

ARTICLE 29 Data Protection Working Party



Andrea Servida
Chairman of the EIDAS expert group
European Commission
B - 1049 BRUSSELS Belgium

Brussels, 17 April 2015

Dear Mr. Servida,

The Article 29 Working Party (hereinafter: WP29) has taken note of the new Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

As some of the key provisions of this Regulation will only be detailed by the implementing acts you are expected to draft in the coming months, the WP29 would like to be given the opportunity to comment on the possible data protection impact of these acts. That personal data is probably concerned by the implementing acts can be seen in the latest two published summaries of the 9th and 10th meeting of the EIDAS expert group on January 15th and February 11th. There are e.g. questions of dynamic or static authentication factors and of minimum data sets mentioned.

Therefore I would like to invite you to share the relevant drafts with the WP29, which would then analyse them with the help of its e-Government subgroup. Also a meeting with members of this subgroup would be appreciated.

This is meant ultimately to enable the WP29 to react and offer its advice on any data protection issues arising from these implementing acts prior to their adoption by the EU Commission.

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Fundamental Rights and Union Citizenship) of the European Commission, Directorate General Justice, B-1049 Brussels, Belgium, Office No LX-46 01/190.

Website: http://ec.europa.eu/justice/policies/privacy/index_en.htm

For your information I have attached a letter from March 2013 from the WP29 to the former Vice-President of the European Commission Neelie Kroes. It refers to the draft of the regulation from June 7th 2012 (COM (2012)238final) and expresses a few remarks and concerns on that topic.

Yours sincerely,

On behalf of the Article 29 Working Party,

Isabelle Falque-Pierrotin
Chairwoman