

The need for consumer representation in standardisation

Standardisation is not a media-attracting topic. It is industry-driven, often technical, patient and very time-consuming work. Why should consumers bother to participate? Wouldn't industry look after the interests of consumers anyway because they have to sell their products? This is actually an argument consumer representatives often encounter: "We are consumers ourselves!", industry representatives used to say. Many years of practical involvement in standardisation, however, have shown that this argument falls short, and that there is a need to defend and represent the consumer interest in a systematic manner. This is the mission of ANEC, the European consumer voice in standardisation. ANEC has gained considerable experience in doing so since its establishment in 1995. ANEC co-ordinates a network of more than 200 consumer experts across the fifteen EU Member States as well as Iceland, Norway, Switzerland, the Czech Republic and Slovakia. It is only a question of time before the other new Member States join. ANEC provides technical expertise, and its representatives directly contribute to more than 60 Technical Committee and Working Groups of the European standards bodies. Some ANEC members - such as the BSI Consumer Policy Committee - even look back at more than 50 years of institutionalised consumer participation in national standardisation.

Gottlobe Fabisch

Secretary General of ANEC

This paper is based on the presentation given by Dr. Gottlobe Fabisch, Secretary General of ANEC, at the Conference panel discussion.

ANEC

ANEC stands for "European association for the co-ordination of consumer representation in standardisation". ANEC is an international non-profit association under Belgian law and was set up in 1995 to protect consumer interests in standardisation, in particular in standardisation work complementing European legislation under the New Approach to Technical Harmonisation.

ANEC co-ordinates a network of more than 200 consumer experts across the EU and EFTA, as well as the Czech Republic and Slovakia. Our experts directly contribute to the work of more than 60 Technical Committees and New Deliverables of the European Standards Bodies. Our areas of priority, in which we hold standing working groups, are: child safety, design for all, domestic appliances, environment, information society, services and traffic safety. Research is key for this kind of work. Scientific evidence helps to back up our arguments in standardisation committees and working groups. This is of particular importance where a consumer representative has to argue his case against a strong industry majority.

The main political decision-making body is the General Assembly, which meets once a year and consists of 20 national members and six European members. All national consumer organisations of a country nominate one person to represent them in the ANEC GA. In between GA meetings, a Steering Committee made up of nine GA members and the President, acts on behalf of the GA. The Secretary-General represents the association to the outside world and runs the Brussels-based Secretariat with a team of seven permanent staff members. For more information, please see the ANEC website: www.anec.org.



Why is consumer representation important?

Standards affect us all every day and everywhere. They can help to make our lives easier and the products we buy safer. It is a standard that defines that a washing machine cannot be opened during operation. It is a standard that ensures that credit cards have the same features and can be used everywhere. Thus, standardisation is a proven means of consumer protection in terms of safe products and services.

In addition, standardisation is at the very heart of the Internal Market. It is the regulatory role of standardisation under the New Approach to Technical Harmonisation that makes it so important to participate in the process. Since the adoption of the New Approach in 1985, European legislation has confined itself to defining essential safety requirements, leaving the technical solutions to standard-makers, namely CEN, CENELEC and ETSI. Because of the specific role that standardisation fulfils in the European context, proper consumer participation in the process is a prerequisite for the credibility of the system.

Another reason for consumer participation is that it is crucial to counterbalance the industry view, or in other words, consumer involvement makes a difference. For instance, for many years, ANEC called for a European Standard on child-resistant lighters. A series of fires had been caused by young children playing with cigarette lighters that were very easy to operate. In light of the risks involved, the European Commission asked CEN to produce a standard for child-resistant lighters. Finally, in 2002, after much dispute with industry, CEN members adopted European Standard EN 13869 *Lighters – Child-resistance for disposable and novelty lighters – Safety requirements and test methods*.

Finally, consumers tend to promote new concepts such as "design for all". ANEC is currently calling upon the European standards bodies to implement ISO/IEC Guide 71 in order to take the needs of elderly and disabled people into account when designing mainstream products and services, so that as many people as possible can use them easily, whatever their age and ability.

Challenges for consumer participation

European standardisation is based on national voting but unfortunately consumer participation in the work of national standards bodies is far from being satisfactory. It is developed to any great extent in only 8 of the 15 EU and 3 EFTA countries. This is the finding of an ANEC study on the national arrangements for consumer representation in standardisation published in 2001 (ANEC2001/GA/014). Consumer representatives in all EU and EFTA countries see the lack of public resources as the main obstacle to consumer participation in standardisation.

Furthermore, ANEC members are keen to improve the functioning of the European standardisation system (ANEC2001/GA/007). For instance, we want measures to protect stakeholders representing the public interest. These measures should include improved quality control and the establishment of an early conflict resolution mechanism within the standards bodies. ANEC members are gratified to learn of CEN's recent acknowledgement of the need for such a mechanism.

In addition, consumer participation in standardisation encounters new challenges :

- First of all, standardisation is no longer just about product safety, conformity and harmonisation. Nowadays, it also addresses new policy areas such as the environment, corporate social responsibility, and services. Consumer organisations need to build up expertise in these areas in order to be in a position to defend the consumer interest as well as to influence developments in a proactive manner.
- Secondly, it seems that the European Commission is looking at New Deliverables of the European standards bodies - other than formal standards, for instance CEN/ISSS Workshop Agreements - to support EU policies in the ICT sector. The reason for this being that technologies and processes, especially in the ICT sector, emerge at a rapid pace. Product and technology life cycles have never been shorter. In many cases, the formal standard-making process is too slow to produce the standards required by the market in a timely manner. ANEC, however, is concerned about the lack of consensus and democracy of New Deliverables, as there is no systematic representation of the public interest. Therefore, ANEC does not support the approach of using non-formal standards, including New Deliverables, to complement European legislation.
- Thirdly, there is a general shift to international standardisation due to globalisation, while consumer representation is weak at international level. Consumer representatives can attend ISO and IEC meetings as members of national delegations, but as such they are constrained to follow the national consensus view. Furthermore, there are very few representatives from consumer associations in national delegations at the international level. Hence, ANEC and Consumers International see a need to provide high-quality representation of the consensus consumer opinion into standards-making at the international level, and have agreed to work together to produce a framework for achieving this.

To meet these challenges, consumer organisations need to invest time and resources in standardisation. However, participation of consumers can only be as effective as the system allows it to be ! ■

TUTB

Bd du Roi Albert II, 5
B-1210 Brussels
Tel.: +32-(0)2-224 05 60
Fax: +32-(0)2-224 05 61
tutb@etuc.org
<http://tutb.etuc.org>

SALTSA

Joint Programme for Working Life Research in Europe
The National Institute for Working Life
and the Swedish Trade Unions in Co-operation
NIWL
SE-112 79 Stockholm
Sweden
Tel.: +46-8-619 67 00
Fax.: +46-8-656 30 25
www.niwl.se



THE EUROPEAN TRADE UNION TECHNICAL BUREAU FOR HEALTH AND SAFETY was established in 1989 by the European Trade Union Confederation (ETUC). It provides support and expertise to the ETUC and the Workers' Group of the Advisory Committee on Safety, Hygiene and Health Protection at Work. The TUTB is an associate member of the European Committee for Standardization (CEN). It coordinates networks of trade union experts in the fields of standardization (safety of machinery) and chemicals (classification of hazardous substances and setting occupational exposure limits). It also represents the ETUC at the European Agency for Health and Safety in Bilbao.

The TUTB is financially supported by the European Commission.



TUTB Newsletter No. 24-25 June 2004
Special issue produced in association with the SALTSA Programme.

The **TUTB Newsletter** is published three times a year in English and French.

Responsible Publisher :

Marc Sapir, Director of the TUTB
Bd du Roi Albert II, 5
B-1210 Brussels

Editor : Janine Delahaut (jdelahau@etuc.org)

Production assistant : Géraldine Hofmann

Contributors : Ulrich Bamberg, Sven Bergström, Stefano Boy, Alan Bryden, Nigel Bryson, Henk de Vries, Jan Dul, Pascal Etienne, Gottlob Fabisch, Georg Hongler[†], Roland Kadefors, Ilkka Kuorinka, Jean-Paul Lacore, Wendy Morris, Marc Sapir, Harmen Willemse, John Wilson

Translation : Glenn Robertson

Reference material : Jacqueline Rotty

Circulation : Géraldine Hofmann

Graphic design : Coast, Brussels

Printed in Belgium

<http://tutb.etuc.org>

TUTB NEWSLETTER