



Position Paper

ANEC position paper on interoperability and the role of standards

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1. Introduction

In the framework of the revision of the European Standardisation System currently undergoing, ANEC expressed several times its support for a Standardisation System meeting consumers' expectations in terms of standards developed (content) and effective consumers participation (process)¹.

ANEC welcomes the European Institutions' commitment to increase, inter alia, interoperability of Information and Communication Technologies (ICT) for consumers by promoting the use of fora and consortia deliverables in public procurement procedures under defined conditions. ANEC thinks that interoperability is a key issue for consumers as well as accessibility, security & data protection. These requirements are also very important for consumers and we would like to see them facilitated by the revision of the European Standardisation System through the use of standards in public procurement.

On the occasion of its participation to a roundtable discussion on 21 September 2012 organised by "Enquete Kommission – Internet and digitale Gesellschaft" of the German Parliament, Bundestag, about "Interoperability and standard", to which ANEC has been invited, we wish to reiterate its position on the importance of standards ensuring interoperability for consumers and of a Standardisation System where consumers can have their voice heard.

¹ ANEC Comments on the draft Regulation on European Standardisation COM(2011) 315 final (ANEC-SC-2011-G-016r3)

2. Consequences of lack of interoperability in consumer products (hardware and software)

Convergence of devices is more and more becoming an everyday reality with connected TV models and cloud computing. Consumers are provided with the possibility to access content by using different devices (internet-enabled TV sets, PCs, smartphones and tablets).

Consumers expect to be able to use Information Society products and services whatever their ages and abilities. They also expect to do it in all security and without undue technical restrictions². However, the real consumer experience is often different.

For example digital TV reception: On the one hand, the distribution via satellite, on the other cable (coax). Furthermore is also a distribution of digital TV on terrestrial radio. The receivers for the Satellitenübertragung have established an open market and thus there is competition among providers emerged. The satellite receivers use the latest technology and the prices of the devices and services are moderate. Therefore also the offer is greatest (eg: all third ARD programs in HD). Whereas with the receivers via cable (coax) the offer is lower. Each cable operator uses its own encryption system, consumers are dependent on the cable operator. Set-top boxes for receiving wired are often provided by the cable operator and the devices do not often use the latest technological standards. The devices for digital cable receivers to rent or purchase are usually more expensive. The more "restrictive" cable operators are, the more consumers remain in analog TV and do not switch to digital TV.

Another well-known and recent example of lack of interoperability is the smartphones market with IOS Apple-closed vs. Android-open systems.

But interoperability problems could also concern future technologies and systems such as Smart Grids and Smart Meters. The energy transfer will still over metallic wire, but with an additional ICT layer allowing management of the system functionalities as well as the consumer interfaces. With smart energy systems new opportunities for consumers come, but as with any new technology, increasingly sophisticated functionalities can result in unintended consequences. How can consumers really be sure that the new washing machine they just bought carrying the label "Smart Grid enabled" will really work at home? And for how long?

² ANEC position on a new Strategy for European Information Society 2010-2015 (post i-2010) (ANEC-ICT-2010-G-009final)

From a consumer point of view, the main consequences of lack of interoperability are:

- **Costs:** increased prices because the specific product/service market share is small due to the lack of the effective competition and direct cost impact on consumers of additional equipment/adaptors needed;
- **Environmental impact/waste disposal:** additional equipment/adaptors/interfaces might be required and/or it needs to be changed as not adapted (eg: mobile phones battery chargers);
- **Development brake/lack of innovation:** because of the small market share companies do not invest in R&D for innovative products (eg: in Germany SD TV digital receivers significantly worse than Kabel BW receivers);
- **Usability/ accessibility problems:** as different devices follow different operating philosophies, it is difficult for consumers to adapt and to learn how to use the different products/services. Not to mention that for a specific category of consumers, visually impaired persons, interfaces, especially if web-based, need to be designed in an accessible manner, according to recognised web accessibility standards. And interoperability plays a very important role³.

In addition, consumers are also concerned about the protection of their personal data and privacy when using digital products and services. Can the principles of private data protection, informed consent and data minimisation survive in an open and interoperable environment?

Bearing in mind that the choice of using open and interoperable standards is generally a company commercial strategic choice, can the implementation of open standards and interoperability minimise consumer risks and maximise benefits for all consumers?

³ Joint AGE/ANEC/EBU/EDF campaign "Access Denied"

3. Role of standards and how consumers can influence the standardisation process

Although the development of European standards is an open process, it is business interests that have most to gain from influencing the content of the standards and have the resources and expertise to participate in the standards development process. Of course, it is not in the interest of industry to ignore the needs of consumers if they want to sell their products and services. Stakeholder consensus is an added value for companies. But it is fundamental to have effective consumer participation in the standardisation process as a check on the levels of consumer protection provided.

Although recognising the many merits and achievements of the European Standardisation System, the European Institutions are now finalising proposals to revise it and reinforce representation of societal interests in the standards process, among other goals such as improving the European competitiveness. There is a need to continue to support the participation of consumers, and other societal stakeholders, directly at European level and to increase this support as the emphasis of the European Commission and public authorities move towards the use of fora and consortia standards.

The challenges of informal standardisation are that it poses a problem in terms of consumers' participation and transparency of the systems. Based on our three-years long experience as member of W3C, we suggested that EU ICT standardisation should go beyond the principles of WTO TBT Agreement "Code of Good Practice for the preparation, adoption and application of standards", including balanced representation. For consumers it is vital that European ICT standardisation is open, transparent and a consensus-driven process, which allows all stakeholders to participate and to safeguard their interests. We are now pleased to see that Annex II of the draft Standardisation Regulation does provide for a list of criteria to verify, inter alia, the openness and transparency of the process which lead to the adoption of the technical specification to be used in public procurement⁴.

Consumers need to be present and involved in the standardisation activities since the beginning, in order to be able to effectively influence the process. This of course implies an important workload and efforts. It is therefore essential that adequate financial resources are allocated to support consumers participation in standardisation.

Moreover policy expectations from standardisation should be clearly stated and

⁴ ANEC answers to European Commission public consultation on "Helping public authorities procure ICT based on Standards" (ANEC-ICT-2012-G-005final)

already take into account the consumers' requirements such as interoperability. The interoperability standardisation framework in which consumer representatives are to operate needs to state clear objectives to be achieved by industry and mechanisms to check its implementation. Examples which could be looked at are energy saving and energy labelling sectors, with consumers being informed about the product energy performance with a label. Consumers should be informed whether they will be able to use the product, which requires the interoperability with their hardware and other software, before the purchase.

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APPENDIX – About ANEC and other documentation

A.1 About ANEC

ANEC is the European consumer voice in standardisation, defending consumer interests in the processes of technical standardisation and conformity assessment as well as related legislation and public policies. ANEC was established in 1995 as an international non-profit association under Belgian law and represents consumer organisations from 31 European countries. ANEC is funded by the European Union and EFTA, with national consumer organisations contributing in kind. Its Secretariat is based in Brussels.

ANEC has signed the European Commission's Register of Interest Representatives and accepted its Code of Conduct: Identification Number 507800799-30.

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