




# Electronic signature according Albanian law.

PhD. Belinda Halilaj

*University of Vlora “Ismail Qemali”, Albania.*

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- There have been attempts since 1997 to make electronic signatures legal in Albania. There have been a number of laws approved in this field (like the Law no. 9880, of 25.2.2008 “On Electronic Signatures” and the Law no 107/2015 “For Electronic Identification and Trust Services”) and in 2009 the National Authority for Electronic Certification was established.
  - In June 2014, the regulations were approved, which is the standard most European countries hold today.

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- Based on Law no. 9880/2018 "On Electronic Signature", Article 54, and Law no. 107/2015 "On electronic identification and trusted services", article 34, electronic signatures issued by qualified trust service providers operating in member states of European Union, have the same legal validity as electronic signatures issued by a qualified trust service provider, operating in the Republic of Albania
  - The electronic signature verification service is provided to check qualified electronic certificates issued by qualified service providers operating in the Republic of Albania and the European Union.
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- Steps of the verification procedure

First step 1: Enter the site [www.cesk.gov.al](http://www.cesk.gov.al)


Second step 2: Press button e-signature verification


Third step 3: Select the place where the Qualified Trust Service Provider commits the activity where QTSP operates

- Qualified Trust Service Provider in the Republic of Albania

If operates in Republic of Albania choose one of QTSP accredited in Republic of Albania

- QTSP NAIS, issues electronic certificates that generate Electronic Signature for Public Administration, Private Sector, and e-Recipe System.
- QTSP ALEAT, issues electronic certificates to citizens, which are installed on the ID card chip

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- ALEAT, offers the service of qualified electronic certificates, for citizens, certifications that are issued inside the National ID Card's chip, which provides the generation of electronic identification and electronic signature.
  - The issuance is fully automated for new ID Cards produced since February 2014.
  - Usage of these certificates is voluntary, as citizens can choose not to use them, thus it can be revoked by them on behalf of the provider immediately.
  - All citizens that have an ID card issued prior to February 2014, can get the certificates free of charge at ALEAT Office premises.
  - According to the reports from the company itself, there have been 784 303 electronic certificates issued in the ID cards.

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- NAIS develops, administers and maintains public key infrastructure and issues qualified certificates to public administration, private entities, e-prescriptions which are installed on a USB Token device. The cryptographic key management infrastructure of NAIS aims to provide solutions (products and services) for the security of computer networks.
  - Part of this infrastructure is Public Key Infrastructure - PKI. Information systems and applications that support the services and activities of NAIS require the following security mechanisms:
    - Authentication
    - Authorization
    - Integrity
    - Confidentiality
    - Non-rejection Certification Authority (CA) NAIS applies four security levels for issued certificates, depending on:
      - Types of applications that can be used with these certificates.
      - Type of entity for which the certificate is issued (person or device)
      - Private key-holder retention method from Subscriber - device (Smart Card) or file, as well as four certificate classes



➤ Legal Model

After the 2016 legal reform, Albania's legal model is a tiered one.

This means that Qualified Electronic Signatures are seen as a legal type of e-signature.

This doesn't mean that a non-QES e-Signature can't be submitted in court, but it will need extra evidence to support it.

## ► Legal Classification

Albania operates under Civil Law systems which are arranged according to a plan or a system and come from Roman law. Civil law systems are based on:

- Generally a written constitution based on specific codes preserving basic rights and duties
- There is little scope for judge-made law in civil, criminal and commercial courts.
- In some civil law systems writings of legal scholars have significant influence on the courts.
- Courts specific to the underlying codes – there are therefore usually separate constitutional court, administrative court and civil court systems that opine on consistency of legislation and administrative acts with and interpret that specific code.
- Less freedom of contract – many provisions are implied into a contract by law and parties cannot contract out of certain provisions.



**Thank you!**

