



Speech delivered by Mr. Tore Nyvold Thomassen at CENELEC's general assembly in Malta on 3 June 2010.

Mr. President,

Thank you for inviting EFTA to give its perspective **on the review of the European standardisation System (ESS)**.

I would also like to express my thanks to Malta for yesterday's dinner in the previous knights' hospital in Valetta (hospital....hospitality!).

This year's speech is based on a different model than the one used in previous years for CENELEC general assemblies, as EFTA has been invited to address a specific issue. It will therefore also be completely different from the speech delivered in the CEN GA on 1 June.

Ladies and gentlemen,

I would first like to start with some reactions from the EFTA Secretariat to yesterday's CEN-CENELEC Annual Meeting, reactions I find **relevant** to the ongoing discussions on the review of the ESS. Since I will later on use this opportunity to be somewhat critical to the European Commission, let me for the sake of balance start by questioning some of the messages given yesterday by some of the representatives of the ESS:

It was said yesterday with regard to the financing of the activities under the ESS: Industry 95%, national government 3% and EC/EFTA 2%.

As an economist, I know how wrong things can go when you use figures/calculations to compare. I find that the figures I just quoted **lack perspective**.

I am aware of the fact that the industry contribution is very, very important, but I think it is wrong to reduce the EC/EFTA (which is mainly EC) contribution to the ESS to a 2% figure. Commission and EFTA are not only financial contributors, we are also **regulators**, and we are **customers** of the ESS, we buy services we need from the ESS.

In your calculation did you include the value for the ESS of the 98/34 Directive, putting the ESS in a monopoly situation? To me it seems to be worth quite a lot to the ESS, observing to which extent status quo is defended.

In all fairness, participating here in Malta at the CEN and CENELEC general assemblies: Who pays a substantial part of the running of the CCMC?

In all fairness, having heard several times about the importance of the SESEC, the SESEI and the EU/EFTA-China platform: Who pays 75-80 % of those projects?

Moving on to the value of the **European Union's** political agenda **and** initiatives, did you in your calculations include the value for the ESS of the Lisbon strategy, its follow up EUROPE 2020, the New Approach as a regulatory model you defend, the Lead Market Initiative, the Monti report, the results from EXPRESS, etc?

Furthermore, it was stated yesterday that the 95% contribution from industry is **generous!** “Generous” may have been used by mistake, but it allows me to make one important comment.

Generous? I really hope not. If that was correct, it would not be very promising for European competitiveness. I rather hope that the speaker yesterday from Siemens gave the right answer: European companies participate in the ESS because they want to survive in a fierce, international competition and to earn money (not because they are generous). I think this distinction is extremely important. Industry is a customer of the ESS. An important part of the payment is direct participation in standards development.

Then to the EFTA perspective on the review of the ESS:

Sometimes the EFTA countries make a common position paper addressed to, for example, the European Commission (EC). This was, when it comes to the open stakeholder consultation recently organised by the European Commission, for different reasons not possible.

I have to stress that this was **not** because the EFTA countries disagree on the values of the ESS to be preserved. I can assure you that I have seen no sign of any EFTA country wanting to threaten the ESS. Another point is whether the ESS could be improved and strengthened?

Switzerland has submitted its comments to the questionnaire in the open consultation. It has already been made available by the Commission on the internet. I have been informed that Norway today submitted some comments, but did not reply to all of the questions. I will come back to that.

Where we **have** a common EFTA position is on the extension of the 98/34 Directive to **services**. This alone would be a very important achievement, if it is finally adopted.

In principle, the EFTA countries are also favourable of extending the 98/34 to “alternative standardisation documents” if they may harm trade, but we need a more precise definition of what is meant by “alternative standardisation documents”.

On behalf of the EFTA countries, I have to be critical regarding one aspect of how the European Commission is conducting the review of the ESS. This criticism comes from a **governmental** point of view.

Let me recall that when conducting the review of the New Approach, which ended up as the New Legal Framework for the marketing of products (NLF), the Commission involved SOGS

(the Senior Officials Group on Standardisation and conformity assessment) in lengthy discussions, supported by many papers issued by the Commission. This contributed not only, in EFTA's view to a good end result, but also to a common understanding of **why** changes were needed.

I am afraid that the Commission so far has made little use of SOGS, and produced few (or no) papers as a basis for SOGS discussions among government officials, on the **rational behind** some alternatives aired in the impact assessment and the open consultation questionnaire, and on the need for change to the ESS.

These are the reasons why Norway did not at this stage give any final answers to some of the important questions raised in the consultation questionnaire. SOGS should be involved.

My understanding in the SOGS meeting on 18 May was that the Commission will organise a SOGS meeting in July or September, before finalising the standardisation package. This is important and hopefully not only for EFTA.

To conclude on this issue: Based on the experience from the NLF, we are convinced that the EC should ask SOGS for advice and one meeting may not be enough.

Let me stress again that EFTA supports the ESS, and that I have seen no sign of EFTA countries being in favour of any radical changes that could, short term or long term, threaten the values of the ESS. However, we are not only providing financial support to the ESS, we are, as I have already mentioned, also customers of the ESS. In both respects, we want of course to get value for money.

For governments it is important not only to make enterprise policy, including SME policy, but also to defend the interests of consumers and the environment/climate. I was, as an EFTA representative, not shocked yesterday when a speaker did not agree that everything was perfect in the ESS. We have heard again and again **the principle of national delegation** being defended. One repeated argument yesterday was that the principle of national delegation **ensures** fair representation in national committees. It must be old news that the European Commission and EFTA do not fully agree to this statement. It opens up for fair representation, but it does not ensure it. As a consequence, we financially support ANEC, ECOS and NORMAPME.

What I have just said does not mean that EFTA is in favour of abandoning the principle of national delegation, but it means that we still need to discuss how it performs, and make improvements where necessary, for example in the ongoing review .

It was stated yesterday that we, in the review of the ESS, should go for an **evolution** of the ESS (not a revolution), and, in doing so we must ensure that we do not at the same time harm the robustness of the ESS. I think EFTA can agree to this statement.

The review of the ESS has become a hot topic. I think there is a need to cool it down. I do, however, also think that a **robust** system must be open to, and able to, sustain a critical review. If a system doesn't survive critical review, change is needed. If it is strengthened following a critical review, the robustness is also strengthened and the values of the system are made more transparent. I personally have a feeling that this is what we are observing now,

with regard to the review of the ESS, initiated by the European Commission. But we have not yet arrived at the finish line.

The European Commission has asked some difficult questions, they have asked for advice on some radical ideas. But, I do not think that an **impact assessment** can be compared to **destructive testing**.

Would the ESS on the long term stay robust if we closed our eyes and ears to the difficult/important issues, like fora and consortia, the functioning of the principle of national delegation, etc? I personally think that the answer is no. On the contrary, also by being **demanding and critical customers** of the ESS, the European Commission and EFTA can contribute to the long term robustness of the ESS.

By the way; isn't there an old saying? : "The customer is always right".

Thanks for your attention!