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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(10.1.2025)

Compliance with the General Data Protection Regulation¹ (GDPR) and the European Digital Identity Framework² (eIDAS Regulation), including privacy, unlinkability and unobservability, is supervised by the relevant competent authorities. To further strengthening privacy, the European Digital Identity Wallets (the wallets) will need to be certified as part of a conformity assessment evaluating whether the wallets apply privacy preserving techniques ensuring unobservability and unlinkability. The implementing acts setting out the certification regime and the main features of the wallets were published on 4 December 2024³.

Harmonisation of processes for lodging complaints and requesting data deletion is not foreseen in the GDPR, so each Member State is responsible for establishing the detailed procedural arrangements regarding the handling of complaints. Nonetheless, the wallets should contain an automatic tool for reporting to the relevant data protection authorities. In addition, the wallets shall enable the user to easily request the erasure of personal data from a relying party pursuant to the GDPR.

Both the GDPR and the eIDAS Regulation already establish limitations to the processing of personal data by wallet relying parties. One of the key principles of the eIDAS Regulation is that the wallet users maintain complete control over their data. Combined with the purpose limitation principle established in the GDPR, this limits the data that relying parties are allowed to request and process from the wallets. The Commission is fully committed to ensuring the highest level of data privacy and security for the implementation of the European digital identity wallets.

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1-88, <https://eur-lex.europa.eu/eli/reg/2016/679/oj>

² Regulation (EU) 2024/1183 of the European Parliament and of the Council of 11 April 2024 amending Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework, OJ L, 2024/1183, 30.4.2024, <https://eur-lex.europa.eu/eli/reg/2024/1183/oj>

³ <https://digital-strategy.ec.europa.eu/en/library/implementing-regulation-european-digital-identity-wallets>