Open Identity Exchange

eIDAS Open Public Consultation – Additional Statements

21st September 2020

Version 0.1

Author: Nick Mothershaw, Chief Executive
Email: nick.mothershaw@openidentityexchange.org
Mobile: 07885 618523

1 What is OIX?

OIX is a community for all those involved in the ID sector to connect and collaborate, developing the guidance needed for inter-operable, trusted identities Through our definition of, and education on Trust Frameworks, we create the rules, tools and confidence that will allow every individual a trusted, universally accepted, identity.

Our Vision:
A world where we can all prove our identity and eligibility anywhere, using a simple universally trusted ID

Our Purpose:
To create a community for all those involved in the ID sector to connect and collaborate. Together we create the rules, tools and confidence to support the acceptance of universally trusted IDs and eligibility information

How we Achieve this:
We are uniquely dedicated to ID Trust. We are a membership organisation, offering education, information and collaboration around the topic of universally trusted identity. We bring together buyers of ID Services (reliant organisations or relying parties) with ID Service organisations such as tech vendors, consultancies, along with regulators and market influencers to work together to drive adoption of ID Trust.

Our papers and guides form the bedrock of Trust Frameworks that supports the creation and use of inter-operable, universally trusted identities.

OIX has a wide programme of events, thought leadership and working groups.

Members access a suite of resources including support for Pilot Projects and Business Case Development.

Through the OIX Guide to Trust Frameworks and associated Papers,members build an understanding of the wider ecosystem required tocreate and rely upon trusted identities.

The OIX Directory explains where member services sit within this ecosystem.

2 General Comments on the Consultation

OIX is supportive of the move to improve eIDAS regulation and to provide intervention into Digital Identity adoption in the private sector.

We believe a competitive market for ID services provision is important as this drives innovation, pricing and user features that will result in the best services for the relying parties and users alike. As such, OIX advocates for a regulated competitive market for Digital ID services. An overarching Trust Framework such as eIDAS can establish the regulatory framework for ID services to complete in a compliant way.

OIX also advocates for user choice. Any extension of eIDAS should be done so in a manner that encourages ID providers to be interoperable across market sectors and territories, allowing the user to choose the best ID provider for them.

We envisage that Trust Schemes will emerge that are specific to market segments, such as finance, health, travel, retail. Each market has different needs and rules for ID trust, and importantly different eligibility (or attribute) requirements. For example, the visa and inoculation information might be required by a travel Trust Scheme, whilst affordability and AML information by a finance Trust Scheme.

Trust Schemes will specialise in one or more sub-markets. ID Providers will make a user's ID complaint with multiple Trust Schemes for different market segments, allowing the ID to be interoperable across market segments.

An ID provider might need to comply with a Trust Framework to meet general rules for identity services provision and then comply separately with Trust Schemes that are also accredited to that Trust Framework to meet market segment specific rules. The diagram below show's OIX's view on possible ID Ecosystem Roles:
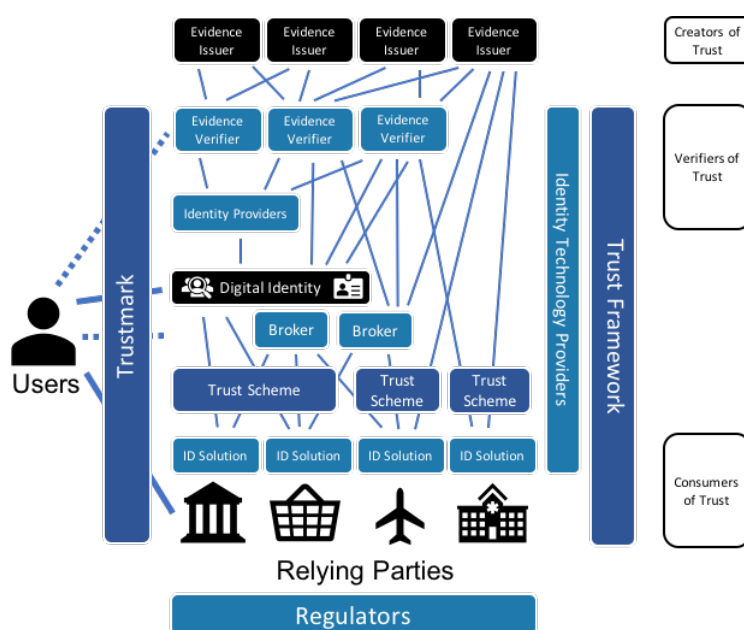
Any extension of the eIDAS regulation should provide a level playing field for competition, taking into account a possible multi-role ecosystem such as the above. In some states these roles might be combined into a single national ID Scheme, but in other states a more granular model will emerge, especially in the private sector.

Liability is much discussed topic. Governmental ID Trust Schemes tend to operate without offering any indemnification for the relying party should anything go wrong or a fraudulent ID be issued. Private sector ID Trust Schemes, ID Providers and ID Brokers are likely to take a different view on liability, seeing indemnification as a competitive feature. They will also seek to lean on a Trust Scheme or Trust Framework to allow them to implement fault-based liability: i.e. only if it can be shown that they have not operated within the rules of the trust framework can they be held liable. Any changes to the eIDAS regulation should take this into account.

Accessibility and Inclusion is also key in the successful implementation of any Trust Framework. OIX was surprised to see that this was not mentioned in the consultation. This is particularly important when an ID Provider trying to operate it's ID proofing process as an entirely online remote process. Whilst this is good for many users in our ongoing COVID19 world where face to face interaction is discouraged, for many vulnerable or disadvantaged members of our society online ID proofing is simply not an option. Face to face and assisted support must be built in at the framework level. Vouching must be supported. As should delegated authority.

Another area of consideration is the fraud controls applied to Digital IDs as part of compliance with any Trust Framework or Trust Scheme. These must be to a consistent level of robustness to allow IDs to interoperate across different use cases. Fraud controls must also be for the life of the ID: all uses and updates, not just when the ID is established.

3 European Digital Identity scheme (EUid)

OIX would question as to whether the EU need to go as far as creating an EU wide ID Trust Scheme that actually issues its own identities. The issuance and management of identities should be left to certified ID providers, be these public or private sector organisations.

Issuing IDs centrally at an EU level, even as an overlay to national schemes, is likely to raise serious privacy concerns for users and relying parties.

If the eIDAS notification and certification framework is opened up to allow private sector ID Providers, or private sector Trust Schemes, to directly become a notified eIDAS scheme without the need for state government sponsorship, a completive market of ID services provision will then form. This change should be adequate to allow more users to access an eIDAS notified Digital ID without the need for an actual EUid.