

# Evaluation of Regulation (EU) No 1025/2012 on European Standardisation

Fields marked with \* are mandatory.

## Introduction

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### Introduction

This public consultation is being conducted as part of the evaluation of Regulation (EU) 1025/2012 in response to the EU strategy on standardisation presented by the European Commission (COM(2022) 31). The European Standardisation System (ESS) provides the framework for requesting EU standards and standardisation deliverables in support of EU public policy and legislative needs, covering a wide range of industrial ecosystems.

The evaluation assesses the performance of the ESS in the evolving landscape of technical standardisation. It determines whether the existing framework is adequate and capable of delivering standards and technical specifications to support EU policy and legislative needs, while also maintaining global relevance.

### Purpose and scope

The objective of this public consultation is to gather insights from a range of stakeholders with direct or indirect involvement in the ESS. It will look into various aspects of the ESS, including its achievements, efficiency, impact, relevance, EU added value, and alignment with EU policies and instruments. The public consultation will also help in gathering qualitative and quantitative data underpinning these assessments. The public consultation will inform the assessment on the functioning of Regulation (EU) 1025/2012, the cornerstone of the ESS.

Your participation in this survey is a valuable contribution to the evaluation of the ESS and the Regulation. It will also help in identifying possible areas for improvement.

### Data protection policy

Before you begin the questionnaire, please carefully review and accept the privacy statement. This statement provides essential information on the use and handling of the data you provide. Your privacy and data protection are of the utmost importance.

Thank you for your participation in this evaluation. We look forward to your valuable insights and contribution.

## About you

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\* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

\* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority

- Trade union
- Other

\* First name

Jan

\* Surname

REMPALA

\* Email (this won't be published)

j.rempala@businessseurope.eu

If applicable, please select the sector corresponding to your primary activity or the activity you represent.

- agriculture, forestry and fishing
- mining and quarrying
- manufacturing
- electricity, gas, steam and air conditioning supply
- water supply; sewerage, waste management and remediation activities
- construction
- wholesale and retail trade
- transportation and storage
- accommodation and food service activities
- publishing, broadcasting, and content production and distribution activities
- telecommunication, computer programming, consulting, computing infrastructure and other information service activities
- financial and insurance activities
- real estate activities
- professional, scientific and technical activities
- administrative and support service activities
- public administration and defence; compulsory social security
- education
- human health and social work activities
- arts, sports and recreation
- other service activities

- activities of households as employers and undifferentiated goods – and service-producing activities of households for own use
- activities of extraterritorial organisations and bodies
- standardisation
- defence
- space

\* Which category best describes your role within the European Standardisation System (ESS)?

- international standardisation body
- EU standardisation organisation
- representing societal stakeholders in line with the requirements outlined in Annex III of the Regulation
- national standardisation body
- national authority / market surveillance authority
- other national authority
- industry association
- company
- research institution
- none of the above

\* Regarding standardisation, in what ways do you / does your organisation participate in the ESS?

\*Please select all that apply.

- participation in standardisation activities at the EU level.
- participation in standardisation activities at the national level.
- direct use of standards
- use of standards for public procurement
- inform(s) others about standards
- other (please specify)
- none of the above

\* Organisation name

*255 character(s) maximum*

BusinessEurope

### \* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

### Transparency register number

Check if your organisation is on the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making.

3978240953-79

### \* Country of origin

Please add your country of origin, or that of your organisation.

*This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.*

- |   |  |  |  |
|---|--|--|--|
| <input type="radio"/> Afghanistan         | <input type="radio"/> Djibouti           | <input type="radio"/> Libya            | <input type="radio"/> Saint Martin                     |
| <input type="radio"/> Åland Islands       | <input type="radio"/> Dominica           | <input type="radio"/> Liechtenstein    | <input type="radio"/> Saint Pierre and Miquelon        |
| <input type="radio"/> Albania             | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania        | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Algeria             | <input type="radio"/> Ecuador            | <input type="radio"/> Luxembourg       | <input type="radio"/> Samoa                            |
| <input type="radio"/> American Samoa      | <input type="radio"/> Egypt              | <input type="radio"/> Macau            | <input type="radio"/> San Marino                       |
| <input type="radio"/> Andorra             | <input type="radio"/> El Salvador        | <input type="radio"/> Madagascar       | <input type="radio"/> São Tomé and Príncipe            |
| <input type="radio"/> Angola              | <input type="radio"/> Equatorial Guinea  | <input type="radio"/> Malawi           | <input type="radio"/> Saudi Arabia                     |
| <input type="radio"/> Anguilla            | <input type="radio"/> Eritrea            | <input type="radio"/> Malaysia         | <input type="radio"/> Senegal                          |
| <input type="radio"/> Antarctica          | <input type="radio"/> Estonia            | <input type="radio"/> Maldives         | <input type="radio"/> Serbia                           |
| <input type="radio"/> Antigua and Barbuda | <input type="radio"/> Eswatini           | <input type="radio"/> Mali             | <input type="radio"/> Seychelles                       |
| <input type="radio"/> Argentina           | <input type="radio"/> Ethiopia           | <input type="radio"/> Malta            | <input type="radio"/> Sierra Leone                     |
| <input type="radio"/> Armenia             | <input type="radio"/> Falkland Islands   | <input type="radio"/> Marshall Islands | <input type="radio"/> Singapore                        |
| <input type="radio"/> Aruba               | <input type="radio"/> Faroe Islands      | <input type="radio"/> Martinique       | <input type="radio"/> Sint Maarten                     |

- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Mauritania
- Mauritius
- Mayotte
- Mexico
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar/Burma
- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo
- Tokelau

- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena  
Ascension and  
Tristan da Cunha
- Tonga
- Trinidad and Tobago
- Tunisia
- Türkiye
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States  
Minor Outlying  
Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia

- Democratic Republic of the Congo
- Lesotho
- Saint Kitts and Nevis
- Zimbabwe
- Denmark
- Liberia
- Saint Lucia

\* To what extent are you aware of Regulation (EU) 1025/2012 on European Standardisation and its main provisions?

- to a large extent
- to a moderate extent
- to a small extent
- not at all
- I don't know

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association', 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.**

Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

### \* Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

#### **Anonymous**

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

#### **Public**

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the [personal data protection provisions](#)



## General questions

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To what extent has Regulation (EU) 1025/2012 achieved its general objectives?

	to a large extent	to a moderate extent	to a small extent	not at all	I don't know
* reduce the time taken by the standardisation process for standards developed at the request of the Commission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* ensure that SMEs and societal stakeholders are adequately represented in the standardisation process, especially for standards developed at the request of the Commission	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* broaden the use of ICT standards and thus enhance interoperability through a more integrated European public procurement market for ICT products and services	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* remove ambiguities in the previous legal framework related to the former co-existence of three different legal instruments on EU standardisation (Decisions 87/95/EEC and 1673/2006/EC and Directive 98/34/EC)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* Could you please explain your response in detail?

See attached document for more detailed answer.

In a general sense, the creation of 1025 has correlated with a shorter development of standards. Prior to 1025 the entire process could 'easily take 3 years and often much longer' (Impact Assessment to Regulation 1025, pg 12) with examples given of 10 or even 15 years for the development of certain hENs. However it must be noted that when looking at development time for hENs in 2003 which took 8 years to develop, shortening this to 3 by 2008 is a good achievement and a testament to the soft-law changes that the ESOs were able to make to address issues of speed, prior to the creation of Regulation 1025. However, It may be that rather than taking full credit for shortening citation timing 1025 encoded the best practices and efforts that were being done by the ESOs prior to 2012.

Modern-day development seems to suggest that this 3 year period remains roughly stable and that there is an inherent 'stickiness' to the development time-frame as CEN/CENELEC figures from 2022 to 2024 indicate: the average development time for EN/HDs is around 2.65 years for non-Frankfurt/Vienna and 2.5 years for Frankfurt/Vienna EN/HDs. (However these numbers are higher when looking at individual CEN or CENELEC time to publication and we are unable to factor in data from ETSI)

We are concerned the 2018 and 2019 publication data in the OJ indicated a decreasing trend from 60% to 40% which would be contrary to Regulation 1025's objective of speed and timeliness. We request a more-in-depth study on how the system has been functioning since the Commission's Final Report 2020 study on the implementation of Regulation 1025 was unable to extrapolate much data due to how new the HAS process was at the time. For this reason we have answered 'we don't know'

In that aim any changes to 1025 should be to clarify and provide guidance in a way that preserves the public-private partnership and market-driven nature of standardisation. What must be avoided is creating a legal basis that shifts standardisation away from the NLF's usage where standards support essential requirements, and we revert back to the 'Old Approach' style of legislation.

Broadly we think that some sectors will have more trouble with development time than others and that SME and societal stakeholder participation may vary as well depending on the sector. But as a whole Regulation 1025 can be correlated to larger success in these two areas, but a proper sectoral assessment of these two questions would be needed to draw any definitive conclusions.

Furthermore the ECJ verdict on James Elliott has made development harder and we expect that the implementation of the ECJ's Right to Know case may also have a detrimental effect on overall industry participation undermining the public-private partnership.

\* To what extent has the process defined by the Regulation facilitated the identification of ICT technical specification for public procurement referencing, and made the overall public procurement process more efficient?

to a large extent

- to a moderate extent
- to a small extent
- not at all
- I don't know.

Could you please explain your response in detail?

In your opinion, where has Regulation (EU) 1025/2012 provided most added value (compared with not having this legal framework in place)?

\*Please select 'yes', 'no' or 'I don't know' for each item.

	Yes	No	I don't know
* facilitation of conformity assessment procedures in the internal market via the development of harmonised standards	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* facilitation of product compliance in the EU	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* removal of trade barriers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* reduction of transaction costs	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* increased level of interoperability	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* increased adoption of a common technical language in the EU market	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* increased opportunities to introduce products and services into the internal market	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* development of EU standards with global signalling effect	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* facilitated alignment of EU and international standards	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* other (please specify)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify.

Please see attached response for more detailed reply.

Regulation 1025 and specifically Recital 5 correctly underpins the importance of hENs and the presumption of conformity in the internal market.

However if in its application and implementation there is a breakdown such as a backlog of citation of hENs, this will be detrimental to the above questions, especially if any pending hENs become outdated with state of the art.

To what extent are the provisions of the Regulation suitable for addressing the wider strategic objectives, as outlined in the 2022 EU strategy on standardisation (COM(2022) 31)?

	to a large extent	to a moderate extent	to a small extent	not at all	I don't know
* the Regulation contributes to the development of future market needs, particularly as regards the establishment of new value chains for a resilient, green and digital internal market	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the Regulation contributes to the development of standards when there is an urgent market need	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the Regulation contributes to the development of services standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* the Regulation allows integrity, inclusiveness and accessibility in the ESS, including fair representation of all societal stakeholders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the Regulation helps EU stakeholders take a prominent role in global standards-setting	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the Regulation contributes to the promotion of EU democratic values, including at global level	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the Regulation contributes to ensuring that cutting-edge research and innovation inputs are provided in the standards-development process	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

### Specific questions: Speed and timeliness

To what extent are you satisfied with the development time of EU harmonised standards?

\*Rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	I don't know.
* the time taken to develop harmonised standards is efficient	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the collaborative standard development does not unnecessarily extend the duration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the standards are developed in a time frame that allows timely implementation in relevant industries	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the duration of the development process provides ample time for clear communication and preparation for implementation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* there is sufficient time for thorough feedback and revisions during the standard development process	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* compared with other standard-setting processes, the duration for developing harmonised standards is satisfactory	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the time taken to develop harmonised standards is consistent with bringing innovation to the market	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Could you please explain your response in detail?

Please see attached response for greater detail

Broadly we believe the Commission is increasingly putting more demanding and unfeasible requests on standardisers while continuing to expect stakeholders to pay for the majority of the expenses.

How important are the following aspects of the governance of the ESS in accelerating the development of harmonised standards?

\*Please rate the level of importance of the following processes.

	not at all important	slightly important	moderately important	very important	extremely important	I don't know.
* coordination between ESOs, NSBs and the Commission (including collaboration on drafting standards)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* the clarity of the Commission's strategic objectives for the European Standardisation formulated through the annual EU work programme on EU standardisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* societal stakeholder engagement and participation in standardisation activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the process of standardisation requests	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* the process of standards-development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* the process of citation of standards-deliverables	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* the availability and use of EU financing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

To what extent do you perceive barriers within the current governance of the ESS that affect the speed of harmonised standard development?

\*Please rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	I don't know
* there are additional obligations and administrative delays that hinder a speedy development of harmonised standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the internal procedures within the European standardisation organisations are burdensome	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the additional requirements from the Commission to allow the citation of harmonised standards are too burdensome	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* poor communication and coordination among stakeholders within the system leads to a slow standard development process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* insufficient allocation of resources (such as funding, personnel and information) within systems impedes the rapid development of harmonised standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the lack of technical experts leads to a slow standards-development process	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the absence of clear and decisive leadership and responsibility in the standards-development process is an impediment and leads to a slower process of developing harmonised standards	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the discrepancy between policy and stakeholder needs for the standards-deliverable leads to a slower process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Could you describe in more detail the barriers you have encountered?

We would like to note we do not 'disagree' on the point of the ESOs governance. Our answer is we 'neither agree nor disagree' but would like to make the point that this question should not be conditional on negative answers.

More detail on our view on barriers and the HAS system can be read in our attached document. The main barrier we see is that the increased politicisation of standards has resulted in political demands being manifested in standardisation requests which has led to more descriptive and 'top-down' standards as opposed to letting the stakeholders come to a solution.

## Specific questions: Competitiveness of European businesses

To what extent do you agree/disagree with the following statements about EU standards and standardisation deliverables' impact on in the competitiveness of EU businesses within the internal market?

\*Please rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	I don't know
* European standards and standardisation deliverables facilitate cross-border activities and trade in the internal market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables facilitate the market deployment of innovative technologies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables reduce production costs for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables reduce compliance costs for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables increase interoperability of components and products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>



* European standards and standardisation deliverables facilitate access to the EU market for SMEs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables enhance companies' growth (e.g. market share)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables enhance companies' productivity	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Can you recall any instances where you felt the development of (harmonised) European standards requested by the Commission did not adequately support competitiveness in the internal market?

To clarify we believe the answer to 'European standards and standardisation deliverables enhance companies' productivity' is 'strongly agree' however we find it important to answer this question as well, which we must for some reason answer 'disagree' to trigger.

Many European companies develop globally uniform products for global markets. Competitiveness is not an issue of "in the single market" but one of general importance, both on EU and foreign markets. There is an increasing trend for harmonised standards to not be copies of international state-of-the-art equivalents (from IEC and ISO) but modifications of those. This is driven by pressure from public authorities that over compensate using disproportionate regulatory requirements. This disadvantages the competitiveness of European industries competing on a global and European scale.

Competitiveness of European companies can be hindered when hENs are not allowed to benefit from International Standardisation efforts and ISO/IEC standards are explicitly ruled out as an option. Maintaining an 'International First' principle is paramount to ensuring European companies can still compete- without this we create a parallel system. When the Commission issues too prescriptive requests this creates a risk that European standardisers try to find the least harmful way of fulfilling the request. This development disrupts the alignment between European standards and their global equivalents, as there is limited international motivation to create standards solely to satisfy regional laws. As a result, technical requirements in Europe and the rest of the world will begin to diverge, and compliance with hENs will no longer ensure European businesses can access international markets.

It is therefore essential that the ongoing issue of copyright and the obligations that the ESS has towards ISO /IEC and the WTO are fully respected. The ongoing legal debate stemming from the ECJ Right to Know case has triggered a dilemma on this point. If the European Commission is going to make ISO/IEC documents public without any compensation this will likely trigger legal action and dissolution of the Frankfurt and Vienna Agreements for the foreseeable future. European businesses will lose the advantage and convenience of 'one standard, one test' compounding the issue of access to the global market. One of our strongest benefits is that many of the homegrown ENs are identical to the international level.

## Specific questions: Support to EU policy and legislation

In your view, how effective is the Regulation in developing European standards in support of EU legislation and policies?

\*Please rate the impact for each of the following goals.

	very high	high	moderate	low	very low	I don't know
* in response to new policies and legislation supporting standardisation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* in ensuring timely delivery of requested standards and standardisation deliverables	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* in anticipating strategic future market needs in standardisation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* in improving product safety	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* in improving sustainability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* in fostering interoperability between ICT systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* in ensuring adherence to EU democratic values	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Can you recall any instances where you felt the ESS did not adequately support EU legislation and policies?

We do not think this question should be conditional on providing a 'low/very low' answer. Regarding 'in fostering interoperability between ICT systems' our answer is 'high'

This sections of questions can be interpreted in multiple ways. We have the impression the purpose of the framing in this manner is for evidence to be gathered of certain standards that have 'failed' to deliver due to normative/value issues or standards that were created at an international level that were in a TC chaired by a non EU member.

However one such policy that we see as unfit for standardisation is in the realm of social dialogue which is the right and prerogative of the social partners. As the European social partner for employers we are concerned by growing efforts to standardise employment areas that belong to the remit of social partners or issues that are covered by co-determination in a company. One recent example is ISO 30415 on human resources management, which touches upon remuneration (a competence of social partners) and interferes with the rights of works councils to be included in co-determination at company level (f. ex. decisions on D&I framework, inclusive culture, workforce planning, performance management, organizational governance).

## Inclusiveness of the European Standardisation process

To what extent do you believe that Regulation (EU) 1025/2012 has ensured the engagement and effective participation of the following stakeholders?

	strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	I don't know
* SMEs and start-ups	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* societal stakeholders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* the research/academic community	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Member States' public authorities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Why do you believe these groups are not effectively engaged or do not effectively participate?

\*Please rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	I don't know
this group is not fully aware of the opportunities or importance of participation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
this group believes that the activities or decisions do not significantly affect them or are not relevant to their interests	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
the process to engage or participate is too complex	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
the process to engage or participate is too costly	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
the process to engage or participate takes too much time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
there are barriers related to language	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
there are barriers related to the technologies being used	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
there are barriers to environmental and physical accessibility	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are there any other reasons why you believe these groups are not effectively engaged or do not effectively participate? Please explain your response in detail.

The issue of public authorities participation depends per Member State. In some Member States we understand the participation is welcome and encouraged and sufficient. In others there is disagreement between the NSB and the Authorities over either too much or too little participation. In the end this will vary per NSB depending on their relationship to the Authority. The question remains if 1025 needs to further define the relationship under its current Article 7 or rather to what extent enforce the understanding of 'where appropriate.'

However, an overriding issue instead is the ease in which national authorities and market surveillance authorities create national technical rules beyond harmonised regulations and standards. This goes against the intention of the single market.

In your opinion, what is the level of representation and engagement in the development of the following types of standards?

\*Please rate the impact of each of the following types of standards.

	very high	high	moderate	low	very low	I don't know.
* standards for services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* standards for products	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* standards to improve interoperability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### Specific questions: Competitiveness of European businesses at global level

To what extent do you agree/disagree with the following statements about European standards and standardisation deliverables' impact on to the competitiveness of EU businesses at the global level?

\*Please rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	I don't know
* European standards and standardisation deliverables facilitate market access outside the EU/EEA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables facilitate the establishment of business partnerships around the globe	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* European standards and standardisation deliverables facilitate innovation in EU businesses	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables enhance the cost-competitiveness of EU businesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* European standards and standardisation deliverables improve the price-competitiveness of EU businesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Is there any particular reason why the current ESS is not contributing effectively to enhancing the competitiveness of EU businesses at the global level?

\*Please select 'yes', 'no', 'I don't know' for each item.

	Yes	No	I don't know
the standards are too focused on EU markets and do not adequately address global market needs and conditions	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
there is insufficient input from different industries during the standard development process and this limits their applicability in a global context	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
the standards impose regulatory constraints that hinder the innovation and flexibility needed for global competition	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
there is a lack of consistency between EU standards and those of other key global markets, and this creates barriers to international trade	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
there is a lack of awareness and training in how to effectively use these standards to boost global competitiveness	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
the process of developing and implementing EU standards is too slow to keep pace with global market dynamics	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
standardisation processes do not adequately reflect the state of art in science and research	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
other (please specify)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Please specify.

To clarify on the question if European standards and standardisation deliverables facilitate innovation in EU businesses, we 'agree' but would also like to answer these questions as well.

We would like to make a point that the follow-up questions should not be hidden and conditional upon answering a 'disagree' The ESS can strongly deliver on the previous questions and still be subject to the problems mentioned above.

Regulation 1025 also has greatly contributed to ensuring the ESS and European Standards are internationally relevant. Examples cited in the DG Grow 2021 study point out Electromagnetic Compatibility, Energy Efficiency Labelling, Eco-design, Resource Efficiency, Circular Economy, GSM, 5G, or Industry 4.0 were all concepts started in Europe which were then exported onto the international scene. As additional examples of international cooperation, the ESS is successful in addressing international commitments such as the UN Sustainability Development Goals as indicated by the latest CEN/CENELEC deliverables figures contributing to each goal. In total deliverables CEN has developed 7817 whereas CENELEC 1793

The ESS does immensely help facilitate innovation for European businesses but it is also true that our process in developing and implementing EU standards can be slow and the state of the art can develop faster than our process is able to capture. But this question of reflecting state of the art in our view should not be a blanket statement as it immensely depends on the topic.

## Specific questions: Policy coherence

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Can you identify any new policy area where the ESS should improve its presence?

\*Please select 'yes', 'no', 'I don't know' for each item.

	Yes	No	I don't know
* artificial intelligence	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* quantum computing	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* blockchain and distributed ledger technologies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* the Internet of Things (IoT)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* 5G and future telecommunication networks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* autonomous vehicles	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* biotechnology and gene editing	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* renewable energy technologies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* nanotechnology cybersecurity	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* smart cities technologies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* digital health	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* sustainable manufacturing and the circular economy	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* space technologies, in-orbit services and commercial spaceflight	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

* robotics	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* new materials	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* defence	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* other (please specify)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**Please specify.**

As our organisation is horizontal in nature we are unable to provide a concrete list, as all of these topics can be argued as important. What matters is that in pursuing standardisation efforts that we are not prejudice towards efforts at the international level. The work done in the HLF on identifying TC's of geopolitical importance should be repeated at a wider scale of stakeholders but this time with more time and planning as well as a clear picture of what the end result should be. Upon identification of critical TCs where Europe is either geopolitically lagging or still has a chance to lead, there needs to be a political decision taken on how and who steps-in to engage.

We wonder why the evaluation is asking this question as this is not related to the functioning of Regulation 1025.

**In your view, what are the barriers preventing the ESS from extending its reach into these technical areas?**

\*Please rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree strongly	agree	I don't know
lack of experts to run new ESO technical committees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
lack of financial resources to run new ESO technical committees	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
lack of interest of industry or other stakeholders in providing experts	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
lack of cooperation with other specialised standards-setting bodies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
lack of consensus between the different actors of the ESS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
national interests in developing national standards	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
primacy of international standards	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

existence of other standard-developing bodies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
timespan to develop and adopt EU standards	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
other (please specify)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are there any other barriers preventing the ESS from extending its reach into these new technical areas? Please explain your response in detail.



Lack of industry interest may simply signify the market does not see a need yet to engage in standardisation. Equally with regards to a lack of financial resources for new ESO Technical Committees.

Regarding the Primacy of International standards, it is vital that for the ESS to continue serving market interest and that the international first principle remains at the forefront. There is a high amount of international alignment built into the ESS as 34.9% of CENs portfolio is identical to ISO publications and 74.56 of CENELEC is identical. As we mentioned earlier in our responses, this sort of harmony is important to providing access to the global market. Without it we are only creating additional hurdles for our industry and trade.

While some stakeholders may point to this as negative, we are very cautious of the claim that building ENs off of International Standards leads to normative issues. Individual instances of this occurring do not warrant destroying the immense cost benefit that following the international first principle brings.

For example as a European Social Partner representing the employers we have encountered issues when it comes to international standardisation over HR/Labour that would negatively impact the social dialogue process (as elaborated earlier) . An example of this was ISO TC 260 on a New HR Certifiable Standard, despite the joint efforts of both Employer and Trade Unions social partners to raise our concerns to ISO and the NSBs we were unsuccessful.

Ultimately at the ISO vote on the standard only one EU Member State NSB voted against the proposal, demonstrating the importance and need for EU unity and leadership. However despite such a setback we do not blame the international system itself as the cause nor would we argue this example warrants the need to decouple from the international forum.

European industry cannot remain competitive if it shuts itself off from the International scene. Rather the risk of having normative issues develop from international standards should force the EU to re-commit to participation at the international level and continue competing for chair positions etc. (See our earlier replies on the importance of maintaining international first for competitiveness as well as following up on the HLF's TC identification exercise)

Respectfully the EU needs to come to terms with the fact that it cannot control the processes of ISO/IEC in the same way it introduced a targeted amendment on governance of the ESOs to 1025 already. Any attempts to 'bind' ISO/IEC etc outside of international law will simply catch European industry in the crossfire and we are highly concerned that the fallout over the copyright of hENs and ISO/IEC will be a catalyst for this.

However we do note that in reporting on international alignment data that the work undergone in the High Level Forum under workstream 4 has found serious discrepancies in how this is reported. Additional studies are needed to properly collect the data on international alignment.

## Final section

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Considering the need for the ESS to adapt to a rapidly changing environment and support the EU's strategic goals, what action areas do you consider essential?

\*Please rate your level of agreement with the following statements.

	strongly disagree	disagree	neither agree nor disagree	agree	Strongly agree	I don't know
future standardisation needs and expediting the standard development process to spur innovation and prevent others from gaining a competitive edge	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
promoting stakeholder involvement and inclusivity in order to ensure standards meet market and consumer demands	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
improving cooperation, coordination and communication between standardisation bodies in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
raising awareness of the benefits of standardisation for competitiveness and innovation and sustainability	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
adapting the ESO/NSB network organisation and procedures for future needs, especially in technology convergence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

In addition to the responses and comments already provided in response to this questionnaire, please use the space below for any additional remarks you wish to make.

We would like to point out that having some of the questions conditional upon disagreeing with a question may deprive the collection of data from stakeholders who would have been able to add more details, would those questions have been presented plainly, but have not because they do not disagree with the initial questions.

For more elaboration on our position please see the attached document for more details.

You can upload any document in support of your replies to this survey here.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

**a1c42cce-584b-4b6e-a16d-7ee7eb3e6060/BUSINESSEUROPE\_1025\_Supplementary\_Document\_.docx**

I agree to be contacted for more in-depth discussions regarding the ESS.

\*If you answer 'yes', we might contact you using the email address you provided at the beginning of the survey.

Yes

No

## **Contact**

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