

Electronic identification, authentication and signatures

1. Respondent information

Are you replying:	As an individual citizen
Please provide your Name and Surname	
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Your country of residence	Poland

2. General expectations regarding EU legislation on e-signatures, e-identification and e-authentication

Question 1: Do you / Does your organisation use e-signatures, e-identification and e-authentication?	no
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If no, why?	No need Too complex Too expensive
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Question 2: For what online transactions do you consider electronic identification, authentication and signatures useful in coming years?	eGovernment services Electronic Public Procurement eCommerce transactions eBusiness transactions Online banking and financial transactions Issuance of authentic electronic documents Secure archiving or storage of authentic electronic documents
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Question 3: What socio-economic benefits or drawbacks do you expect from the use of electronic signatures, identification, and authentication in other sectors of activity than yours?	
Electronic signature must be market driven, not government driven. In Poland electronic certificates were owned by less than 0,1% of population between 2001 and 2008. Then government forced 200'000 entrepreneurs to use qualified certificates that resulted in spending 60-100 million PLN on first year and then 40 million PLN annually - without any benefit for either companies or government. Usage is now still under 1%.	

Question 4: Would a stronger involvement of financial institutions in the provision of trusted e-signature and e-identification services have an impact on the take-up of e-signature and e-	yes
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identification in other sectors?	
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If yes, what would be the appropriate incentives?

Banks already have quite well verified personal information in their databases, so they could be offering identity provider services (in IDA BC Authentication Policy meaning). At the same time they could be also identity services consumer. But all this needs to be well designed and make economic sense. This already works in private sector - for example on some auction sites you can authenticate yourself by making a \$0,01 transfer from your bank account.
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Question 5: Do you think that there are specific interoperability or security aspects that should be taken into account to foster the use of electronic signatures, identification and authentication through mobile devices (e.g. requirements on the SIM cards, on the handset, on the mobile operator)?	yes
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If yes, regarding:	operational technical standardisation other
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Please comment why

Business - much of the legislation done so far in EU around electronic signature didn't make any economic sense. It was not designed to solve any concrete problems and as result it was designed to be so general that it became unusable. Technical - end-user facing technology behind electronic signature is not mature enough. It's ridiculous to ask a consumer to install numerous drivers and certificates in their operating system and tell them this is more secure than plain SSL. Standardisation - there's 27 electronic signature laws in EU and they're mostly incompatible. In Poland alone there's 14 electronic signature formats, and they're incompatible too.
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Question 6: For which of the following trust building services and credentials should legal or regulatory measures be considered at EU-level in order to ensure their cross-border use and why?	Certified electronic documents in general
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3. e-signatures tailored to face the challenges of the digital single market

Question 7: How do you judge the take-up of electronic signatures in Europe?	Marginal
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Please comment why

In countries where electronic signature was promoted by government it was actually only taken up by government itself or where people were forced to use it (Polish ZUS system). Otherwise usage of QES is marginal and many countries (e.g. UK, Denmark) were able to build successful and widely available e-government portals without QES. Another clue comes from Estonia, where 90% population has QES certificates issued as part of their e-ID documents, but due to technical difficulties actually only 5% is using it.

Question 8: Which of the following issues have a negative impact on the uptake of e-signature? You may select up to three answers that have according to you the most important impact.	Costs of using e-signatures Lack of user-friendly signature solutions Transactions can sufficiently be secured with other means
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Question 9: Which of the following specific issues have an impact on cross-border interoperability of e-signatures in Europe and should be addressed in a revised legal framework on e-signature (the references point to the articles and annexes of the eSignatures Directive)?	Unclear terminology in Directive 1999/93/EC and heterogeneous terminology in national legislations Divergent interpretations of what is meant by the "sole control" of the signatory (art. 2.2) Heterogeneous approach to security requirements (e.g. certification requirements on the signing software in some countries) No EU list of signature equipment formally recognised as "secure signature creation devices" (Directive Annex III) Other
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Please comment why

The first question that you should ask yourself and EU citizens when designing new authentication framework is: what is it going to be used for? Another solution that is designed "for everything" will be effectively useful for nothing.

Question 10: Which among the following options could be solutions for signature verification and validation at EU level?	European central validation service
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Question 11: Do you have specific expectations from e-signature standardisation to cover?	No expectations
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Question 12: Do you use "qualified" e-signatures?	yes
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If yes, how often per month and for which kind and value of transactions?

Once per two months and I usually use it to submit consultation documents to government bodies as part of public consultation (no value).

Question 13: What is your view on the need to revise the security provisions of "qualified" e-signatures?	Security requirements should be relaxed
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Question 14: Would a classification of a range of e-signatures be desirable to match different levels of security?	Yes, a classification would be convenient, it should be defined by law and a legal effect should be associated to each or some classes.
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Please comment and explain for which usage a classification would be desirable.

There's a lot of business and administrative processes in the world with VERY different risk profiles and security requirements. Creating a single authentication mechanism to cover them all would require that it satisfies security requirements of the highest level. Enforcing it would effectively kill all other processes with smaller security requirements, and usually they're majority of these processes. For example, would you consider QES a reasonable means of authentication to request a record from otherwise public register of companies? In Poland it's required and obviously everyone is still requesting this on paper.

Question 15: Should "electronic consent" be recognised formally by future European legislation?	no
Question 16: Should "electronic consent" be considered as equivalent to electronic signatures?	yes
Question 17: Are there specific aspects that should be taken into account to address electronic archiving?	yes

If yes, please specify the legal provisions which are needed in your opinion to address electronic archiving needs?

Long term electronic signature conservation, cryptographic algorithms.

4. Principles to guide e-identification and e-authentication in europe

Question 18: Do you see a need for additional legal or regulatory measures on electronic identification at EU-level?	yes
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If yes, in your opinion, what are the general principles that should underlie the legal provisions on the mutual recognition and acceptance of e-identification at EU-level?

Transparency
Affordability
Cross-sector permeability

Question 19: What effects for the digital single market do you expect from legal provisions on an EU-wide mutual recognition and acceptance of eID issued in the Member States?	Reduction of administrative burden Increase of cross-border digital mobility Reduction of fraud
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Question 20: How could users provided with electronic identification and authentication means benefit from their mutual recognition and acceptance across Europe and in which sectors?	Increase of user convenience Simplification of access to online services Reduction of numerous UID/passwords Reduced exposure to ID theft
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Question 21: What are the specific aspects that should be taken into account to achieve cross-sector interoperability of electronic identities?	Common legal basis Common specifications for electronic identities
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Question 22: Please indicate experiences and lessons learned in the private sector that could be transferred to the public sector.

Electronic signature is a tool and not an objective itself. Public sector should be VERY careful to always perform a final "reality check" to make sure that anyone will actually use the solutions they created.

5. Legislative measures for the challenges ahead

Question 23: What European Union legislative measures on e-signatures, e-authentication of natural and legal person claims as well as e-identification would be appropriate in your opinion to best meet the challenges of the digital single market?

Revise the existing legal framework embracing all requirements relating to e-signatures, e-identification and e-authentication and related issues
Opt for different measures to allow for distinct focus, progress and speed of adoption
Focus on light and limited measures to facilitate faster decision and implementation

6. Research and Innovation

Question 24: On what issues should EU R&D and standardisation focus to have all the necessary technology to improve eID management?

Usability, interoperability and economic feasibility.

Question 25: On which technologies should Research & Development focus to improve the usability of e-signatures and electronic identification for end users and to facilitate the deployment for service providers?

On any technologies that make the usability objective happen when the new legislation is created. Enumerating any specific technologies at this moment would make it out-of-date immediately.

Question 26: What technologies could contribute to overcoming the lack of trust in electronic identification, authentication and signatures in the European Single Market (ex. addressing the so-called "what you see is what you sign" issue)?

The WYSIWYS issue is problem mostly for several academic researchers and not for millions of people using Facebook, eBay or PayPal each in Europe. Assurance level must be adjusted to transaction risk and definitely no one is going to buy a house using electronic signature.

7. Others

Question 27: Europe is fully part of the global economy. However, the forthcoming legal framework cannot cover non EU countries. Are there nevertheless international issues that should be taken into account?

Europe is not part of the global economy because it's spending too much time theoretising and too little time solving problems. The QES directive was enacted in 1999 and since then QES influence on EU's competitiveness was ZERO. Now in 2011 you are starting public consultations and probably by 2015 you will come up with a great new legal framework called QES2. By 2020 member countries will implement it... but then no one will be interested in technology from past decade any more.

Question 28: Would you wish to share some best practices examples outside Europe?

In US and UK I can send my tax declarations to tax authority over Internet for the last 10-20 years. In Poland I can do this for 2 years now. In US I can keep a bank transfer printout as proof of transaction for tax reasons, in EU I need to go through an extremely formalised process of invoicing and invoice delivery, and then archive the invoices for 5 years.

Question 29: Are there any other issues which you think should be addressed by policy makers?

All this is taking too much time. Also, a public consultation where you ask questions about "socio-economic benefits" is a fiction. Citizens should be presented a prototype product to solve an existing problem and asked "do you like it" or "why not". This is the only way how it's going to work.

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