



## **The Danish Government's response to the public consultation on a roadmap for the upcoming standardisation strategy**

The Danish Government welcomes the Commission's initiative to launch a horizontal standardisation strategy, that spans from a large-scale strategic approach to global standard-setting to the technical details of working methods and processes within the European Standardisation System (ESS).

The Danish Government agrees with the Commission that the ESS is a cornerstone in the single market and that it must be agile, robust and efficient to support the competitiveness of European businesses as well as advance political priorities such as the green and digital transitions. In this context, we strongly support the Standardisation Regulation, the core principles of the New Legislative Framework and the public-private partnership between legislators and industry that constitutes the ESS. The Standardisation Regulation ensures that European standards are built on European values of transparency, inclusiveness and consensus-building.

The Danish Government appreciates that the Commission has taken note of the concerns expressed by member states, including Denmark, and other stakeholders regarding the current challenges facing the system of harmonised standards.

In the following, we will address the 3 questions on which the Commission has requested feedback.

### **1. Is the current European standardisation system fit for purpose to support European strategic interests?**

The Danish Government believes that the problems identified in the roadmap can be addressed without introducing fundamental changes to the system, since the ESS and the Standardisation Regulation are essentially fit for purpose. We believe the NLF is the best instrument to support European strategic interests through standardisation.

This is not to say that the ESS is without flaws. Indeed, the system can be improved, and with regards to harmonised standards there is an urgent need to put the ESS back on track. While we believe that the proposals in the roadmap's section B (1) constitute a good starting point, please refer to question 3 for our comments on governance and working methods of the ESS.

As for services standardisation, the Danish Government looks forward to the Commission's analysis of the potential for standardisation for a number of services, as outlined in the updated industrial strategy.

## **2. How can EU leverage and promote global leadership in standards-setting?**

The Danish Government agrees with the Commission's problem analysis with regards to the protection and promotion of European values and freedoms in global standard-setting on artificial intelligence and other new digital/online technologies. Other actors on the global scene have already mobilized in this area, and the Danish Government welcomes the Commission's initiative to launch a strategic and coordinated effort to ensure the EU's role as a standard-setter rather than a standard-taker. In addition to a focus on areas of strategic importance to the EU, a coordinated approach can promote the "European signature" on international standardisation, i.e. values such as inclusion, transparency safety, environmental protection etc.

Of course, the EU will be better equipped to influence standardization on the global level, if the ESS is well-functioning, robust and agile. Therefore, it is important that these different dimensions of European standardisation are addressed jointly in this strategy.

## **3. Are changes in governance and working methods required to improve the performance of the European standardisation system?**

The Danish Government believes that the performance of the ESS can be improved through changes in the working methods of the system, particularly in the processes within the Commission services and the relations between the Commission and other parties and stakeholders involved in standardisation activities. We believe that the current problems in the system of harmonised standards can be solved with adjustments at the working level through a truly collaborative effort without any fundamental amendments to the legal framework for European standardisation.

The problems regarding harmonised standards are of particular concern to the Danish government. The current challenges are rooted in a Commission decision to regard all harmonised standards as European law,

based on an ECJ ruling on construction products, which is not mentioned in the roadmap. Since this decision has given rise to criticism and confusion, it would be useful if the Commission could elaborate on its interpretation of the ECJ ruling and its implications as part of the standardisation strategy.

The Danish Government welcomes the Commission's intention to develop a closer cooperation between national standardisation bodies, the European industry, European standardisation organizations and the Commission. We believe that an inclusive dialogue and joint solutions are vital to addressing the bottlenecks within the ESS. In this respect, it is encouraging that the joint task force between the Commission, CEN-Cenelec and ETSI is already up and running to tackle these issues.

The Danish Government finds that the initiatives outlined in the roadmap are good starting points and recommends that the Commission reports to the Committee on Standards (CoS) on the progress, using key performance indicators (KPIs).

The problem definition in the roadmap's section A (2) mentions the prescriptive standardisation requests and delayed citation, but it is important to add that a lack of clear criteria for approval contributes also to delays. Streamlining Commission practices, so that the same clear criteria are applied across different Commission services will increase the chances that standards fulfil the quality requirements and reduce delays. An efficient standardisation process requires clear criteria for the approval of harmonised standards by the Commission and subsequent citation in the Official Journal of the European Union – without delay, as it is phrased in the Standardisation Regulation. It is our hope that the efforts proposed in the roadmap will also lead to a better solution with regards to the format of standardisation requests, e.g. by introducing some element of flexibility without compromising legal certainty. These suggestions were part of the member states' non-papers on harmonised standards, which were also directly referenced in the roadmap.

The Danish Government is looking forward to working with the Commission and other stakeholders to make sure European standardisation can reach its full potential and stands ready to contribute throughout the process.