



Raising standards for consumers

POSITION PAPER

Draft Annual Union Work Programme for European Standardisation 2022



Contact: Chiara Giovannini

Chiara.Giovannini@anec.eu



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European Association for the Co-ordination of
Consumers Representation in Standardisation aisbl

Rue d'Arlon, 80- B-1040 Brussels, Belgium
T: +32-2-7432470 / anec@anec.eu / www.anec.eu



SUMMARY

This position paper expresses ANEC's preliminary views on the draft Annual Union Work Programme (AUWP) for European Standardisation for 2022. .

As a participant in the Committee on Standards (CoS)¹, ANEC commented on the previous AUWPs and is pleased to have opportunity to submit its views on the new draft. ANEC is also a member of the ICT Multi-stakeholder Platform, and comments on the Rolling Plan for ICT Standardisation.

For ease of reference, we present our comments on the standardisation actions with reference to the structure of the AUWP in tabular format.

¹ The Committee on Standardisation is established under Article 22 of Regulation (EU) 1025/2012 on European Standardisation.

1 | General Comments

Inclusiveness

Although there has been much useful progress by the ESOs over past years in ensuring a strengthened voice for the Societal Stakeholder Organisations among the Annex III Organisations, and one that complements the national delegation principle, we believe it appropriate to underpin this progress with a proposal to the ESOs to take further actions, notably on supporting Annex III Organisations in international standardisation.

International cooperation

It must not be forgotten that the European Standardisation Organisations, as part of the European Standardisation System, are bound by the requirements of Regulation (EU) 1025/2012, whereas ISO and IEC are not. This asymmetry, especially as regards inclusiveness, should influence the European Commission policy towards international standardisation. We should also not forget that the rules on the adoption of ISO (and IEC) Standards and European Standards (ENs) are different, with the adoption (and implementation) of ENs obligatory (regardless of the origin of the EN). Hence we think that the Commission should be cautious in ensuring that CEN-CENELEC-ETSI have all the checks and balances in place in the adoption of an ISO standard as an EN, regardless of whether it is the result of a direct adoption or parallel development.

The need to ensure inclusiveness of the broader international standardisation process also applies to the resuming EU-US trade discussions, and the creation of a Trade & Technology Council (TTC) and Working Groups (e.g. on technology standards, including AI and the Internet of Things). The participation of consumer representatives in such discussions should not be overlooked.

Services standardisation

Despite the 2020 New Industrial Strategy for Europe addressing the services sector, a strategic approach continues to be needed in standardisation to identify and address, across sectors, the new trends affecting the way services are provided and consumed. Efforts made to increase awareness of services standardisation, and better understand the needs of service stakeholders, risk being lost otherwise. We also see need to involve more stakeholders, including consumer representatives, at all levels.

ANEC studies have shown consumers who buy cross-border experience poor customer services, and difficulties in achieving complaints-resolution if things go wrong. While there is legislation that protects consumers in B2C transactions, more is also possible through standards. ANEC participates in CEN TC 447 'Services – procurement, contracts and performance', following M/517. So far, work in CEN TC 447 has focused on B2B services (procurement; agreement & contracting, and performance measurement). While also these have an impact on consumers, we count on the second phase of the implementation of the M/517 to focus more on consumer-centric projects.

New standardisation work on customer service and user satisfaction, for example, could help increase consumer trust and have a positive impact on the recovery of the services sector. A specific services area, where the role of standards for the economic recovery could be further investigated, is that relating to tourism and leisure activities.

2 | Specific comments

Draft actions

7. Safe and trustworthy Artificial Intelligence systems

Algorithmic Decision Making (ADM) embedded software opens up different types of product safety challenges that are not present in not-connected devices: There is a security dimension that is new and inherent to AI devices linked to cybersecurity. It could imply that the safety of the device is corrupted, or that the device's processing capabilities and connections are being used for other forms of harm (mining crypto currencies, launching larger cyberattacks, spying on the consumer, and more). But security vulnerabilities can also pose a risk to physical safety in some cases (e.g. hacked self-driving car). Consumer safety and choice are impacted, consent becomes more difficult (because so few understand the initial algorithms and they will, with machine learning, change as they learn). For a standard to be effective, its provisions need to be clear, unambiguous and replicable. This is particularly important in the case of AI systems: because security breaches can take multiple forms, objective and measurable requirements are needed to allow for the objective assessment of the conformity level of AI systems. While we welcome the future request for Harmonised Standards on AI, we believe that present safety standards and legislation need to be updated to meet the risks posed by AI and wonder how the future standards on AI will interplay with the present safety standards (e.g. will they be revised, will the new AI standards apply on top of present safety standards). ANEC believes safety of automated machines/robots has to be ensured for consumers, so we suggest a new line/priority is added for the Harmonised Standards supporting the revised Machinery Directive/Regulation.

42. Batteries and waste batteries

We welcome revision of existing European standards and development of new European standards for waste batteries. This is a key addition to continue the elaboration of setting sustainability requirements for all batteries placed on the EU market. However, we also highlight the importance of the safety of batteries. For example, IEC EN 62115 does not address the danger posed by lithium batteries, a built-in feature of more and more toys. Often, they are delivered with a USB cable - or just a USB inlet. There is no testing of the charging controller of lithium batteries, which has a poor safety record. Many fires are caused by lithium-ion batteries, which are now used in many devices (electric bicycles, scooters & other personal mobility devices (PMDs); toys, smartphones and tablets; digital cameras; laptop computers.

43. Cybersecurity of radio equipment

We welcome the request to develop cybersecurity standards under the Radio Equipment Directive (RED), something we have advocated for many years now.

The 'smartness or digitalisation' of consumer products and services is an increasing trend but very few standards reflect it so far. The Internet of Things still has to attain a level of maturity as regards security, data protection, accessibility and safety, meaning there is a window of opportunity to make sure that consumer (and other stakeholder) requirements are properly addressed. The following topics might be relevant: Security (authentication mechanisms, encrypted communication, firmware and software update management, password system); Privacy (collection of personal data; data storage and retention policy); connectivity protocols available (Wi-Fi, Ethernet/LAN, Bluetooth); Sensors (description of device's sensors (audio, video, motion and environmental)).

The essential requirements must cover all the key aspects of cybersecurity and data protection. Therefore, those requirements cannot be merely baseline requirements, A baseline approach to security requirements is not stringent enough to ensure a high-level of cybersecurity and thus consumer protection. We suggest also to consider (under another priority line) Harmonised Standards for common chargers falling under the scope of a possible Delegated Act under the RED (or other legislation).

47. Safety requirements for childcare articles

It is not clear from the title ("certain") which products are intended to be covered. The scope needs to include a list of product categories covered by this standardisation request, supported by annexes detailing a non-exhaustive list of products belonging to each category.

Specific safety requirements are likely to be needed for each product or product category covered by the scope, and need to include the age range and development stage of children to be protected (as age and development stage differ depending on the product (category)). These specific safety requirements are necessary in order to assess whether a standard fulfils the requirements of the standardisation request. If sports, playground and other recreational equipment will not be covered by the standardisation request for "certain children products (excluding toys)", we ask for a separate standardisation request to be developed.

53. Lifts and safety components of lifts

We welcome the development of new standards for lifts. In addition to the need to continue the elaboration of EN 81-76 on Evacuation of disabled persons using lifts, we think revision of EN 81-70 on accessibility of lifts should also be considered. Although two revisions of the standard are on-going, we believe it important to clearly state the more political accessibility expectations that the standards have to meet. In addition,

we think the main standard EN 81-20 should cover the accessibility requirements of the present standards².

55. Accessibility requirements for ICT hardware and services

We welcome the future request for Harmonised Standards under the European Accessibility Act (EAA). In addition to ICT products and services, we think it would be useful to add the need of Harmonised Standards for the built environment where the services under the scope of the EAA are provided, in order to maximise the foreseeable use of such environment by persons with disabilities. It is also important to develop standards for assistive technologies such as Braille writing, including signage and interoperability with mainstream consumer products.

ENDS.

² <https://bit.ly/3A03QiM>



ANEC is the European consumer voice in standardisation, defending consumer interests in the processes of technical standardisation and the use of standards, as well as related legislation and public policies.

ANEC was established in 1995 as an international non-profit association under Belgian law and is open to the representation of national consumer organisations in 34 countries.

ANEC is funded by the European Union and EFTA, with national consumer organisations contributing in kind. Its Secretariat is based in Brussels.



European association for the coordination of consumer representation in standardisation aisbl

Rue d'Arlon, B-1040 Brussels, Belgium

+32 2 743 24 70

+32 2 706 54 30

anec@anec.eu

www.anec.eu

EC Register of Interest Representatives:
Identification number 507800799-30
BCE 0457.696.181

@anectweet

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