



2021/0136(COD)

14.9.2022

OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity
(COM(2021)0281 – C9-0200/2021 – 2021/0136(COD))

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(*) Associated committee – Rule 57 of the Rules of Procedure

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SHORT JUSTIFICATION

In June 2021, as part of the “Europe Fit for the Digital Age” package, the European Commission proposed a Regulation amending Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation). This new proposal for an amending Regulation on a framework for a European Digital Identity is an important step towards European integration and a very significant contribution to the prosperity and development of the EU Digital Single Market. Enabling our citizens to prove their identity so they can access online public administrations, private services or simply to attest a personal identity attribute, such as medical certificates, professional qualifications or driving licences, means that we are bridging the digital gap between Member States and finally getting rid of the digital identity “border”. Nevertheless, this draft opinion aims at improving the content of this proposal in light of the digital transition.

The COVID-19 pandemic has had a unique catalysing effect on the digital transition. As a consequence, the demand for means to identify and authenticate online, as well as to digitally exchange information related to our identity with high security and privacy standards, has increased across Europe. At present, eIDAS is the EU’s only cross-border framework for trusted electronic identification (eID) of natural and legal persons, and trust services. The new European Digital Identity Wallets, a key aspect of the proposal, will enable all European citizens, consumers and businesses, to securely access services online without having to use identification means currently offered by big platforms for example or unnecessarily share personal data. With this solution, users will have full control of the data they share, ensuring a high level of consumer protection. The proposed Regulation also aspires to provide effective access to trusted and secure digital identity solutions with cross-border operability in order to address the demands of citizens and the market more broadly. Public and private services alike will be able to safely rely on digital identity solutions, again crucially across borders within the Union.

As rapporteur for the IMCO Committee, I regard the implementation of a cross-border legal framework for trusted digital identities to be an essential tool to strengthen the European Single Market and consumer protection, in an increasingly digital worldwide economy. The current situation with weak or non-existent digital verification represents a considerable burden both in terms of cost and bureaucracy - on average, businesses in Europe spend six to seven weeks verifying the identity of potential business partners or clients before starting to conduct business. This is compounded by the differing operational and regulatory requirements across Member States.

This revision presents an opportunity to bring about a situation in which European citizens and consumers, already often working cross-border on a daily basis, can use medical prescriptions in neighbouring countries to buy medicines or easily rent a car; move around for work and easily register in a new country without unnecessary administrative burden; and, particularly in the case of our elderly citizens, feel at ease knowing they can prove their identity in any European hospital. As rapporteur, I firmly believe that these goals can be facilitated with a cross-border eID, which would effectively take on the role of a passport for the digital world. This is the time to keep our ambitions high, and to ensure the swift and effective implementation of a user-friendly service that will empower our citizens by giving

them full control of the data they share, when accessing both public and private online services in the EU.

AMENDMENTS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The Commission Communication of 19 February 2020, entitled “Shaping Europe’s Digital Future”¹⁶ announces a revision of Regulation (EU) No 910/2014 of the European Parliament and of the Council with the aim of improving its effectiveness, *extend* its benefits to the private sector and *promote* trusted digital identities *for all Europeans*.

¹⁶ COM/2020/0067

Amendment

(1) The Commission Communication of 19 February 2020, entitled “Shaping Europe’s Digital Future”¹⁶ announces a revision of Regulation (EU) No 910/2014 of the European Parliament and of the Council with the aim of improving its effectiveness *and in response to technological developments since its adoption in 2014 while at the same time extending* its benefits to the private sector and *promoting* trusted digital identities.

¹⁶ COM/2020/0067

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient and uniform way across the Union. Everyone should be able to securely

Amendment

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient, *trustworthy* and uniform way across the Union. Everyone should be able

access public and private services relying on an improved ecosystem for trust services and on verified proofs of identity and attestations of attributes, such as **a university degree** legally recognised and accepted everywhere in the Union. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid **at European level**. Providers of electronic attestations of attributes should benefit from a clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given format.

to securely access public and private services relying on an improved ecosystem for trust services and on verified proofs of identity and attestations of attributes, such as **an academic qualification** legally recognised and accepted everywhere in the Union, **a professional qualification, a title, a license or a mandate to represent a company**. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid **and legally recognised across the Union**. Providers of electronic attestations of attributes should benefit from a clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given **and highly secured** format. **For the electronic identification for public services with very high security requirements, Member States should be able to rely on additional identity controls, set out in accordance with the principle of proportionality.**

Amendment 3

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience **and** wide usability. Member States should ensure equal access to digital identification to all

Amendment

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by **a competent authority designated by a Member State, under a mandate from a Member State or recognised by a Member State**, which should empower all Union citizens and other residents as defined by national law **to retain full control over their choice to use the Wallet, to store data and** to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve

their nationals and residents.

those objectives should be developed aiming towards the highest level of security, **data protection**, user convenience, wide usability **and seamless interoperability**. Member States should ensure equal access to digital identification to all their nationals and residents, **including persons with disabilities, persons with special needs or persons who experience functional limitations, such as elderly persons, as well as persons with limited access to digital technologies or insufficient digital literacy. European Digital Identity Wallets should be available free of charge to natural persons and through commonly used devices or technologies. For legal persons, the European Digital Identity Wallets should be free of charge or available at a nominal fee.**

Amendment 4

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) It is essential to ensure that individuals who do not use the European Digital Identity Wallet are not being disadvantaged with regard to the access to public or private services, in particular essential services or services allowing them to exercise a professional activity. The use of European Digital Identity Wallets should not be compulsory for accessing public or private services. In particular, Member States should not, directly or indirectly, limit access to public services for natural or legal persons who do not use the European Digital Identity Wallet and should ensure non-discriminatory alternative solutions. It should still be possible to use other electronic identification means beside the European Digital Wallet, such as digital key generator applications, ID card

readers or smart cards.

Amendment 5

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability *and* a high level of security. Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that

Amendment

(9) All European Digital Identity Wallets should allow users, ***in a manner that is transparent and traceable, to securely request and obtain, store, select, combine and share the necessary legal person identification data, credentials and electronic attestation of attributes, while ensuring that selective disclosure is possible***, to electronically identify and authenticate online and offline across borders ***in the Union*** for accessing a wide range of public and private services. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity. ***The European Digital Identity Wallet should also allow the user to consult the history of the transactions, transfer the wallet's data, restore the access on a different device and block access to the wallet in case of a security breach that leads to its suspension, revocation or withdrawal, and offer the possibility to contact support services of the wallet's issuer. European Digital Identity Wallets should include a functionality to generate revocable pseudonyms, as a form of authentication to access online services provided by very large online platforms as defined in***

the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

Regulation [reference to DSA]. It should also allow the verification of attributes without revealing the source data, and without fully identifying the European Digital Identity Wallet holder, for example when proof of age is needed to access certain services. Relying on the level of assurance “high”, the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements **as well as software-based technologies with high security and privacy standards**, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability, a high level of security **and determine its characteristics, including with relation to the decentralised elements of the Wallet.** **When the Commission establishes such standards, it should also take into consideration relevant international standards, where possible, and consult relevant stakeholders, including social partners.** Only Member States’ competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security

commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

Amendment 6

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Issuers of European Digital Identity Wallets should establish a single contact point allowing users to report an infringement of the requirements of this Regulation or a security breach, to request correction of inaccurate data in the Wallet or revocation thereof. Member States should ensure that users have the right to seek compensation for damages suffered due to an infringement of the requirements set out in this Regulation related to the European Digital Identity Wallet. They should also ensure that their competent authorities have sufficient human and financial resources to carry out in an effective and efficient manner the tasks assigned to them in respect of the functioning of the European Digital Identity Wallet.

Amendment 7

Proposal for a regulation Recital 15

Text proposed by the Commission

Amendment

(15) Streamlining of the current notification and peer-review procedures will prevent heterogeneous approaches to the assessment of various notified electronic identification schemes and facilitate trust-building between Member States. New, simplified, mechanisms should foster Member States' cooperation

(15) Streamlining of the current notification and peer-review procedures, ***and regular assessments by the Commission***, will prevent heterogeneous approaches to the assessment of various notified electronic identification schemes and facilitate trust-building between Member States. New, simplified,

on the security and interoperability of their notified electronic identification schemes.

mechanisms should foster Member States' cooperation on the security and interoperability of their notified electronic identification schemes.

Amendment 8

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific unique identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member States to take specific measures to ensure a correct identity match in the process of electronic identification. For the same purpose, this Regulation should also extend the mandatory minimum data set and require the use of a unique and persistent electronic identifier in conformity with Union law in those cases where it is necessary to legally identify the user upon his/her request in a unique and persistent way.

Amendment

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific unique identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member States to take specific measures to ensure a correct identity match in the process of electronic identification. For the same purpose, ***and where relevant by sector***, this Regulation should also extend the mandatory minimum data set and require the use of a unique and persistent electronic identifier in conformity with Union law in those cases where it is necessary to legally identify the user upon his/her request in a unique and persistent way.

Amendment 9

Proposal for a regulation Recital 18

Text proposed by the Commission

(18) In line with Directive (EU) 2019/882²², persons with disabilities ***should be able to use*** the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users.

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Amendment

(18) In line with Directive (EU) 2019/882²², ***Directive (EU) 2016/2102^{22a} and the United Nations Convention on the Rights of Persons with Disabilities^{22b}, the use of*** the European digital identity wallets, trust services and end-user products used in the provision of those services ***should be made available in plain and intelligible language and accessible for persons with disabilities and for persons with functional limitations such as elderly people, so that they are able to use these*** on an equal basis with other users ***ensuring that the quality of user experience is on a par with that of other users.***

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

^{22a} ***Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1–15).***

^{22b} ***Approved by Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (OJ L 23, 27.1.2010, p. 35).***

Amendment 10

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) The provision and use of trust

Amendment

(20) The provision and use of trust

services are becoming increasingly important for international trade and cooperation. International partners of the EU are establishing trust frameworks inspired by Regulation (EU) No 910/2014. Therefore, in order to facilitate the recognition of such services and their providers, **implementing legislation** may set the conditions under which trust frameworks of third countries could be considered equivalent to the trust framework for qualified trust services and providers in this Regulation, as a complement to the possibility of the mutual recognition of trust services and providers established in the Union and in third countries in accordance with Article 218 of the Treaty.

services are becoming increasingly important for international trade and cooperation. International partners of the EU are establishing trust frameworks inspired by Regulation (EU) No 910/2014. Therefore, in order to facilitate the recognition of such services and their providers, **delegated acts** may set the conditions under which trust frameworks of third countries could be considered equivalent to the trust framework for qualified trust services and providers in this Regulation, as a complement to the possibility of the mutual recognition of trust services and providers established in the Union and in third countries in accordance with Article 218 of the Treaty.

Amendment 11

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) This Regulation should build on Union acts ensuring contestable and fair markets in the digital sector. In particular, it builds on the Regulation XXX/XXXX [Digital Markets Act], which introduces rules for providers of core platform services designated as gatekeepers **and, among others, prohibits gatekeepers to require** business users to **use, offer or interoperate with an** identification service **of the gatekeeper in the context of services offered by the business users using the core platform services of that gatekeeper. Article 6(1)(f) of the Regulation XXX/XXXX [Digital Markets Act] requires gatekeepers to allow business users and providers of ancillary services access to and interoperability with the same operating system, hardware or software features that are available or used in the provision by the gatekeeper of any ancillary services. According to**

Amendment

(21) This Regulation should build on Union acts ensuring contestable and fair markets in the digital sector. In particular, it builds on the Regulation XXX/XXXX [Digital Markets Act], which introduces rules for providers of core platform services designated as gatekeepers **to allow their** business users to **freely choose the** identification service **they want to use or interoperate with. This is of particular importance for the European Digital Identity Wallet or Member States' notified electronic** identification **means**. Business users and providers of **identification** services, should be able to access hardware or software features, **made available or used by the gatekeepers**, such as secure elements in smartphones, and to interoperate with them through the European Digital Identity Wallets or Member States' notified electronic

Article 2 (15) of [Digital Markets Act] identification *services constitute a type of ancillary services*. Business users and providers of *ancillary* services should *therefore* be able to access *such* hardware or software features, such as secure elements in smartphones, and to interoperate with them through the European Digital Identity Wallets or Member States' notified electronic identification means.

Amendment 12

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) Wide availability and usability of the European Digital Identity Wallets require their acceptance *by* private service providers. Private relying parties providing services in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications should accept the use of European Digital Identity Wallets for the provision of services where strong user authentication for online identification is required by national or Union law or by contractual obligation. Where very large online platforms as defined in *Article 25.1. of* Regulation [reference DSA Regulation] require users to authenticate to access online services, those platforms should be mandated to accept the use of European Digital Identity Wallets upon voluntary request of the user. Users should be under no obligation to use the wallet to access private services, *but if they wish to do so*, large online platforms should accept the European Digital Identity Wallet for this purpose while respecting the principle of data minimisation. Given the importance of very large online platforms, due to their reach, in particular as expressed in number

identification means.

Amendment

(28) Wide availability and usability of the European Digital Identity Wallets require their acceptance *and trust by both users and* private service providers. Private relying parties providing services in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications should accept the use of European Digital Identity Wallets for the provision of services where strong user authentication for online identification is required by national or Union law or by contractual obligation. Where very large online platforms as defined in Regulation [reference DSA Regulation] require users to authenticate to access online services, those platforms should be mandated to accept the use of European Digital Identity Wallets upon voluntary request of the user. Users should be under no obligation to use the wallet to access private services *and should not be discriminated against for not using the Wallet*. Very large online platforms should accept the European Digital Identity Wallet for this purpose while respecting the principle of data minimisation *and in particular they*

of recipients of the service and economic transactions this is necessary to increase the protection of users from fraud and secure a high level of data protection. Self-regulatory codes of conduct at Union level ('codes of conduct') should be developed in order to contribute to wide availability and usability of electronic identification means including European Digital Identity Wallets within the scope of this Regulation. The codes of conduct should facilitate wide acceptance of electronic identification means including European Digital Identity Wallets by those service providers which do not qualify as very large platforms and which rely on third party electronic identification services for user authentication. They should be developed within 12 months of the adoption of this Regulation. The Commission should assess the effectiveness of these provisions for the availability and usability for the user of the European Digital Identity Wallets after 18 months of their deployment and revise the provisions to ensure their acceptance by means of delegated acts in the light of this assessment.

should not process more data than they already have in order to fulfil their obligations under this Regulation, as well as other legal safeguards. Given the importance of very large online platforms, due to their reach, in particular as expressed in number of recipients of the service and economic transactions this is necessary to increase the protection of users from fraud and secure a high level of data protection. Self-regulatory codes of conduct at Union level ('codes of conduct') should be developed in order to contribute to wide availability and usability of electronic identification means including European Digital Identity Wallets within the scope of this Regulation. The codes of conduct should facilitate wide acceptance of electronic identification means including European Digital Identity Wallets by those service providers which do not qualify as very large platforms and which rely on third party electronic identification services for user authentication. They should be developed within 12 months of the adoption of this Regulation. The Commission should assess the effectiveness of these provisions for the availability and usability for the user of the European Digital Identity Wallets after 18 months of their deployment, ***and on a regular basis***, and revise the provisions to ensure their acceptance by means of delegated acts in the light of this assessment.

Amendment 13

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Secure electronic identification and the provision of attestation of attributes should offer additional flexibility and solutions for the financial services sector to allow ***identification*** of customers and the

Amendment

(31) Secure electronic identification and the provision of attestation of attributes should offer additional flexibility and solutions for the financial services sector to allow ***secure identity verification*** of

exchange of specific attributes necessary to comply with, for example, customer due diligence requirements under the Anti Money Laundering Regulation, [reference to be added after the adoption of the proposal], with suitability requirements stemming from investor protection legislation, **or to support the fulfilment of strong customer authentication requirements for account login and initiation of transactions in the field of payment services.**

Amendment 14

Proposal for a regulation Recital 31 a (new)

Text proposed by the Commission

customers and the exchange of specific attributes necessary to comply with, for example, customer due diligence requirements under the Anti Money Laundering Regulation, [reference to be added after the adoption of the proposal], **in particular where remote customer onboarding is carried out**, with suitability requirements stemming from investor protection legislation.

Amendment

(31a) Strong user authentication covers sectorial use cases that mandate strong authentication using two factors. For example, strong user authentication supports strong customer authentication requirements for account login and initiation of transactions in the field of payment services.

Amendment 15

Proposal for a regulation Recital 32

Text proposed by the Commission

(32) Website authentication services provide users with assurance that there is a genuine and legitimate entity standing behind the website. Those services contribute to the building of trust and confidence in conducting business online, as users will have confidence in a website that has been authenticated. The use of website authentication services by websites is voluntary. However, in order for website

Amendment

(32) Website authentication services provide users with assurance that there is a genuine and legitimate entity standing behind the website. Those services contribute to the building of trust and confidence in conducting business online, as users will have confidence in a website that has been authenticated. The use of website authentication services by websites is voluntary. However, in order for website

authentication to become a means to increasing trust, providing a better experience for the user and furthering growth in the internal market, this Regulation lays down minimal security and liability obligations for the providers of website authentication services and their services. To that end, web-browsers should ensure support and interoperability with Qualified certificates for website authentication pursuant to Regulation (EU) No 910/2014. They should recognise and display Qualified certificates for website authentication to provide a high level of assurance, allowing website owners to assert their identity as owners of a website and users to identify the website owners with a high degree of certainty. To further promote their usage, public authorities in Member States should consider incorporating Qualified certificates for website authentication in their websites.

authentication to become a means to increasing trust, providing a better experience for the user and furthering growth in the internal market, this Regulation lays down minimal security and liability obligations for the providers of website authentication services and their services. To that end, web-browsers should ensure support and interoperability with Qualified certificates for website authentication pursuant to Regulation (EU) No 910/2014. They should recognise and display Qualified certificates for website authentication, ***unless where they can demonstrate that this would significantly undermine user security***, to provide a high level of assurance, allowing website owners to assert their identity as owners of a website and users to identify the website owners with a high degree of certainty. ***Providers of web-browsing services should establish procedures to ensure that user security is not undermined through the use of these certificates.*** To further promote their usage, public authorities in Member States should consider incorporating Qualified certificates for website authentication in their websites.

Amendment 16

Proposal for a regulation Recital 36

Text proposed by the Commission

(36) In order to avoid fragmentation and barriers, due to diverging standards and technical restrictions, and to ensure a coordinated process to avoid endangering the implementation of the future European Digital Identity framework, a process for close and structured cooperation between the Commission, Member States and the private sector is needed. To achieve this objective, Member States should cooperate within the framework set out in the Commission Recommendation

Amendment

(36) In order to avoid fragmentation and barriers, due to diverging standards and technical restrictions, and to ensure a coordinated process to avoid endangering the implementation of the future European Digital Identity framework, a process for close and structured cooperation between the Commission, Member States, ***civil society, academics*** and the private sector is needed. To achieve this objective, Member States should cooperate within the framework set out in the Commission

XXX/XXXX [Toolbox for a coordinated approach towards a European Digital Identity Framework]²⁶ to identify a Toolbox for a European Digital Identity framework. The Toolbox should include a comprehensive technical architecture and reference framework, a set of common standards and technical references and a set of guidelines and descriptions of best practices covering at least all aspects of the functionalities and interoperability of the European Digital Identity Wallets including eSignatures and of the qualified trust service for attestation of attributes as laid out in this regulation. In this context, Member States should also reach agreement on common elements of a business model and fee structure of the European Digital Identity Wallets, to facilitate take up, in particular by small and medium sized companies in a cross-border context. The content of the toolbox should evolve in parallel with and reflect the outcome of the discussion and process of adoption of the European Digital Identity Framework.

²⁶ [insert reference once adopted]

Amendment 17

Recommendation XXX/XXXX [Toolbox for a coordinated approach towards a European Digital Identity Framework]²⁶ to identify a Toolbox for a European Digital Identity framework. The Toolbox should include a comprehensive technical architecture and reference framework, a set of common standards and technical references and a set of guidelines and descriptions of best practices covering at least all aspects of the functionalities and interoperability of the European Digital Identity Wallets including eSignatures and of the qualified trust service for attestation of attributes as laid out in this regulation. In this context, Member States should also reach agreement on common elements of a business model and fee structure of the European Digital Identity Wallets, to facilitate take up, in particular by small and medium sized companies in a cross-border context. The content of the toolbox should evolve in parallel with and reflect the outcome of the discussion and process of adoption of the European Digital Identity Framework. ***Relevant stakeholders, such as civil society organisations, consumer organisations or academics, and the private sector should be represented and consulted in the Toolbox process. It is important to establish an effective cooperation between the Commission, the Member States and relevant stakeholders in order to ensure a continuous and effective coordination and implementation with regard to the common elements of the Toolbox, so that fragmentation and obstacles are regularly minimised, and in order to encourage the cross-border use of electronic identification means and trust services.***

²⁶ [insert reference once adopted]

Proposal for a regulation
Article 1 – paragraph 1 – point 1
Regulation (EU) No 910/2014
Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

This **Regulations** aims at ensuring the proper functioning of the internal market and providing **an adequate** level of security of electronic identification means and trust services. For these purposes, this Regulation:

Amendment

This **Regulation** aims at ensuring the proper functioning of the internal market **by providing a high** level of security of electronic identification means and trust services **that are easily accessible and user-friendly and by facilitating cross-border use and innovation**. For these purposes, this Regulation:

Amendment 18

Proposal for a regulation
Article 1 – paragraph 1 – point 1
Regulation (EU) No 910/2014
Article 1 – paragraph 1 – point a

Text proposed by the Commission

(a) lays down the conditions under which Member States **shall** provide and recognise electronic identification means of natural and legal persons, falling under a notified electronic identification scheme of another Member State;

Amendment

(a) lays down the conditions under which Member States provide and recognise electronic identification means of natural and legal persons, falling under a notified electronic identification scheme of another Member State;

Amendment 19

Proposal for a regulation
Article 1 – paragraph 1 – point 1
Regulation (EU) No 910/2014
Article 1 – paragraph 1 – point d

Text proposed by the Commission

(d) lays down the conditions **for the issuing of** European Digital Identity Wallets **by Member States**.;

Amendment

(d) lays down the conditions **under which Member States provide and recognise** European Digital Identity Wallets;

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EU) No 910/2014

Article 2 – paragraph 1

Text proposed by the Commission

1. This Regulation applies to electronic identification schemes that have been notified by a Member State, European Digital Identity Wallets **issued by Member States** and to trust service providers that are established in the Union.;

Amendment

1. This Regulation applies to electronic identification schemes that have been notified by a Member State, European Digital Identity Wallets **made available by a Member State in accordance with Article 6a (2)** and to trust service providers that are established in the Union.’;

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point d

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 16 – introductory part

Text proposed by the Commission

(16) ‘trust service’ means an electronic service normally provided against **payment** which consists of:

Amendment

(16) ‘trust service’ means an electronic service normally provided against **remuneration** which consists of:

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 42

Text proposed by the Commission

(42) ‘European Digital Identity Wallet’ is a product and service that allows the user to store identity data, credentials and attributes linked to her/his identity, to provide them to relying parties on request and to use them for authentication, online and offline, for a service in accordance

Amendment

(42) ‘European Digital Identity Wallet’ is a product and service that allows the user to store **and manage identity data, including related consents**, identity data, credentials and attributes linked to her/his identity, to provide them to relying parties on request and to use them for

with Article 6a; and to create qualified electronic signatures and seals;

authentication, online and offline, for a service in accordance with Article 6a; and to create qualified electronic signatures and seals;

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 48

Text proposed by the Commission

(48) ‘qualified electronic archiving service’ means *a* service that meets the requirements laid down in Article 45g;

Amendment

(48) ‘qualified electronic archiving service’ means *an electronic archiving service that is provided by a qualified trust service provider and* meets the requirements laid down in Article 45g;

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 1

Text proposed by the Commission

1. For the purpose of ensuring that all natural and legal persons in the Union have secure, trusted and seamless access to cross-border public and private services, each Member State shall *issue a* European Digital Identity Wallet within 12 months after the entry into force of this Regulation.

Amendment

1. For the purpose of *strengthening the digital single market and* ensuring that all natural and legal persons in the Union have secure, trusted and seamless access to cross-border public and private services, *while strengthening consumer choice, trust and control over these services,* each Member State shall *make available at least one* European Digital Identity Wallet within 12 months after the entry into force of this Regulation.

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6a – paragraph 2 – point a

Text proposed by the Commission

(a) by a Member State;

Amendment

(a) **by a competent authority, designated** by a Member State;

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 2 – point c

Text proposed by the Commission

(c) independently but recognised by a Member State.

Amendment

(c) independently **from a Member State by a service provider** but recognised by a Member State.

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – introductory part

Text proposed by the Commission

3. European Digital Identity Wallets shall enable the user to:

Amendment

3. European Digital Identity Wallets shall enable the user **in an understandable, user-friendly, transparent and traceable way** to:

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point a

Text proposed by the Commission

(a) securely request and obtain, store,

Amendment

(a) securely request and obtain, store,

select, combine and share, ***in a manner that is transparent to and traceable by*** the user, the necessary legal person identification data and electronic attestation of attributes to authenticate online and offline in order to use ***online*** public and private services;

select, combine and share, ***under the control of*** the user, the necessary legal person identification data, ***credentials*** and electronic attestation of attributes to authenticate online and offline in order to use public and private services ***across the Union and across sectors***;

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) manage the data they provide to relying parties through a simple interface, including identification of the relying parties, complete or partial refusal of information requests from relying parties, full transaction history and information about the exercise of their rights, in order to be able to make an informed decision about the sharing of data with relying parties and to change their choice;

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) sign by means of qualified electronic signatures.

(b) sign by means of qualified electronic signatures ***and electronic seals***.

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6a – paragraph 4 – point a – point 4

Text proposed by the Commission

(4) for the user to allow interaction with the European Digital Identity Wallet and display an “EU Digital Identity Wallet Trust Mark”;

Amendment

(4) for the user to allow ***simple and transparent*** interaction with the European Digital Identity Wallet and display an “EU Digital Identity Wallet Trust Mark”;

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point a a (new)

Text proposed by the Commission

Amendment

(aa) ensure that relying parties are identified and that their identity is validated by an authentication mechanism;

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point a b (new)

Text proposed by the Commission

Amendment

(ab) ensure that the use of the European Digital Identity Wallet by relying parties, in particular as regards their requests for information, is consistent with the intended use of the Wallet in accordance with Article 6b, paragraph 1;

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6a – paragraph 4 – point b

Text proposed by the Commission

(b) ensure that **trust service** providers of qualified attestations of attributes cannot receive any information about the use of these attributes;

Amendment

(b) ensure that providers of qualified **or non-qualified** attestations of attributes cannot receive any information about the use of these attributes;

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point e a (new)

Text proposed by the Commission

Amendment

(ea) enable the user to request and access a copy, in a machine-readable format, of the list of actions, transactions or uses of electronic attestations of attributes or person identification data, that have been authorised by the user;

Amendment 36

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point e b (new)

Text proposed by the Commission

Amendment

(eb) ensure that the user is able to contact support services of the European Digital Identity Wallet at Member State level, which also allows the user to efficiently request revocation or correction of outdated or incorrect data in the Wallet.

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(ca) to revoke the authentication of relying parties in case they no longer comply with the requirements laid down in this Regulation.

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6

Text proposed by the Commission

Amendment

6. The European Digital Identity Wallets shall be **issued** under a notified electronic identification scheme of level of assurance ‘high’. **The use of the European Digital Identity Wallets shall be free of charge to natural persons.**

6. The European Digital Identity Wallets shall be **made available** under a notified electronic identification scheme of level of assurance ‘high’ **and in compliance with the information requirements set out in Article 24 (1).**

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6a (new)

Text proposed by the Commission

Amendment

6a. The European Digital Identity Wallet shall ensure a secure, reliable, explicit, conscious and active user confirmation of its operation, including in case the data or features are distributed in several locations.

Amendment 40

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 6b (new)

Text proposed by the Commission

Amendment

6b. *The making available and the use of the European Digital Identity Wallets shall be free of charge for all natural persons. It shall be free of charge or available at a nominal fee for legal persons.*

Amendment 41

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 10

Text proposed by the Commission

Amendment

10. The European Digital Identity Wallet shall be made accessible for persons with disabilities in accordance with the accessibility requirements of Annex I to Directive 2019/882.

10. The European Digital Identity Wallet shall be made accessible for persons with disabilities in accordance with the accessibility requirements of Annex I to Directive **(EU) 2019/882 and the United Nations Convention on the Rights of Persons with Disabilities^{1a}**, as well as to persons with special needs, including elderly people and persons with limited access to digital technologies or with insufficient digital literacy.

^{1a} *Approved by Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (OJ L 23, 27.1.2010, p. 35).*

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 10a (new)

Text proposed by the Commission

Amendment

10a. The use of European Digital Identity Wallets shall be made possible, but shall not be compulsory for accessing public or private services. Member States shall offer alternative and non-discriminatory solutions to access public services.

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 11

Text proposed by the Commission

Amendment

11. Within 6 months of the entering into force of this Regulation, the Commission shall establish technical and operational specifications and reference standards for the requirements referred to in paragraphs 3, 4 and 5 by means of an implementing act on the implementation of the European Digital Identity Wallet. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 48(2).

11. Within 6 months of the entering into force of this Regulation, the Commission shall establish technical and operational specifications and reference standards, **as well as the characteristics of the European Digital Identity Wallets, related to its decentralised elements and the interoperability of such wallets, taking into consideration relevant international standards, where possible**, for the requirements referred to in paragraphs 3, 4 and 5 by means of an implementing act on the implementation of the European Digital Identity Wallet. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 48(2). **The Commission shall also consult relevant stakeholders.**

Amendment 44

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 11a (new)

Text proposed by the Commission

Amendment

11a. European Digital Identity Wallets shall be made available in a manner which is accessible and shall not necessitate the use of operating systems or technologies which are not widely adopted.

Amendment 45

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6b – paragraph 1

Text proposed by the Commission

Amendment

1. Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall **communicate it to** the Member State where the relying party is established to ensure compliance with requirements set out in Union law or national law for the provision of specific services. When **communicating their intention to rely on European Digital Identity wallets**, they shall also inform about the intended use of the European Digital Identity Wallet.

1. Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall **register with** the Member State where the relying party is established to ensure compliance with requirements set out in Union law or national law for the provision of specific services. When **registering**, they shall also inform about the intended use of the European Digital Identity Wallet.

Amendment 46

Proposal for a regulation
Article 1 – paragraph 1 – point 9
Regulation (EU) No 910/2014
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

Pursuant to Article 9(1) Member States

‘Pursuant to Article 9(1) Member States

shall notify, within 12 months after the entry into force of this Regulation at least one electronic identification scheme including at least one identification means;

shall notify, within 12 months after the entry into force of this Regulation at least one electronic identification scheme, including at least one identification means, ***which shall comply with all of the following conditions:***’;

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EU) No 910/2014

Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission shall publish in the Official Journal of the European Union a list of the electronic identification schemes which were notified pursuant to paragraph 1 of this Article and the basic information thereon.

Amendment

2. The Commission shall, ***without undue delay after receipt of the notification referred to in paragraph 1,*** publish in the Official Journal of the European Union a list of the electronic identification schemes which were notified pursuant to paragraph 1 of this Article and the basic information thereon.

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 11 a (new)

Regulation (EU) No 910/2014

Article 10b (new)

Text proposed by the Commission

Amendment

(11a) the following Article 10b is inserted:

‘Article 10b

Single Point of Contact

A Single Point of Contact shall be established by the entity that has issued the European Digital Identity Wallets pursuant to Article 6a, allowing users of such Wallets to report an infringement of the requirements of this Regulation or a security breach of the Wallet. It shall also

allow users to request revocation or correction of inaccurate data in the Wallet.?

Amendment 49

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – paragraph 1

Text proposed by the Commission

1. When notified electronic identification means and the European Digital Identity Wallets are used for authentication, Member States shall ensure unique identification.

Amendment

1. When notified electronic identification means and the European Digital Identity Wallets are used for authentication, Member States shall ensure unique identification. ***Where relevant, such unique identification may be used on a sectoral basis.***

Amendment 50

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 1

Text proposed by the Commission

1. Where Member States require an electronic identification using an electronic identification means and authentication under national law or by administrative practice to access an online service provided by a public sector body, they shall also accept European Digital Identity Wallets issued in compliance with this Regulation.

Amendment

1. Where Member States require an electronic identification using an electronic identification means and authentication under national law or by administrative practice to access an online service provided by a public sector body, they shall also accept European Digital Identity Wallets issued in compliance with this Regulation ***and they shall clearly communicate such acceptance to potential users of the service.***

Amendment 51

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 2

Text proposed by the Commission

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication for online identification, or where strong user authentication is required by contractual obligation, including in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications, private relying parties shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

Amendment

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication for online identification, or where strong user authentication is required by contractual obligation, including in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education **and professional qualifications** or telecommunications, private relying parties shall also **offer and accept in a non-discriminatory way and in an easily accessible manner** the use of European Digital Identity Wallets issued in accordance with Article 6a **and they shall also clearly communicate such acceptance to potential users of the service.**

Amendment 52

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 3

Text proposed by the Commission

3. Where very large online platforms as defined in Regulation [reference DSA Regulation] **Article 25.1.** require users to authenticate to access online services, they shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a strictly upon voluntary request of the user and in respect of the minimum attributes necessary for the specific online service for which authentication is requested, such as proof

Amendment

3. Where very large online platforms as defined in **Article 33(1) of** Regulation [reference DSA Regulation] require users to authenticate to access online services, they shall also accept, **though not exclusively, and facilitate** the use of European Digital Identity Wallets issued in accordance with Article 6a strictly upon voluntary request of the user and in respect of the minimum attributes necessary for the specific online service for which

of age.

authentication is requested, such as proof of age. ***Very large online platforms shall clearly indicate this possibility to users of the service.***

Amendment 53

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The obligation, referred to in paragraph 3, to accept the use of European Digital Identity Wallets shall not lead the provider of very large online platforms to maintain, acquire or process more data than it already has in order to fulfil its obligations under this Regulation.

Amendment 54

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission shall make an assessment within 18 months after deployment of the European Digital Identity Wallets whether on the basis of evidence showing availability and usability of the European Digital Identity Wallet, additional private online service providers shall be mandated to accept the use of the European Digital identity Wallet strictly upon voluntary request of the user. Criteria of assessment may include extent of user base, cross-border presence of service providers, technological development, evolution in usage patterns. The

5. The Commission shall make an assessment within 18 months after deployment of the European Digital Identity Wallets whether on the basis of evidence showing availability, ***security*** and usability of the European Digital Identity Wallet, additional private online service providers shall be mandated to accept the use of the European Digital identity Wallet strictly upon voluntary request of the user. ***This assessment shall be carried out by the Commission on a regular basis.*** Criteria of assessment may include extent of user base, cross-border presence of

Commission shall be empowered to adopt delegated acts based on this assessment, **regarding a revision of** the requirements for recognition of the European Digital Identity wallet **under** points 1 to 4 of this article.

service providers, technological development, evolution in usage patterns. The Commission shall be empowered to adopt delegated acts based on this assessment, **supplementing** the requirements for recognition of the European Digital Identity Wallet **contained in** points 1 to 4 of this Article.

Amendment 55

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12c – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Where electronic identification using an electronic identification means and authentication is required under national law or by administrative practice to access an online service provided by a public sector body in a Member State, the electronic identification means, issued in another Member State shall be recognised in the first Member State for the purposes of cross-border authentication for that online service, provided that the following conditions are met:

Amendment

Where electronic identification using an electronic identification means and authentication is required under national law or by administrative practice to access an online service provided by a public sector body in a Member State, the electronic identification means, issued in another Member State shall be recognised in the first Member State for the purposes of cross-border authentication for that online service **and ensuring mutual recognition**, provided that the following conditions are met:

Amendment 56

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) No 910/2014

Article 14 – paragraph 1

Text proposed by the Commission

1. The Commission may adopt **implementing** acts, in accordance with Article 48(2), setting out the conditions under which the requirements of a third country applicable to the trust service

Amendment

1. The Commission may adopt **delegated** acts, in accordance with Article 47, **supplementing this Regulation by** setting out the conditions under which the requirements of a third country applicable

providers established in its territory and to the trust services they provide can be considered equivalent to the requirements applicable to qualified trust service providers established in the Union and to the qualified trust services they provide.

to the trust service providers established in its territory and to the trust services they provide can be considered equivalent to the requirements applicable to qualified trust service providers established in the Union and to the qualified trust services they provide.

Amendment 57

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) No 910/2014

Article 14 – paragraph 2

Text proposed by the Commission

2. Where the Commission has adopted ***an implementing*** act pursuant to paragraph 1 or concluded an international agreement on the mutual recognition of trust services in accordance with Article 218 of the Treaty, trust services provided by providers established in the third country concerned shall be considered equivalent to qualified trust services provided by qualified trust service providers established in the Union.;

Amendment

2. Where the Commission has adopted ***a delegated*** act pursuant to paragraph 1 or concluded an international agreement on the mutual recognition of trust services in accordance with Article 218 of the Treaty, trust services provided by providers established in the third country concerned shall be considered equivalent to qualified trust services provided by qualified trust service providers established in the Union. ';

Amendment 58

Proposal for a regulation

Article 1 – paragraph 1 – point 19

Regulation (EU) No 910/2014

Article 15 – title

Text proposed by the Commission

Accessibility for persons with disabilities

Amendment

Accessibility for persons with disabilities
and special needs

Amendment 59

Proposal for a regulation

Article 1 – paragraph 1 – point 19

Text proposed by the Commission

The provision of Trust services and end-user products used in the provision of those services shall be made accessible for persons with disabilities in accordance with the accessibility requirements of Annex I of Directive 2019/882 on the accessibility requirements for products and services.;

Amendment

The provision of trust services and end-user products used in the provision of those services shall be made ***available in plain and intelligible language and*** accessible for persons with disabilities ***or to persons who experience functional limitations, such as elderly people, and persons with limited access to digital technologies,*** in accordance with the accessibility requirements of Annex I of Directive (EU)2019/882 on the accessibility requirements for products and services ***and the United Nations Convention on the Rights of Persons with Disabilities^{1a};***

^{1a} Approved by Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (OJ L 23, 27.1.2010, p. 35).

Amendment 60

Proposal for a regulation
Article 1 – paragraph 1 – point 21 – point b
Regulation (EU) No 910/2014
Article 18 – paragraph 1

Text proposed by the Commission

1. Supervisory bodies shall cooperate with a view to exchanging good practice and information regarding the provision of trust services.;

Amendment

1. Supervisory bodies shall cooperate with a view to exchanging good practice and information ***and providing mutual assistance*** regarding the provision of trust services, ***facilitating the uptake of the Digital Identity Wallet and avoiding fragmentation and barriers***;

Amendment 61

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point a

Regulation (EU) No 910/2014

Article 24 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

(c) by using other identification methods which ensure the identification of the natural person with a high level of confidence, the conformity of which shall be confirmed by a conformity assessment body;

Amendment

(c) by using other identification methods which ensure the identification of the natural person with a high level of confidence ***and security equivalent in terms of reliability***, the conformity of which shall be confirmed by a conformity assessment body ***and shall take into consideration European standards on ID proofing***;

Amendment 62

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point b

Regulation (EU) No 910/2014

Article 24 – paragraph 1a

Text proposed by the Commission

1a. Within 12 months after the entry into force of this Regulation, the Commission shall by means of implementing acts, set out minimum technical specifications, standards and procedures with respect to the verification of identity and attributes in accordance with paragraph 1, point c. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

Amendment

1a. Within 12 months after the entry into force of this Regulation, the Commission shall by means of implementing acts, set out minimum technical specifications, standards and procedures with respect to the verification of identity and attributes in accordance with paragraph 1, point c. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). ***The Commission shall also consult relevant stakeholders***;

Amendment 63

Proposal for a regulation

Article 1 – paragraph 1 – point 38

Text proposed by the Commission

1. Qualified certificates for website authentication shall **meet** the requirements laid down in Annex IV. Qualified certificates for website authentication shall be deemed compliant with the requirements laid down in Annex IV where they meet the standards referred to in paragraph 3.

Amendment 64

Proposal for a regulation
Article 1 – paragraph 1 – point 38
Regulation (EU) No 910/2014
Article 45 – paragraph 2

Text proposed by the Commission

2. Qualified certificates for website authentication referred to in paragraph 1 shall be recognised by web-browsers. For those purposes web-browsers shall ensure that the identity data provided using any of the methods is displayed in a user friendly manner. Web-browsers shall ensure support and interoperability with qualified certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services.

Amendment 65

Amendment

1. Qualified certificates for website authentication shall **comply with** the requirements laid down in Annex IV. Qualified certificates for website authentication shall be deemed compliant with the requirements laid down in Annex IV where they meet the standards referred to in paragraph 3.

Amendment

2. Qualified certificates for website authentication referred to in paragraph 1 shall be recognised by web-browsers, ***except where they can demonstrate that this would significantly undermine user security.*** For those purposes web-browsers shall ensure that the identity data provided using any of the methods is displayed in a user friendly manner. Web-browsers shall ensure support and interoperability with qualified certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services. ***They shall establish procedures to ensure that user security is not undermined through the use of these certificates.***

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45b – paragraph 1

Text proposed by the Commission

When an electronic identification using an electronic identification means and authentication is required under national law to access an online service provided by a public sector body, person identification data in the electronic attestation of attributes shall not substitute electronic identification using an electronic identification means and authentication for electronic identification unless specifically allowed by the Member State **or the public sector body**. In such a case, qualified electronic attestation of attributes from other Member States shall also be accepted.

Amendment

When an electronic identification using an electronic identification means and authentication is required under national law to access an online service provided by a public sector body, person identification data in the electronic attestation of attributes shall not substitute electronic identification using an electronic identification means and authentication for electronic identification unless specifically allowed by the Member State. In such a case, qualified electronic attestation of attributes from other Member States shall also be accepted.

Amendment 66

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45i – paragraph 1 – point a

Text proposed by the Commission

(a) they are created by one or more qualified trust service provider or providers;

Amendment

(a) they are created **or managed** by one or more qualified trust service provider or providers;

Amendment 67

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 1

Text proposed by the Commission

1. Member States shall **ensure the collection of** statistics in relation to the functioning of the European Digital Identity Wallets and the qualified trust services.

Amendment

1. Member States shall **collect and provide the Commission with** statistics in relation to the functioning of the European Digital Identity Wallets and the qualified trust services **in compliance with Union and national rules on data protection.**

Amendment 68

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2 – point b

Text proposed by the Commission

(b) the type and number of services accepting the use of the European Digital Wallet;

Amendment

(b) the type and number of services accepting the use of the European Digital **Identity** Wallet;

Amendment 69

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2 – point c

Text proposed by the Commission

(c) incidents and down time of the infrastructure at national level preventing the use of Digital Identity Wallet **Apps**.

Amendment

(c) incidents and down time of the infrastructure at national level preventing the use of **European** Digital Identity Wallet;

Amendment 70

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the number of security incidents reported, categorised by type;

Amendment 71

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) the number of user complaints, categorised by type.

Amendment 72

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 47 supplementing this Regulation by establishing a common methodology for the collection of the data.

Amendment 73

Proposal for a regulation

Article 1 – paragraph 1 – point 41

Regulation (EU) No 910/2014

Article 49 – paragraph 2

Text proposed by the Commission

Amendment

2. The evaluation report shall include an assessment of the availability and usability of the identification means

2. The evaluation report shall include an assessment of the availability, **security** and usability of the identification means

including European Digital Identity Wallets in scope of this Regulation and assess whether all online private service providers relying on third party electronic identification services for users authentication, shall be mandated to accept the use of notified electronic identification means and European

including European Digital Identity Wallets in scope of this Regulation and assess whether all online private service providers relying on third party electronic identification services for users authentication, shall be mandated to accept the use of notified electronic identification means and European ***Digital Identity Wallets.***

Amendment 74

Proposal for a regulation
Annex VI – paragraph 1 – point 6
Regulation (EU) No 910/2014
Annex VI – paragraph 1 – point 6

Text proposed by the Commission

6. Nationality;

Amendment

6. Nationality ***or nationalities;***

Amendment 75

Proposal for a regulation
Annex VI – paragraph 1 – point 7
Regulation (EU) No 910/2014
Annex VI – paragraph 1 – point 7

Text proposed by the Commission

7. ***Educational*** qualifications, titles and licenses;

Amendment

7. ***Academic*** qualifications, titles and licenses;

**ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPporteur HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

Entity and/or person
Deutsche Telekom
Bundesdruckerei GmbH
Cybernetica
BSA / The Software Alliance
United Internet
Eurosmart
European Telecommunication Standards Institute
THALES
Norton LifeLock
EUROCHAMBRES
DigiCert
Onfido
Mozilla
Electronic IDentification
Foundation for Internet Domain Registration in the Netherlands

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity			
References	COM(2021)0281 – C9-0200/2021 – 2021/0136(COD)			
Committee responsible Date announced in plenary	ITRE 8.7.2021			
Opinion by Date announced in plenary	IMCO 8.7.2021			
Associated committees - date announced in plenary	16.12.2021			
Rapporteur for the opinion Date appointed	Andrus Ansip 15.7.2021			
Discussed in committee	28.10.2021	28.2.2022	15.6.2022	8.9.2022
Date adopted	12.9.2022			
Result of final vote	+: –: 0:	32 3 8		
Members present for the final vote	Andrus Ansip, Pablo Arias Echeverría, Alessandra Basso, Brando Benifei, Adam Bielan, Biljana Borzan, Anna Cavazzini, Deirdre Clune, David Cormand, Alexandra Geese, Sandro Gozi, Maria Grapini, Krzysztof Hetman, Virginie Joron, Eugen Jurzyca, Arba Kokalari, Marcel Kolaja, Andrey Kovatchev, Jean-Lin Lacapelle, Morten Løkkegaard, Adriana Maldonado López, Antonius Manders, Beata Mazurek, Anne-Sophie Pelletier, Miroslav Radačovský, René Repasi, Christel Schaldemose, Tomislav Sokol, Ivan Štefanec, Kim Van Sparrentak, Marion Walsmann, Marco Zullo			
Substitutes present for the final vote	Marc Angel, Vlad-Marius Botoș, Marco Campomenosi, Maria da Graça Carvalho, Antonio Maria Rinaldi, Marc Tarabella, Kosma Złotowski			
Substitutes under Rule 209(7) present for the final vote	Moritz Körner, Massimiliano Salini, Loránt Vincze, Carlos Zorrinho			

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

32	+
ECR	Adam Bielan, Eugen Jurzyca, Beata Mazurek, Kosma Zlotowski
NI	Miroslav Radačovský
PPE	Pablo Arias Echeverría, Maria da Graça Carvalho, Deirdre Clune, Krzysztof Hetman, Arba Kokalari, Andrey Kovatchev, Antonius Manders, Massimiliano Salini, Tomislav Sokol, Ivan Štefanec, Loránt Vincze, Marion Walsmann
RENEW	Andrus Ansip, Vlad-Marius Botoș, Sandro Gozi, Moritz Körner, Morten Løkkegaard, Marco Zullo
S&D	Marc Angel, Brando Benifei, Biljana Borzan, Maria Grapini, Adriana Maldonado López, René Repasi, Christel Schaldemose, Marc Tarabella, Carlos Zorrinho

3	-
ID	Virginie Joron, Jean-Lin Lacapelle
THE LEFT	Anne-Sophie Pelletier

8	0
ID	Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi
VERTS/ALE	Anna Cavazzini, David Cormand, Alexandra Geese, Marcel Kolaja, Kim Van Sparrentak

Key to symbols:

+ : in favour

- : against

0 : abstention