

E-ID



Open Letter on the EU's proposed digital identity reform

Prof. Dr. Annett Laube-Rosenpflanze

Zollikofen, 01.12.2023



Berner
Fachhochschule



E-ID Participation meeting, 1st December 2023

Open Letter pre eIDAS Trilogue conclusion

Prof. Dr. Annett Laube (signer of the letter)

Revision of the eIDAS Regulation

eIDAS ("electronic IDentification, Authentication and trust Services") is an EU regulation to govern electronic identification and trust services for electronic transactions"

- passed in 2014 and came into effect between 2016-2018
- 2021 an amendment process was started
- 2023 a political agreement was reached



See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021PC0281>

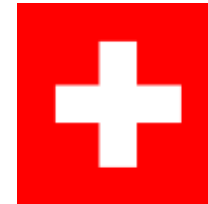
The Open Letter

See: <https://nce.mpi-sp.org/index.php/s/cG88cptFdaDNyRr>



As of the 26th November 2023, the letter has been signed

- by **551 scientists** and researchers from 42 countries,
 - including 42 scientists from **Switzerland**
- as well as more than **30 NGOs**.



Open Letter Summary

*“In summary,
we strongly warn against the currently proposed trilogue agreement,
as it fails
to properly respect the **right to privacy of citizens**
and **secure online communications**;
without establishing proper safeguards as outlined above, it instead
substantially increases the potential for harm.”*

Main Points

1. Article 45

“Undermining website authentication undermines communications security”

2. European Digital Identity Wallet (EDIW)

“A complex system only provides the security and privacy guarantees of its weakest component”

Article 45

Article 45 mandates that browsers must accept any root certificates provided by any Member State *without* a mandatory minimum set of security standards.

Endangering the Internet by imposing potentially weak QWACS (Qualified Website Authentication Certificates)

Danger of mass surveillance

- ▶ Any EU government would be able to perform **man-in-the-middle attacks** and **spy on all internet messages**, including **encrypted communications**.
- ▶ Follow the attempt in Kazakhstan 2015 (mostly prevented by browser vendors)

The privacy pitfalls of EU's eIDAS framework

Updated on: 15 November 2023

 Susan Morrow, Contributor

Article 45 Will Roll Back Web Security by 12 Years

DEEPLINKS BLOG

BY JACOB HOFFMAN-ANDREWS
NOVEMBER 7, 2023

intercept, spy on your
ns

web 'to the dark ages of 2011'

Wed 8 Nov 2023 // 08:27 UTC

Strengthening the Internet 30 October 2023

Civil Society Experts Voice Concern as New EU Digital Identity Regulation Finalized

Mandated Qualified Web Authentication Certificates (QWACs)

GENEVA INTERNET PLATFORM
digwatch

Internet users, Mozilla Firefox warns

eIDAS Art.45(2) on web authentication poses a threat to internet users, Mozilla Firefox warns

European Digital Identity Wallet (EDIW)

The EDIW is designed to identify and authenticate citizens with a high level of assurance.

- includes identity information from national IDs (name, birthday, sex, ...),
- and can be extended with additional attributes.



Criticism on the EDIW

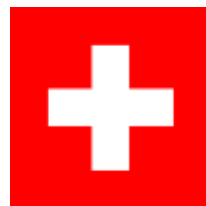
1. The regulation enables the existence of privacy-preserving technologies but does not mandate them.
 - ▶ Privacy only towards the issuers
 - ▶ Reflected in the EUDI ARF with the PID credentials
2. The operators of the EDIW can still obtain knowledge about concrete user behaviour even when the user has not consented to this.
 - ▶ EDIW operators can register in any of the Member states.
 - ▶ Due to interoperability, the weakest member will define the overall security & privacy level



Open Letter recommendations

1. Make unlinkability mandatory rather than nice to have
2. Align the technical architecture with the strong protections established in the lead industry committee of the European Parliament, e.g. ETSI
3. Strengthen the European Digital Identity Cooperation Group to overrule the decision of national eIDAS regulators to ensure a harmonised enforcement of this regulation.

Swiss E-ID



- Continue with the privacy-by-design approach and ensure unlinkability
 - Enabling the option of revealing attributes in a selective manner or via zero-knowledge attestation (to prevent overidentification)
 - Limiting the use of a unique and persistent identifier for natural persons
- Continue the open discussion to get feedback of the experts
- Feedback to the EU through the various standardization bodies (ETSI, W3C, ...)

Thank you very much! Question?

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More informations

Artikel 45

- <https://therecord.media/eu-urged-to-drop-law-website-authentication-certificates>
- https://www.theregister.com/2023/11/08/europe_eidas_browser/
- <https://inza.blog/2023/11/07/where-can-i-find-the-proposed-article-45-of-eidas2-regulation/>

EDIW

- <https://pcsi.nl/news/in-dept-article-loss-of-control-due-to-ediw/>
- https://brusselsprivacyhub.eu/onewebmedia/Proposal%20to%20amend%20eIDAS.%20A%20personal%20data%20protection%20perspective_BPH_December%202021.pdf