and eID
   - Enhancing eTS market analysis
   - follow-up of mandate m460

3. **Project Workshops**
   - 25 September 2013
   - 1Q 2014
Study Tasks

Task 1
- Defining building blocks for perfecting the legal framework on electronic identification and electronic trust services

Task 5
- Technical assistance on eID and electronic trust services, including electronic signature

Tasks 2 and 3
- Monitoring electronic identification, authentication and ETS development and uptake; and enhancing ETS market intelligence

Task 4
- Support the Commission for the follow-up of mandate m460
Deliverables and next steps

http://blogs.dlapiper.com/iasproject/

Brussels workshop - 18th of June

Preliminary agenda:

  09.00 Registration
  09.30 Presentation of the European Commission on status of draft Regulation
  10.00 eID: building blocks for secondary legislation - Presentation followed by group discussion
  11.30 Coffee break
  12.00 Supervision: building blocks for secondary legislation - Presentation followed by group discussion
  13.30 Lunch
  14.00 Trust Services: building blocks for secondary legislation - Presentation followed by group discussion
  15.30 Coffee break
  16.00 Signatures/Seals/Devices: building blocks for secondary legislation - Presentation followed by group discussion
  17.30 Final conclusions and next steps
  18.00 End of the workshop

Contact sylvie.lacroix@sealed.be for the registration
Links with standardisation
Mandate to CEN and ETSI

Objectives:
- Inventory
- Rationalised structure
- Gap Analysis
- Work Programme

Consistent numbering (x19 000 series):
DD L19 xxx-z

Functional Area & Sub-Area
- Document type
m460 Rationalised Framework

1. Signature Creation & Validation
   - CC Protection Profiles
     - Smart Cards
     - HSM's
     - Signing Services
   - Rules & procedures
   - Formats
   - Signature creation / validation protection profiles

2. Signature Creation & other related Devices
   - TSPs supporting eSignature
   - Signing Services

3. Cryptographic Suites
   - Trust Application Service Providers
   - TSPs issuing certificates
   - Time Stamping Authentication
   - Validation Services

4. Introductory deliverables
   - TSPs supporting eSignature
   - Signing Services
   - Validation Services

5. List of TSP services approved (supervised) by National Bodies (e.g. Trusted lists)
   - eDelivery / Reg ed email
   - Long term preservation

6. Trust Service Status Lists Providers
   - XAdES
   - CAdES
   - PAdES
   - AdES in mobile env mt
   - ASiC (containers)
   - Key generation
   - Hash functions
   - Signature algorithms
   - Parameters, ...

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TS 119 612 Referenced by CD 2013/662/EU
NEW: TSP Policies (generic – specific)
Business driven guidance for implementation
organisations to set-up TLs in order to
facilitate (mutual) recognition of “approved”/Policy requirements & Validation
Trust Application Service Providers
TS 119 100
Protection Profiles for Sig. Creation / Validation
Applications (TS 119 101)
Signature Creation / Validation procedure (EN 319 102)
Signature Policies (TS 119 172 (EN 319 172))
Conformity Assessment for SCA / SVA (EN 419 103)

next
Area 2 focus
Updating “Cryptographic suites” document (TS 119 312)
- Maintenance: ETSI aims to collaborate with
ENISA
Quite all the documents for signature suites (TS 119 312
this area are new (guidelines, definitions,...)
Business driven guidance (TR 119 300)
- Phase 1 resulted in a work plan including new topics and revision and maintenance of existing documents
  - Protection Profiles for SSCD (Phase 1), EN 419 211
- Phase 2 work in progress
  - Business driven guidance
  - Protection Profiles
    - New (Time Stamping EN 419 231)
    - Move to EN (PP crypto module EN 419 221 & 419 261, Security requirements for server signing EN 419 241)
    - Evaluation & Certification (PP DAUTH EN 419 251)
  - Application Interfaces for SSCDs EN 419 212
  - Mobile device study (New)
  - Conformity assessment EN 419 203 (New)
- Server signing PPs (as 2 new parts of EN 419 241)
  - Cryptographic modules for Trust Services
  - As new part 5 of EN 419 221 series
  - For TSP operation in secure environment
  - Multipurpose crypto module: protection of signatories keys, authentication mechanisms

- EN 419111  PP for signature creation and verification application (5 parts)
- EN 419211  PP for secure signature creation device (6 parts)
- EN 419221  PP for TSP Cryptographic modules (4 parts)
- EN 419231  PP for trustworthy systems supporting time stamping
- TS 419241  Security Requirements for Trustworthy Systems Supporting Server Signing
- EN 419251  Security requirements for device for authentication (3 parts)
- TS 419261  Security Requirements for Trustworthy Systems Managing Certificates for Electronic Signatures
Area 2- about S(Q)SCD & smart-cards

- Trustworthy systems - EN 419 212
  - New introduction part
  - Highlighting market requirements: mobile, ID-cards and ID-tokens, contactless cards, digital money, server based signatures, driver's license, health cards, home banking
  - Highlighting new technologies: blind signatures, pseudonymous signatures, derived credentials
- New structure reflecting the new EC Regulation eIDAS
  - A new part for device authentication
  - A new part for privacy

[Back to RF]
- TC ESI is responsible for Electronic Signatures and Infrastructures standardization within ETSI
- Activities: establishing standardization deliverables guides, TS, TR, EN but also Testing Conformance & Interoperability
- Current activities wrt M460 mandate:
  - STF 457 Framework and Coordination Activities
  - STF 458 Activities related to Signature Creation and Validation and Trusted Service Providers (TSP) supporting eSignatures
  - STF 459 Testing Compliance & Interoperability and Trust Applications Service Providers
    - Published Special Report SR 003 186 formalizing plans for:
      - Organization, definition and conduction of test events in the next two and a half years.
      - Design and implement a set of conformity testing tools.
      - Production of a set of Technical Specifications defining test suites for testing interoperability and conformity against core standards of the RF.
Important points
Changes and enhancements

- Trusted lists and automatic (technical) validation of a (legal) status
  - Including devices’ list – challenges on scope to be studied
- Harmonisation of supervision practices
  - Standardisation
  - Cooperation
- Accessibility to proofs:
  - eID authentication processes
  - OCSP
- Seals: clarification of the status of legal person “signature”
- Web Site authentication and CA/B forum convergence
- Standardisation of eID (and beyond !) LoAs
- Framework for legal mobile, remote and server signature
Thanks for your attention