



## Joint submission of

**BITKOM, COCIR, DIGITALEUROPE, ECIS, ECMA International,  
ETSI, IEEE, OASIS, Open Forum Europe, W3C**  
on

## **Articles 9 and 10 of EU draft Regulation on European Standardisation**

The signatories of this submission very much welcome the draft Regulation on European Standardisation and the constructive and informed debate about it in the European Parliament and the Council.

With this submission the signatories want to stress the importance of maintaining each of the Articles 9 and 10 and Annex II in the draft Regulation. The provisions of those articles are essential towards the objective of enabling direct referencing of existing ICT standards developed by Fora/Consortia in European Policies and Public Procurement. This objective is of critical importance for European industry, both large companies and SMEs. They develop technologies and products for a global market and need to rely on broadly used and implemented global ICT standards from Fora/Consortia. The same ICT standards must be available for Policies (above all: innovation policy) and Public Procurement in Europe. This is essential for promoting interoperability and for the success of European industry and economy in a highly competitive world.

Effective innovation policy making depends on the ability to include ICT standards from Fora/Consortia, (very often) in combination with standards from formally recognised standards bodies. Moreover, the availability of ICT standards from Fora/Consortia along with those from formal SDOs is critical for delivering against the policy priorities in ICT, including innovation areas around the internet and world wide web, e.g. as listed in the Commission's ICT Standardisation Work Programme and in the Digital Agenda.

The signatories are aware of requests to merge and significantly modify these Articles. We strongly recommend to keep all provisions included in these two Articles and in Annex II.

Below we respectfully provide some suggestions for amendments to increase the clarity of Articles 9 and 10.

This joint submission does not limit the freedom of the signatories to submit further individual or joint positions on the draft Regulation.

## Suggested Amendments

### Amendment No 1

#### - Article 9 -

##### *Text proposed in the Regulation*

Either on proposal from a public authority referred to in Directive 2004/18/EC or on its own initiative the Commission may decide to recognise technical specifications which are not national, European or international standards and meet the requirements set out in Annex II, as ICT standards.

##### *Amendment*

Either on proposal from a public authority referred to in Directive 2004/18/EC or on its own initiative the Commission may decide to recognise technical specifications ***in the field of ICT*** which are not national, European or international standards and meet the requirements set out in Annex II, as ICT standards ***for referencing in policies and public procurement***

##### Justification

*Article 9 is highly important because it provides for a basic process to recognise global ICT specifications as ICT Standards. This will also allow in an orderly way the direct referencing of recognised fora and consortia specifications in EU policies.*

### Amendment No 2

#### - Article 10 –

##### *Text proposed in the Regulation*

ICT standards referred to in Article 9 shall constitute common technical specifications referred to in Directives 2004/17/CE and 2004/18/CE, and Regulation (EC) No 2342/2002.

##### *Amendment*

***Recognised*** ICT standards referred to in Article 9 shall constitute common technical specifications referred to in Directives 2004/17/CE and 2004/18/CE, and Regulation (EC) No 2342/2002.

##### Justification

*Article 10 explicitly complements the Procurement Directives. It ensures that only ICT standards which have successfully been recognised, can be referenced in public procurement.*