

THE USE OF STANDARDS IN POLICY: IS THERE AN ELEPHANT IN THE ROOM?

OVERVIEW

#StandardsInPolicy

12 June 2018

BRUSSELS

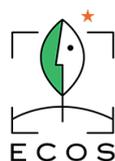


Exploring the possible implications of the James Elliott and other court cases on the way policy-makers use standards in European laws and policies

For the first time, in the James Elliott case, the European Union's Court of Justice shed some clarity on the legal nature of harmonised standards: they are "part of EU law". What do this and other judgements associated with standards mean for European policy-makers who, more and more, use standards as policy tools for the Single Market and in areas of public interest? If standards are part of EU law, should the European Standardisation Organisations adapt their way of working? What is the appropriate level of European Commission scrutiny of standards? Can standards remain voluntary?

This workshop will explore whether the approach whereby European legislators request that the standardisation organisations define the means by which legislation is implemented or help deliver on political objectives is effective and sustainable, including when used in areas of public interest. It will also see whether a clear line can be drawn between standards serving the needs of industry and other stakeholders, and standards serving the needs of policy makers.

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AGENDA

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9:30  **Registration and coffee**

10:00  **Welcome address**

[Bernd Dittmann](#)

Member of Group I (Employers), European Economic and Social Committee

10:10  **The impact of the James Elliott case on the use of standards in legislation and policy**

[Mariolina Eliantonio](#)

Researcher in Law, Maastricht University

10:25  **Beyond the New Approach: The use of standards in environmental policy**

[Pierre Henry](#)

Policy Officer, DG Environment, European Commission

10:45  **Panel: Standards for the free movement of goods: The inconvenient truth?**

[Stefano Boy](#), Senior Researcher, European Trade Union Institute (ETUI)

[Mariolina Eliantonio](#), Researcher in Law, Maastricht University

[Gerhard Leibrock](#), Team leader, DG GRDW, European Commission

[Adam Pinney](#), Standardisation Officer, Small Business Standards (SBS)

[Bernhard Schneider](#), Deputy Head of Unit, Federal Ministry of the Interior, Building and Community, Germany

Moderated by [Hughes Belin](#)

The panel will review the process by which standards are being evaluated and used by policy-makers in the context of the Single Market and discuss whether the New Approach presents any loopholes. In particular, the panel will discuss whether the European Court of Justice's ruling in the James Elliott case has appropriately resulted in changes to this approach. Finally, the panel will take a close look at the legislators' involvement in the standards development process.

12:15  **Networking lunch**

13:45  **Panel: The use of standards in policy: Is there a perfect match?**

[Greg Archer](#), President, ECOS & Director, Clean Vehicles, Transport & Environment

[Pierluigi Cuccuru](#), PhD Candidate in Law, Sant'Anna School of Advanced Studies, Italy

[Ruben Dekker](#), Policy Officer, DG Environment, European Commission

[Denis Pohl](#), Policy Advisor Product Policies, Federal Public Service, Health, Food Chain Safety and Environment, Belgium

[Stephen Russell](#), Secretary General, ANEC

[Bardo Schettini Gherardini](#), Director of Legal Affairs, CEN-CENELEC

Moderated by [Hughes Belin](#)

The use of standards in support of policy raises an important question: to what extent can standards serve the needs of regulators and how can delegation of "political" decisions to the European standardisation be avoided? How can it be ensured that standards are written so as to represent the interests of all stakeholders? The panel will explore whether and how standards should be used in support of policy outside the context of the Single Market for goods.

15:15  **Closing remarks**

15:30  **Networking coffee**