



5 February 2010

IMPACT ASSESSMENT STUDY ON THE “STANDARDISATION PACKAGE”

BUSINESSEUROPE welcomes this opportunity to submit comments with regard to the impact assessment study on the “Standardisation package.” In the following response we highlight both advantages and disadvantages for business on the provisions under consideration.

On Question 1: What would be the effect on stakeholder involvement if all national-level standards development activities (e.g. on normative documents, publicly available specifications, etc.) had to be notified to the Commission and could potentially have standstill imposed on them?

Positive effects include:

- Could improve the filtering of new initiatives.
- Would contribute to harmonisation, and reduce variety and complexity.
- Would give incentives for national SDOs to seek closer cooperation and alignment mutually among themselves and with ESOs.

Negative effects include:

- Reduces flexibility and the possibility to optimise for local requirements or circumstances, especially for SMEs.
- May slow down standardisation procedures.
- Local initiatives sometimes raise a level of commitment and passion that could be severely damaged by bringing the initiative to EU level at too early a stage.
- Stakeholder frustration would be further increased by the perspective of having a standstill period imposed on all national activities.

On a general note, the shift towards EU-level political control may feed negative sentiments related to undue influence in national and private sector matters. Stakeholders could in certain cases face stronger incentives to justify and underpin their initiatives and to verify a broader relevance beyond the national level. This could be a positive, but on the other hand it may hamper the use of standardisation for innovation instead of promoting it.

However, improved coordination and information, including the notification of technical regulation, prevent creating de facto technical barriers and wasting resources on parallel/double work and we believe these advantages outweigh the potential drawbacks. Still, the standstill instrument must be utilised very carefully to avoid a move away from working in formal SDOs to doing the same work privately, in ad hoc consortia, and then confronting the formal standardisation arena with a “draft 0.9 version.” Also, any changes to the European standardisation system should maintain equal conditions for EFTA states in relation to European standardisation.



On question 2: What would be the likely impact on stakeholder participation in EU standards development if the number of 'recognised' ESOs developing EU standards were to be increased?

Positive effects include:

- Stakeholders would get more flexibility as to where to pursue a standardisation goal.
- The competitive pressure to SDOs would be increased leading to first-class services and improved leverage to the stakeholders doing the actual standardisation work.

Negative effects include:

- The development of a more complex formal standardisation landscape, leading to more scattering of scarce expert resources and increased potential for conflict on allocation of work items.
- More opportunities for private parties to manipulate outcomes for their particular interests and thus a decreased respect for and trust in standards, and possibly also the regulatory framework, which would be extremely damaging.
- A possible inflation of standards development that would add uncertainty and place extra burdens on the standards users.
- While the ESOs currently aim to ensure coherence (which is not always easy in practice), an increase of recognised organisations that develop European standards could be damaging as stakeholders may be faced with conflicting requirements and the difficulty of how to comply with them. This would be harmful to businesses but also for other stakeholders altogether (e.g. conformity assessment bodies, public authorities).
- Also, finding technical experts able to give an unbiased and balanced evaluation on the coherence of a particular standard with the existing palette of standards and work in progress could be difficult, as such experts are scarce.
- Stakeholder participation would become more scattered and hence less effective, both in terms of costs and substance.

BUSINESSEUROPE would like to underline that the technical complexity of products is an important reason for closer cooperation between existing ESOs (e.g. CEN/CENELEC). Increasing the number of ESOs would be counterproductive to the goal of making it easier for companies to know and keep an overview of developments and to be able to participate in relevant committees. It will lead to more parallel work and ruin the advantage of the European standardisation system, compared to others, such as the US system of competing organisations.

Also, increasing the number of recognised ESO will be complex as many non-ESO standards development organisations operate independently of Europe. A screening process would be necessary to ensure their respect for WTO criteria. We suggest that instead, the Commission could reflect on the possibility of adopting "new deliverables" from either ESOs or business fora as European standards in certain sectors such as ICT, in order to "kick-start" the development process. The condition should, however,



be that formal approval procedures are followed in case they are to become harmonised standards, giving the presumption of conformity.

On question 3: What would be the average costs of financing one expert working in an international standardisation committee across a three-year period (time, fees, expenses, etc.)?

On the issue of estimating figures and costs, the answer heavily depends on the role and the scope of involvement of an expert. It also depends on whether the “international” committee is at EU or global level, due to travel cost and time consumption. Typically, contributing as an ordinary committee member to the development of one standard would take on average 10 - 30% of the total working time of an expert, including the travelling time as well as the meeting time. This also depends on the intensity of the contribution. Travel would typically amount to 4,000-6,000 Euros per annum. Given that it takes 3 years to develop a standard the overall costs would then be approximately 60% of the expert’s total annual cost plus 15,000 Euros in travel costs giving a total average of approximately 100,000 Euros, ranging from 50,000 to 150,000 Euros.

Provided that the conditions for receiving funding ensure a level playing field and that the funding is equally spread among all stakeholders the financing of experts would help. However, the current special funding of certain interest groups should not to be increased. If the reimbursement of costs is a tool to encourage expert participation in standardisation all experts must have equal access to funding.

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