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European Digital Identity (eID): the beginning of a new era

Concerning the provisional agreement on European digital identification reached by the Council Presidency and the representatives of the European Parliament

The increasing digitisation of all areas of our lives, the rise of e-commerce and the large portfolio of virtual services offered by governments to citizens highlight the importance of having an identification system that facilitates commercial and personal transactions securely, reliably and efficiently. This technological (r)evolution represents a challenge for lawmakers in terms of data security and privacy, as it requires the existence of a robust and adaptable legal framework that responds to a rapidly changing reality.

In this context, in 2014, the European Union played a pioneering role with the adoption of [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC](#), known by its acronym "**eIDAS**" (electronic Identification, Authentication and Trust Services). This represented a step towards the standardisation of electronic identification and trust services, ensuring that natural and legal persons could use their national electronic IDs to access public services in other European Union ("**EU**") countries that required electronic identification. However, the rapid technological progress we are experiencing, together with EU Member States' fragmented national rules on digital identity, made it necessary to review and update this regulatory framework. Therefore, [in 2020, the European Commission opened a public consultation period to update the eIDAS regulation](#). This was commonly known as "**eIDAS2**"

Thus, as part of the EU's ordinary legislative procedure, on 8 November 2023, the Council and the Parliament reached a [provisional agreement](#) on the European digital identity framework, which follows the culmination of tripartite dialogues ("*trilogues*") between representatives of the Parliament and the Council in the presence of the Commission.

Objective of eIDAS2

The objective of eIDAS2 is to centralise and harmonise digital identification processes in the EU, strengthening the security, privacy and interoperability of digital identification systems at European level.

The proposed regulation provides that, within 24 months of its entry into force, Member States ("**MS**") shall issue a European digital identity wallet ("**EUDI**") within a notified electronic identification system, according to common technical standards and following a mandatory certification. This identity wallet will be available on a voluntary basis to citizens and businesses and will allow users to digitally identify themselves, and store and share their identification data, credentials and identity attributes, such as driving licences, academic qualifications, bank accounts and medical prescriptions, among others. It will also allow digital signatures and control with whom and under what conditions personal information is shared with third parties. All these attributes will be provided on a common and harmonised basis across the EU.

New elements of the agreement

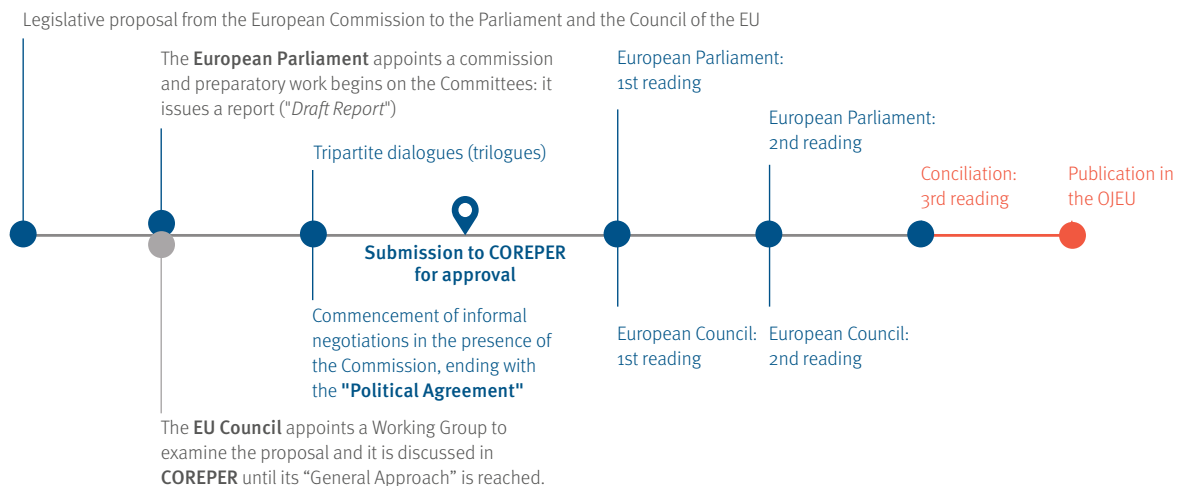
Several important aspects of the provisional agreement should be highlighted:

- Regarding **electronic signatures**: the wallet will be free of charge for natural persons. MS will be able to adopt measures limiting its free use to non-professional uses.

- MS will establish free validation mechanisms solely to verify the authenticity and validity of the wallet and the identity of the users.
- There is a guarantee of consistency between the wallet as a means of electronic identification and the underlying system through which it has been issued.
- The issuance, use and revocation of the wallet will be free of charge for natural persons.
- The software components of the wallets will be open-source.
- **Qualified website authentication certificates:** these ensure that users can verify who is behind a website.

Next steps

Following the consensus reached last Wednesday, technical work will continue to complete the legal text in accordance with the provisional agreement. Once finalised, the text will be submitted to the Committee of the Permanent Representatives of the Governments of the Member States to the European Union ("**COREPER**") for approval. The revised agreement must be formally adopted by the Parliament and the Council before it can be published in the EU's Official Journal and enter into force.



Ref: The timeline shows at what stage the eIDAS2 Regulation is in the ordinary legislative procedure, as well as the next steps to be taken.

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