**GA#79 ordinary meeting of the ETSI General Assembly**

**29 – 30 March 2022**

**Source: ANEC, ECOS, ETUC, SBS**

**Title: Deepening ETSI’s inclusiveness**

**Agenda item: 10.2**

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| Decision |  |
| Discussion | **X** |
| Information |  |

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| Late submission | **X** |

**Document for:**

# 1 Decision/action requested

***The GA is invited to consider the proposals of the Annex III organisations below, and to request they be addressed in considering ETSI’s response to the EU standardisation strategy***

# 2 References

* ETSI/BOARD(22)136Ad\_008 – highlights of meeting between ETSI leadership and EC DG GROW
* An EU Strategy on Standardisation - Setting global standards in support of a resilient, green and digital EU single market <https://ec.europa.eu/docsroom/documents/48598?locale=en>
* Proposal for a Regulation amending Regulation (EU) No 1025/2012 as regards the decisions of European standardisation organisations concerning European standards and European standardisation deliverables

<https://ec.europa.eu/docsroom/documents/48599?locale=en>

* Report from the Commission to the European Parliament and the Council on the implementation of the Regulation (EU) No 1025/2012 from 2015 to 2020

<https://ec.europa.eu/docsroom/documents/48600?locale=en>

* The 2022 annual EU work programme for European standardisation

<https://ec.europa.eu/docsroom/documents/48601?locale=en>

# 3 Rationale

The EU Commission Report on the implementation of Regulation (EU) No 1025/2012, published in connection with the new standardisation strategy, highlights the importance of inclusiveness, and notes in particular the ongoing problems faced by Annex III organisations and other societal stakeholders in terms of making their views felt in the three ESOs.

The ETSI Board already proposed to pay additional attention to inclusiveness in the implementation of the ETSI strategy, with a proposed dedicated sub-group, and in this context the publication of the new European Commission strategy offers an excellent opportunity to improve matters.

On 15 February 2022, further to the publication of the Commission’s Standardisation Strategy, an ETSI delegation comprising Dirk Weiler, Neviana Nikoloski, Luis Romero and Margot Dor met the Director-General of EC DG GROW, Kerstin Jorna, together with her team. As reported in ETSI/BOARD(22)136Ad\_008, the goal of the meeting was to get clarifications on several points of the Communication and the draft Regulation amending Regulation 1025/2012. In this context, reportedly, Ms Jorna expressed the expectation of the Commission for ETSI to move towards changes on inclusiveness and to present concrete proposals within two months, ie by 15 April 2022.

With a view to assisting ETSI’s task to address the requests by the Commission, the present document sets out an initial position from the Annex III organisations on how inclusiveness in ETSI could be strengthened.

# 4 Consequences and implications

The Annex III organisations welcome the additional focus on inclusiveness within the ETSI Board Strategy for 2022, and request that the improvements set out in the following sections be given careful and due attention in that context. These improvements can be divided into two categories:

* Proposals that can be introduced easily and quickly given the will to do so, requiring only administrative or procedural approaches;
* Proposals requiring changes to ETSI’s ways of working.

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# 5 “Easy wins”

**5.1 Commenting on draft ENs**

Article 5 of the Standardisation Regulation 1025/2012 requires the ESOs to encourage full participation of the Annex III organisations at every stage in the standardisation process, recognising that they are the European-level representatives of stakeholders under-represented at the national level. Of course, as ETSI members, the Annex III organisations can and do participate directly in nearly every stage, except for the submission of comments on draft standards sent to the ETSI ENAP. Here, they are required to submit their comments to the NSOs, despite the perspective of their comments being “pan-European” by their very nature.

ETSI can easily – as an administrative action – enable Annex III organisations to submit their comments electronically direct to the Secretariat, in parallel with the comments being submitted by the NSOs. This will help underline compliance with the Regulation, and for the process to be aligned across the ESOs.

**5.2 Publicising Annex III views**

This is the so-called “Opinion”. It is not procedural, but ensures that the views of an Annex III organisation (and its constituency) on a draft standard is known to the ESO.

The Opinion can be “Favourable” or “Not Favourable”, and an Annex III organisation may choose whether to submit an Opinion on a draft standard. Where the Opinion has been used by the other ESOs, most (75%) have been fully supportive of the standards to which they relate. Many others are basically in favour of the standards, but highlight improvements that can be made in future amendments. The Opinions can thus also be used as a positive tool for promoting ETSI standards within the societal stakeholder and SME communities. On the other hand, a “Not Favourable” Opinion on a standard that has passed the vote allows the TC to check the Annex III concern and report accordingly (i.e. no action, amendment or revision): the Opinion does not affect the outcome of the vote, it is not a veto, nor does it challenge the consensus building, and it does not halt or postpone the process of the implementation of the (adopted) standard.

Given the far wider use in ETSI of deliverables other than the EN, it is proposed the Opinion be applied to both European standards and other European Standardisation Deliverables. Opinions should be made available on the ETSI website.

In a further step, and demonstrating ETSI’s wish to lead on inclusiveness, the Opinion could also be applied similarly to relevant Board/GA Decisions.

Introduction of the Opinion would require a simple administrative process between the Secretariat and the Annex III organisations. As well as the Opinion as such, the improved promotion of the Annex III organisations as part of the ETSI processes would also be very welcome.

**5.3 Being accessible**

Action is already under way here, so it should be straightforward to ensure ETSI is accessible as possible in terms of its procedures and documentation, in line with the requirement of the European Accessibility Act.

**5.4 Collective representation**

ETSI should facilitate the collective organisation and representation of under-represented stakeholders under the umbrella of the relevant Annex III organisation. The creation of specific groups with dedicated mailing lists relating to Annex III organisations would facilitate communication with among organisations involved in ETSI and belonging to the different stakeholder categories represented by the Annex III organsiations. This would allow the stakeholder categories to share information amongst themselves and potentially share resources with other members of the same category, facilitating in this way their active participation and involvement. The ETSI members in the relevant stakeholder category could also thus more easily benefit from the  work done by the Annex III organisations under EU funding.

**5.5 A dedicated budget**

It would make sense to dedicate a specific budget for actions on inclusiveness to be used to implement proposals from the Annex III organisations and other relevant stakeholder categories. This could be used to finance initiatives such as studies, communications material, events and training (even pay an honorarium to the 3SI Advocate!).

**5.6 Reporting**

The Annex III organisations believe there should be a periodic report by the ETSI DG on the progress made in achieving ETSI’s objectives on inclusiveness. Such a report would include the use of resources supporting inclusiveness.

**5.7 Consensus building**

The mechanism to address “sustained objection” to a proposed consensus could be reviewed taking into account the status of Annex III organisations. The latter act as representatives of collective interests according to the provisions of Regulation 1025/2012 and are thereby subject to representativity and transparency requirements. Thus, when an Annex III organisation raises an objection to a proposed decision which would have an impact on its constituency, such objection should always be regarded as a “sustained objection”.

**6 Additional proposals requiring changes**

**6.1 Board seats**

The European Standardization System is unique in giving a valuable say in its standardisation process to the views of the full range of stakeholders, and the ETSI structure has always sought to recognise this by creating different member categories. But, if at first there was a reasonable balance between these categories, the so-called “user” category (which includes societal stakeholders and SMEs) has always been less significant in terms of voting “power”. And, as the EU standardisation strategy recognises, over the years the voting balance has become distorted in favour of larger industrial companies.

O**ne** relatively easy improvement in terms of the Annex III “voice” would be to **set aside a Board seat** in the next period for each of the recognised Annex III organisations. This would simply require a change to the RoP. At present, only SMEs and “users” are guaranteed a presence – and “users” includes industrial users, who have often different requirements. Moreover, the current seats for “SMEs” and “Users” do not provide any guarantee of a collective representation of such stakeholders, whereas the Annex III organisations are subject to tough requirements in terms of representativity and transparency following the provisions of Regulation 1025/2012.

**6.2 Voting proxy rules**

Given their statutory roles of stakeholder representative associations, the Annex III organisations can perform a useful function of collective representation for their recognised stakeholder categories, which are typically under-represented in standardisation.

An important improvement would be to re-examine the **voting proxy rules**. Currently a member can hold at most three proxies, which limits the possibility of Annex III organisations being assigned the votes of other members. A change would allow SMEs, that typically do not attend the GA meetings, to be more easily represented collectively.

**6.3 Voting power**

**Redressing the overall imbalance** in voting will no doubt require adjustment to the ETSI Statutes. The Annex III organisations nevertheless request, in line with the EU strategy, that serious attention be paid to this. For instance, it is worth considering to give each Annex III organisation 45 votes as such, while leaving their membership fees unchanged. This would match the voting power of a single large member, and show that ETSI responds to the needs of society, and to the needs of SMEs, as well as more established – and world-leading – companies.

Such change would not necessarily require any fundamental alterations to the actual ETSI process inside the technical groups, where overwhelmingly the drafting process works by consensus and takes place without problems. Also, this change would not have any substantial financial implications. Rather, it would ensure that, there is a better mechanism available to address significant interests of SMEs and societal stakeholders, where these would otherwise be adversely affected by the proposals.

**7 The way forward**

The Annex III organisations will be pleased to participate fully in whatever discussions take place on a matter of some fundamental importance to confirming ETSI’s place as an inclusive ESO. We request the ideas in the present document receive full examination by the ETSI institutions.