Strengthening the consumer voice in the development of standards

IMCO public hearing – 23 June 2010

Stephen Russell
ANECA Secretary-General
The Single Market

23 June 2010

Raising Standards for Consumers
The Problem

• The New Legislative Framework is a model of co-regulation as was the New Approach
• Standardisation is a private activity, unlike legislation
• Yes, participation of all national stakeholders is encouraged in the development of European Standards . . .
• . . . but business has most to gain from influencing the content of standards and has the knowledge and resources to participate
• Moreover, national consumer expertise in standardisation is fragmented in many countries or simply does not exist
• Access to Standardisation study (March 2009):
  - “consumers are seen - even by themselves - as having both low commitment to national standardisation and insufficient knowledge”
  - “consumer interests are only marginally represented in many countries”
So consumer participation...

is institutionalised at the EU level

(or ‘The European consumer voice in standardisation’)

Raising Standards for Consumers
The value of ANEC

- Established in 1995

- Represents and defends the European consumer interest in:
  - the development of European laws related to standardisation, consumer protection and welfare
  - standardisation (political and technical)
  - the use of standards (conformity assessment)

- **EXPRESS report** (February 2010):
  “Participation of these stakeholders at national level is weak in many countries for several reasons. In order to address this weakness – and so guarantee the relevance of the European standards process built on national delegations - it has been recognised since the 1990s that it is essential to ensure participation of these stakeholders directly at European level.”

  “Bearing in mind the very limited progress made until now in improving the engagement of these stakeholders at national level, there will be need for European level financial and political support to continue to 2020.”
National delegations

- An **essential but insufficient** platform for European standardisation

- **Toy safety**
  - ANEC uses **6** experts from **31** countries to defend the consumer interest
  - These experts speak directly for the consumer at the European level
  - Without ANEC, only **6** national delegations could call on consumer expertise
  - **25** national delegations would feature **NO** consumer expertise

**Warning!**

Without ANEC, there would be no effective consumer voice in European standardisation
**ANEC facts & figures**

- ANEC depends upon funding from EU (95%) and EFTA (5%)
- Subject to an annual call for tender
- 1.4M€ total budget in 2010:
  - employs a central secretariat in Brussels (10 people)
  - supports network of 260 volunteer experts from across Europe
  - funds an ANEC Research & Testing programme of 100.000€
- EU funding is dependent on the Consumer Programme
  - present programme is 2007-2013 (*Decision 1926/2006/EC*)
  - no guarantee of a Consumer Programme after 2013
  - no guarantee that a future Consumer Programme will fund ANEC
ANEC recommendation

The participation in the European Standardisation System of consumers and the other societal stakeholders recognised by EXPRESS (environmental interests, trade unions and SMEs) at the European level needs to be guaranteed.

The direct representation of these weaker stakeholders at the European level underpins and safeguards the principle of national delegation in European co-regulation.
The structure of European standardisation

• ANEC does not want to see further fragmentation of the European standardisation landscape
  - we do not want to see recognition of more European Standards Bodies
  - we do not want to see the creation of a European Agency

• In ensuring the fitness for purpose of European Standards to support the extended ‘privatisation of European legislation’, the answer must be found within the existing European Standardisation System

• It would be nonsense to:
  - break the links among national, European and international standardisation when the nation states within Europe all trade globally
  - separate the development of Commission mandated standards (the Agency) from non-mandated standards (the European Standards Bodies)
A possible alternative

- Introduce a **second** and **alternative** production line for European standards within the existing European Standardisation System
- Use a **stakeholder-based approach** to draft the standards as used for the ISO 26000 standard (e.g. industry, consumers, government)
- The Directive 98/34 Committee could **decide** which production line to choose in its adoption of the usual standardisation mandates
- The European Commission would be responsible for financing to ensure that the **appropriate stakeholders** participate
- The usual Formal Vote on the adoption of the European Standard would provide the **vital national check and balance**
- The European Standard would be published as a **national standard** in the usual way
ANEC recommendation

In providing further guarantees of the fitness of future European Standards to support legislation and public policies, the Commission should work with CEN, CENELEC and ETSI to create a ‘second production line’ in fields that are especially sensitive or where there is high public interest.

A stakeholder-based approach could be followed as used in the ISO 26000 standard on social responsibility.
Thank you for listening

www.anec.eu

http://companies.to/anec