



*Raising standards for consumers*



## **POSITION PAPER**

# **Annual Union Work Programme for European Standardisation 2016**

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## 1. Introduction

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ANEC welcomes the Annual Union Work Programme for European Standardisation for 2016<sup>1</sup> as it reflects many of our proposals on the draft Work Programme<sup>2</sup>.

Through this Position Paper, we express our views on general aspects of consumer relevance, as well as on the actions to be implemented in 2016.

For ease of reference, we follow the order of the headings & numbering of the Commission document. We present our comments on the standardisation actions in a tabular format to match the format of the Commission Staff Working Document accompanying the Annual Union Work Programme (AUWP).

## 2. General Comments

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### 2.2 A Joint Initiative on Standardisation

ANEC welcomes the intention to modernise the European Standardisation System (ESS)<sup>3</sup>. Consumers have benefited from a Single Market that owes much to the New Approach and use of European standards to support legislation, but the ESS needs to evolve so that the future needs of consumers can continue to be met – alongside those of business – in the most efficient and inclusive way possible. The ESS would benefit from a fine-tuning to enable the more effective representation of consumers and weaker stakeholders in the standards development process, while respecting a system built (for the most part) on the national delegation principle. The relevance of European standards, and the edge in competitiveness that European companies can gain through compliance with European standards, can only be improved through a strengthening of the voice of the demand-side stakeholders in the system. The ESS offers a unique model where this could be achieved.

We see the Joint Initiative on Standardisation (JIS) as an opportunity to aim at that better consumer protection & welfare. We look forward to contributing to the Joint Editing Committee set up to discuss and agree the content and actions of the JIS.

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<sup>1</sup> [Communication on the Annual Union Work Programme for European standardisation for 2016 COM\(2015\)686](#); [Staff working document on the implementation of the actions foreseen in the 2016 Union work programme for European standardisation SWD\(2015\)301](#)

<sup>2</sup> [ANEC position paper on draft EC Annual Union Workprogramme for Standardisation 2016](#)

<sup>3</sup> [ANEC Position Paper on the Single Market Strategy](#)

### 3.1 ICT Standardisation

ANEC welcomes the European Commission's proposal in its Digital Single Market Strategy adopted on 6 May 2015 "to launch an integrated standardisation plan to identify and define key priorities for standardisation with a focus on the technologies and domains that are deemed to be critical to the Digital Single Market"<sup>4</sup> as we believe there are important consumer policy and public interest issues which can be effectively tackled with standards, provided the right processes are in place.

Digital technologies have a considerable impact on consumers' lives, not only business practices. Standards can help meeting several consumers' needs such as personal data protection and accessibility. ANEC expects the ICT standardisation Priority Plan, to be adopted in the coming months, focuses on the demand side of the market in order to have the consumers' needs better met. Without confident consumers, the demand for digital products and services will not be optimised<sup>5</sup>.

However we regret that our comments on the ICT Multistakeholder Platform draft advice on the ICT standardisation Priority Plan were ignored. We had therefore to express a negative opinion on the draft advice. We hope they will be taken into account by the Commission during the public consultation on the Priority Plan.

For similar reasons, ANEC had to abstain when the ICT Rolling Plan 2016 was out for approval. Despite some of our comments having been accepted, others were dismissed without explanation.

Hence we must express serious concerns about the working methods and lack inclusiveness of the ICT Multistakeholder Platform.

We also think it would be helpful to cross-reference the AUWP and the ICT Rolling Plan (and future ICT Priority Plan) as many of the priorities are the same and it is unclear which standardisation activity is carried out by whom and with what results.

### 3.2 Services Standardisation

We welcome the wish to exploit European standards for services in order to increase consumer trust in cross-border transactions. Nevertheless, the lack of an overarching European legal framework becomes of still greater significance. Such a framework exists for products (e.g. General Product Safety Directive and the

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<sup>4</sup> <http://ec.europa.eu/priorities/digital-single-market/>

<sup>5</sup> [ANEC position paper on Standards for the Digital Single Market \(reply to public consultation\), Dec.2015](#)

Product Liability Directive) and should be built for the safety, quality and liability of services. Without a harmonising framework, European standards will not be able to provide a level playing field as conflicting national regulations (where they exist) will continue to take precedence, so leading to legal uncertainty, and consequent producer and consumer detriment.

Our research shows the core elements for consumers that should be addressed in service standards include customer satisfaction; complaints handling & redress procedures; information provision; service safety; personnel competence; contracts & billing, and accessibility. The implementation of Mandate M/517<sup>6</sup> on horizontal service standards looked into these core elements to a certain extent. The planned Commission Guidelines on services standardisation should comprehensively reflect these core elements. Although the Communication states these will be drawn from the successful experience acquired from products, the key difference remains the absence of a general European legislative framework for services safety. Moreover, due to the intangible nature of services, and the fact that services are often performed at the interface between supplier and customer, the overlap between the 'design aspect' and 'service' aspect should always be taken into account.

#### **4. Inclusiveness**

ANEC welcomes the proposal for the ESOs to consider further measures to enhance effective participation of the Annex III Organisations, particularly in complementing the national delegation principle and so ensuring that European Standards are as robust as possible and have the broadest stakeholder support as possible.

We expect and are ready to work with CEN-CENELEC, especially through its Societal Stakeholders' Group, and ETSI to reflect on the needs of Annex III Organisations.

One of the challenges on the way to inclusiveness of Annex III Organisations, as recognised by the AUWP, is international standardisation, where roles and rules are different. Against the background of globalisation, we think that the EC/EFTA, ESOs and Annex III Organisations should review the lead of ISO-IEC in the development (or revision) of European Standards that are (or were) the subject of a mandate or standardisation request. For many reasons, the voice of the weaker stakeholders represented by Annex III Organisations in the ESS is feeble or absent in many international (ISO-IEC) committees. Again, we are ready to work with all concerned parties to address this and other challenges.

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<sup>6</sup> <http://goo.gl/jodKJe>

### **3.3 Strategic priority fields for 2016**

We appreciate that several of the consumer relevant priorities we identified have been taken into account, such as chargers for mobile phones and other portable devices; e-health cross-border services; accessibility of public sector bodies' websites; eco-design of taps and showers, e-vehicle charging points and products under the General Product Safety Directive (children shoes, pushchairs).

### **7.2 Compliance assessment of standards with legislation and policies**

We welcome actions planned towards finding an optimal solution for strengthening the independence of those experts employed to assess the compliance of requested deliverables with Commission requests ("New Approach Consultants").

We could not support the self-assessment of candidate harmonised standards by the ESOs in the possible absence of New Approach Consultants and believe that an independent and long-term solution is needed.

### **7.3 Pending mandates/requests**

ANEC is pleased to see that a list of "old" standardisation mandates & requests will be made, with an assessment of whether each was concluded, in line with our proposal. The clarification will be very welcome.



### a. Specific comments

We comment on the new actions proposed, which were not present in the draft AUWP, and only repeat or clarify some comments already submitted. We welcome the acceptance of other proposals made by us.

UAWP tables	UAWP sections	ANEC comments	ANEC's proposals
<b>New actions</b>	2 Regulation (EU) No 1007/2011 and Commission Report to the EP and the Council COM(2013) 656 final	ANEC welcomes the EC objective to modernise the present labelling and marking schemes for finished textile products in order to convey information to consumers better.  However it is essential that electronic labelling standards ensure a high level of personal data privacy & protection, and accessibility for consumers of all ages and abilities.	It is essential electronic labelling standards ensure a high level of personal data privacy & protection, and accessibility for consumers of all ages and abilities.
	3 Application of patients' rights in cross-border healthcare (Directive 2011/24/EU).	Interoperability of health systems across Europe has a role to play for consumers when accessing health care services in another EU country e.g. access to medical records by doctors and reduction in risk of error. However, it is of crucial importance to ensure consumers have access to their own personal data and are aware (or can decide) who has access to the data, and that its protection and security are guaranteed.	Pay attention to privacy management issues when dealing with cross border eHealth services in the framework of the Directive 2011/24/EU on the application of patients' rights in cross-border healthcare.



	10 Access to in-vehicle data	ANEC welcomes the initiative. Nevertheless, personal data protection and privacy issues need to be considered when developing standards to support provision of in-vehicle data to third parties.	Pay attention to personal data protection and privacy issues when developing standards to support provision of in-vehicle data to third parties.
	18 Clean Power for Transport Package Directive 2015/94/EU	ANEC welcomed the Directive and will be involved in the work on the labelling of fuels of relevance to consumers (e.g. to compare economic efficiency (i.e. comparability of prices)), availability, safety, durability of the engines using these fuels, environmental sustainability, full life cycle energy use of the fuel, impact on greenhouse gas emissions etc. Availability and interoperability of charging points for electric vehicles, as well as on-board metering, are crucial to the consumer uptake of electric vehicles. The present consumer preference is for electric bicycles, or personal light electric vehicles, as these are cheaper and easier to charge. In this context, ANEC would welcome the revision of the car labelling Directive 1999/94/EC which is long overdue.	Work on labelling of fuels, i.e. identification of vehicle compatibility to prevent misfuelling is in progress (ANEC participates). Revision of the car labelling Directive 1999/94/EC should take place in the immediate future. Availability and interoperability of charging points for electric vehicles, as well as standardised and safe chargers for electric bicycles, are needed.
	22 Consumer ODR Regulation 524/2013	ANEC welcomes the EC intention to request a study and possible standards on interoperability of on-line alternative dispute resolution systems. However it should not be forgotten that standards need to ensure these systems are accessible to all consumers.	Need to ensure that ODR standards cover accessibility requirements for consumers with disabilities.
	25 Common chargers for mobile phones and other	We welcome the EC wish to issue a standardisation request for a common charger for mobile phones & other portable devices ("universal chargers"), based on the study published by ENTR/GROW. ANEC has been campaigning for	Add that Harmonised Standards for categories of products according to article 3.3 of the Directive and receiver performance for mobile telephones should be developed.



	portable devices	a universal charger for many years now to benefit both consumers and the environment. In addition, in line with the provisions of the RED Directive, Harmonised Standards for mobile phone antenna performance (art. 3.3), and conformity assessment with the essential requirements taking into account the reasonably foreseeable conditions of use (art.17) should be developed.	Add that Harmonised Standards on the conformity assessment with the essential requirements, taking into account the reasonably foreseeable conditions of use according to article 17 of the Directive, should be developed.
<b>State of play old actions</b>	3.1.5 Smart grids and smart metering	We repeat our proposal to elaborate standards on the interfaces with smart grid users, included in the Smart Grids iteration mandate at the end of 2012 <sup>7</sup> . However, to our regret, little progress has been made since.	Standards on the interfaces with smart grid users are needed in order to allow consumers to reap the benefits of smart energy systems.
	3.1.5 Smart grids and smart metering/s mart cities	We believe a standardisation request/mandate is needed to develop standards on consumer requirements such as privacy, private data protection and accessibility. We are discussing it with the Smart & Sustainable Cities & Communities Coordination Group but with little progress.	We propose a standardisation request to draw up smart citizen related standards and requirements. These should include aspects related to accessibility and data protection & privacy, with reference to existing and planned standards activities, and highlight more general legal & ethical aspects needing further investigation.
	3.2.22 Safety of specific services	Although the EC published a summary report, providing views and contributions of stakeholders on the Green Paper consultation on safety of tourism accommodation (including <a href="#">ANEC contribution on consumer expectations</a> ),	It would have been useful to update the state of affairs in this respect on the AUWP so as to allow stakeholders to comment.

<sup>7</sup> ANEC-PT-2013-AHSMG-003rev





		the considerations on the next steps have not been made public.	
	3.3.5 Internet of Things	In the key policy area of the Internet of Things, ANEC thinks a standardisation request/mandate is needed to address several items of consumer relevance.	<p>ANEC proposes two aspects are taken into account in a standardisation request on IoT.</p> <p>The first is the anonymity maintenance with regard to all types of sensor, including cameras. Indeed, the processing and analysis of sensing data can yield high levels of identifiability, and we believe there needs to be standards work to ensure that acceptable levels of anonymity are maintained when sensing data is processed. This element is also relevant to smart cities, and applies both to public space sensing and monitoring, and to any sensing in the domestic environment (such as that used to sense power use by smart meters and smart grid technology).</p> <p>The second aspect is the activation intrusion control. Indeed, IoT capabilities allow automated or human controlled access to devices to take action (activation). An early example of this is the Smart Grid. However, the consumer needs to be able to control such activation of devices from 'outside' so as to avoid, for example, that the smart grid does not turn off a key piece of equipment needed for (for example) health reasons.</p>



	<p>3.3.6 Electronic signatures</p>	<p>The present standards on electronic signatures are not taking into account needs of consumers with disabilities (e.g.: interoperability with assistive technologies). We think a new standardisation request, or an amendment of M/460, is needed.</p>	<p>New standardisation request or amendment of M/460 on electronic signatures is needed to take into account the needs of consumers with disabilities.</p>
	<p>3.3.7 Mobile payments</p>	<p>Mobile Payments is an area of rapidly evolving technology. However, we are concerned there is no attempt to ensure interoperability and accessibility of the security systems used in mobile payments, and in e-payments in general. Card, internet and mobile payment systems have features that make them inaccessible to people with disabilities, and particularly to blind and partially-sighted people. This is compounded by a lack of consistency across devices<sup>8</sup>.</p>	<p>Accessibility is a major gap within e- and m-payments and should be addressed urgently. This includes card security for online payments (accessibility of 3D secure and V.me by VISA); physical card payments (accessibility of PIN Entry Devices and information on payment card); and m-payment solutions (accessibility of mobile application and service). A standardisation request is needed to address these issues.</p>

ENDS.

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<sup>8</sup> More information is available in the EBU response to the European Commission consultation on the EC Green Paper 'Towards an Integrated European market for card, internet and mobile payments', April 2012, <http://www.euroblind.org/media/position-papers/EBU-Response-to-EC-Green-Paper-epayments-Final.doc>

## About ANEC

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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 is open to the representation of national consumer organisations in 33 countries.

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



***Raising standards for consumers***

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