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Feedback from: KNB

Feedback reference

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Submitted by

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User type

Business association

Organisation

KNB

Organisation size

Medium (50 to 249 employees)

Country of origin

Netherlands

Initiative

EU digital ID scheme for online transactions across Europe ([/info/law/better-regulation/have-your-say/initiatives/12528-EU-digital-ID-scheme-for-online-transactions-across-Europe_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12528-EU-digital-ID-scheme-for-online-transactions-across-Europe_en)).

Dear Sir/Madam,

With regard to the commitment of the European Commission to revise the eIDAS regulation (910/2014) and the current “roadmap consultation”, the Royal Dutch Association of Civil-law Notaries (KNB) would like to inform you about its concerns and recommendations.

Just like the European Commission we also believe that sufficient choices for citizens for an identity service provider established within the EU will give the citizens more sovereignty to decide to which third party they would disclose personal data or not. A clear separation between the collection of personal identity data and the collection of other data for commercial exploitation would reduce the possibilities of online platforms to make use of personal data for profiling of citizens or to obtain a monopoly in a certain area.

According to us an enormous need exists for a strong eID for EU citizens with an extension of eIDAS level ‘high’, issued by an independent organization like public authorities or notaries. The extension should consist of en vivo face to face identification, biometric aspects and additional safeguards to prevent fraud and to protect the EU citizen as much as possible. We are willing to discuss the possibilities and our ideas for this eID with eIDAS level “High Extended” with you.

Regarding your intentions to launch an European Digital Identity scheme (EUid) we would like to emphasize that it is important that besides public eID’s also private suppliers are allowed to offer eID services to public and private online service providers. In general, private companies are able to offer innovative and cost-effective eID solutions. The development of eID’s should at least partly be left to the market. We assume that also private providers will have the opportunity to become certified and registered in accordance with the EUid scheme and this will not become only a public eID.

It is furthermore important that the schemes to obtain a registration as trusted service provider are equal throughout the EU to prevent unfair competition. For example currently compliance of eID’s with the eIDAS requirements differs between member states, which might cause unfair competition.

Whichever option mentioned in the Inception Impact Assessment is chosen, it is important to realize that several public and private eID providers are already developing and investing for years now. For this reason the (technical) requirements for eID suppliers with eIDAS levels “substantial” and “high” should not change significantly to prevent additional costs or investments for eID providers and discouraging in stead of encouraging the development of eID products.

Another important concern is the lack of a system for acknowledgement of advanced electronic signatures. Advanced electronic signatures

are frequently used in business, real estate and business to consumer relations. However in contrary to qualified electronic signatures there is no 'EU Trusted List of Trust Service Providers' for advanced electronic signatures. For companies and citizens it is almost impossible to determine whether such a digital signature is reliable or not. We advise to develop an acknowledgement system comparable with the EU Trusted List for qualified electronic signatures.

At last we would like to mention that the KNB is involved in the development of an eID with eIDAS level "high" called 'NotaryID' for the notaries in the Netherlands, which will be used for access to digital systems of notaries and KNB and for signing of digital notarial deeds (qualified electronic signatures). This eID will only be issued after en vivo face to face identification at a notary office. In the future this eID might become available for digital identification outside the notarial environment.

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