EU Standardisation Strategy – First assessment

Background

European standards have become a key policy instrument for legislative acts: there are circa 3600 harmonised standards, which reference have been published in the OJEU. In 2016, the CJEU judged that these harmonised standards are “part of EU law”.

Over the years, standard setting activities have increasingly become complex and resource intensive. As a consequence, gradually, only resource rich organisations – several with head offices outside Europe - are able to set (influence) European standards. And various entry barriers make that civil society, and trade unions, remained passive or absent of the standard setting process, which therefore, de-facto, is not “inclusive”. The released “EU Standardisation strategy” aims to address these shortcomings. Overall, the ETUC welcomes the “EU Standardisation Strategy” (which is complemented by other documents).

The EU Strategy on Standardisation – setting global standards in support of a resilient, green and digital EU single market [document COM (2022) 31]

The EU Standardisation Strategy main updates regard:

I. Recognition of the strategic importance of standards

Standards have been the silent foundation of EU policies, but today the European standardisation system faces important challenges. Standards are no longer something merely technical – they have strategic importance in the current global context. We increasingly rely on standards to ensure that the development of products and services – e.g. for batteries, hydrogen projects or artificial intelligence – reflects our democratic values and ensures they respect data protection, cybersecurity, environmental and other considerations.

ETUC Secretariat preliminary assessment:

The ETUC welcomes the recognition that European standards – because of their high profile and increased use in EU industrial policy – are not only of “technical” but also of societal interest. And as a result, that they must uphold democratic principles and values, including trade union involvement in the decision-making processes.

II. Better governance principles of the European Standardisation System

The proposal for a Regulation, amending Regulation (EU) No 1025/2012, prescribes that - in each stage of the development of a standard requested by the Commission - only delegates of the national standardisation bodies of the EU and the EEA are the ones with the decision-making power. Through a balanced representation that includes societal stakeholders in national standardisation bodies, this will enhance the openness, transparency and inclusiveness of the process.
Note: because CEN-CENELEC-ETSI are private bodies, the EU institutions do not address these requirements on the collection of standards that are not in support of EU legislation (i.e. > 20,000 standards, the largest part of the European Standards’ collection).

**ETUC Secretariat preliminary assessment:**

The ETUC welcomes the focus on the national standardisation bodies, who are the cornerstone of the standardisation system. They must remove the “entry barriers” and pro-actively reach out to affected stakeholders, in particular to trade unions when issues of work or workers are addressed in standards.

III. The primacy of international standards has been replaced, with a more nuanced approach

The European Union has lost its strong global footprint in international standardisation. In recent years, the geopolitical landscape has significantly shifted: other actors follow a much more assertive approach to international standardisation than the EU and have gained influence in international standardisation committees. The EU’s objective is to shape international standards in line with its values and interests (but it is in strong competition to do so). Therefore, the Commission encourages **EU Member States to support the participation of civil society,** SME experts, **trade unions** and consumer representatives in international standardisation activities. It is noted that standards do not only regulate the technical aspect of a product, but can have **an impact on people, workers** and the environment. Therefore, an **inclusive and multi-stakeholder approach** must bring the important check and balances to standards-making.

However, when despite active participation in the international standardisation activities, the adopted international standards (IS) still fail to address the EU values, IS cannot be transposed straightforward at EU and Member States level. The transposition system of IS – either via the ESO’s (Vienna and Frankfurt Agreement) or directly by the NSBs – shall be strengthened.

**ETUC Secretariat preliminary assessment:**

To date, few ETUC affiliates receive “support” from EU (and EEA) Member States to actively participate in standardisation activities. The ETUC welcomes this support to its affiliates. Together with the ETUC standardisation team, the ETUC can coordinate, develop skills, train and as such influence the standard setting processes.

It is noted that an enhanced transposition system of international standards, as European and/or National standards, must be elaborated – to avoid that International Standards which conflict with EU values are transposed at EU or Member States level.

IV. Commission power to adopt technical or “common specifications”, in specific cases

Recent legislative acts and Commission proposals foresee the adoption of technical or “common specifications” through Commission implementing acts. This option, a fallback option when harmonised standards are not coming forward or are insufficient, ensures that the larger public interest is served.

**ETUC Secretariat preliminary assessment:**

**Overall, the ETUC welcomes this inclusion, as fallback option only.** As such, it avoids potential vacuums (because of missing harmonised standards) to implement EU legislation.