



Advancing the European Standardization System

DIN position for the consultation on the European Standardization Regulation (EU) 1025/2012

NOVEMBER 2025

- The European standardization system provides a valuable framework that can be future proofed through targeted adjustments within the existing regulation.
- All parties involved in creating harmonised standards must contribute to speeding up their development process. It should be prioritized on a project basis whether rapid delivery of a standard is vital or if a timely, rather than rushed, availability suffices to meet market demands.
- Inclusiveness can best be achieved at national level. Best practices from national standardization bodies and member states should be broadly implemented across Europe.
- The unique advantages offered to Europe by the Vienna and Frankfurt agreements must be confirmed and strengthened as they ensure that Europe is a global standards maker.
- Existing national online reading platforms meet the requirements for access to harmonised standards while ensuring copyright protection and balanced funding of the standardization system.

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As the largest national standards body (NSB) in Europe and German member of the European standardization organization (ESO) CEN, DIN welcomes the opportunity to comment on the upcoming revision of the Standardization regulation 1025/2012.

The success of the European standardization system (ESS) lies in its public-private partnership (PPP) combining regulatory harmonization on one side and cutting-edge market expertise on the other. Within this collaboration, experienced national and European standardization bodies integrate over 200,000 experts from industry, academia, and society across Europe to craft high-quality standards that are widely trusted, spanning fields from aerospace to zero-defect manufacturing.

This partnership-based success between legislation and standardization is not a given. For many years, regulation 1025/2012 has provided a reliable foundation for European standardization. Now it is time to implement effective solutions and address future challenges, such as faster technological cycles and geoeconomic competitiveness. The ESS provides a valuable framework that can be future proofed through targeted adjustments within the existing regulation, thus rendering European standardization faster, more agile, and more efficient.

1. Addressing Speed and Responsiveness to Innovation (Section E)



In questions 31-44, the EU Commission asks about the frequency and reasons for the lack of or late provision of harmonized European standards (hEN). The Commission also wants to know how companies deal with this and what measures are considered useful to prevent the lack or late provision of hENs. Accelerating the development of hEN is an important goal for DIN. After all, delays damage the reputation of the entire standardization system and cause dissatisfaction and uncertainty among the experts who contribute with great commitment to standardization. Against this background, we would like to provide more detailed input, concrete examples and recommendations regarding the measures proposed to address speed by the EU Commission in question 37:

Stronger mechanisms, such as mandatory deadlines paired with penalties, to enforce timely delivery of requested (harmonised) standards: We advocate that all stakeholders involved in the creation of harmonized European standards (EU Commission, standardization organizations, HAS consultants) take measures to speed up and simplify their processes in order to ensure the timely delivery of hENs. However, unilateral deadlines for the technical committees with the threat of penalties will not achieve this goal. On the contrary, they would increase the already high pressure on experts in standardization. At the same time, rigid deadlines cannot guarantee that WTO criteria such as consensus in standardization are adhered to. Any time constraints or streamlined processes should be carefully managed to ensure they do not compromise the quality of standards or impede the achievement of consensus. Administrative work should be made as easy as possible for the experts so that they can concentrate on the content of the standards.

EXAMPLE: Acknowledging the voluntary and unpaid contributions of experts

The development of three harmonized standards under the Radio Equipment Directive (RED) benefited from valuable discussions and necessary clarifications with the Commission. Further commitment was demonstrated by holding weekly or even twice-weekly meetings during peak periods.

Similarly, the dedication shown in frequent meetings for developing standards for the Cyber Resilience Act (CRA) and the Artificial Intelligence Act (AIA) within JTC 21 and its working groups, including bi-weekly sessions dedicated to AI risk



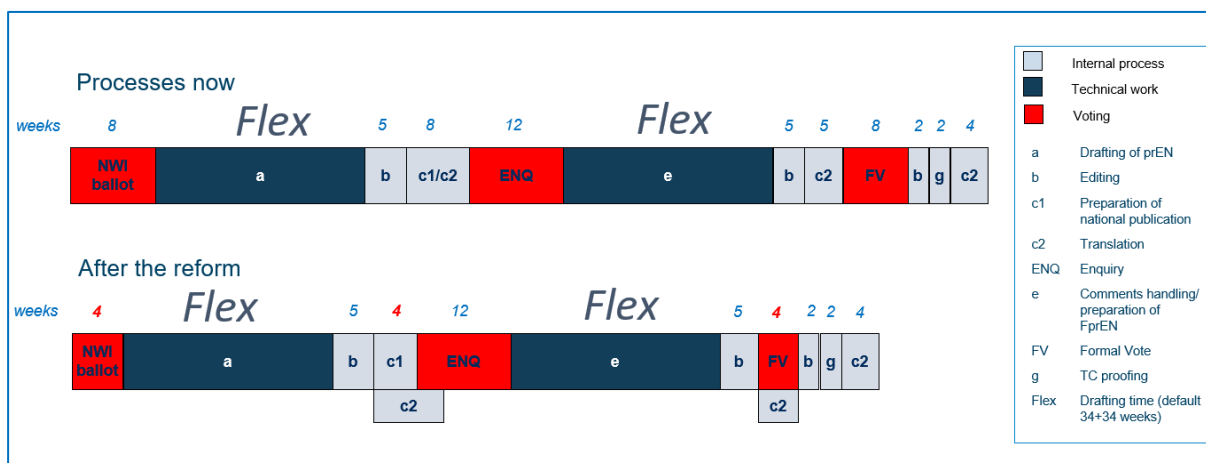
management, highlights the proactive approach and collaboration among experts in navigating complex and pioneering subjects.

These gatherings, whether online or in person, demand significant time and financial commitments by the experts, especially from SMEs, civil society, and consumer protection entities, whose engagement and contributions are voluntary and not remunerated. Depending on the extent of their involvement, this commitment can equate to at least a part-time position.

Despite such efforts, delays have persisted with both the RED and the current AI standardization stemming from the complexity and ambivalence of the topic among other things. Implementing penalties in this context would not have improved the situation.

Dedicated and simplified formats and procedures for harmonised standards: CEN and CENELEC are constantly working to improve their processes. Administrative processes for developing standards will be significantly shortened without compromising the crucial consultation period for expert consensus. Measures have already been decided upon that will save up to five months during the development phase of standards. These include, for example:

- Shortened deadlines for adopting new work items
- Reduced timescales for preparing the national public enquiry
- Parallel processes for translations during both the enquiry phase and for the final draft and vote
- Shortened deadline for the final vote



Use of alternative types of standardization deliverables instead of standards: As a complement to existing products, CEN and CENELEC are developing a streamlined format tailored specifically to urgent technical or regulatory requirements, e.g. in the ICT sector. These new **European Agile Specifications (EAS)** can be prepared in a matter of months and still meet requirements of inclusiveness and transparency. All decisions remain consensus oriented in line with the core principles of the ESS.

Alternative routes to the ESS, including:

- **Recourse to other standardization bodies;**
- **open calls procedures for obtaining standards;**
- **use of existing standards developed outside the European Standardization System; and**
- **option to request the development of new standards by actors beyond the existing European Standardization Organizations:**

We strongly advise against requesting other standardization organizations to develop hEN or obtaining their standards ("shopping for standards"). It jeopardizes the coherence of the overall European body of standards and thus the European internal market. Also, the procurement of standards from outside the ESS contradicts the Commission's objective to shape standards globally in line with European values. Instead, we propose that it should be possible to transfer standards from fora and consortia into the

European body of standards via a procedure of the European standardization organizations. The suitability of standards developed outside the ESS must be thoroughly assessed through transparent processes - with a view to their quality (e.g. in accordance with WTO criteria) and their capability to technically specify the basic requirements of European legal acts. Compatibility with international and European standards must be ensured to maintain the coherence of the European body of standards. E.g., a procedure based on the **PAS-Submitter process** of the Joint Technical Committee 1 (JTC 1) of ISO and IEC could be considered.

Fast-track procedures to develop and deliver priority standards: In addition to looking at processes to integrate standardization deliverables from outside the ESS into the European body of standards (see above), DIN is exploring new solutions inspired by the IT sector to achieve faster results. One approach is the use of **open source in standardization** (see example), another the introduction of the **Minimal Viable Norm (MVN)** as an agile standardization model based on principles of digital product development (Minimal Viable Product).

EXAMPLE: Using Open-Source in Standardization



In August 2024, DIN and the Eclipse Foundation entered a partnership to systematically integrate open-source and standardization processes. The aim of the cooperation is to leverage synergies between open source and standardization in a targeted and sustainable manner. Any integration of standards must ensure that the core principles of the European standardization system are met, namely transparency, inclusiveness, and consensus.

Simplify the Commission's procedures: For our stakeholders, it is very important that new harmonized European standards are not only timely available and applicable, but also quickly equipped with a presumption of conformity. To facilitate sustainable enhancements in the speed of standardization, it is imperative for the Commission to streamline processes and allocate additional resources in elaborating standardization requests and assessing deliverables. A fix timeframe for the preparation of standardization requests and listing in the Official Journal of the European Union (OJEU) would be welcomed. Although we acknowledge the required capacities in the Commission and the high need for coordination with the member states in the creation process, the timely issuing of standardization requests remains a major bottleneck that jeopardizes the timely delivery of standards.

Simplified procedures and consolidation of texts by default should be applied when existing standards are amended: We support this proposal. This could speed up the revision of existing hENs.

Digitalization of standardization: We agree with the Commission that the procedures for drafting or editing a standard should be fully digitized. CEN and CENELEC as well as DIN are increasingly investing in new technologies to make the ESS future-proof. The following efforts will ensure that hEN can be developed much more efficiently in the future.

- **SMART standards**, providing machine-readable content of standards, will enable more innovative solutions and make it easier for small and medium-sized enterprises (SMEs) to implement standards.
- **Online standards development (OSD)** provides the opportunity to use digital solutions for collaborative document creation and reduces the time required to address comments.
- Additional time savings will be achieved through further digitization and the potential **use of AI tools**. These enable more efficient meeting management, documentation, and faster translations. Part of the transformation process also includes pilot projects for semi-automated document distribution, systematic review, and semi-automated launching of draft surveys in national committees.

More and earlier involvement from Commission experts throughout the standardization process:

This measure would ensure that draft standards meet all legal requirements early in the standardization process, thus making a positive HAS assessment later in the process more likely.

Faster adaptation, adoption and take-up of ISO and IEC standards in the EU system: There are already efficient processes in place for ISO and IEC under the Vienna and Frankfurt agreements. These should be applied consistently, but further acceleration is not necessary in this regard.

All (harmonised) standards should follow the same strict template and format to improve readability (including machine-readability) and understanding of its main components: CEN, CENELEC, ISO, IEC and NSBs are already implementing this request. They are following standardized formats and have aligned their guidelines accordingly. With OSD and SMART Standards, further digital requirements will be implemented in the future. SMART Standards will no longer be published as PDFs. Instead, they will make the relevant standard content, or extracts from it, available as needs-based content. This requires a standardized, digitalized process as a basis.



Conclusion: Increased efficiency in standardization should be achieved within the framework of the existing standardization system, based on set principles of inclusiveness, transparency, consensus and international alignment. All parties involved (Commission, standardization organizations, HAS consultants) must contribute to this. It is crucial to differentiate between technological areas where rapid delivery of a standard is vital and those where a timely, rather than rushed, availability suffices to meet market demands.

Additional recommendations to the Commission to advance speed

1. **Closer collaboration in pre-normative activities:** Standardization request should be developed in a more collaborative and agile process ensuring that these requests are feasible regarding timing and content.
 - To **involve the European standardization organizations** more closely in the development of standardization requests would yield speedier results.
 - Standardization requests, especially in new technology fields, should at **first specify basic requirements**, which can be developed more quickly, and then be subsequently complemented by more comprehensive requirements.
 - **When regulating future technologies, the Commission should issue a "policy-based standardization request"** prior to the adoption of the legislation, similar to the approach taken with the AI Act. This would enable standardization committees to commence their work early, and after the legislation is passed, the request could be converted into a "regular" standardization request.
2. **Run processes in parallel:** Enhancing coordination within the Commission and maintaining continuous alignment with standardization committees, ideally beginning before drafting a request, can greatly boost efficiency.
 - The **Joint Research Centre could act as a central hub**, necessitating increased staffing and funding. More resources would improve the coordination of activities, foster collaboration with research entities, and support standardization projects more effectively. Boosting collaboration between the EU Commission and standardization experts to expedite the evaluation, refine

translations, and advance pre-standardization efforts prior to an official request would significantly reduce processing time.

- At national level we see representatives from subordinate government authorities directly participating in standardization committees. This model could also be increasingly used in Europe. **The participation of government employees in standardization work** would allow legal requirements to be considered early on during the development process of a standard (and not only at the evaluation stage by a HAS consultant) and could thus accelerate the process.

3. Optimize the assessment procedures:

- To improve the efficiency and effectiveness of the assessment of standard, **targeted training should be provided to HAS consultants** or their equivalents to ensure they are well-versed in the latest regulations and assessment criteria, enhancing both the accuracy and speed of their evaluations. Additionally, assessment processes need to be streamlined and standardized to reduce bureaucratic hurdles and expedite the review timeline without compromising the quality or thoroughness of the evaluations.
- The **implementation of advanced digital tools** could also speed up processes, e.g. through facilitating real-time collaboration and document sharing between HAS consultants, TCs and Commission officials, enabling quicker feedback loops and faster, more informed decision-making.

4. Implement transparency and clear guidelines in the HAS assessment: Maintaining transparent communication channels between all parties in the standardization process is essential for aligning goals and reducing misunderstandings that can lead to delays.

- **Clear guidelines and checklists** should be applied and consequently improved for assessments to reduce inconsistencies. The assessment results should strictly focus on compliance with the standardization request and relevant legislation and should not be mixed with additional technical comments. Regular reviews and audits of assessment and listing processes should be conducted to identify bottlenecks and implement necessary adjustments, fostering continuous improvement in the standardization workflow.
- **Creating a robust feedback and iteration system for HAS Consultants** and other evaluators can help address recurring issues promptly and allow for adjustments to improve processes.
- **Prioritizing standards for assessment and listing** based on urgency or impact is crucial to ensure that critical standards are attended to sooner.

5. Allow more flexibility within the ESS: Streamlining processes can largely be achieved within the framework of existing regulations.

- To **enable alternative products from CEN and CENELEC** - Technical Specification (TS), CEN Workshop Agreement (CWA) or European Agile Specification (EAS) - **with a presumption of conformity** could lead to faster outcomes.

II. Addressing Inclusiveness of the Standardization Process (Section F)



The focus on inclusiveness in standardization is addressed in questions 42 to 45. DIN and other European NSBs, as part of the ESS, are strongly committed to an inclusive system where all stakeholders are involved and heard. Our efforts to ensure this broad participation already go far beyond the regulatory requirements. Based on the national delegation principle, inclusiveness is mainly ensured at national level where all interested parties are involved. For example, 90% of DIN's members are SMEs, and over 60% of experts in the committees come from companies with fewer than 250 employees. Against this background, we would like to provide more detailed input, concrete examples and recommendations regarding the measures proposed by the EU Commission to enhance inclusiveness in question 44:

Financial support or free access to better support participation of experts representing SMEs and civil society in technical committees: The aspects of "financial support" and "free access" are lumped together in this sub-question. However, they must be considered in a differentiated manner:

- **Financial support:** SMEs and representatives of civil society should be financially supported by the Commission or Member States in their participation in standardization projects, if possible, at national level, as the barriers to participation (travel costs, language barrier) are lower there.
 - As an example, the German Federal Ministry for Economic Affairs and Energy (BMWE) reimburses companies for expenses related to standardization activities to facilitate the participation of SMEs and startups in standardization. The **funding program WIPANO** (Knowledge and Technology Transfer through Patents and Standards) has been in place since 2016. Projects aimed at developing standards for innovative services or products receive effective support through this funding instrument.
 - DIN offers numerous advantages and discounts to SMEs and startups through DIN membership for participating in standardization committees. DIN members with up to 2,000 employees can send an expert to two DIN committees free of charge. Startups, associations, or chambers receive even more support to actively engage in standardization.
- **Free access:** In addition to broad participation, the financing of non-profit standardization work must also be ensured. Against this background, blanket assurances of "free access" should be rejected.

EXAMPLE: Strengthening consumer's representation in standardization

The **DIN Consumer Council**, consisting of nine full-time and approximately 70 part-time experts, has represented consumer interests in national committees for over 50 years and is also involved in many European and international committees through the national delegation principle. In addition, the DIN Consumer Council works closely with European partner organizations such as ANEC to ensure that the voice of consumers in standardization is heard. The work of the DIN Consumer Council is financially supported by the Federal Ministry of Justice and Consumer Protection in Germany, thus allowing for the reimbursement of expenses and travel costs for its engagement. Consumer organizations are generally exempt from participation fees in the DIN committees, which enhances the openness of the system. DIN sees potential in establishing this partnership as a blueprint for increased consumer participation in other member states of the EU.



Increased capacity building for European experts interested in participating in standardization activities (e.g. training courses on how to participate in standardization work or awareness building): Measures to raise awareness for standardization or to train future standardization experts are necessary to attract new experts to standardization and thus give Europe a strong voice in international standardization. CEN, for example, already offers corresponding seminars. National best practices in this regard include:

- In January 2025, DIN established a new **department dedicated to expert recruitment**. This department has created new proactive information tools that provide free updates on new standardization activities and participation opportunities. Over the past ten months, approximately 7,000 stakeholders have been reached through events, where they were informed about standardization and involvement in specific topics related to their business case. SME associations are specifically targeted and benefit greatly from these activities, as DIN leverages the multiplier effect of professional associations.
- For many years, DIN has invested in **collaboration with universities and research institutions** to integrate the topic of standardization into education and training. The development and expansion of training, trainee, and mentoring programs are ongoing tasks to address the shortage of skilled professionals in the field of standardization. There are already various training and **educational opportunities** available, **including guest lectures, workshops, conferences, expert training, e-learning**, and more. Additionally, a **lecture series titled "Strategic Standardization"** has been initiated, offered to all Berlin universities, and currently held at the Technical University of Berlin.

We further support the implementation of the results of the European High-Level Forum's working group on "Education on Standardization". A working group of the German Strategy Forum for Standardization has also developed corresponding recommendations at national level and DIN is working closely with the stakeholders involved to implement them.

Increased transparency regarding the stakeholders involved in technical committees and working groups developing (harmonised) standards: At national level, DIN already makes the composition of stakeholders in its standardization bodies publicly available via its website. At European level, this has only limited added value, as the delegated experts there do not represent the opinion of their company but that of the national mirror committee due to the national delegation principle.

An obligation on ESOs and NSBs to ensure a minimum share of specific stakeholder interest in standardization bodies and technical committees co-financed by the EU: This proposed measure falls short of the objective it aims to achieve, as the composition of the necessary stakeholder groups in the technical committees for a specific standardization project always depends on the subject matter of the standard to be developed. Not every standard is relevant for SMEs, civil society or consumers. Expertise on the subject should be the main criterion for participation in a standardization committee. It would be more important to make use of instruments with which the relevant stakeholder groups can obtain low-threshold information on standardization topics relevant to them, making it easier for them to decide where to gain the most benefit from participating in standardization.

Voting rights for SMEs, consumers and other societal stakeholders (Annex III) in the standardization process: CEN and CENELEC are member organizations and only members have voting rights. These members are national representations, which aligns with WTO criteria. Granting voting rights to individual interest groups in the standardization process would undermine the consensus principle and would therefore not be in line with WTO criteria.

EXAMPLE: Strengthening SME's representation in standardization

To support the involvement of SMEs in standardization, DIN established the **SME Council** in 2025 as a successor to the long-standing Committee for SMEs (KOMMIT). The SME Council is a platform for multipliers such as associations and SME networks, focusing on SME-relevant topics and their needs in standardization. Its goals include:

- Strengthening SME associations in standardization
- Training and continuous education for SMEs and their representatives
- Better and more transparent information on standardization activities
- Establishing a mentoring and onboarding program for new experts in standardization
- Better financial support for SMEs in standardization
- Creating new participation opportunities



Accessible, simplified guidance to SMEs and other stakeholders to help new entrants find, understand and engage with standards: We welcome this proposal and would like to present two national best practices that contribute to achieving this goal.

- In January 2024, DIN launched the **Standardization Monitor** providing free, tailored, and proactive information on new standardization initiatives. This low-barrier offering is particularly attractive for SMEs to stay informed and to consider participating in specific standardization projects related to their business.
- Over ten years ago, DIN created the **draft standards portal**. It offers free access to current draft standards and enables users to submit comments online, even without participating directly in the responsible standardization committee. This is a convenient, low-threshold way for everyone to provide comments and suggestions for amendments.



Conclusion: The national standardization bodies provide the best support for an inclusive stakeholder engagement. SMEs, start-ups as well as representatives of consumers or civil society can get involved in standardization more easily at national than at European or international level, as the barriers to access (including travel costs and language barriers) are significantly lower. Demands for more inclusiveness should not undermine the founding principles and quality of standardization. The implementation of best practices across Europe should instead be supported.

Additional recommendations to the Commission to advance Inclusiveness

1. Support the national delegation principle: All efforts to accelerate standardization must allow ample time and space for broad participation and consensus building, as strained timelines mostly affect how smaller stakeholder groups and SME may allocate resources to standardization activities. The national delegation principle ensures extensive participation from various interest groups in standardization, especially SMEs and consumers.
- The **promotion of participation at the national level** has proven most advantageous to foster inclusiveness, as regional measures acknowledge limited resources and the specific interests of various stakeholders.

2. Implement best practices in member states across Europe: Best practices for the inclusion of SMEs, start-ups, consumer, civil society and environmental interests from national standardization organizations and member states should be broadly implemented across Europe.
 - **Federal funding, e.g. instruments** similar to the German funding program “WIPANO”, in other member states could further support involvement of these groups through the national delegation principle. The Commission should actively support national standardization bodies to strengthen inclusiveness in their national standardization systems.
3. Promote new generations of standardization experts: To ensure greater inclusivity, it is important to attract new experts by effectively promoting onboarding measures for standardization. As in many other sectors, maintaining expertise in standardization presents a significant challenge.
 - **The revised standardization regulation should recognize the importance of integrating standardization into vocational education and university curricula.** This will positively impact the recruitment of new specialized expertise, leading to broader participation and the acceleration of consensus-building processes in standardization.

III. Addressing Access to Standards (Section G)



Standards are developed through consensus, independent of individual interests – whether public or private, commercial or political. This unique collaboration between industry, academia, the public sector, and society provides a concentrated, practical expertise for all applications. The system is largely financed privately through the sale of standards, which are protected by copyright. The questionnaire addresses the access to standards with questions 46 and 47, but it does not mention the existing intellectual property (IP) right on standards, which was reaffirmed by the ruling of the European Court of Justice (ECJ) on March 5, 2024¹. Any accessibility to standards must be preceded by an overall recognition of copyright. Against this background, we would like to provide more detailed input on the possible measures to improve access to standards discussed by the Commission with question 47 of the consultation questionnaire:

Publication of legally relevant content of standards and free accessibility by default: This sub-question mixes two aspects that need to be considered in a differentiated way. It further fails to distinguish between standards in general and harmonized European standards. The proposed measure thus goes far beyond the implementation of the court rulings in the *James Elliot* and *Malamud* cases.

- **Publication of legally relevant content:** General Publication of standards content as such violates the IP rights of the standardization organizations. Legally relevant content of harmonized standards should only be made available upon request and through national online reading portals. In this context, DIN has played a proactive and solution-oriented role that has brought about a practical solution aligning with legal requirements whilst respecting IP rights (see example).
- **Free accessibility by default** will have a severe and negative impact on the European standardization system: Most NSBs finance their non-profit activities mainly through the sale of standards. Appropriate financial compensation is also required for making legally relevant content of harmonized European standards available.

¹ ECJ ruling C-588/21 P - Public.Resource.Org and Right to Know, March 5, 2024.

EXAMPLE: Implementing the *James Elliot* and *Malamud* rulings

In implementation of the ruling of the ECJ in the 2016 *James Elliot* (C-613/14) and 2024 *Malamud* (C-588/21) case, DIN has pursued a solution-oriented, cooperative approach in developing and launching national reading platforms. These create a good balance between the Commission's obligation to grant access to legally relevant content of harmonized standards on the one hand and the need to protect the intellectual property rights of the standardization organizations to ensure their financing on the other hand.



Free access to a simplified summary of a standard's content: In Germany, the scope and the short summary of standards can already be viewed free of charge via DIN Media. At the same time, the European standardization organizations are exploring new digital tools that automatically enable summaries of legally relevant section of standards which might then be made freely accessible for interested parties. Another path would be to cluster legal requirements within harmonized European specifications like the European Agile Specification (EAS).

Accessing only the legally relevant content of harmonised standards in the OJEU: The wording of this proposed measure in the questionnaire is ambiguous. When European standards are listed in the Official Journal of the EU (OJEU), only their reference is published, not the standard itself or parts of its content. The publication of the content of the standards in the OJEU would be a clear copyright infringement for which appropriate compensation would have to be paid. Publishing the legally relevant content of hENs in the OJEU could also entail the risk of legally relying on outdated standards.

Access to standards supporting EU law in one's own language: In times of machine-readable standards, the content of standards is increasingly becoming code. A national language version is therefore less and less relevant for their application. Translation processes also prolong the development process of harmonized European standards and should be the task of the Commission. Further, the language version in which standards are required depends on the respective user group. It is therefore difficult to make a general statement in this regard.

Furthermore, we would like to point out that the consultation questionnaire fails to address the **financial impact on the European standardization system** of making standards content available free of charge. However, it is essential to consider this. We would like to specifically point out the following two aspects:

Securing funding for non-profit standardization work: Only a small proportion of standardization activities requested by the Commission, i.e. being subject to a standardization request, are supported with funding from the Commission. The costs of developing and maintaining harmonized European standards (which includes e.g. providing document management systems, regular meetings of the relevant standardization committees and checking that the standards are up to date every five years at the latest) far exceeds the small amount of funding provided by the European Commission as part of standardization requests or through EISMEA calls. Therefore, free access to standards should be compensated.

Preserving the innovative capacity of the ESS: The transition to new solutions with broader access to hEN must be carefully managed to preserve the integrity and innovative capability of the ESS. The financial independence of standardization organizations ensures neutrality in the creation of standards

and is therefore an important factor ensuring their quality. New technologies for accelerating processes, digital services, and machine-readable standards demand significant investments, which the ESS must generate from its own revenues in the coming years. Copyright enables standardization organizations, many of which, like DIN, are non-profit, to develop value-added products and services.



Conclusion: Access to legally relevant content of hEN is already granted through various measures. In close collaboration with the European Commission, DIN, along with CEN and all national members, is committed to ensuring that harmonized standards continue to be used as tools for simplification, quality, and safety in the European single market. A revised standardization regulation must acknowledge this contribution and the existence of copyright.

Recommendations for the Commission to foster Accessibility

- 1) **Clarify IP rights:** Copyright and intellectual property rights related to standards must remain protected, as the ECJ did not question them in the *Malamud* ruling.
 - In its 2017 initiative report², the European Parliament stated that **standards cannot be considered part of Union law, as only the European legislator can enact legislation**. This statement should now be clearly codified.
 - Additionally, it must be clarified that **harmonized European standards are subject to copyright protection**.
- 2) **Adhere to the ECJ ruling:** On March 5, 2024, the ECJ ruled that EU citizens have the right to **free access to certain harmonized European standards** from the European Commission **when these standards set specific safety requirements for products or services**. Only in such cases, the public interest in accessing these standards prevails, as these standards are deemed part of Union law. For reasons of legal certainty, this should be clarified by law.
 - **Endorse the national reading platforms**, as they already satisfy the needed access to hEN specified by the ECJ.
- 3) **Clarification of the access to be granted:** The revision of the Standardization Regulation should clarify that access to harmonized standards is limited to their legally relevant content.
 - **Access to the legally relevant parts of the standard should only be granted** by the national standardization bodies upon request and **if the relevant content has been equipped with a presumption of conformity** by the legislator.
 - Where a harmonised standard incorporates content of an international standard, the **access requires the consent of the international standardization body** in question.
- 4) **Define the presumption of conformity:** The “presumption of conformity” of harmonized standards implies that a product crafted and produced in accordance with such a standard is assumed to meet the essential requirements of the respective European legislation. Presently, the presumption of conformity is governed within the respective EU legislation.

² European Parliament, Resolution of 04 July 2017 on the topic "European Standards for the 21st Century" (2016/2274(INI)), A8-0213/2017.

- The presumption of conformity **should be established centrally for all harmonized standards** within the standardization regulation or the proposed European Product Act.
- 5) **Foster executive summaries:** As machine-readable and data centric (rather than document centric) standards pave the way for the future, NSBs are heavily investing in digitizing processes and products.
 - The European Commission should further **support NSBs in developing digital tools to create executive summaries of standards**, e.g. using Artificial Intelligence. This will enable a fair model for access to standards in which abstract content is freely accessible while the comprehensive documents remain behind paywalls to preserve IP rights and secure the funding of the ESS.
- 6) **Promote international alignment:** The competitiveness of Europe's industry and SMEs relies heavily on the alignment of European with international standards. The ongoing stalemate due to pending court cases with ISO and IEC is detrimental to Europe's competitiveness.
 - The European Commission should **adopt the proposed solution to create a readability platform for hEN ISO standards, facilitated by an agreement between DIN and ISO** that is cost-neutral for the Commission. The viewer platform is operational and awaits public release pending contract finalization between DIN and ISO, anticipated soon. A similar system for CENELEC and IEC utilizing the same technical platform is in progress. Upon finalization, the copyright litigation by ISO and IEC can then be retracted, enabling the EC to resume listing EN ISO and EN IEC in the OJEU providing manufactures with presumption of conformity.
- 7) **Introduce financial incentives:** European standardization is privately financed. The EC currently provides support for SME and societal groups' access to standardization.
 - Continuing this support, the EC **should introduce incentive programs for standardization bodies to offset revenue losses stemming from free access to IP-rights-protected standardization outputs** following the ECJ ruling.

IV. Addressing the EU's role in global Standard-Setting (Section H)



Europe is a successful global player in standardization. Through their strong participation in ISO and IEC, the national members of CEN and CENELEC ensure that European expertise shapes international fields of innovation. The questionnaire addresses this topic in section H, question 48 to 53, but it is important to emphasise that international standardization is organized through the national delegation principle as well as the Vienna and Frankfurt agreements and therefore does not fall into the responsibility of the European Commission.

Vienna and Frankfurt Agreements: One standard. One test. Accepted everywhere



The Vienna and Frankfurt Agreements facilitate collaboration between European and international standardization bodies, streamlining the development process by reducing duplication of efforts and enhancing the efficiency of standardization. These agreements promote consistency and interoperability across countries, contributing to a more integrated European and global market. International alignment works both ways, promoting European influence in international standardization as well as the adoption of international standards for the European Single market. Through the Vienna and Frankfurt agreements with ISO and IEC, Europe has the unique opportunity to prioritize collaboration with ISO and IEC, provided that international standards meet European legal and market requirements. For standardization experts, this means optimal use of resources and avoidance of duplication in the development of standards. For Europe itself it means that we can be an international “standards maker”, not “standards taker”.

Against this background, we would like to provide more detailed input on the possible measures to improve access to standards discussed by the Commission with question 49 of the consultation questionnaire:

Financial support and capacity building to improve participation of experts representing SMEs or civil society from the EU in technical committees at international level: The national delegation principle applies to ISO and IEC. Support for representatives of SMEs and civil society should therefore be provided at national level (see our proposals under II. - regarding section F on inclusiveness). We advocate for the creation of overarching support mechanisms that encourage the participation of all European stakeholders in international standardization to attract new experts and best represent European expertise. In addition to existing public initiatives, the establishment of a Delegation Fund, financing a specific portion of the expenses for participation, could be considered to ensure enhanced involvement from all interested stakeholder groups on the European and international level.

Systematic monitoring action on new and on-going international standardization activities and an intervention system to better protect EU values in international standardization when needed: Since European interests in ISO and IEC are represented by the NSBs that are members of ISO and IEC, the European Union itself should not set up an intervention system aimed at standardization work in these organizations. It should however support the strong role that European NSBs have in international standardization.

EXAMPLE – Shaping international standards for machinery safety through European expertise



In the field of machinery safety, standardization predominantly operates internationally within ISO/TC 199 “Safety of machinery” under the Vienna Agreement, with very few exceptions. The foundations for some of the most fundamental standards in the field, such as ISO 12100, ISO 13857, ISO 13855, and ISO 11161, originated from European or German standards and VDI guidelines.

ISO 12100 “General principles for design - Risk assessment and risk reduction”, for instance, was developed from EN 292-1, EN 292-2, and EN 1050. The tables in ISO 13857 “Safety distances to prevent hazard zones being reached by upper and lower limbs” and ISO 13855 “Positioning of safeguards with respect to the approach speeds of parts of the human body” were drawn from DIN standards. All these standardization proposals emanated from Europe. All machinery safety standards, including approximately 800 Type-C standards, are based on the European Machinery Directive and are harmonized across Europe. Thanks to continued contributions from European experts, we consistently achieve harmonization in a timely and satisfactory manner.

Unfortunately, recent changes in the European harmonization procedures (e.g. reduced funding, reduced presence of HAS consultants, increasing bureaucratic requirements by the Commission and shifts towards the Machinery Regulation) have led to international dissatisfaction with the work of ISO/TC 199, as they cause delays in the standardization process. The dissatisfaction goes so far that it is being considered whether standards should continue to be harmonized within Europe under ISO work. Europe should not allow itself to be deprived of the opportunity to shape the content of international standards by imposing too many requirements on the process.

Prioritise financial support and other types of incentives to European stakeholders active in developing standards in emerging technologies: Incentives to strengthen European expertise in emerging technologies are to be welcomed in principle. However, a definition of the technology areas in which the promotion of the participation of experts in standardization should be prioritized should not be determined by the EU Commission but should be developed with the involvement of industry. In addition to new technologies, there are other areas that would benefit from more incentives.

EXAMPLE - From standards taker to standards maker in hydrogen technologies

The German "[Standardization Roadmap for Hydrogen Technologies](#)" illustrates how financial support can significantly enhance the active participation of European experts in international standardization activities. The project, funded by the German Federal Ministry for Economic Affairs and Energy, succeeded in involving experts with extensive practical experience from various sectors, especially SMEs and research. This engagement led to a substantial expansion of technical expertise within the standardization committees and enabled broader consensus-building.



Another advantage of the funding was the ability to fill international secretariats, whose leadership would not have been feasible without financial backing. This allowed European representatives to actively participate and exert influence in key positions. The project thus contributed not only to the effective handling of current and relevant standardization topics but also strengthened Europe's position and influence in international standardization committees.

Equally important is the strategic support for European collaboration. A positive example of this is the Coordination Group for Hydrogen (CEN-CLC H2-COG), funded by EISMEA. This European coordination group consists of representatives from over 60 CEN/CENELEC technical committees, hydrogen coordinators from national standardization organizations, and European stakeholders, including representatives from the European Commission and the High-Level Forum. Through its coordinating activities, the group facilitates targeted and strategic alignment, strengthening Europe's position in international hydrogen standardization.

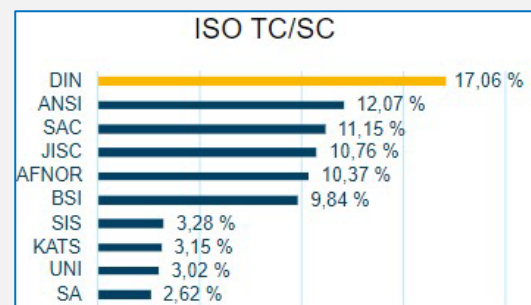
In Germany, these activities were supported by the German Strategic Forum for Standardization, established by the federal government, where the topics of the European High-Level Forum were mirrored, and strategic priorities were discussed. The Strategic Forum contributed to supporting the presence of German experts in international committees through recommendations on important areas such as artificial intelligence, quantum technologies, and hydrogen.

Increase cooperation and coordination between European stakeholders in international standards organization: This is the task of the standardization organizations. Cooperation should preferably take place at expert level in the technical committees.

EXAMPLE: European standard makers

A secretariat at ISO or IEC serves as the control centre of international standardization. Holding a secretariat creates various advantages for an NSBs own national delegation: Those who manage a secretariat coordinate the discussion between experts, define priorities and shape content – and thus the standards of tomorrow. For Europe's economy, this means more flexibility, a technological leadership role and access to international markets. At the same time, a large and/or highly knowledgeable national delegation could hold against a non-European secretariat and chair.

A positively disproportionate number of international standardization secretariats are run by European NSBs. DIN alone holds 17,06% of all ISO secretariats on the TC/SC-level. AFNOR (France), SIS (Sweden) and UNI (Italy) together make up for another 16,67%. Only through active participation in international standardization efforts can Europe position itself as a global leader in strategic topics such as fuel cell technology, circular economy, cybersecurity, or quantum technologies.



The EU should build structural alliances with like-minded partners at the international level to amplify its values and strategic goals: Standardization processes are fundamentally based on the principles of exchange and international cooperation. The European Commission shouldn't decide which NSBs can cooperate. A negative example of this is the experience of "restricted access" in the development of cybersecurity standards, which actively excluded like-minded partners such as the British Standards Institute (BSI). However, it could be beneficial to build further alliances in standardization that are supported by the EU Commission.

In addition, we would like to comment on **question 50 from the Commission's questionnaire, which asks, what aspects should be evaluated when considering the legislative use of international standards at EU level.** The adoption of existing international standards is a key advantage of the ESS, giving European companies access to global markets. The aspects mentioned in the sub-questions to question 50 (e.g. impact on competitiveness, compatibility with EU policy objectives or inclusiveness in the development process) are already included in the assessment prior to the adoption of international standards, which takes place in the European Technical Committees. We see no need to change this tried and tested procedure. On the contrary: additional requirements for this process would weaken rather than strengthen Europe's role in international standardization (see the example from the area of machinery safety above).



Conclusion: Standardization transcends borders, and only coherent standards within the European single market and beyond allow European industry to tap into global markets as well as to export European values and health and safety requirements. The unique advantages offered to Europe by the Vienna and Frankfurt agreements must be confirmed and strengthened through the revision of regulation 1025/2012.

Additional recommendations for the Commission to foster the EU's role in global standards-setting

- 1) **Aim for a strategic approach:** Embed standardization within a strategic framework, ensuring it is **included horizontally in political initiatives and legislative proposals across Europe**, such as the Multiannual Financial Framework or the forthcoming EU Research Framework Program, FP 10.
 - Enhance and sustain European engagements in strategic forums like the High-Level Forum.
 - Support Europe's industrial base and technological sovereignty. A strong European economy will have more leverage and expertise to engage in global standardization.
- 2) **Adopt a global perspective:** Support collaboration between European stakeholders, ISO and IEC in accordance with the Vienna and Frankfurt Agreements, so that **harmonized standards can preferably be developed at ISO or IEC** under these agreements (joint development or subsequent adoption) with strong European participation.
 - **Support CEN and CENELEC in becoming a hub for European standardization** that strengthens ties beyond the ESS, e.g. with international fora, consortia and open-source groups and offers processes, to incorporate content from outside the ESS into European standards.
 - **Strengthen coordination with regards to IT standardization**, e.g. through the Multi Stakeholder Platform on ICT Standardisation (MSP), to better link national and European standardization bodies with key international organizations.
- 3) **Empower experts financially.**
 - Offer **financial backing to European representatives on international committees** to reimburse travel costs and other expenses, in line with the StandICT or CyberStand program's model.
 - Provide **funding support for the management of strategically vital secretariats** by national standardization organizations in Europe, ensuring cross-sectoral issues are effectively addressed from a European perspective.

About DIN

DIN, the German Institute for Standardization, is the independent platform for standardization in Germany and worldwide. Together with industry, scientific institutions, public authorities and civil society as a whole, DIN plays a major role in identifying future areas for standardization. By helping to shape the green and digital transformation, DIN makes an important contribution towards solving current challenges and enables new technologies, products and processes to establish themselves on the market and in society. More than 40,000 experts from industry, research, consumer protection and the public sector bring their expertise to work on standardization projects managed by DIN. The results of these efforts are market-oriented standards and specifications that promote global trade, encouraging rationalization, quality assurance and environmental protection as well as improving security and communication. For more information, go to <http://www.din.de/en>.