



**COUNCIL OF
THE EUROPEAN UNION**

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16677/13

**Interinstitutional File:
2012/0146 (COD)**

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NOTE

from: PRESIDENCY

to : COUNCIL

No. Cion prop.: 10977/12 TELECOM 122 MI 411 DATAPROTECT 73 CODEC 1576

Subject: Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market

- Information from the Presidency

1. The proposal, adopted by the Commission in June 2012¹, lays down conditions for mutual recognition of electronic identification and establishes a legal framework for electronic trust services, such as electronic signatures, seals, time stamps and others. It is an important dossier, a key element of, among others, the Digital Agenda for Europe and the Single Market Act I. The European Council has called, on a number of occasions, for a rapid progress of the file, and, in its latest conclusions of 25 October², requested its adoption under the current legislature.
2. The proposal and its impact assessment were presented in June and July 2012 to the Council Working Party on Telecommunications and the Information Society (hereinafter: WP TELE), which then carried out an in-depth examination of the proposal under the Cyprus³ and Irish⁴ Presidencies.

¹ Doc. 10977/12.

² Doc. EUCO 169/13.

³ Doc. 17269/12.

⁴ Doc. 10100/13.

3. At the beginning of its term in office, the Lithuanian Presidency identified the draft eIDAS Regulation as a priority file. In the second half of 2013, the WP TELE examined the proposal in no less than 12 meetings and the LT Presidency put together a number of compromise texts⁵. While the whole proposal was analysed in the WP TELE, the main focus remained on the chapters on electronic identification and on general provisions and supervision of trust services. The discussions lead to the establishment of a set of principles and directions⁶, broadly agreed by the delegations, while a number of concrete text provisions are still under development.
4. In the European Parliament, the IMCO and ITRE committees, which both have exclusive competence over certain provisions of the draft Regulation (while the ITRE committee takes the lead), adopted their amendments in July and October 2013 respectively.
5. Thanks to the constructive approach of the delegations, the Lithuanian Presidency could, on 26 November, start exploratory talks with the Parliament in a first informal trialogue on the basis of the set of principles mentioned above. The trialogue focused on the first 19 Articles of the draft Regulation, dealing with general provisions, electronic identification and trust services (general provisions and supervision). During the trialogue that took place on 26 November, the three institutions shared their general views on the first 19 Articles and the constructive debate revealed a number of converging points in the institutions' respective positions, which should allow for a first reading agreement. All three institutions also confirmed their willingness to conclude this file under the current legislature.
6. The second trialogue, which should focus on the first 19 Articles in more detail, is tentatively scheduled for 16 December 2013. After that, the negotiations are expected to resume under the Greek Presidency in early 2013.
7. The Council is invited to take note of the information on the state of play on this proposal, as set out in this note.

⁵ Doc. 11741/13, doc. 13890/13, doc. 15531/13 and doc. 15991/13.

⁶ Doc. 16062/13+COR 1.