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on the future of European standardisation
(2010/2051(INI))

Committee on the Internal Market and Consumer Protection

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the future of European standardisation (2010/2051(INI))

The European Parliament,

- having regard to the public hearing on the future of European standardisation held by its Committee on the Internal Market and Consumer Protection on 23 June 2010,
- having regard to the responses to the Commission’s public consultation on the review of the European Standardisation System (held from 23 March to 21 May 2010),
- having regard to the impact assessment study on the ‘Standardisation Package’ carried out for the Commission Directorate-General for Enterprise and Industry (9 March 2010),
- having regard to the report of the Expert Panel for the Review of the European Standardisation System (EXPRESS), entitled ‘Standardisation for a competitive and innovative Europe: a vision for 2020’ (February 2010),
- having regard to Professor Mario Monti’s report of 9 May 2010 to the President of the Commission, entitled ‘A New Strategy for the Single Market’,
- having regard to the Commission communication of 3 March 2010 on ‘Europe 2020: a strategy for smart, sustainable and inclusive growth’ (COM(2010)2020),
- having regard to the study on SME access to European standardisation, entitled ‘Enabling small and medium-sized enterprises to achieve greater benefit from standards and from involvement in standardisation’, commissioned by the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (CENELEC) (August 2009),
- having regard to the study on Access to Standardisation carried out for the Commission Directorate-General for Enterprise and Industry (10 March 2009),
- having regard to the Commission report of 21 December 2009 on the operation of Directive 98/34/EC from 2006 to 2008 (COM(2009)0690) and to the accompanying Commission staff working document (SEC(2009)1704),
- having regard to the white paper of 3 July 2009 on ‘Modernising ICT Standardisation in the EU – The Way Forward’ (COM(2009)0324),
- having regard to the Council conclusions of 25 September 2008 on standardisation and innovation,
- having regard to the Commission communication of 11 March 2008 entitled ‘Towards an increased contribution from standardisation to innovation in Europe’ (COM(2008)0133),
- having regard to the Commission communication of 18 October 2004 on the role of

European standardisation in the framework of European policies and legislation (COM(2004)0674) and the accompanying Commission staff working document entitled ‘The challenges for European standardisation’,

- having regard to the Commission communication of 25 February 2004 entitled ‘Integration of Environmental Aspects into European Standardisation’ (COM(2004)0130),
 - having regard to the Commission staff working document of 26 July 2001 on ‘European Policy Principles on International Standardisation’ (SEC(2001)1296),
 - having regard to its resolution of 12 February 1999 on the Commission report on efficiency and accountability in European standardisation under the New Approach¹,
 - having regard to the Commission report of 13 May 1998 on efficiency and accountability in European standardisation under the New Approach (COM(1998)0291),
 - having regard to Decision No 1673/2006/EC of the European Parliament and of the Council of 24 October 2006 on the financing of European standardisation²,
 - having regard to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations³,
 - having regard to Council Decision 87/95/EEC of 22 December 1986 on standardisation in the field of information technology and telecommunications⁴,
 - having regard to the June 1991 Vienna Agreement on technical cooperation between ISO and CEN and to the September 1996 Dresden Agreement on exchanges of technical data between CENELEC and the IEC,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A7-0000/2010) and the opinion of the Committee on Industry, Research and Energy,
- A. whereas the European Standardisation System has been a central element in the delivery of the single market, in particular through the use of standards in key legislative areas under the ‘New Approach’, integrated into the New Legislative Framework,
- B. whereas the current legal framework has contributed to the success of European standardisation, enabling the development of European standards which are needed by all economic actors in order to ensure the smooth functioning of the internal market, facilitate world trade and market access and boost sustainable growth and

¹ OJ C 150, 28.5.1999, p. 624.

² OJ L 315, 15.11.2006, p. 9.

³ OJ L 204, 21.7.1998, pp. 37-48.

⁴ OJ L 36, 7.2.1987, pp. 31-37.

competitiveness,

- C. whereas the European Standardisation System plays a key role in responding to the increasing need, in European policy and legislation, for standards capable of ensuring product safety, accessibility, innovation, interoperability and environmental protection,
- D. whereas the Monti report on a new strategy for the single market emphasises that it is necessary to review the European standards process, maintaining the benefits of the current system and striking the right balance between the European and national dimensions,
- E. whereas European standardisation – in order to address the future needs of business and consumers and to yield all its potential benefits in support of public and societal objectives – must adapt to the challenges resulting from globalisation, climate change, the emergence of new economic powers and the evolution of technology,

Introduction

1. Welcomes the Commission's intention to review the European Standardisation System with a view to preserving its many successful elements, improving its deficiencies and striking the right balance between the European and national dimensions; stresses that the proposed review should build on the strengths of the existing system, which constitute a solid basis for improvement, refraining from any radical changes that would undermine the core values of the system;
2. Commends the report of the Expert Panel for the Review of the European Standardisation System (EXPRESS); calls on European and national standardisation organisations, the Member States and the Commission to implement its strategic recommendations in order to deliver a European Standardisation System capable of responding to societal and economic needs and maintaining its leading role in the global standardisation system;
3. Emphasises that the Commission's proposal for the review of the current legal framework on European standardisation must be accompanied by a strategy document establishing a comprehensive framework for action at European and national level, including concrete proposals for those improvements that cannot be implemented through the review of the legislation; stresses that such a strategy document should not be limited to the recommendations contained in the EXPRESS report;
4. Endorses the Commission's intention to integrate in the legal framework of European standardisation the principles of the World Trade Organization's agreement on technical barriers to trade (transparency, openness, impartiality, consensus, efficiency, relevance and consistency) in order to reinforce their application within the European Standardisation System;
5. Stresses, however, that these principles are not in themselves sufficient to ensure that small and medium-sized enterprises and societal stakeholders – in particular those representing health and safety, consumer and environmental interests – are adequately represented in the standardisation process; considers, therefore, that a vital element is the addition of the principle of 'balanced representation', given that it is of the utmost

importance, whenever the public interest is concerned, to incorporate all stakeholder positions in a balanced manner, especially in the development of standards intended to support EU legislation and policies;

6. Points out that, although standards have contributed to a considerable improvement in the quality and safety of goods, their availability in the area of services is far from commensurate with the economic importance and potential of this sector; notes in particular that the number of national standards for services developed in Europe in recent years exceeds by far the equivalent number of European standards developed in the sector;
7. Recognises that service standards often respond to national specificities and that their development is related to the needs of the market; stresses, however, that the development of European service standards, as provided for in Directive 2006/123/EC on services in the internal market, will benefit further harmonisation in the services sector, increase the transparency, quality and competitiveness of European services and promote competition, innovation, the reduction of trade barriers and consumer protection;
8. Supports, therefore, the Commission's intention to include service standards in the legal framework of European standardisation, as this will not only ensure the notification of all national service standards that could potentially constitute technical barriers to trade in the internal market, but also provide a proper legal basis on which the Commission can request the European standardisation organisations (ESOs) – namely CEN, CENELEC and the European Telecom Standards Institute (ETSI) – to develop standards in the services sector;

Empowering the European Standardisation System

(a) General points

9. Reaffirms that European standardisation in support of 'New Approach' legislation has proved to be a successful and essential tool for completion of the single market; notes that the number of standardisation mandates supporting legislation in areas beyond those covered by the 'New Approach' has increased in recent years, indicating that this model has been adopted across a broad range of EU policies; believes that it is desirable to extend the use of standards in other areas of Union legislation and policies beyond the single market, taking into account the specificities of the areas concerned, in accordance with the principles of better regulation;
10. Maintains that it is of the utmost importance to draw a clear line between legislation and standardisation in order to avoid any misinterpretation with regard to the objectives of the law and the desired level of protection; stresses that the European legislator must be highly vigilant and precise when defining the essential requirements in regulation, while the Commission must clearly and accurately define the objectives of the standardisation work in the mandates; stresses that the role of standardisers should be limited to defining the technical means of reaching the goals set by the legislator, while ensuring a high level of protection;
11. Urges the Commission to develop and implement improved systems for coordinating standardisation policy and activities, which should cover all the public-policy aspects of

the standardisation process, from the preparation and delivery of mandates, through the monitoring of technical committee work, ensuring that the standards produced meet the essential requirements of the respective legislation, to the formal adoption, publication and use of the standards;

12. Stresses the important role of the ‘New Approach consultants’ in verifying that harmonised standards comply with the corresponding EU legislation; draws attention to the fact that such consultants are currently selected by, and operate within, the ESOs, which places a significant administrative burden on these organisations and, at times, causes concern among stakeholders about the impartiality and independence of the process; calls on the Commission, therefore, to assess the need for a review of the existing procedures; believes, furthermore, that the Commission should identify a procedure for ensuring that mandated standards comply with other EU policies and legislation beyond the scope of the ‘New Approach’;

(b) Improving access to the standardisation process

13. Recognises the principle of national delegation as a cornerstone of the European Standardisation System, particularly in the standards-development process of CEN and CENELEC; notes, however, that – as confirmed in the study on Access to Standardisation – in the vast majority of European countries societal stakeholders participate very little, or not at all, in the standards-setting process;
14. Encourages European and national standardisation bodies, therefore, to promote and facilitate effective participation in the standardisation process by all interested parties, in particular representatives of small and medium-sized enterprises (SMEs), consumers (including people with disabilities and vulnerable consumers), environmentalists, workers and bodies representing other societal interests;
15. Stresses the need, which has been recognised since the 1990s, to ensure direct participation by societal stakeholders at European level in order to reflect their views more effectively, given that their representation on national technical committees remains weak; affirms that, as very limited progress has been made to increase societal stakeholder participation at national level, financial and political support for the European organisations established to represent such stakeholders needs to be maintained at least in the period to 2020;
16. Holds the view that these European organisations must obtain a stronger role within the ESOs; recommends that, without prejudice to the national delegation principle, all such organisations should be given a vote in the ESO technical bodies, on condition that they are associate members or cooperating partners of the ESOs and have participated in the respective work item at technical level; considers also that such organisations should, under the same conditions, be given a symbolic vote in the formal adoption of standards, which would not necessarily be counted in the voting result but would serve as an indicator of the level of support for a given standard among all stakeholders;
17. Welcomes recent developments in the International Organisation for Standardisation (ISO), in particular the model used to develop the ISO 26000 standard on social responsibility, in which national standards bodies were entitled to nominate to the

respective working group only one representative from each of six stakeholder categories (industry, consumers, government, labour, NGO, SSRO (service, support, research and others)) that were identified;

18. Believes that similar procedures, establishing a predetermined number of seats for the various stakeholder organisations, would constitute a significant improvement compared with the traditional process of standards development in support of EU policies and legislation; maintains that, despite the current difficulties in generalising the use of such a multi-stakeholder model, this approach should be explored by the ESOs without delay as an alternative for the drafting of standards in areas of public interest, in order to ensure a balanced decision-making process; proposes that the 98/34 Committee (or its successor) should decide, when considering a mandate, whether to use this alternative model if the standard in question makes it vital to secure broader stakeholder participation; stresses that such a model would not affect the national delegation principle, as the draft standard would continue to be examined by national mirror committees and adopted on a weighted vote by the national standards bodies (NSBs);

(c) Enhancing the national delegation principle

19. Points out that, although NSBs constitute a core element in the European Standardisation System, there are significant differences among them in terms of resources, technical expertise and stakeholder engagement in the standardisation process; stresses that the existing inequalities create a significant imbalance in their effective participation in the European Standardisation System;
20. Asks the Commission and the ESOs to promote training programmes and to take all measures needed to enable weaker NSBs, which do not currently run technical-committee secretariats, to assume a more active role in the standardisation process;
21. Urges Member States to ensure effective representation of all relevant stakeholders on national technical committees by establishing monitoring and reporting mechanisms and, where necessary, providing financial support to weaker societal stakeholders in order to facilitate their participation;
22. Regrets that public authorities in most Member States show limited interest in participating in the standards-development process, notwithstanding the importance of standardisation as a tool to support legislation and public policies; urges Member States, and in particular market surveillance authorities, to send representatives to take part in all national technical committees mirroring the development of standards in support of EU policies and legislation; stresses that the presence of national authorities in the debate on standards development is crucial for the proper functioning of legislation in the areas covered by the 'New Approach', and for the avoidance of ex-post formal objections to harmonised standards;

(d) Facilitating access to standards

23. Reiterates that, although small and medium-sized enterprises form the backbone of the European economy, their involvement in standardisation is not always commensurate with their economic importance; emphasises that standards should be designed and adapted to

take account of the characteristics and environment of SMEs, in particular small, micro and craft enterprises; welcomes recent initiatives taken by the European and national standardisation bodies to implement the recommendations in the study on SME access to European standardisation; stresses that further measures should be taken to ensure that SMEs can participate fully in the development of standards and have adequate access to them;

24. Maintains that users' access to European standards developed in support of EU policies and legislation is an important issue that needs to be further examined; takes the view that different systems of price setting should be considered for private/industrial standards and for harmonised/mandated standards; calls, in particular, on NSBs to reduce costs through special rates and by offering bundles of standards at a reduced price, and to investigate additional ways of improving access, especially for SMEs;
25. Emphasises that standards should be comprehensible and easy to use so that they can be implemented better by users; considers it essential to reduce, where appropriate, the excessive number of cross-references between standards, and to address current difficulties in identifying the group of standards relevant to a given product or process; calls on the national and European standards bodies and trade associations to provide user-friendly guidelines for the use of standards;

Standardisation in support of innovation and sustainable competitiveness in a globalised environment

26. Acknowledges that, although standardisation can be a major facilitator for the exploitation of new technologies, there is a significant gap in the transfer of R&D results into the development of standards; stresses the need to improve mutual awareness and cooperation between standardisers, innovators, academia and the research communities; underlines that the inclusion of new knowledge in standards, in particular from publicly funded research and innovation programmes, will promote innovation and competitiveness;
27. Calls on Member States to use European standards in public procurement in order to improve the quality of public services and foster innovative technologies; stresses, however, that the use of standards should not result in additional barriers, in particular for small businesses seeking to participate in public procurement procedures;
28. Recognises that fora and consortia contribute considerably to the standardisation system by providing specifications with global relevance, which are often more receptive to innovative technologies; points out that, most notably in the ICT sector, a number of fora and consortia have evolved into global organisations producing widely implemented specifications on the basis of open, transparent and consensus-based development processes; believes that the ESOs and fora/consortia must find ways of cooperating in planning their activities by transferring standards to the most appropriate level, international or European, in order to ensure coherence and avoid fragmentation or duplication; calls on the ESOs to develop and implement an improved mechanism for the adoption of fora/consortia specifications as European standards, which should not restrict the possibility of submitting them directly to international standards organisations in order to seek more global status;

29. Emphasises the need to safeguard and enhance Europe's position in the international standardisation environment in order to promote the development of international standards with genuine global relevance, facilitate trade and increase European competitiveness;
30. Calls for a renewed commitment to international standardisation on the part of European stakeholders and NSBs, in order to capitalise on European leadership and gain first-mover advantages in global markets; stresses the need for better coordination between European stakeholders and NSBs in international standardisation at technical and political level;
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31. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

EXPLANATORY STATEMENT

I. Background

The purpose of this report is to contribute to the ongoing debate on the review of the European Standardisation System.

The European Commission is currently working on a “Standardisation Package”, which will include a legislative proposal aimed to revise the existing legal framework on European standardisation¹ and an umbrella Communication which will set the standardisation policy for the next decade.

In preparation of its “Standardisation Package”, the Commission has asked key experts to make strategic recommendations. These experts have been brought together in the Expert Panel for the Review of the European Standardisation System (EXPRESS) which has delivered its recommendations in February 2010 in the form of a report entitled “Standardisation for a competitive and innovative Europe: a vision for 2020”.

The Commission has also undertaken a public consultation on the review of the European Standardisation System (held from 23 March to 21 May 2010), and commissioned an Impact Assessment Study (9 March 2010). The forthcoming “Standardisation Package” will also build on the White Paper of 3 July 2009 on Modernising ICT Standardisation in the EU – The Way Forward.

II. Rapporteur's general remarks

The Rapporteur welcomes the Commission's intention to review the European Standardisation System with a view to preserving its many successful elements, improving its deficiencies and striking the right balance between the European and national dimensions.

It should be emphasised that the proposed review should build on the strengths of the existing system which constitute a solid base for improvement, refraining from any radical changes that would undermine its core values. In that respect, the Rapporteur does not agree with a number of policy options contained in the Commission's impact assessment study which would result in a complete overhaul of the system.

In drafting this report, the Rapporteur took into consideration the findings of the EXPRESS Report which contains a number of significant recommendations. The Rapporteur notes, however, that EXPRESS has not always succeeded in producing original recommendations or

¹ - Council Decision 87/95/EEC of 22 December 1986 on standardisation in the field of information technology and telecommunications

- Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations

- Decision No 1673/2006/EC of the European Parliament and of the Council of 24 October 2006 on the financing of European standardisation

reaching a consensus on key issues, which is mainly explained by the different, and, at times, conflicting, views reflected in its membership.

The Rapporteur took also into account the responses to the Commission's public consultation on the review of the European Standardisation System, and the conclusions of the Public Hearing on the Future of European Standardisation which was organised by the IMCO Committee on 23 June 2010.

The Rapporteur has had also the opportunity to meet with representatives of international standardisation organisations in the context of an IMCO Delegation visit to Geneva (25-26 May 2010), and has consulted extensively with representatives of European and national standardisation bodies and key stakeholders involved in the standards development process.

III. Rapporteur's overall position

The full potential of the single market cannot be released without the support of a modern standardisation process. The European Standardisation System has been a central element in the delivery of the single market, in particular, through the use of standards in key legislative areas under the 'New Approach'. This legislative technique has been instrumental in putting in place innovation-friendly regulation, where technical specifications allowing compliance with legal requirements are developed by the interested parties themselves and updated according to the 'state of the art'. Mutually agreed voluntary standards have enabled better regulation, stimulated business competitiveness and removed barriers to trade.

Standardisation plays a key role in supporting the increasing needs of European policy and legislation for standards capable of ensuring product safety, accessibility, innovation, interoperability and environmental protection. The Rapporteur notes that the number of standards supporting legislation beyond the scope of the 'New Approach' has increased over the last years, which shows that this model has been adopted across a broad range of EU policies. The extension of the use of standards in new areas of Union legislation and policies is desirable, taking into account the specificities of the areas concerned in accordance with the principles of better regulation.

The Rapporteur has included in this draft report a number of specific recommendations addressed to Member States, the European Commission and the European and national standardisation bodies, with the view to empowering the current European Standardisation System. It should be highlighted that many of these proposals apply in particular to harmonised/mandated standards, which are intended to support EU legislation and policies, and are therefore key to the public interest.

In this explanatory statement, the Rapporteur would like to focus on certain recommendations contained in the report in order to facilitate the discussions in the committee.

Enhancing the national delegation principle

Although National Standards Bodies (NSBs) constitute the backbone of the European Standardisation System, there are significant differences among them in terms of resources, technical expertise and stakeholder engagement. These inequalities create a significant

imbalance in their participation in the European Standardisation System. The Commission, the Member States and the European Standardisation Organisations (ESOs) should take all necessary measures in order to enable the weaker NSBs to assume a more active role in the standardisation process.

It should be also emphasised that in most Member States public authorities show a limited interest in participating in the standards development process, notwithstanding the importance of standardisation as tool to support legislation and public policies. Member States, and in particular market surveillance authorities, should send representatives to take part in all national technical committees mirroring the development of standards in support of EU policies and legislation.

The principle of national delegation is a cornerstone of the European Standardisation System, particularly in the standards development process of CEN and CENELEC. It should be, however, emphasised that – as confirmed in the Study on Access to Standardisation – in the vast majority of European countries, the participation of societal stakeholders in the standards-setting process is non-existent or remains at a very low level.

With few notable exceptions, national consumer expertise in standardisation is usually fragmented across many bodies or simply does not exist, whereas in those few countries where consumer participation is effective at national level, their view may often be filtered out in the development of the national position. The situation is even more unsatisfactory when it comes to the participation of stakeholders representing environmental interests: there are currently only two Member States in which environmental organisations contribute systematically to the standards-setting process.

Member States should ensure effective representation of all relevant stakeholders on national technical committees by establishing monitoring and reporting mechanisms and providing, where necessary, financial support to weaker stakeholders in order to facilitate their participation.

Improving access to the standardisation process

The participation of societal stakeholders - representing health and safety, consumer and environmental interests - offers to the system a significant aspect of legitimacy and accountability, improves the quality of the consensus and renders European standards more representative.

The European organisations representing societal interests must therefore obtain a stronger role within the European Standardisation Organisations (ESOs) in order to better reflect the views of the respective stakeholders that remain weak at national level. This could include voting rights, on condition they are associate members or cooperating partners of the ESOs and have participated in the respective work item at technical level.

In this context, a vital element is also the introduction of an alternative system which would guarantee a more balanced representation of all stakeholders in the standardisation process. The Rapporteur welcomes recent developments in the International Organisation for Standardisation (ISO), in particular the model used to develop the ISO 26000 standard on

social responsibility, in which national standards bodies were entitled to nominate to the respective working group only one representative from each of six stakeholder categories that were identified. Similar multi-stakeholder procedures, establishing a predetermined number of seats for the various stakeholder organisations, could be used as an alternative for the drafting of European Standards in areas of exceptional public interest.

Facilitating access to standards

Although small and medium-sized enterprises (SMEs) form the backbone of the European economy, their involvement in standardisation is not always commensurate with their economic importance. Moreover, standards are not always designed and adapted to take account of the characteristics and environment of SMEs, in particular small, micro and craft enterprises. It is necessary, therefore, to ensure that standards are comprehensible and easy to use so that they can be better implemented by all users. Measures should be also taken to ensure that SMEs are able to fully take part in the development of standards and have easier, and less costly, access to them.

Standardisation in the areas of services

Standards have contributed to a considerable improvement in the quality and safety of goods, but their availability in the area of services lags considerably behind the economic importance and potential of this sector. Although service standards often respond to national specificities and their development is related to the needs of the market, the development of European service standards, as provided for in Directive 2006/123/EC on services in the internal market, will benefit further harmonisation in the services sector, increase the transparency, quality and competitiveness of European services and promote competition, innovation, the reduction of trade barriers and the protection of the consumer.

Standardisation in support of innovation

Although standardisation can be a major facilitator for the exploitation of new technologies, there is a significant gap in the transfer of R&D results into the development of standards. It is necessary, therefore, to improve mutual awareness and cooperation between standardisers, innovators, academia and the research communities. The inclusion of new knowledge in standards, in particular from publicly-funded research and innovation programmes, will promote innovation and competitiveness. Europe should also play a more active role in the promotion of EU-wide interoperable standards for innovative products and technologies, such as in the area of low carbon and ICT services and technologies.

Standardisation in a globalised world

The European Standardisation System recognises the primacy of international standards. European standards are, however, necessary where international standards do not exist or where they do not adequately serve European needs, in particular those needs determined by European policies and legislation. Europe should strengthen its position within the international standardisation environment in order to promote the development of standards with genuine global relevance, facilitate trade and increase European competitiveness. Moreover, Europe could promote the methodology of the 'New Approach', or equivalent

standards-receptive regulatory models, in its regulatory trade-related cooperation with EU trading partners.

IV. Conclusion

The Rapporteur would like to reiterate that the ongoing debate on the review of the European Standardisation System should build on the strengths of the existing system which constitute a solid base for improvement, refraining from any radical changes that would undermine its core values. In this spirit, he presents a number of proposals with the view to improving the system within its current boundaries, and looks forward to further suggestions.