



Europe and the global relevance of standards

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1 INTRODUCTION..

« STANDARDS AND STANDARDISATION » : WHAT DO WE MEAN ?

Though the term is often used in general conversation, unfortunately it is rarely used correctly and “standards” suffer from stubborn misconceptions, leading to confusion and misunderstandings. It is therefore worth briefly specifying what the terms “standard” and “standardisation” actually mean.

1.1 What is a “standard”?

A “standard” is covered by various definitions, specifically those in the ISO/IEC Guide 2, directive 98/34/EC or the WTO (World Trade Organisation) Agreement “Technical barriers to trade” (TBT)*.

Over and above any such “official” but dry definitions, a “standard” can be defined in simple terms as follows:

- a document
- to be used as a reference on a market,
- drafted jointly by representatives of all the interested parties (e.g. government authorities, OSH experts, trade unions, trade associations, testing and inspection bodies, etc.)
- drafted on the basis of consensus,
- adopted by a recognised standards body (an open body, working according to known procedures and transparent decision-making and consultation processes),
- public (i.e. accessible to all),
- its application is voluntary.

These features make the “standard” a different kind of reference system:

	Company specifications	Trade specifications	Business standards	Standards*	Regulation
Drafting	Company	Members of a trade association	Members of a consortium / forum	Jointly by the interested parties	Governmental authorities
Adoption	Company	Members of a trade association	Members of a consortium / forum	Consensus + validation	Governmental authorities
Application	Company	A profession or trade	Voluntary	Voluntary	Compulsory

1.2 Who makes “standards”? Standardisation structures

Standardisation is organised on the basis of “national standardisation bodies” (e.g. in France it is AFNOR, in Germany DIN and in the UK the BSI, etc.) that form “regional” associations, such as CEN in Europe and ISO at the global level.

Within the framework of these structures, representatives of the interested parties meet as partners with equal rights to put together solutions to the problems of national, European or global standardisation. AFNOR, for example, works with a network of some 30,000 experts.

1.3 Why do we have “standards”? The extension of the scope of standardisation

Because of their characteristics, “standards” are powerful tools serving, for example, trade or that can help structure markets, clarify transactions or support public policies.

Given the context of globalised trade in goods and services, and society’s high expectations in terms of quality, safety and environmental protection, the extension of the scope of standardisation will come as a surprise only to those who are not yet familiar with it.

Thus the traditional scope of dimensional standardisation, (production rationalisation, interoperability), of standardisation applying to products (characteristics, performance) and analysis and test methods has now been extended to include management and organisational standards (from the ISO 9000s of the 80s to today’s integrated management systems, as factors that contribute to quality internally and to the business’ relationship with its environment externally) and to service quality standards of the 90s to clarify client-supplier relations and bolster confidence.

Current developments are taking us towards standards for approaches or methods (sustainable development, social responsibility, risk control etc..) and standards for enterprise or individual skills (welders, non-destructive inspection, asbestos-removal, crisis management, etc..)

Along with this extension of the scope of standardisation there has been a widening of range of stakeholders: consumers associations, local authorities and their agencies are now regularly involved in standardisation processes.

2 THE CONTEXT OF THE GLOBAL RELEVANCE OF STANDARDS

2.1 From European standardisation to international standardisation

Following a phase with Europe leading the way...

With the momentum of the “new approach”, launched in 1985, European standardisation built up a considerable lead over other countries throughout the 1990s.

For instance, in the field of machinery safety, over 400 standards were adopted with another 300 in the draft stage, and in personal protective equipment, over 300 standards were adopted.

..a trend to internationalisation..

The new approach gave rise to a very active phase in which European standards (EN) were drafted with a view to supporting the new approach directives (harmonised European standards).

Following this "Eurocentric" period for CEN members, there came a new stage with the revision of the first generation of harmonised European standards. Many of them were planned to have their revision coincide with the adoption of a single standard at European (CEN) and international (ISO) level, under a procedure ensuring co-operation between ISO and CEN (Vienna agreement).

...which should intensify..

The trend towards the internationalisation of standards can only become stronger, partly as a result of the Vienna agreement and partly because adopting international standards offers valuable advantages:

- For manufacturers operating on a global market a globally recognised standard does away with the need to design different product versions for each national or regional market, thus creating economies of scale;
- For European manufacturers the fact that the European standards are often the basis of the international standards gives them a lead over their competitors and enables them to promote and spread their technologies;
- For the manufacturers from a third party country supplying the European market, the existence of an international standard based on a European one facilitates compliance with European regulations.

... despite problems

Nonetheless, difficulties do remain, and could become worse. The main difficulty is the differing relationship between regulations and standards in Europe and the rest of the world.

Europe is the only region in the world where there is a close linkage between regulations and standardisation, under the "new approach". The application of harmonised ENs designed to support new approach directives is still voluntary, but for any products designed according to them there is the presumption of conformity with the essential requirements laid down in the regulations.

Internationally, there is no legal framework that sets health or safety targets for standards. The contents of those standards is therefore determined exclusively on the basis of agreement among the interested parties. The way in which standards relate to national regulations varies considerably from country to country. In, for example, the area of machinery safety, in some countries, such as the United States, there is no safety regulation that can be made binding on machinery manufacturers, but standards, even European ones, do play an important role as they can be cited by victims of accidents when claiming compensation from the manufacturer. In other countries, national regulations refer to national or international standards.

2.2 A new international context for technical harmonisation

The principles of WTO

The WTO (World Trade Organisation) agreement on technical barriers to trade (TBT agreement*) states that international standards are instruments with a special role to play in facilitating global trade.

The agreement nonetheless acknowledges that *“nothing should prevent a country from taking the measures required for the protection of its essential interests and its security”*. The sovereign right of each WTO member state to define the level of protection deemed necessary to achieve its legitimate objectives, such as health and environmental protection, on condition that they are not applied in an arbitrary or discriminatory manner, is thus recognised.

Therefore in cases where international standards are not considered sufficient, for example if they do not meet the regulatory requirements with respect to legitimate European objectives, European standardisation may deviate from international standardisation.

ISO and « the global relevance of standards »

The global relevance of standards is a policy that ISO has recently adopted and incorporated into its strategy.

The criteria selected by ISO for a standard to be globally relevant are: that it should be in response to **the needs of regulation and the market**, to scientific and technical developments in many countries, not distort the market, **not affect fair competition**, not prevent innovation or technological development, give no preference to any country's or region's characteristics or requirements, in particular when there are different needs or interests existing in other countries or regions, **be results- rather than needs-driven**.

An international standard failing to meet **all** of these criteria would not be deemed to be globally relevant and might even be considered as creating an obstacle to trade.

3 EUROPE AND THE GLOBAL RELEVANCE OF STANDARDS : WHAT CHALLENGES ?

Maintaining existing safety levels in the transition from harmonised EN to harmonised EN ISO standards

In those sectors where there is a close linkage between regulations and standardisation, in particular because of new approach directives, such as occupational safety and health, the challenge of global relevance for Europe consists of ensuring that safety levels are maintained in the transition from EN European standards to EN ISO international ones.

Standardisation

We have seen that the trend is towards the internationalisation of standards, in particular when EN standards are revised. With respect to safety standards, which are often those supporting regulations (harmonised ENs), these revisions should make it

possible to raise existing levels. But when the standard becomes an ISO one, which implies broadening and changing the circle of those with an input, raising it is not easy, and it is sometimes necessary to restrict ambitions to simply working to preserve the already acquired European level.

In the case of EN ISOs intended for harmonisation, i.e. that are designed to support a European regulation, raising, or at least, preserving the acquired safety level, "is not important, it's simply necessary", might one say. Without which, some see this as perhaps questioning the new approach.

The emergence of private rules

Over and above the short-term, specific issue of preserving safety levels in the transition from harmonised EN to harmonised EN ISO standards, the question of the "standard" as such is bound to be raised in the slightly longer term.

Markets are globalising, but, apart from a few exceptions, without any specific regulatory framework. To meet the needs of market organisation in these fields, private reference systems are being developed. Some are "official" standards, but others are drafted by industrial consortia or forums.

Experience shows that there is an initial phase of increasing competition between the different channels (in simple terms, between consortia and forums versus standardisation bodies). This is usually followed by a phase where the need to have consistent benchmarks, and the dictates of efficient management of the resources devoted to drafting, or even just maintaining, these different reference systems, mean that the documents enjoying the highest degree of recognition, in particular because of the guarantee of openness, transparency and consensus, i.e. "official" standards, become more attractive again. In the occupational safety and health field, we have not yet reached that point; the process is just beginning and the competitive phase still lies ahead.

This process is accentuated by a general North American strategy aimed at weakening bodies such as ISO or CEN (and more broadly, the UN and its institutions such as ILO), where standards are drafted by national representations (AFNOR, ANSI, BSI, DIN, etc.) The offensive by the Americans seeks to promote what they call global standards – ISO or not ISO, what counts is that they be used globally. One of the consequences of this is the promotion of reference systems produced by American SDOs (Standards Developing Organizations).

In this context where private rules are currently emerging and the status of "official" standards will subsequently be challenged, for the moment there is no identifiable trend in the occupational safety and health field towards synergy between standardisation and labour rules. Even as new societal issues arise (societal responsibility, risk management, public safety/security), the relationship between the world of standardisation on the one side and those of regulations and social dialogue on the other suffers from many misunderstandings, resulting in particular from a misapprehension of what "standardisation" really is, as well as from the dogmatic attitudes, skilfully exploited by various lobbies, that create artificial oppositions between regulation or social partners and standardisation.

A few suggestions..

- no regulation through private rules alone;
- structure the logical complementarity between regulations or social partners and standardisation
- boost the participation of interested parties