1
2
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4   Unit I3 – Standardisation
5   DG Enterprise and Industry
6   European Commission, B100 01/10, B-1049 Brussel
7
8
9   **Public consultation on the review of the European Standardisation System**
10
11
12   First of all, a lot of thanks to the commission of organising such an important consultation
13   about the European Standardisation System.
14
15   This opinion represents an opinion of an individual citizen, not any legal entity.
16
17   This opinion does not contain:
18   –   any business secrets
19   –   any trade secrets
20   –   any confidential information.
21
22   This opinion is public.
23
24   Annex 1 holds information about disclaimers and copyright.
25
26
27
28   Best Regards,
29
30
31
32   Jukka Rannila
33   citizen of Finland
34
35   signed electronically
36

37
38 **Question 1:**
39   Do you think that service standards (including process standards) and alternative
40   standardisation documents should be included in the scope of Directive 98/34/EC or its
41   successor?
42
43 **Answer 1:**
44
45   Service standards introduction can open a can of worms, if service is not specified well
46   enough. Therefore we must be cautious, when presenting service standards.
47
48   First of all, we can have a simple picture of a service process.
49
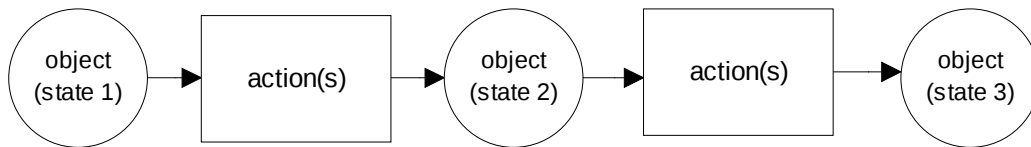
50
51
52   Every (service) process starts with some state, and especially a certain state of an object. In
53   the case of the service the object can be information or humans. As specified in the directive
54   98/34/EC, the product is separate from service.
55
56   The problem with service standards is that there is no limit of specifying a service process.
57   We can have a simple picture for this situation.
58
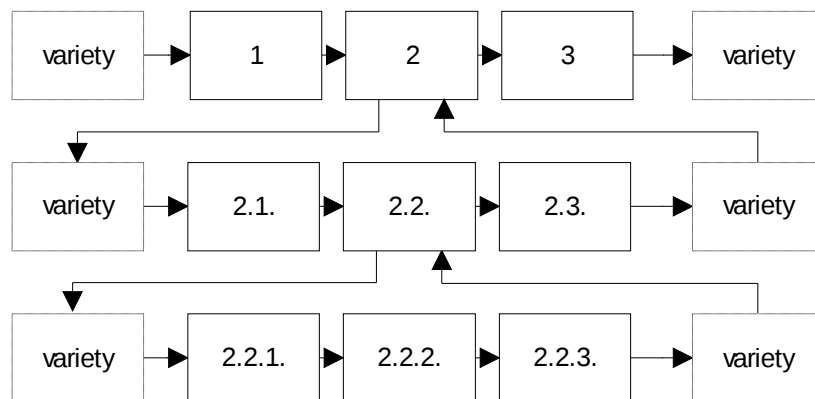
59
60
61   We can have a service process (1==> 2 ==> 3), but there is always some variety, since a
62   specific process instance can vary from time to time. On the other hand, there is no limit to
63   specifying a service process. In the figure above the process 2 is specified to three sub-
64   processes (2.1., 2.2. and 2.3.) and again one sub-process to several sub-processes (2.2.1.,
65   2.2.2., 2.2.3). In reality there is no limit to this specifying process, since people can be very
66   detail-oriented or not-so-detail-oriented.

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67   How to solve this dilemma of level of details? For this we can present following figure.

68
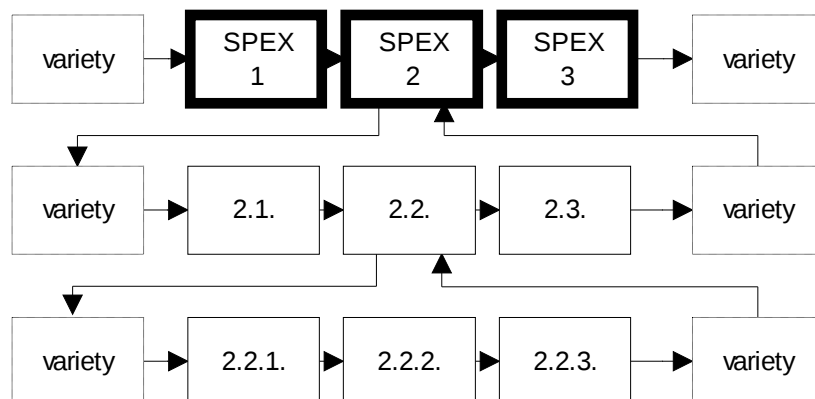
69
70
71   More feasible way is to specify some technical points in the service process (SPEX 1, SPEX
72   2, SPEX 3), when there is no ambiguity in this technical point of service. An example might
73   be a specific document, which has to be in specific form filled with tightly detailed manner.

74

75   So – the answer?

76

77   The answer is to introduce **"technically detailed points in the service process"**, not
78   ambiguous "service process". Then it is up to the service provider to detail its service
79   processes in the wanted level of details.

80

81

82   **Question 2:**
83   Are you aware of specific cases where national service standards and alternative
84   standardisation documents have caused technical barriers to trade?

85

86   **Answer 2:**
87   I have no answer (2) to this question (2).

88

89

90   **Question 3:**
91   For areas other than Information and Communication Technology (ICT), should it be
92   possible to refer to documents developed by fora and consortia in legislation and public
93   policies? If it should, how should it be implemented?

94

95   **Answer 3:**

96

97   In practical reality, there is dozens of different standards developing organisations (SDOs),
98   also in other fields than Information and Communication Technology (ICT).

99

100   In theory, it could be possible for national (e.g. SFS), European (CEN, CENELEC, ETSI)

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101   and international official standards (ISO, ITU and IEC) setting organisations to adopt
102   standards developed by SDOs. However, there is a lot of problems, when adopting standards
103   developed by SDOs.
104
105   The problem with some standards is, that after the detailed standard specifications, there can
106   be a real market for some products.
107
108   The proposed way is to have Market Reviews done by the Commission, or the committee
109   mentioned in the directive 98/34/EC.
110
111   What should this Market Review be, and how it should should be conducted? There are
112   some possibilities.
113
114   1.   Public consultation (like this) is one option. The problem might be, that there
115   is no guarantee for the amount of answers and quality of answers.

117   2.   Another option is to distribute consultation information to members of some
118   expert organisations/associations. Depending on the
119   organisations/associations, there might be tens/hundreds/thousands members.
120   In this kind situation, well-defined formal questionnaire might result
121   tens/hundreds/thousands answers to the questionnaire. The problem is that
122   there is no guarantee, that all members of an organisation/association will
123   answer to the questionnaire.

125   3.   One way is to have opinion poll (e.g. telephone interviews) to the
126   representatives of specific companies/associations. The problem with this
127   option is to find real experts, who are knowledgeable enough to answer the
128   questions about standardisation.
129
130   In practical terms, it might be so that there can be a combination of previously mentioned
131   ways to conduct a Market Review.
132
133   In the Market Review it is possible to find "de facto" and "de jure" standards in use. The
134   problem with "de facto" standards might be, that they are dependant on patents or some
135   other measures restricting competition. The problem with "de jure" standards might be, that
136   they are not in active usage. Quite a dilemma for establishing technical regulations.
137
138   It there are standards that are "de facto" and "de jure" at the same time, it should not be too
139   complicated to accept some standards by some SDOs.
140
141
142   **Question 4:**
143   How could ESOs and NSOs be encouraged to accelerate their standards development
144   process? Should for example the Community financing for standardisation be subject to
145   conditions in terms of speed of delivery whilst maintaining the openness of the process?

146
147   **Answer 4:**

148
149   The problem with standardisation is, that it takes time, and demands patience when digging
150   into sea of details.

151
152   One solution in the Community financing might be, that one knowledgeable person is hired
153   full-time to conduct standardisation process of a standard. In practise it might be, that
154   several persons are doing standardisation of a standard part-time, and do not have temporal
155   resources to dwell on to the sea of details. With these kind of full-time persons the
156   standardisation process might be accelerated.

157
158
159   **[Question 5]**
160   **[Question 5 seems to be missing from the consultation document].**

161
162
163   **Question 6:**
164   Should the WTO principles of transparency, openness, impartiality, consensus, efficiency,
165   relevance and consistency be integrated in the legal framework of European standardisation
166   (especially in EU Directive 98/34/EC or in its successor)? How should this be implemented?

167
168   **Answer 6:**
169   Yes.

170
171   The best way is, that "technical regulations" (Directive 98/34/EC) can be accessed freely by
172   all interested parties, being it legal entities or private individuals.

173
174
175   **Question 7A:**
176   **[It seems that there is two questions numbered as question 7]**
177   How could the participation of consumer organisations, environmental NGOs, trade unions
178   and social partners, and SMEs be best promoted? What should be the role of public
179   authorities (European Commission and Member States) in supporting such a participation in
180   a transparent, open, impartial, consensual, efficient, relevant and consistent European
181   standardisation system?

182
183   **Answer 7A:**
184   This was a hard question.

185
186   It came to my mind, that several associations/unions/etc. are craving for good programme
187   for association/union/etc. meetings. Therefore before mentioned full-time person for
188   developing a certain standard could be visiting these associations/unions/etc. meetings. In
189   reality, the most active members of association/union/etc. will attend these meetings, and
190   there is a possibility to gather interested persons together as a pool of experts.

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191
192
193 **Question 7B:**
194   **[It seems that there is two questions numbered as question 7]**
195   How could the NSOs (National Standards Organisations) deepen their cooperation, and
196   mutualise their activities? Could the following tasks be shared amongst several NSOs?
197
198 **Answer 7B:**
199   This was a hard question.
200   I have no answer (7B) to this question (7B).
201
202
203 **Question 8:**
204   Without prejudice to the national delegation principle, how could the European Standards
205   Organisations (ESOs) manage directly, on a case by case basis, some standardisation
206   activities, especially some Technical Committees?
207
208 **Answer 8:**
209   Before mentioned full-time person for developing a certain standard could be one solution.
210   If all NSOs accept certain person to develop full-time some standard, the selected person can
211   co-ordinate standardisation work between NSOs and ESOs.
212
213
214 **Question 9:**
215   What support should the European Commission provide to facilitate the use of European
216   standards as a means to open global markets? What would be the operational means that the
217   Commission should use? (Support experts' participation in international standardisation
218   activities, translation of European standards into extra-community languages?)
219
220 **Answer 9:**
221   Supporting experts' participation in international standardisation activities is worth
222   considering. Translation of European standards into extra-community languages is worth
223   considering.
224   Before mentioned full-time person for developing a certain standard could be one solution.
225
226   Previously we mentioned Market Review. It could be possible, that after Market Review,
227   some standardisation need is acknowledged. One possibility is to finance certain standard
228   developing organisation (SDO) in order to develop a standard for international or European
229   usage.
230
231
232 **Question 10:**
233   Under which conditions do you think that the European Commission could launch, on a case
234   by case basis, calls for tenders, open to the ESOs and to other organisations, to develop
235   standards supporting EU policies and legislation?

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236
237
238   **Answer 10:**
239   Previously we have mentioned Market Reviews, which might lead to developing a standard.
240
241   The ideal situation is, that there is not "de facto" or "de jure" standard, and European
242   standardisation could create a specific market with a new standard and finally a technical
243   regulation, being "de facto" and "de jure" at the same time. Unfortunately, this is rarely the
244   situation.
245
246   The public sector in very dominant buyer in many industrial fields/areas. Therefore, there
247   should be vigilant follow-up for standards, which could be mandated by the public sector
248   buying behaviour. Unfortunately, this is rarely the situation, since in many cases the public
249   sector buying behaviour is happening afterwards related to maturation of a standard.
250
251
252   **Question 11:**
253   What is, in your view, the most efficient level of participation in the process of standards
254   development: national, European, international?
255
256   **Answer 11:**
257   It would be ideal, that European standardisation would follow closely international
258   standardisation, since many organisations are working/affecting internationally.
259
260
261   **Question 12:**
262   In your opinion, where is the major added value in European standardisation with respect to
263   national standardisation?
264
265   **Answer 12:**
266   This was a hard question.
267   I have no answer (12) to this question (12).
268
269
270   **Question 13:**
271   What are, in your view, the most serious barriers to the use of standards by enterprises: costs
272   of standards (purchasing price)? Costs of operational implementation? Access to
273   information? Knowledge of existing standards?
274
275   **Answer 13:**
276   I guess that the most burdensome tasks are implementing a certain standard. In the case of
277   complex standards, it can take enormously time to implement the complexity.
278
279
280

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281
282 **Question 14:**
283   What could the standards organisations do, in addition to their current practice, to facilitate
284   the access to standards, especially by SMEs?
285
286 **Answer 14:**
287   This was a hard question – again.
288
289   If some standard is a "technical regulation", it should freely available, without any cost. In
290   competitive situation technical regulations should be available to all participant SMEs.
291

292 **<u>ANNEX 1</u>**
293 DISCLAIMER
294
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337

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1 Based on the Finnish three-party system there is phenomenon called extreme-centre in Finland.