



# **Comparative Study of Consumer Groups and Environmental NGOs Engaged in International Standards Work**

**A Study by Pollution Probe Funded by the Industry Canada  
Contributions Program**

**Bruce J. Farquhar,  
Elizabeth Everhardus  
and Ken Ogilvie**

**June 26, 2006**

# Acknowledgements

Pollution Probe is pleased to acknowledge the work of **Bruce Farquar** who served as principal researcher for this project. Thanks also go to **Elizabeth Everhardus**, Director, Communications and Special Projects and **Ken Ogilvie**, Executive Director of Pollution Probe for their contributions as co-authors, along with Bruce, to complete this study. Pollution Probe's **Krista Friesen** and **BoAnne Tran** also made valuable contributions as in-house researchers.

Special thanks go to **Jason Morrison** of INNI who served as an External Evaluator for the report, as per a requirement of our funder Industry Canada. Jason's comments were thoughtful and added considerable value to the final report.

Pollution Probe is also grateful for Krista Friesen's skill and patience in laying out the final report and seeing the project through to publication.

Financial support from **Industry Canada** to conduct the research on which this report is based is gratefully acknowledged. The views expressed in this report are not necessarily those of Industry Canada or of the Government of Canada.

# Table of Contents

<b>Executive Summary</b>	<b>5</b>
<b>Chapter 1 — Introduction</b>	<b>7</b>
1.1 Context	8
1.2 International Standards and Canadian Regulation	9
1.3 International Standards and Regulation in the United States and the European Union	9
<b>Chapter 2 — Opportunities for NGOs to Participate in International Standards Setting</b>	<b>10</b>
2.1 Participation in a National Delegation	10
2.2 Liaison Status	10
2.3 Policy-level Involvement	11
2.4 ISO/IEC Policy Statements and Documents	12
2.5 National Standards Body Requirements	13
2.6 ISO Social Responsibility Initiative	14
2.7 ISO Strategy 2005–2010	14
<b>Chapter 3 — Consumer and Environmental NGOs Involved in International Standards</b>	<b>15</b>
3.1 Consumer Organisations in Canada	15
3.2 Environmental Organisations in Canada	18
3.3 International Consumer Organisations	19
3.4 International Environmental Organisations	21
3.5 Alternative NGO Standards-Setting Organisations	23
3.6 Other Standards-Setting Dialogues	24
3.7 Consumer Organisations in the United States Involved in Standards-Setting Activities	24
3.8 Environmental Organisations in the United States Involved in Standards-Setting Activities	26

<b>Chapter 4 — Standards Setting in Canada</b>	<b>28</b>
4.1 Standards and the Law in Canada	28
4.2 Product Standards in Canada	28
4.3 The Role of the Standards Council of Canada	28
4.4 How Consumer and Environmental Interests are Represented in the Canadian Standards System	29
4.5 Consumer Programs Run by Canada’s Standards Development Organisations	30
<b>Chapter 5 — Standards Setting in the United States</b>	<b>31</b>
5.1 Standards Setting and Federal Rulemaking	31
<b>Chapter 6 — Standards Setting in the European Union</b>	<b>33</b>
6.1 Bureau Européen des Unions de Consommateurs	33
6.2 European Environmental Bureau	34
6.3 Standards, the Law and the Environment in Europe	34
6.4 NGO Participation in the European Standards Organisations	35
6.5 Other Means of Influencing European Standards	35
6.6 National Consumer Standards Councils in Europe	36
6.7 ANEC — The European Consumer Voice in Standardisation	37
6.8 European Environmental Citizens Organisation for Standardisation	38
<b>Chapter 7 — NGOs and the World Trade Organisation</b>	<b>39</b>
7.1 Participation at WTO Ministerial Conferences	39
7.2 Public Symposia	39
7.3 CI Global Governance Project	40
7.4 EU Trade Consultation	40
<b>Chapter 8 — Summary and Conclusions</b>	<b>41</b>
8.1 NGO Participation in International Standards Setting	41
8.2 Collaboration Between ENGOs and Consumer Groups	42
8.3 Current Situation in Canada	42
8.4 What Can We learn From the Europeans?	43
8.5 What Can be Done in Canada to Catch Up?	44
<b>Additional References</b>	<b>46</b>
Useful Websites	47
List of Acronyms	47

# Executive Summary

The purpose of this report is to compare and contrast Canadian consumer groups and environmental non-governmental organisations (ENGOS) with those in the United States and the European Union, and to identify and discuss ideas on how to further develop Canadian environmental/consumer-related interest group capacity to participate in international standards setting.

The report focuses on standards setting within ISO — the *International Organisation for Standardisation*. The avenues available for participation and the barriers to effective NGO involvement are identified and discussed in the context of the evolving role of ISO standards, whose scope has expanded to include environmental management systems (ISO14000) and a social responsibility standard, both of which have interested consumer groups and ENGOS and resulted in increased NGO involvement in ISO.

The study found distinct differences in organisational capacity to influence standards among consumer groups and ENGOS in Canada, the US and the EU. NGOs in the EU, especially consumer groups, are better financed and have greater interest and capacity to participate in standards setting in general than in Canada and the US. Governments in the EU view consumer groups, and increasingly ENGOS, as valuable assets in voluntary standards setting. The EU and some member nations provide considerable funding support for NGOs to research standards and participate in national and EU standards-setting processes. However, funding support for NGOs in the EU to participate in ISO standards setting is still

limited. NGOs in the EU have similar concerns to their counterparts in the US and Canada with respect to barriers to effective involvement in ISO decision-making and policy-making processes.

US consumer groups and ENGOS are often well-resourced compared to Canadian (and many EU) NGOs; however, the need for NGO representation in voluntary standards setting in the US is not as great as in Europe. There are opportunities in the US for consumer groups to intervene in regulatory processes to influence standards that are adopted in regulation without these organisations having to participate in the development of voluntary standards. Consumer associations have standing in the courts to sue Federal agencies that are independent government agencies and whose actions in pursuit of their legal mandates are subject to review by the courts. Thus, US consumer groups do not, in the main, place as much priority as those in the EU in participating in the development of voluntary standards.

Canadian NGOs face several barriers to effective involvement in ISO and other voluntary standards-setting processes. In particular, they tend to be severely resource constrained, especially consumer groups who rely on volunteers to a significant extent, although some consumer groups have built domestic capacity. Most Canadian consumer groups, however, do not devote much staff time and resources to ISO standards. ENGOS tend to be better financed, but most of them do not participate in voluntary standards-setting processes and prefer to focus their efforts on regulatory processes.

The study found that there is a lot of scope for future collaboration on standards setting between consumer groups and ENGOs. Both have similar issues with respect to access to resources, but there are synergies that could be generated with greater cooperation. In Canada, the value of consumer representation in standardisation is acknowledged and enshrined in procedural documents that guide the activities of Standards Development Organisations (SDOs). In practice, however, there is an enormous variety in the arrangements for consumer representation in Canada's four officially recognized SDOs, with the Canadian Standards Association (CSA) running the most extensive consumer program. That being said, there is no financial support for consumer and environmental representatives who sit on committees of the SDOs and on advisory committees to the Standards Council of Canada. Travel expenses are usually covered, but NGOs receive no discretionary funding with which they can set their own priorities for participation. The Office of Consumer Affairs at Industry Canada manages a Contributions Program that allows some consumer groups and ENGOs to study policy issues, but funding made available for standards-related studies is limited.

The report concludes by identifying a number of initiatives that could be undertaken in Canada to help consumer groups and ENGOs catch up with the Europeans. Three initiatives, in particular, were identified:

**Dedicated Funding:** Dedicated resources for standards work needs to be made available to consumer and other public interest groups. This could be a composite funding model, with SDOs providing funding for travel and subsistence as part of minimum acceptable efforts for accreditation by the Standards Council of Canada. But the SCC should also provide some earmarked funding for matters falling under its control, such as participation

in international meetings in which the SCC operates the appropriate Canadian Advisory Committee. In addition to funding for travel and coordination activities, funding should be made available for research to support NGO representatives' positions on standards committees. Federal government departments whose policies make reference to standards should also contribute to a central fund used exclusively for standards work. The most obvious departments are Industry Canada, Health Canada, Environment Canada and Natural Resources Canada.

**Establishment of a Coordination Platform:**

Coordination of the activities of consumer groups and ENGOs (and other public interest groups) is desirable. This will help avoid duplication of efforts, promote rationalization of activities, and facilitate a better flow of information. The goal should be to capture synergies and not to impose one view on all consumer and public interest groups; however, when achievable, a clear and unambiguous public interest voice will carry more weight, and there may be strategic and various policy issues for which agreement on common positions is easier to accomplish.

**Structure:** To begin with, an initial project with some central staff resources could be created, supported by a listserver/e-mail explorer, website, newsletter and some independent analysis capacity for strategic and policy issues. The principal role of this structure would be to act as a conduit for information from SDOs, SCC and government with respect to standards work, providing a guaranteed route to consumer and other public interest groups. This structure should not compromise SDOs' own efforts; rather, it should complement SDOs' work by developing a network of NGO contacts that can be approached to measure interest and provide a method by which volunteer representatives can engage a larger reference group.

# Chapter I — Introduction

The purpose of this report is to compare and contrast Canadian consumer groups and environmental non-governmental organisations (ENGOS) with those in the United States and the European Union, and to identify and discuss ideas on how to further develop Canadian environmental/consumer-related interest group capacity to participate in international standards setting.

Consumer groups and ENGOS are increasingly engaged on the same issues, especially with respect to sustainable consumption and development. They also face the same challenges when participating in decision-making processes, such as standards setting.

This report focuses on standards setting within ISO — the International Organisation for Standardisation. A number of avenues are open to NGOs (both consumer and environmental) to participate in ISO standards setting at the international level. There are, however, significant barriers to effective NGO involvement in ISO, ranging from procedural barriers to financial and capacity constraints.

The first part of this report briefly describes ISO and related processes in which consumer and environmental organisations currently participate. It also outlines the main characteristics and initiatives of consumer and environmental organisations in Canada, the US and the EU that have been involved in international standards-setting work. The second part examines how consumer groups and ENGOS engage in the work of the European Standards Organisations and, to

some extent, the WTO as it relates to standards-setting activities. The third part includes a summary of the current situation in Canada, as well as a discussion of European Union initiatives that could be undertaken in Canada to improve Canadian consumer and ENGO capacity to participate in international standards setting.

This research builds on work that Pollution Probe undertook in 2002 to explore *Environmental Non-governmental Organisation (ENGO) Participation in National Standards Setting*. This report made a number of recommendations to help improve ENGO understanding of national environmental standards setting in Canada and internationally. It highlighted the need for effective recruitment and involvement of NGOs in international standards-setting processes because these standards are expanding into environmental, health and social areas. One of the major findings of the 2002 report was that many Canadian ENGOS have concerns about the use of voluntary standards developed outside of governmental processes. They were reluctant to participate in voluntary standards-setting processes, such as ISO, and preferred to devote their limited resources to regulatory processes.

In 2003, Pollution Probe completed another report, titled *A Taxonomy of Environmental Standards*. The objective of this report was to improve Canadians' understanding of the various ways in which standards are developed — at the provincial, national and international levels — recognizing that many stakeholders are unaware of the different approaches, authorities and stakeholders

involved in each standards-setting arena. The 2003 report documented issues related to standards' legal effect, form, and the processes in which they are developed. Pollution Probe is pleased to publish this report, titled *A Comparative Study of Consumer Groups and Environmental NGOs Engaged in International Standards Work*. The purpose of this study is to compare and contrast Canadian ENGOs and consumer groups with those in the US and EU, and to identify and discuss ideas on how to further develop environmental/consumer-related interest group capacity in Canada.

## **I.1 Context**

International standards have become increasingly important in recent years as the use of voluntary standards has been promoted nationally, regionally and internationally. At the same time, the scope of standards activities has expanded from being concerned with product safety and compatibility to addressing other characteristics of products, including their impact on the environment. Product specifications are also no longer the only subject of standards. Standards have been written about management systems, and standards are being used as a tool to advance other agendas, such as social responsibility. The chart below summarizes the evolution of ISO and recent developments in the environmental and social responsibility

### **Milestones in the Evolution of International Standardisation**

1906	International Electro-Technical Commission (IEC) established
1926	International Federation of the National Standardising Associations (ISA) set up emphasis on mechanical engineering (ceased operations in 1942)
1946	International Organisation for Standardisation (ISO) established
1987	ISO9000 Quality Management Systems standard published
1991	Vienna Agreement between ISO and European standardisation committee (CEN) — today 40 per cent of CEN's European standards are identical to the international standards
1994	Conclusion of GATT Uruguay Round — Technical Barriers to Trade Agreement requires the use of appropriate international standards as a basis for technical regulations
1996	ISO 14001 Environmental Management Systems standard published
1996	Publication of ISO Technical Report providing guidance for forestry organisations to apply ISO Environmental Management System standards
2004	ISO 10002 Complaints Handling standard published
2005	ISO commences work on Social Responsibility guidance standard
2006	ISO 14064 Greenhouse Gas standard approved in March 2006

domains. These developments have encouraged consumer groups and some environmental organisations to become more actively involved in work on international standards.

## 1.2 International Standards and Canadian Regulation

The use of international standards in support of Canadian regulation has been promoted as a means of reducing technical barriers to trade among countries. The *WTO Technical Barriers to Trade Agreement* requires member governments to use international standards as a basis for domestic regulation, except where such standards would not fulfill legitimate regulatory objectives.<sup>1</sup>

Canadian regulatory policy reflects Canada's obligations under the *WTO Technical Barriers to Trade Agreement*. Approximately 1,536 voluntary standards are referenced in regulation in Canada. The most important sources of voluntary standards in Canada are the ones developed by American standards development organisations (SDOs), which account for 438 of the voluntary standards referenced in Canadian regulations. International standards account for 266 standards, almost equal to the number of standards developed by the four accredited Canadian SDOs, which account for 309 standards referenced in Canadian regulations.<sup>2</sup> Other standards development organisations account for the remaining standards.

---

<sup>1</sup> Article 2.4 Technical Barriers to Trade Agreement.

<sup>2</sup> Regwatch accessed on Standards Council of Canada website, 12 February 2004.

## 1.3 International Standards and Regulation in the United States and the European Union

Given that the use of international standards has been promoted as a means of reducing technical barriers to trade among countries, many countries have incorporated requirements in their own regulatory policies to ensure compliance with WTO rules. The European standards organisations and, more recently, American standards development organisations have signed cooperation agreements with international standards organisations, with the aim of harmonizing their standards. For example, CEN<sup>3</sup> has almost 40 per cent of its standards identical to ISO standards. CENELEC<sup>4</sup> has 90 per cent of its standards identical to IEC standards. European standards promulgated by CENELEC are identical to the corresponding international standards.<sup>5</sup>

---

<sup>3</sup> CEN – European committee for standardisation, dealing with the majority of standards outside the electro-technical and telecommunications sectors. CEN is formally recognised by the European public authorities.

<sup>4</sup> CENELEC – European committee for standardisation in the electro-technical sector. CENELEC is formally recognised by the European public authorities.

<sup>5</sup> Vienna Agreement between CEN and ISO, and Dresden Agreement between CENELEC and IEC.

# Chapter 2 — Opportunities for NGOs to Participate in International Standards Setting

The *International Organisation for Standardisation (ISO)* was created in 1946 when delegates from 25 member countries came together “to facilitate the international coordination and unification of industrial standards.”<sup>6</sup> Today, ISO, itself a non-government organisation, is a network of national standards institutes from 156 countries, with formal representation based on one member per country. ISO has a Central Secretariat in Geneva, Switzerland, that coordinates the system.

ISO identifies international standards that are required by business, government and society, develops them in partnership with the sectors that will put them to use, adopts them by transparent procedures based on national input, and delivers them to be implemented worldwide.<sup>7</sup>

The main avenues for NGOs (both consumer and environmental) to participate in standards development within ISO are to do so *indirectly* — that is, as part of national delegations — or *directly* — as officially recognized liaison members in an appropriate ISO technical body. Both options have advantages and drawbacks that are reviewed in the following sections.

## 2.1 Participation in a National Delegation

National delegations have voting power at ISO, but participation in a national delegation implies the discipline of representing the national consensus position that has been worked out in a national mirror committee. It is the delegation’s responsibility to present consensus views and positions at international meetings. The national mirror committee is supposed to be composed of diverse stakeholder interests, but NGO positions can be lost in the national mirror committee consensus-building process. In some cases, national delegation rules may not even be applied correctly in practice.<sup>8</sup> This supports the interest in, and need for, direct NGO participation in international ISO processes.

## 2.2 Liaison Status

Direct participation as a liaison member to an ISO Technical Committee allows for the expression of undiluted NGO concerns and issues. However, liaison organisations do not have any voting rights or formal rights of appeal. Another disadvantage of liaison status

---

<sup>6</sup> ISO website accessed February 25, 2006.

<sup>7</sup> “ISO In Brief, International Standards for a Sustainable World” brochure. ISO website accessed February 25, 2006.

---

<sup>8</sup> The US national committee disregarded its own procedural rules to issue a counter-proposal to a Swedish new work item proposal for an environmental communications standard (reference — ISO14000 Update June 2001 Vol. VII No.6 (Business and the Environment’s ISO14000 Update Service)).

is that access is only available at the technical level of ISO — not the policy level. Access to higher technical management and policy level committees is reserved for ISO members. The membership of ISO is composed of national standards bodies most representative of standardisation in their own countries. Only one organisation from each country can be a member of ISO. In Canada, the Standards Council of Canada is the Canadian member of ISO.

Direct participation in ISO through liaison status is not a right; rather, it has to be applied for and is considered on a case-by-case basis. This situation contrasts sharply with NGO liaison status at the European level, and also with the system of NGO accreditation in the United Nations family of organisations, in which applicant organisations, once accredited, can participate in a number of relevant forums.

## 2.3 Policy-level Involvement

Opportunities exist for NGOs to participate in ISO policy forums that work on consumer and environmental issues. These include ISO's *Consumer Policy Advisory Committee (COPOLCO)* on consumer issues and the *TC207 Chairman's Advisory Group* and the *TC207 NGO-CAG Task Force*.

### 2.3.1 ISO-Consumer Policy Advisory Committee (COPOLCO)

COPOLCO formally reports to the ISO Council. Approximately half of ISO's national member bodies, including Canada, participate actively in COPOLCO. Each ISO member determines the composition of its delegation to attend the annual COPOLCO meeting, but representatives of national consumer organisations are increasingly being included in delegations. Every year, a workshop is held in conjunction with the annual COPOLCO meeting. The workshop

theme is framed by the host country and varies from year to year, often resulting in positive action being undertaken by ISO in respect of a specific consumer and/or public interest issue that relates to the workshop theme.

COPOLCO has a good track record of bringing consumer issues to ISO's attention and having these addressed in the ISO work program. Examples include *ISO10002, Quality Management — Customer Satisfaction — Guidelines for Complaints Handling in Organisations*, which is the published standard for complaints, as well as other global marketplace standards currently in preparation. COPOLCO maintains a number of ISO Guides and has also been instrumental in promoting new work items within ISO that relate directly to consumer issues. In the past, COPOLCO's activities have touched on environmental issues.

ISO provides funding for COPOLCO from its core budget. The COPOLCO secretariat provided by ISO has approximately 1.5 full-time equivalent (FTE) staff. Additional funding for stand-alone training events has been forthcoming from the Swedish government and other donors.

COPOLCO provides some coordination of consumer participation at the international level through its priorities working group. This group produces an annual statement of consumer priorities and a directory of consumer representatives active at the international level. COPOLCO does not have a mandate to represent consumer views at the international level in the way, for example, that Consumers International does, nor does it have sufficient funds to send consumer representatives to meetings.

COPOLCO focuses to a large extent on addressing how to improve consumer participation in international standards work. This has been done through training seminars and, most recently, through the

creation of a working group on consumer participation. This working group is examining issues of funding and benchmarking, with a view, in particular, to influencing the work program for implementing the *ISO Strategy 2005–2010*.

### 2.3.2 ISO/TC207 Task Force

ISO/TC207 is the ISO technical committee responsible for the vast majority of ISO's work on the environment. It was formed in 1993, one year after the 1992 UN Conference on Environment and Development, with an evolving role to promote sustainable development by developing standards in the field of environmental management.<sup>9</sup> TC207 is responsible for the *ISO14000 Environmental Management Systems* series of standards, which includes *ISO14020 (Environmental Labels and Declarations)*. Many ENGOs have been introduced to ISO through their participation in TC207. Another ISO technical committee that is working on issues that relate to environment includes TC224, which deals with water resource management.

Lacking appropriate forums to articulate their interests and organize themselves within ISO in the same way that consumer groups can organize within COPOLCO, in 2001 ENGOs (and some consumer groups) established an NGO Task Force within TC207 to explore how NGO participation within ISO could be facilitated. TC207 has approved a work programme to improve NGO participation.<sup>10</sup> Elements proposed in the first phase included establishing attendance metrics, including tracking participation at TC207 meetings according to stakeholder groups, and documenting examples of successful efforts of NGO involvement in ISO.

Many of the NGO concerns voiced at TC207 have found resonance in the *ISO Strategy 2005–2010* and are now being explored in practice with ENGO participation in the *ISO26000 Guidance Standard on Social Responsibility*, which is pioneering a novel approach to identifying stakeholder positions.

## 2.4 ISO/IEC Policy Statements and Documents

Opportunities exist for NGOs to participate in ISO policy statements and documents that relate to consumer and environmental issues. Consumer NGOs have provided input through COPOLCO. At other times, they have provided input through their ISO member bodies and/or through their liaison status.

ISO and the *International Electro-Technical Commission (IEC)* have both developed a number of policy statements and guidance documents with respect to consumer involvement in their work. The recently adopted *ISO Code of Ethics* also commits ISO members to take appropriate measures to facilitate the participation of consumers and other affected parties from civil society in their work.

Concern has been expressed by NGOs about apparent contradictions in the ISO Directives with respect to the definition of consensus and the treatment of liaison organisations. Consensus is defined as being characterised by the absence of sustained opposition to substantial issues<sup>11</sup> and requiring the resolution of substantial objections.<sup>12</sup> However, the ISO Directives do not define

---

<sup>9</sup> ISO/TC207 N591 Final Report of the TC207 Future Vision Task Force, p. 1.

<sup>10</sup> ISO/TC207 CAG-NGO Task Force.

---

<sup>11</sup> ISO/IEC Directives Part 1, Fifth Edition 2004. Foreword and Clause 2.5.6.

<sup>12</sup> ISO/IEC Guide 2:1996.

what sustained opposition is and how it can be expressed, other than through negative voting, something that is denied to liaison organisations. At the same time, the ISO/IEC Directives require technical committees and subcommittees to “seek the full and if possible formal backing of the organisations having liaison status for each and every document in which the latter is interested.”<sup>13</sup> No further guidance is given as to how this clause should be operated in practice.

ISO and IEC both circulate guides that help their technical committees achieve a degree of consistency and coherence in their approach to dealing with public policy issues. With respect to environmental aspects of product standards, both ISO and IEC have developed guides — namely, *ISO Guide 64 — Guide for the Inclusion of Environmental Aspects in Product Standards*, and *IEC Guide 109 — Environmental Aspects — Inclusion in Electro-technical Product Standards*. In addition, TC207 has developed an ISO Technical Report, *ISO/TR14062 — Environmental Management — Integrating Environmental Aspects into Product Design and Development*.

Participation in the development of relevant guides is a means for NGOs to influence how product standards are written. The degree of rigor in the application of these guides, along with other ISO and IEC guides, is a matter of concern to NGOs and has been raised in COPOLCO, resulting in a COPOLCO task force to examine ways to increase the visibility of the guides and their application in practice.

---

<sup>13</sup> ISO/IEC Directives Part 1, Fifth Edition 2004, clause 1.17. Liaison with other organisations.

## 2.5 National Standards Body Requirements

National standards bodies have a responsibility to organize national input in an efficient and timely manner, taking account of all relevant interests at the national level.<sup>14</sup> There are, however, no provisions for monitoring the application of this ISO requirement. The concept of balanced representation has been an issue in the spotlight, most recently as a result of the new working procedures adopted in respect of ISO’s work on social responsibility. As a result of the new provisions for this work, national standards bodies are obliged to have balanced representation on their delegations, something that has provoked much reflection at the national level.<sup>15</sup>

## 2.6 ISO Social Responsibility Initiative

ISO recently launched its first initiative on social responsibility, *ISO26000 — Guidance Standard on Social Responsibility*, which is of interest to ENGOs. ISO has instigated new working procedures for its social responsibility work, reflecting concerns brought forward in the *CAG–NGO Task Force on TC207* and concerns raised at ISO’s Social Responsibility Conference held in June 2004 that paved the way for the new work item. These procedures require national delegations to be balanced and NGOs to be directly involved in the drafting of the new *Social Responsibility Guidance Standard*.

---

<sup>14</sup> ISO/IEC Directives. Part 1, Fifth Edition 2004 Clause 1.7.1.

<sup>15</sup> Further analysis of the points addressed in this section is available in the document “Recommendations for an improved balance of stakeholder participation in ISO/TC207.” ISO/TC 207 CAG N392.

## 2.8 ISO Strategy 2005–2010

The recently adopted *ISO Strategy 2005–2010* identifies the need to improve NGO participation in international standards work. The ISO Strategy also acknowledges the need for benchmarking initiatives and to “investigate funding to support the participation of under-represented groups (e.g., consumers).”<sup>16</sup> A number of NGOs — including Consumers International (CI), the International Institute for Sustainable Development (IISD) and ANEC (The European consumer voice in standardisation) — commented extensively on the draft ISO Strategy. Their proposals have been summarised in the *CI Global Governance Report* (profiled in Section 3.3). The proposals address many of the issues that have been touched upon in the ISO Strategy, including the need to establish a separate funding mechanism for consumer representatives to participate at the international level and the need for benchmarking and performance indicators. ISO is currently preparing annual implementation plans for its strategy, and COPOLCO and Consumers International are trying to influence these plans, most notably through the efforts of the *COPOLCO Working Group on Consumer Representation*.

---

<sup>16</sup> [www.iso.org/iso/en/commcentre/news/archives/2003/strategie.html](http://www.iso.org/iso/en/commcentre/news/archives/2003/strategie.html).

## Chapter 3 — Consumer and Environmental NGOs Involved in International Standards

A number of NGOs are actively engaged in standards setting within ISO. Consumers International (CI) is the only global consumer NGO directly engaged in voluntary standards setting. ANEC is an organisation that is financed by the European public authorities, with a mandate to represent European consumers in standardisation processes. ANEC collaborates with CI, but it takes a more proactive approach through direct participation at the international level. Both CI and ANEC are engaged in a number of issues of interest to ENGOS, including environmental management and labelling within TC207, as well as the recently launched ISO initiative on social responsibility.

### 3.1 Consumer Organisations in Canada

Several consumer groups in Canada have participated in standards setting. At the national level, there is the Consumers Association of Canada (CAC), the Consumers Council of Canada (CCC), the Public Interest Advocacy Centre (PIAC), L'Union des consommateurs (UC), Service d'aide aux consommateurs de Shawinigan, Consumer Information Centre Shawinigan, and Options consommateurs (OC).

In Europe and the United States, many consumer groups derive their memberships and financial viability from magazine publishing. This is not the case in Canada. The American magazine *Consumer Reports* dominates the North American market as the most widely read consumer magazine

(including in Canada). In the past, the Consumers Association of Canada produced a product testing and consumer magazine that was sold in Canada. This magazine is no longer published.

In Quebec, there is a French language consumer magazine titled *Protégez-vous* that does not have competition from European consumer magazines published in French because of the significant differences in product offerings in North America and Europe. This magazine was produced by the Quebec government in the past, but an independent, non-profit organisation now produces it.

Most consumer organisations in Canada do not accept corporate funding to support their work. Given the limited resources provided by governments to support their projects, the lack of revenue from magazine publishing severely reduces consumer organisations' ability to generate income from members/subscribers.

Industry Canada's Office of Consumer Affairs is a major source of funding for consumer groups in Canada, financially supporting them through an annual Contributions Program. Approximately \$1.6 million is made available each year to fund research and capacity-building projects that will help consumer groups make informed interventions in policy-level processes.

Industry Canada's Office of Consumer Affairs has also created a consumer network to try to help Canadian consumer groups share their work through an on-line forum and face-to-

face meetings that allow consumer groups to better understand each other's work and to coordinate their activities.

Beyond this, funding models for Canadian consumer groups vary and are briefly described in the following organisational profiles.

### **3.1.1 Consumers Association of Canada**

The Consumers Association of Canada (CAC) operates from its national office in Ottawa. Its mission is: *to unite the strength of consumers to improve the standard of living in Canadian homes; to study consumer problems and make recommendations for their solution; to bring the views of consumers to the attention of governments, trade and industry and provide a channel from these entities to consumers; to obtain and provide information and counsel on consumer goods and services; and, to conduct research and tests for the better accomplishment of the objects of the organisation.*<sup>17</sup>

National office budget: no information was provided when requested by this study  
Number of staff involved in voluntary standards-setting activities: no information was provided when requested by this study  
Other staff involved in standards-setting activities (regional; national): no information was provided when requested by this study  
Member of CI: no information was provided when requested for this study

Provincial chapters operate across Canada. Each provincial chapter is financially independent of the others, as well as from the national office. Chapters vary in terms of the number of active members, as well as the number of active projects. Some chapters have more members, but generate far less

project activity, so both membership size and the number of projects underway are important indicators of organisational capacity.

Policy positions are taken at the national level, and each provincial chapter interprets CAC national policy to guide its project work.

Example: CAC Manitoba: Budget ranges between \$60,000 and \$100,000 per annum.<sup>18</sup>

### **3.1.2 The Consumers Council of Canada**

The Consumers Council of Canada (CCC) is an independent, not-for-profit organisation, federally incorporated in 1994 to give a voice to consumers and to help business and government manage today's consumer issues. The Council is an active, multi-issue consumer group. Its mandate is to work collaboratively with consumers, business and government to solve marketplace problems. CCC works with non-voting corporate members towards this goal, as well as offers independent research that has come to be valued by business and government alike.<sup>19</sup>

Budget 2005: \$300,000  
Number of staff involved in voluntary standards-setting activities: N/A for staff; volunteers participate in standards-setting activities, broadly speaking.  
Volunteers (or others) involved in standards-setting activities (regional; national): 30  
Member of CI: No

---

<sup>17</sup> Consumers Association of Canada website accessed Feb 8, 2006.

---

<sup>18</sup> Phone Conversation. CAC Manitoba, February 28, 2006.

<sup>19</sup> E-mail correspondence with Michael Lio, Executive Director, March 10, 2006.

### 3.1.3 Options consommateurs

Options consommateurs (OC) is a non-profit association whose mission is to defend and promote consumers' rights by assisting them both individually and collectively, by providing them with information, and by advocating on their behalf to decision makers.

The association has operated since 1983. In 1999, it merged with the Association des consommateurs du Québec (ACQ), an organisation with a 50-year history and a mission similar to that of OC.

Principal Activities: Options consommateurs has a staff of 20 who are grouped into four departments: budgeting, legal affairs, media relations, and research and representation. OC has developed expertise in the following program areas: financial services, health, agri-food, energy, travel, access to justice, trade practices, debt, and the protection of privacy. Each year, OC reaches 7,000–10,000 consumers directly and many more through intensive media coverage. OC participates on working groups, sits on boards of directors, carries out large-scale projects with key partners, and produces research reports, policy papers and buyer's guides, such as *The Toy Guide*, in collaboration with *Protégez-vous* magazine.

National office budget: (2005–2006) \$1.3M  
Number of staff involved in voluntary standards-setting activities: One  
Other staff involved in standards-setting activities (regional; national): No  
Member of CI: Yes

### 3.1.4 Public Interest Advisory Committee

Public Interest Advisory Committee (PIAC) is a non-profit public interest organisation that provides legal and research services on behalf of consumer interests, and, in particular, vulnerable consumer interests, concerning

the provision of important public services. Headquartered in Ottawa, PIAC has worked on consumer issues since 1976. It opened a Toronto office in 2004. Subject areas of expertise on consumer issues include: air travel, telecommunications, energy, privacy, the Information Highway, electronic commerce, financial services, broadcasting, competition law, identity theft and security.

National office budget: Approximately \$900,000 (2005), including tribunal case disbursements.

Number of staff involved in voluntary standards-setting activities: None full time — perhaps 50 per cent of a FTE is devoted to these issues in various areas.

Volunteers (or others) involved in standards-setting activities (regional; national): No  
Member of CI: Yes

## 3.2 Environmental Organisations in Canada

As part of this study, Pollution Probe surveyed fifteen environmental NGOs in Canada to learn about their involvement in standards-related activities, as well as to determine if they are involved in consumer-related issues. The ENGOs surveyed included: Pembina Institute, GreenSaver, Manitoba Wildlands, David Suzuki Foundation, Dogwood Initiative, Dodd Creek Task Force, Bedford Mining Alert, The Natural Step, The Canadian Institute for Environmental Law and Policy, Sierra Club of Canada, Sierra Legal Defence Fund, Greenpeace Canada, Canadian Centre for Pollution Prevention, Ecology Action Centre and Wildsight.

### Survey Results

None of the fifteen ENGOs surveyed, except the Pembina Institute, said they had ever been involved in ISO-related standards work. Some are currently involved with Forest Stewardship Council standards setting (as

part of ISEAL). Other standards-related work being done by these ENGOs includes promotion of national programs, such as the Canadian EnerGuide energy efficiency program.

Nine out of the fifteen organisations said they work on consumer-related issues. The issues they work on include: home comfort and energy conservation, consumption reduction, market-based projects (e.g., forestry, salmon, aquaculture), heli-recreation in endangered species habitat, pesticide use reduction, Forest Stewardship Council products, and biking for sustainable transportation.

When asked if they had worked with consumer organisations, eight of the fifteen said 'no'. Five said they had worked with consumer groups on campaigns that related to forestry and aquaculture, as well involvement in Marine Stewardship Council activities.

Two ENGOs (i.e., the Pembina Institute and Pollution Probe) have recently been involved in ISO standards-setting activities as , as noted below.

### 3.2.1 Pembina Institute

The Pembina Institute participated in the *Canadian Advisory Committee on ISO14064 — Greenhouse Gas standards*. The Pembina Institute also has a representative on the Canadian Standards Association's Strategic Steering Committee on Business Management and Sustainability (which advises the CSA on ISO14000 and ISO9000 standards).

Budget 2005: \$3.0M (approximate)  
Number of staff involved in voluntary standards-setting activities: One  
Volunteers (or others) involved in standards-setting activities (regional; national): No estimate  
Member of CI: No

### 3.2.2 Pollution Probe

Pollution Probe participated as an environmental stakeholder in the *Canadian Advisory Committee on ISO14064 Greenhouse Gas standards*. It also participates in Canada and internationally on the *Social Responsibility Guidance Standard*. Pollution Probe is a member of the Standards Council of Canada's *Consumer and Public Interest Committee (CPIC)*, and was formerly on the SCC's *Advisory Committee on Standards (ACS)*. Pollution Probe's executive director is a member of the CSA's *Standards Policy Board* and also chairs the CSA's *Strategic Steering Committee on Business Management and Sustainability*, which advises the CSA on ISO9000 and 14000-related standards (as well as other environmental standards work).

To improve understanding of standards setting, Pollution Probe has published a number of reports, including:

- The Future Role of Environmental Standards, March 2000.
- Applying the Precautionary Principle to Standards Setting, September 2001.
- Environmental Non-governmental Organisation (ENGO) Participation in National Standards Setting, March 2002.
- Environmental Standards: Towards Implementation of the Canadian Standards Strategy, August 2002.
- A Taxonomy of Environmental Standards, August 2003.

Budget 2005: 2.5M  
Number of staff involved in voluntary standards-setting activities: 7 (not FTE, with different staff involved, estimated at 0.5 FTE)  
Volunteers (or others) involved in standards-setting activities (regional; national): No  
Member of CI: No

### 3.3 International Consumer Organisations

#### 3.3.1 Consumers International (CI)

CI is the global umbrella organisation for consumer groups, with more than 250 members in almost 115 countries around the world. Its core membership is composed of independent national consumer organisations that are the voting members of its general assembly. A council oversees the work of the organisation between triennial world congresses. CI has an annual budget of more than \$5,000,000 (60 per cent of this income is from grants and the rest from membership levies), which supports a staff of more than sixty in four locations around the world. National government consumer departments and government-run consumer organisations are associate members. Associate members do not have the same voting rights as other members.

CI represents its membership at the global level, participating in a number of fora. For example, CI has official observer status on the UN Economic and Social Committee. It also has a form of official status with the World Health Organisation (WHO), World Trade Organisation (WTO), the United Economic Commissions, and with ISO and IEC.

CI is headquartered in London, England, and has three regional offices that operate in (and represent) Africa (ROAF), the Asia-Pacific region (ROAP), and Latin America and the Caribbean (ROLAC). The former Office for Developed and Transition Economies has merged its activities with the global head office.

The regional offices have played an important role in development activities in their own theatres of operation. Further to a recent reorganisation, the regional offices are set to assume a more important role in establishing global policy.

#### CI's Link to Environment

CI is engaged on a number of environmental issues, predominantly with respect to sustainable consumption. CI participates in the United Nations Environment Programme (UNEP), Organisation for Economic Cooperation and Development (OECD) and

#### CI's Membership

**Full members** are independent consumer organisations that have a national presence and a substantial record of programs and services for consumers across a range of issues. They must be independent of party politics and not be funded by commercial or trading corporations. Currently, approximately 30 per cent of Consumer International's members are Full members.

**Affiliate members** must meet the same criteria for political and financial independence, but are mostly young organisations, or are restricted in their work to a region or local community, or focus on a particular issue. Approximately 50 per cent of members are Affiliate members.

**Government affiliate members** are government departments, regulatory authorities or anti-trust agencies responsible for consumer policy and the consumer interest. They must support and complement the need for, and work of, independent consumer organisations. Approximately 20 per cent of Consumer International's members are Government Affiliate members.<sup>20</sup>

<sup>20</sup> Consumers International website accessed February 17, 2006.

the Commission for Sustainable Development (CSD). CI was also instrumental in lobbying for a revision of the United Nations (UN) guidelines on consumer protection to include new guidelines on sustainable consumption.

CI's standards program is based out of its London head office and has dedicated limited resources to this work. The principal staff resource for CI's standards work is part-time (i.e., 0.4 FTE). Much of CI's funding for standards-related work is project-based money from foundations and governments, which hampers long-term priority-setting because of the lack of secure funding.

CI participates actively in COPOLCO. The recently appointed chairperson of COPOLCO comes from a Korean consumer organisation that is a member of CI. At the technical level, CI participates in a number of committees identified as priorities by its membership. The CI staff person does not sit on committees and usually coordinates CI's activities through volunteers. Some of CI's current representation is carried out with project funding and involves other groups who deliver projects and do committee work as part of their arrangements with CI.

CI and ANEC have signed a memorandum of understanding to find common representatives to sit on committees and ensure closer collaboration on issues of mutual interest. ANEC coordinates this arrangement. CI also initiated a major priority-setting exercise in 2004, surveying its members and drawing up a priority list for its standards-related activities at the technical level. A draft CI standards strategy has been drawn up, and CI is currently trying to find funding for additional resources to follow technical management and policy work more closely.

### **Consumers International: Decision Making in the Global Market Project**

This project focuses on identifying the extent and consequences of any democratic deficit within the major institutions involved in setting international standards for trade in goods. It addresses the body of criticism concerned about the impact of world trade on development, communities, the environment and public health. It looks at how world trade rules are made and who makes them. The result is to provide the basis for developing practical policy recommendations to rectify democratic imbalances in the global marketplace, and to increase relevant and effective stakeholder participation in trade and standardisation processes to promote public welfare.<sup>22</sup>

CI is also involved in capacity-building projects, most recently involving its regional offices in Latin America and the Caribbean. With regard to other major projects, there is a strong standards component in the recently published *Decision-Making in the Global Market* project, and in work related to food and vehicle standards.

One aspect of the CI *Global Market Project* has been an examination of the existing procedures that ISO follows. The report identified a number of issues that need to be addressed, including:

- Giving the right to international NGOs to participate in international standards work and in technical management and policy development.

---

<sup>22</sup> Consumers International "Decision Making in the Global Market: Trade, Standards and the Consumer", June 2005, p. 7.

- Developing statistics on stakeholder involvement and identifying NGO minority stakeholder positions on national delegations.
- Establishing a funding mechanism for consumer representatives.
- Improving communication and opportunities for participation by broader groups of stakeholders.
- Giving the right of appeal to NGOs, or developing other conflict resolution mechanisms.
- Developing clearer guidance for national standards bodies to effectively implement existing ISO/IEC recommendations on consumer participation.

These recommendations are also valid for the IEC, in which to-date there has been less attention given to NGO participation. Having formally launched the ISO procedures report in Geneva in September 2005, CI is now examining how to advance the recommendations contained in the report.

### **3.4 International Environmental Organisations**

#### **3.4.1 World Wildlife Fund International (WWF International)**

WWF International is headquartered in Switzerland, with offices in more than 40 countries around the world. Its mandate is “to stop the degradation of the planet’s natural environment and to build a future in which humans live in harmony with nature, by: conserving the world’s biological diversity; ensuring that the use of renewable natural resources is sustainable; and, promoting the reduction of pollution and wasteful consumption.”<sup>22</sup>

WWF International’s conservation project areas include: efforts to curb climate change and global warming; seeking solutions to the problems and threats facing the world’s forests; protecting freshwater; working to ensure that exploitation of fish stocks is sustainable and establishing a network of well-managed marine protected areas; protecting species of plants and animals; eliminating toxic chemicals; and promoting sustainability.

WWF International has been involved in ISO work related to forestry and has commented on the use of ISO14001 in this regard. It also participates in the work being done on social responsibility. WWF has worked much more actively on ISEAL-related standards, as opposed to ISO.

#### **3.4.2 International Institute for Sustainable Development (IISD)**

IISD is an international NGO founded in 1990. It is headquartered in Winnipeg, Manitoba, with offices in Ottawa, New York and Geneva. It is funded by governments, international organisations, foundations and the private sector.

IISD’s standards-related activities are coordinated through its Trade Programme,<sup>23</sup> which primarily focuses on environment and trade issues.

IISD participated in ISO/TC207 in its *Future Vision Task Force*, which was formed in 2001 at TC207’s Annual Meeting, along with 19 other experts on international environmental standards. IISD currently participates in ISO work on social responsibility. Tom Rotherham, a Canadian based in London, is an associate of IISD who manages the standards file.

---

<sup>22</sup> [www.panda.org](http://www.panda.org)

---

<sup>23</sup> More information available at [www.iisd.org/standards](http://www.iisd.org/standards)

Beyond a line management reporting function to the executive director, who reports to a board, there is no separate governance structure for IISD's voluntary standards-related work.

### 3.4.3 Greenpeace International

Greenpeace is a global environmental organisation, consisting of Greenpeace International, based in Amsterdam, and 27 national and regional offices around the world, providing a presence in 41 countries. Greenpeace program areas include climate change and campaigning for renewable energy, defending oceans, protecting ancient forests, demanding peace and disarmament, campaigning against genetic engineering, eliminating toxic chemicals, campaigning to end nuclear power processing and waste dumping, and encouraging sustainable trade.<sup>24</sup>

Some Greenpeace member countries have been involved in international standards work. For example, Greenpeace engaged in the debate around *ISO Forestry Management Standards* that were being developed in 1996, arguing that ISO was not the appropriate forum to develop this kind of standard because so few stakeholders were represented in its processes. Greenpeace supports the Forest Stewardship Council (FSC), whose standards are compatible with the ISO standards, but the process used to develop them was managed through ISEAL (see section 3.6). Greenpeace currently does not have a formal standards participation program.

### 3.4.4 Ecologia

Ecologia is a private, non-profit organisation providing information, training and technical support to grassroots environmental groups working to solve ecological problems at the local, regional, national and global levels. It has offices in Middlebury, Vermont, in Moscow, Russia, and in Lithuania.

Ecologia's six major program areas include: Global Governance and Corporate Social Responsibility; Sustainable Development in China; International Exchanges; Academic Service Learning; Virtual Foundation (building global civil society by connecting donors to community projects worldwide); and Consulting Services (partnering with the private sector for responsible and sustainable development).

Ecologia works on developing international standards within ISO. As a public interest group with official 'liaison' status within ISO, Ecologia promotes transparency and broad participation. In addition to bringing colleagues and case studies from transition countries into ISO decision making, Ecologia also serves as a vital link between ISO and the international community of environmental organisations.<sup>25</sup>

Since 2005, Ecologia has participated in creating the *ISO26000 Social Responsibility Guidance standard*. Ecologia has participated in writing sections of the *ISO14000 Environmental Management Systems standard* and the *ISO14064 Greenhouse Gas Accounting standard*.

---

<sup>24</sup> [www.greenpeace.org/international](http://www.greenpeace.org/international)

---

<sup>25</sup> [www.ecologia.org](http://www.ecologia.org)

### 3.4.5 International NGO Network on ISO (INNI)

INNI is an initiative of the Pacific Institute, based in Oakland, California. INNI was established in 2002, with funding from the Rockefeller Brothers Fund. Two staff, Jason Morrison and Mari Morikawa, manage its activities. INNI itself does not have a governance structure that is separate from the Pacific Institute, which has an executive director, a board of directors and an advisory board. INNI aims to encourage NGO participation in ISO and focuses on environmental issues in TC207. INNI has published a number of reports, most recently examining who actually writes ISO standards, with a case study on the *ISO Environmental Management System Standard*. INNI has also been able to negotiate an agreement with ISO to allow draft international standards (DIS) to be posted on its website to promote greater NGO and public participation in the public enquiry phase.<sup>26</sup>

INNI participates on ISO work concerned with climate change (within ISO/ TC207), water resource management (ISO/TC224), social responsibility (ISO26000), environmental reporting (draft ISO14063 standard), and issues related to NGO participation in ISO (i.e., *ISO/TC207 CAG-NGO Task Force*).

### 3.5 Alternative NGO Standards-Setting Organisations

*International Social and Environmental Accreditation and Labelling (ISEAL) Alliance* represents an alternative standards development process to ISO and IEC, with member organisations operating outside of these structures. ISEAL aims to help its members develop credibility for their own standards development processes. The main focus of ISEAL members' activities is environmental. Current full members of ISEAL include:

- Fairtrade Labelling Organisations
- Forest Stewardship Council
- The International Federation of Organic Agriculture Movements
- The Marine Aquarium Council
- The Rainforest Alliance
- Social Accountability International

ISEAL has given considerable attention to the quality of consensus-building processes. A recent initiative is the publication of *Stakeholder Consultation Practices in Standards Development*,<sup>27</sup> which examines issues that arise in implementing multi-stakeholder consultations in standards development and makes practical suggestions on how to address them.

---

<sup>26</sup> <http://inni.pacinst.org/inni/dis>

---

<sup>27</sup> *Stakeholder Consultation Practices in Standards Development*, R044, September 2005, [www.isealalliance.org/documents/pdf/R044\\_StakeholderConsult\\_Sept%2005.pdf](http://www.isealalliance.org/documents/pdf/R044_StakeholderConsult_Sept%2005.pdf)

### 3.6 Other Standards-Setting Dialogues

*The Trans-Atlantic Consumer Dialogue (TACD)* is an outgrowth of the New Transatlantic Agenda instigated in 1995 by the US and the EU. The TACD was developed, in part, to counter-balance the influence of the *Trans-Atlantic Business Dialogue (TABD)* that was well-organised and exerted considerable influence on the US and EU governments with respect to trade issues. The TABD process was renewed in 2003 and its activities have picked up pace again.

On the environmental side, the TACD has issued recommendations with respect to eco-labelling. Conversely, the TABD has been very concerned with regulatory cooperation and free trade issues and has raised concerns about EU draft environmental protection directives. The European delegation to the TACD is nominated by the *Consumer Committee of the European Commission*. On the American side, a variety of consumer groups are involved, including Consumers Federation of America, Consumers Union and Public Citizen.

*Other EU international consumer dialogues* — The European Union has also pursued other international dialogues with consumer groups, including some in Japan.

*Trans-Atlantic Environmental Dialogue (TAED)* was meant to be the environmental counterpart of the TABD and TACD. The TAED was established in 1999, but ceased to exist in 2001 because the environmental NGOs who were involved suspended their activities when the US eliminated funding support.

### 3.7 Consumer Organisations in the United States Involved in Standards-Setting Activities

There is relatively little consumer participation in standards work in the United States, despite the fact that relatively well-resourced consumer and public interest organisations operate there. These organisations are often heavily engaged in regulatory processes and do not, for the most part, place much priority on participating in voluntary standards development.

#### 3.7.1 American National Standards Institute (ANSI)

ANSI administers and coordinates the US voluntary consensus standardisation and conformity assessment system.<sup>28</sup> ANSI maintains a policy advisory committee called *Consumer Interest Forum (CIF)*. A number of NGOs are represented on CIF, but the definition of consumer that ANSI employs is much broader than other countries would use. ANSI uses CIF to prepare its US delegation to attend COPOLCO meetings. CIF does not have any capacity to coordinate consumer representatives in ISO work, nor does it provide resources to fund consumer groups to participate directly. Most of the participants in CIF are Washington-based and have to use their own resources to attend meetings or participate in teleconference meetings.

#### 3.7.2 Consumers Union (CU)

Consumers Union is one of the oldest consumer groups in the world. It was established in 1936 and was instrumental in establishing the *International Organisation of*

---

<sup>28</sup> www.ansi.org website accessed February 25, 2006.

*Consumer Unions (IOCU)*, which was the forerunner of Consumers International. CU's activities focus on the comparative testing of products and services, with the results published in monthly consumer reports. CU is primarily funded through its magazine publishing subscriptions.

CU also maintains a policy-related unit that is involved in lobbying on behalf of consumers domestically. CU supports CI's standards-related work, but does not participate directly in US voluntary standards-setting activities.

### **3.7.3 Public Citizen**

Public Citizen (PC) is a national, non-profit consumer advocacy organisation established in 1971 by Ralph Nader. Its mission is to represent consumer interests in Congress, the executive branch and the courts. It is funded through private contributions. Public Citizen has been extensively involved in standards setting through its *Harmonisation Alert Project*, which is funded by the Ford Foundation. The goal of this project has been to raise awareness in the NGO community of the need to address issues within ISO, the WTO, Codex Alimentarius and other international standards-setting bodies, and not to represent their interests, per se. PC has not engaged directly with ISO.

### **3.7.4 Consumers Federation of America (CFA)**

Consumers Federation of America is an advocacy, research and education, and service organisation. CFA is based in Washington, DC, and is made up of a diverse membership of some 300 non-profit organisations throughout the nation, with a combined membership exceeding 50 million.

As an advocacy group, CFA works to advance pro-consumer policies on a variety of issues before Congress, the White House, federal and state regulatory agencies, state legislatures and the courts. CFA works with public offices to promote beneficial policies, to oppose harmful policies, and to ensure a balanced debate on important issues in which consumers have a stake.

Major program focus areas include: communications, energy, finance, food and agriculture, health and safety, and housing.<sup>29</sup>

CFA has been represented on the ANSI CIF and national standards work; for example, in ASTM F-15, which deals with the safety of consumer products.

### **3.7.5 National Consumers League (NCL)**

The National Consumers League (NCL) is a Washington-based consumer NGO that provides government, businesses and other organisations with the consumer's perspective on concerns, such as child labour, privacy, food safety and medication information. NCL has been involved in the ANSI CIF and as part of the US delegation to COPOLCO.

NCL's mandate is "to protect and promote social and economic justice for consumers and workers in the United States and abroad."

Major program areas include the National Fraud Information Centre/Internet Fraud Watch ([www.fraud.org](http://www.fraud.org)), LifeSmarts ([www.lifesmarts.org](http://www.lifesmarts.org)), Child Labour Coalition ([www.stopchilderlabor.org](http://www.stopchilderlabor.org)), and the SOS Rx Coalition ([www.sosrx.org](http://www.sosrx.org)).<sup>30</sup>

---

<sup>29</sup> [www.consumerfed.org](http://www.consumerfed.org)

<sup>30</sup> [www.natlconsumersleague.org](http://www.natlconsumersleague.org)

### 3.8 Environmental Organisations in the United States Involved in Standards-Setting Activities

#### 3.8.1 Sierra Club

Sierra Club is headquartered in San Francisco, California, with 32 field offices around the world and a membership of more than 750,000. Inspired by nature, the organisation's mandate is "to, explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to education and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives."<sup>31</sup>

Sierra Club's conservation initiatives include smart energy solutions, safe and healthy communities, and America's Wild Legacy efforts. Program areas range from exhibits to environmental law and justice, covering toxics, energy, conservation, and global population and the environment. A key component of the organisation's work has been setting up a number of action network campaigns to encourage the public to engage local politicians on environmental policy matters.

Sierra Club was involved with ISO/TC207 a decade ago.

#### 3.8.2 Environmental Defense (ED)

Environmental Defense, representing more than 400,000 members, is dedicated to the right to clean air, clean water, healthy food and flourishing ecosystems. Guided by science, the organisation works to create practical solutions that win lasting economic and social support because they are non-partisan, cost-effective and fair; recognizes that low-income communities and communities of colour have been disproportionately exposed to many environmental threats; and seeks answers that are equitable and just for all.

Major program areas include climate and air, ecosystem restoration, environmental alliances, health, international development, living cities, and oceans and fisheries.<sup>32</sup>

Environmental Defense's national headquarters is located in New York, with regional offices in Washington, Los Angeles, Oakland, Colorado, Massachusetts, North Carolina and Texas. Its budget for 2005 was slightly over \$52 million.

Environmental Defense has experience working with consumer groups in the US on issues of mutual interest, such as food safety, but this relationship is ad hoc. There is no formal, ongoing dialogue with consumer and environmental groups.

ED has been involved in standards-setting activities on an ad hoc basis in support of its ongoing program work. Currently, staff are following the new ISO work item on Nanotechnology.

---

<sup>31</sup> [www.sierraclub.org](http://www.sierraclub.org)

---

<sup>32</sup> [www.environmentaldefense.org](http://www.environmentaldefense.org)

### **3.8.3 Natural Resources Defence Council (NRDC)**

Natural Resources Defence Council (NRDC) is headquartered in New York, with offices in Washington, San Francisco and Los Angeles. NRDC uses law, science and the support of 1.2 million members and on-line activists to protect the planet's wildlife and wild places, and to ensure a safe and healthy environment for all living things.

NRDC's mandate is "to safeguard the Earth: its people, its plants and animals and the natural systems on which all life depends." Major program areas include air/energy (clean air standards), health, international (biodiversity and habitat preservation), land conservation, nuclear issues, urban centres, and water and oceans.<sup>33</sup>

NRDC does not have an active program on standards.

---

<sup>33</sup> [www.nrdc.org](http://www.nrdc.org)

## Chapter 4 — Standards Setting in Canada

### 4.1 Standards and the Law in Canada

In contrast to the EU and the US, standards are incorporated into legislation in Canada on an ad hoc basis. Canada lags behind its major trading partners in the systematic use of voluntary standards. There are no binding requirements on regulatory authorities to consider, or defer to, appropriate voluntary standards when developing Canadian law, as is the case in the US. There are also no legislative frameworks that require a systematic use of voluntary standards, as is the case in the EU.

Given the lack of requirement to refer to standards, in practice there is not the same openness and transparency about when and how standards are used in Canadian policy.

In Canada, there are some subject areas in which there has been a more conscious decision to systematically use standards in support of legislation. An example of this is energy efficiency standards for products. In this case, the standards that are referenced are incorporated directly into legislation.

### 4.2 Product Standards in Canada

The lack of prescriptive regulations for many products on the Canadian market means that the Canadian government relies in many instances on voluntary standards to ensure safety. A more extensive critique of the use of standards in the Canadian regulatory system is contained in a submission filed by Industry Canada with the External Advisory Committee on Smart Regulation.<sup>34</sup>

### 4.3 The Role of the Standards Council of Canada

The voluntary standards-setting process in Canada is regulated by the Standards Council of Canada Act. The Act establishes the Standards Council of Canada (SCC) and entrusts it with maintaining the procedures and infrastructure necessary to promote voluntary standardisation activities in Canada. Four standards development organisations (SDOs) are accredited by the SCC, including:  
CSA — Canadian Standards Association  
BNQ — Bureau de normalisation du Québec  
ULC — Underwriters Laboratory of Canada  
CGSB — Canadian General Standards Board

The SDOs are required to abide by the procedural documents prepared by the SCC.

---

<sup>34</sup> Towards the Systematic Use of Standards and Voluntary Codes in Support of Public Policy, Industry Canada, June 2004.

Of interest, these documents include: CAN-P-1D, *Accreditation for Standards Development Organisations*, which stipulates inter alia that:

*"The accreditation of SDOs is contingent upon the SDO providing a consensus process. The principles used in Canada governing the consensus process are:*  
1. *Equal access and effective participation by concerned interests (this entails sufficient resources, equal access to information, and understanding of the process by all parties). In order to ensure effective participation, resources (money, training, staff expertise, etc.) shall be identified for member participation."*

CAN-P-2E, *Criteria and Procedures for the Preparation and Approval of National Standards of Canada* specifies that any standard developed by an SDO must meet certain precise criteria in order to be recognized as a National Standard of Canada, including Criterion 1 below:

*"The significance, timeliness and suitability of a standard as a National Standard of Canada shall be determined on the basis of a reasonable agreement among the views of a number of capable individuals whose collective interests provide a balanced representation of producers, consumers and others with relevant interests, as may be appropriate to the subject in hand."<sup>35</sup>*

## 4.4 How Consumer and Environment Interests are Represented in the Canadian Standards System

### 4.4.1 The Consumer and Public Interest Committee (CPIC)

The *Consumer and Public Interest Committee (CPIC)* is an advisory committee to the Standards Council of Canada.

CPIC grew out of an earlier consumer advisory committee. Today, its membership is selected from a matrix of consumer, labour, health and environmental stakeholders, as well as one business representative. As an advisory committee, CPIC does not coordinate representatives to sit on various ISO and IEC committees; rather, it serves as a liaison with representatives who may wish to provide reports to the SCC for consideration or for information. CPIC members represent their respective organisations and do not represent a broader constituency.

CPIC has recently formed a *Consumer and Public Interest Participation Task Force* to examine issues identified in the revised Canadian Standards Strategy, with a view to proposing strategies for addressing them.

### 4.4.2 CAC-COPOLCO

SCC maintains the Canadian mirror committee to ISO-COPOLCO (i.e., CAC-COPOLCO). This committee prepares Canadian positions for the annual COPOLCO meeting. In 2005, Canada hosted the annual ISO-COPOLCO meeting in Toronto, Ontario.

---

<sup>35</sup> See: Standards Council of Canada, *Criteria and Procedures for the Preparation and Approval of National Standards of Canada*, CAN-P-2E, (Ottawa, SCC, 1992), p. 3.

## 4.5 Consumer Programs Run by Canada's Standards Development Organisations

### 4.5.1 The Canadian Standards Association (CSA) Consumer Program

CSA operates a very well-developed consumer program, drawing on volunteer representatives to sit as consumer experts on multi-stakeholder committees. CSA provides staff resources to support volunteers by training them and covering their travel expenses to attend meetings, both nationally and internationally. CSA's consumer program hosts a meeting for consumer representatives in conjunction with the CSA Annual General Meeting so that volunteers have a chance to interact with each another and develop broader perspectives on CSA's domain of work, including environmental standards.

CSA undertook a major review of its work on energy efficiency standards in collaboration with Natural Resources Canada during 2003–2004. The report identified a degree of disconnect between CSA consumer representatives and the larger NGO community. The report also raised the question of a wider definition of consumer interest, more along the lines of consumer and public interest that would include ENGOs.<sup>36</sup> CSA has taken the recommendations of this report seriously and is pursuing closer relations with the broader consumer and public interest NGO community.

### Voluntary Consumer Expert Groups that Liaise with CSA

An ad hoc group of consumer experts meets in Winnipeg to share information. This group is called Consumer Representatives of Winnipeg (CROWs). There is a similar informal network of consumer representatives who meet in Edmonton on workplace safety issues.

### 4.5.2 BNQ's Consumer Committee

BNQ launched a consultative committee in 2003 called *Comité consultatif québécois pour les consommateurs* (CCQC). It meets a couple of times a year and currently has six to eight NGOs participating. This committee has fulfilled a liaison and training role, but it has not been a source of funding for direct participation by NGOs in standards work.

### 4.5.3 ULC and CGSB

The two other Canadian SDOs accredited by the Standards Council of Canada currently do not have formal consumer or public interest representative programs.

---

<sup>36</sup> Consumer Involvement in CSA's Standards Work for Energy Efficiency, A report for the Office of Energy Efficiency of Natural Resources Canada and the Consumer Services Program of the Canadian Standards Association, Bruce J. Farquhar, June 30, 2003.

# Chapter 5 — Standards Setting in the United States

There is relatively little consumer participation in standards-setting work in the United States; however, well-resourced consumer and public interest organisations exist there. These organisations are often heavily engaged in regulatory processes. They do not, in the main, place much priority on participating in the development of voluntary standards.

To understand why this is, and to put the American experience in context, it is necessary to examine the relationship between voluntary standards and the Federal rulemaking process.

## 5.1 Standards Setting and Federal Rulemaking

Compared to the European Union, the United States has a relatively mature internal market among individual States. There are instances in which State regulations vary. Where there is not a true internal market with respect to consumer product laws governing inter-state trade, these products are, for the most part, regulated at the Federal level. There has never been the need to undertake a massive harmonisation effort along the lines of the European Union where voluntary standards play a very important role, and where it has been in the consumer interest to participate in the standards development process to ensure that no problems are created when the standards are harmonised. Indeed, one could go as far as to say that direct stakeholder participation is one of the hallmarks of European standardisation.

In the United States, voluntary standards also play an important role in rulemaking. Federal agencies are required to defer to voluntary standards when the standards are consistent with legitimate regulatory objectives. The major difference under the United States regulatory regime is that Federal agencies are actively required to post the details of any voluntary standard they are considering to use. Under the New Approach in Europe, there is an application of what could be called a management by exception principle, under which European public authorities rely on the standards development process to include direct stakeholder participation and to deliver results that are acceptable in light of regulatory objectives, without requiring public authorities to intervene on each and every occasion. Rather, European public authorities reserve the right to intervene after a standard is published if it is found to be deficient by way of the safeguard clause or a formal objection.

In the American system, in the absence of any need to formally harmonise competing State standards, the Federal agencies only intervene when there is a perceived issue of public concern that needs to be addressed through regulation. At this point, the Federal agency is required to actively consider any voluntary standard it wishes to rely upon. The agency is required to follow what is called a 'notice and comment procedure' regardless of the participation of any stakeholder group in the development of the standard. It should be noted, however, that the agencies are only required to consider consensus-based voluntary standards. This has been subjected to some debate. In any event, consumer

associations are presented with an opportunity to comment through the notice and comment procedure on the suitability of any voluntary standard based on an exhaustive analysis that the Federal agency is required to undertake. It is clear that, from the point of view of consumer associations, they can prioritise their activities and only intervene when a voluntary standard is to be relied upon in regulation.

Lastly, there are other opportunities for consumer associations to intervene in the regulatory process to influence standards that are adopted in regulation without these associations having to participate in the development of voluntary standards. Consumer associations have standing in the courts to sue Federal agencies that are independent government agencies and whose actions in pursuit of their legal mandates are subject to review by the courts. Some statutes also provide for petition procedures whereby private citizens or associations can formally

request that a certain line of action be followed with respect to a specific issue.

All in all, it can be argued that the need for direct consumer representation in standards in the United States is not nearly as great as it might be, for example, in Europe. The issue arises more when the American authorities are under pressure to accept the results of international standards development activities, as is now the case under the *WTO Technical Barriers to Trade Agreement*. It has been interesting to see the reaction of American consumer and public interest groups to recent initiatives in ISO, for example, concerning social responsibility and environmental management, and to harmonisation activities in the UN-ECE and Codex. In these international arenas, American consumer and public interest groups have been much more interested in participating directly and have launched a number of initiatives at the international level.

## Chapter 6 — Standards Setting in the European Union

The European Union has a number of well-established national consumer organisations. These include “Which?” in the UK, with more than 700,000 members, and the Consumentenbond in the Netherlands, in which one in ten households in the country has a membership.

The classic model for these organisations and other successful consumer organisations in France, Belgium, Denmark, Austria and Germany is a membership organisation whose activities are centred on comparative testing of products and, increasingly, on services. The results of the comparative testing are published in a monthly magazine.

These organisations devote varying levels of resources to lobbying on consumer issues at the national, European or international levels. “Which?” in the UK runs an extensive campaigning department and, despite its leading role in both BEUC (profiled below) and Consumers International, it participates directly at the European and international levels. In contrast, Verbruikers Unie/Test Achats in Belgium is less active in lobbying, despite having publishing interests outside Belgium in Spain, Portugal and South America. Stiftung Warentest in Germany devotes its attention entirely to publishing its magazine and stays out of lobbying altogether, leaving this role to other German consumer organisations. Non-governmental organisations in Sweden and Finland are less established and developed, having been recently formed as a result of government rollbacks and their governments’ previous interventionist roles in the marketplace. Similarly, the state of development of

consumer organisations in the new EU member states in Central and Eastern Europe varies enormously, with well-resourced organisations in Hungary, Poland and Slovakia, while other countries have only just established consumer organisations.

### 6.1 Bureau Européen des Unions de Consommateurs

BEUC is a consumer lobby group based in Brussels. BEUC members are mostly larger national consumer groups in the EU and the European Free Trade Association (EFTA). In the mid-nineties, BEUC recruited a project officer to deal with environmental, health and safety issues at the request of its members, and subsequently began lobbying more intensively on environmental issues that were identified as priorities by BEUC’s membership. BEUC has been represented on the management of the EU ECO-Label scheme and has commented extensively on a range of issues, largely related to products (but not exclusively). On many occasions, BEUC has issued joint positions with the European Environmental Bureau (EEB) (profiled below). BEUC has consistently drawn attention to the need to involve consumers more closely in the development of voluntary standards, to the extent that between 1983 and 1995 it housed the project that was the forerunner of ANEC — the European voice in standardisation.

## 6.2 European Environmental Bureau

The EEB is a federation of more than 140 environmental citizens' organisations, with members from all EU Member States, most Accession Countries, and a few other neighbouring countries. These organisations cover a wide range of activities at the local, national, European and international levels. The stated aim of the EEB is "to protect and improve the environment of Europe and to enable the citizens of Europe to play their part in achieving that goal." The EEB has become increasingly interested in standards setting as the EU has developed a stronger role for standards in its environmental policies. Originally hostile to the role standards could play, the EEB has recognised the need for ENGO participation in standards work because of the shift in EU policies, and has been a champion for the establishment of the European Environmental Citizens Organisation for Standardisation (ECOS). The EEB and ECOS now have a relationship similar to that between BEUC and ANEC, with ECOS taking the lead on environmental standards-related issues. The EEB has collaborated with BEUC in the past on a variety of issues in which there is mutual interest. These include eco-labelling, waste and the environmental aspects of consumer products.

## 6.3 Standards, the Law and the Environment in Europe

Standards have played a key role in the establishment of the internal market in the European Union. Under the so-called New Approach to technical harmonisation, voluntary standards provide a privileged means to demonstrate the conformity of a product with the relevant European legislation. Since the adoption of the New Approach in 1985, more than 10,000 European product standards have been adopted.

European standards have also been adopted with respect to management systems. One of the most important of these is *EN14000 Environmental Management Systems* that underpins the European EMAS Directive. More recently, attention has been directed towards the environmental impacts of conventional products. An integrated product policy that would endeavour to address environmental issues of products continues to be under discussion.

The European Commission has also directly tackled the issue of the integration of environmental aspects into European standardisation in a communication.<sup>37</sup> The European Council, in its reply<sup>38</sup> to the Commission's Communication, has called for

- support for NGO participation in the standardisation process
- more training for experts involved in standardisation, and
- better integration of environmental aspects in the preparation of standardisation requests

The Commission has also held two workshops following up on its own Communication.<sup>39</sup>

The Commission has consistently expressed encouragement for consumer and environmental NGO participation in European standards work in political

---

<sup>37</sup> Brussels, 25.02.2004 COM(2004)130 final Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee Integration of Environmental Aspects into European Standardisation {SEC(2004)206}.

<sup>38</sup> Council conclusions on integration of environmental aspects into European standardisation, 4 October 2004.

<sup>39</sup> More information is available at [www.europa.eu.int/comm/environment/standardisation/index\\_en.htm](http://www.europa.eu.int/comm/environment/standardisation/index_en.htm).

declarations and in the framework for cooperation it has with the European standards bodies.<sup>40</sup> This has been backed up with financial assistance in the form of annual subventions that are paid to ANEC and ECOS.

## 6.4 NGO Participation in European Standards Organisations

A number of opportunities exist for NGOs to participate in the work of European standards organisations. CEN and CENELEC both operate on a national delegation principle, much like ISO. NGOs can both participate in national mirror committees and also try to be a part of national delegations to European meetings.

A number of national consumer councils have been established to further these goals. These are described in greater detail in the following sections. The drawback with this approach is that national delegations can be obliged to maintain a degree of discipline on

their members to follow the nationally agreed upon position. This may mean that NGO positions are compromised in some ways to accommodate the interests of other stakeholders. To counteract this, consumer groups and, more recently, ENGOs have established structures for European level coordination of national activities and for direct European level participation in the work of the ESOs. CEN, CENELEC and ETSI all have membership categories open to European organisations representative of NGO interests. In the case of CEN, there is an associate membership category. Associate members can nominate experts who can participate in technical committees and working group meetings in every capacity, but without having the right to vote. Such participation is a right of associate members, in contrast to the situation in ISO, in which NGOs can apply for liaison status, but they have no absolute right to participate. Associate members also participate in higher technical management and policy levels of CEN, right up to the General Assembly and even the Administrative Board. A similar arrangement exists in CENELEC and ETSI. ETSI has a slightly different model as its membership is not based on national delegations; rather, it is based on direct stakeholder participation.

## 6.5 Other Means of Influencing European Standards

In addition to participating in a national delegation, or through direct involvement, there are other means to influence the content of European standards. European public authorities systematically use European standards in many policy areas. Enabling legislation often frames the context within which the European standards must be written.

Once the European authorities have decided to promote the use of standards in a specific

---

<sup>40</sup> For example, General guidelines on the cooperation among CEN, CENELEC and ETSI and the European Commission and the European Free Trade Association were adopted and signed on 28 March 2003; Communication from the Commission to the European Parliament and the Council on “The role of European standardisation in the framework of European policies and legislation” COM (2004) 674 final; Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee on the “Integration of Environmental Aspects into European Standardisation” COM(2004) 130 final; Report of the Commission of 1998-05-13 to the Council and the European Parliament on “Efficiency and Accountability of European Standardisation under the New Approach” COM (98) 291.

sector, they have available to them a procedure called “standardisation mandates”. A standardisation mandate is a formal request to the European Standards Organisations (ESOs) to address a specific public policy issue. The mandate will not specify exactly the solution that is to be contained in the European standard. It may, however, set some parameters with which the European standard must comply if it is to be referenced in legislation. In essence, the mandate can greatly influence the direction, and even the final outcome, of the standards development work. NGOs then lobby European public authorities on the content of mandates they develop, or lobby to have the authorities develop mandates on specific issues.

Lastly, the European Standards Organisations are currently developing structures and procedures specifically to deal with environmental issues. Environmental aspects of product standards have been identified as an important issue in Europe. This has led to the discussion of an integrated product policy. CEN has attempted to establish an Environmental Help Desk to provide support for standards committees developing product standards in which there may be harmful environmental impacts and when committee members lack the expertise to deal with these issues.

The model for the Environmental Help Desk was provided by the German national standards body DIN and its committee *NA 172 (Principles of Environmental Protection Standards)*. To assist the CEN Environmental Help Desk in its activities, a set of environmental guidelines and an environmental checklist has been drawn up for use by technical committees. CEN also has its own *CEN Guide 4 — Guide for the inclusion of environmental aspects in product standards*. Another document the CEN Environmental Help Desk assists to apply is the *ISO Guide 109* that has been adopted at the European level. CEN also maintains a *Strategic Advisory Board for the Environment*

(*SABE*). Associate members of CEN are represented on this board.

## 6.6 National Consumer Standards Councils in Europe

Consumer representation at the national level has a long history in Europe. The forerunner of the current consumer policy committee of BSI in the UK, the Woman’s Advisory Committee, was set up in the 1950s. The DIN Consumer Council was established in the 1960s. A study by ANEC identified, in considerable detail, the national arrangements for coordinating consumer representation in standardisation throughout the European Union.<sup>41</sup>

Money available through national bodies, according to the ANEC study, ranges from €25,000 per annum (approximately US\$31,000) in Finland to €819,000 (approximately US\$1,021,000) in Germany.

Many EU member states have national consumer councils dealing specifically with standards issues. In general, they are advisory committees within the national standards bodies, with secretariats provided by national standards bodies. In most cases, this involves one person. In the exceptional cases of the UK and Germany, there has been as many as six or seven staff available in each secretariat. The members of these councils represent consumer groups and other NGOs interested in standards. These may include, for example, public health or injury control centers, but also, increasingly, a number of environmental groups. The experts that national consumer

---

<sup>41</sup> ANEC, Consumer representation in standardisation national arrangements in the EU and EFTA, May 2001.

councils deploy on specific standards projects are either volunteer members of the public or volunteer staff members of NGOs. The UK, in particular, has a well-developed public volunteer system, and Germany supports five professional staff members and approximately 60 volunteers from consumer and other public interest NGOs.

In addition to participating in the dwindling number of national standards projects (often only five to 10 per cent of the output of a national standards body in Europe today), the consumer representatives participate in the development of national delegation positions to both European and international meetings. A survey by the European Commission has revealed that participation at the international level is largely out of the reach of consumer representatives.<sup>42</sup>

The national members of the European standards bodies vary in the degree to which they have initiated national action on environmental issues. Sweden and Germany are probably leading in this regard. The Environmental Unit in DIN, the German national standards body, is particularly impressive as a relatively well-resourced group, having a well-defined remit, strategy and work program.

## 6.7 ANEC — The European Consumer Voice in Standardisation

ANEC was established in 1995, growing out of a project called SECO that was established in 1983 and run on contract for BEUC (Bureau European des Unions de Consommateurs/ European Consumer Organisation).

Demands from consumer organisations for an organised structure at the European level surfaced at the beginning of the 1980s. ANEC's membership is composed of individuals, one from each European Union and European Free Trade Association (EFTA) member state. These individuals comprise the general assembly of ANEC and have a mandate to represent all the consumer organisations in their home country. A steering committee is drawn from members of the general assembly and oversees the organisation's activities between annual general assembly meetings.

Funding provided from the European Commission's Directorate-General for Health and Consumer Protection is in excess of €1,100,000. The European Free Trade Association (EFTA) makes a smaller contribution to ANEC's budget. ANEC has nine FTE staff, and technical work is coordinated through working groups and a coordination group. These groups bring together national experts and representatives who work towards developing ANEC positions and provide support for representatives participating in the standards field. The vast majority of ANEC's standards representation activities at the technical level are carried out by volunteer experts nominated by its national members. These are staff members of consumer or other public interest NGOs. Recently, the question of access to suitable expertise has become a more pressing problem for ANEC, given that standards are developed in new sectors of activity in which consumer groups may not

---

<sup>42</sup> Questionnaire on Consumer Representation in Standardisation Activities at National, European and International Level Evaluation Report, European Commission 2005.

have expertise. ANEC has, in a few very specific cases, paid consultants to serve as ANEC representatives. ANEC has also launched an internal research budget to better pursue research work specifically aimed at supporting its positions on standards committees.

With regard to the environment, ANEC operates its own environmental working group. The main interest is in energy efficiency, labelling and environmental aspects of product standards. The group has been engaged in the development of guides, in how they are to be applied, and in mechanisms that are needed to promote the guides. One example is the proposal for an Environmental Help Desk in CEN.

At the international level, ANEC has collaborated with Consumers International (CI). Most recently, ANEC and CI have concluded a Memorandum of Understanding described in an earlier section of this report. The MOU seeks to promote and improve consumer representation at the international level. ANEC has been able to secure funding for some pilot projects, which include safety of household electrical appliances, customer satisfaction and financial services. In implementing these case studies, ANEC and CI will develop common positions, common criteria for selecting consumer representatives, terms of reference for the joint representatives, and guidelines for consultation.

At the same time as pursuing this collaboration with CI, ANEC has increasingly pursued liaison status on some international committees, including ISO/TC207 that deals with environmental issues.

## 6.8 European Environmental Citizens Organisation for Standardisation

European environmental NGOs have been slower than consumer groups to participate in voluntary standards work. Consistently, European ENGOS have taken the position that voluntary standards had no role to play in environmental regulation. The use of voluntary standards in European environmental policies has only come to the fore in the past ten years.

ECOS is the environmental counterpart of ANEC. It was established in 2002 and has a general assembly of its membership and a smaller management board drawn from its membership. ECOS receives a subvention from the European Commission's Directorate-General for the Environment. At present, ECOS is limited in capacity in comparison with the longer established ANEC. Long-term funding for ECOS has not yet been secured, and the current level of funding is only sufficient for a secretariat staffed by one person. ECOS is dependent for expertise on volunteers from the staff of its member organisations. ECOS participates in a broad spectrum of activities, including environmental management, environmental labelling and environmental aspects of products.

# Chapter 7 — NGOs and the World Trade Organisation

The agreement establishing the WTO makes a specific reference to NGOs.

*Article V:2 Relations with Other Organisations*

1. *The General Council shall make appropriate arrangements for effective cooperation with other intergovernmental organisations that have responsibilities related to those of the WTO.*
2. *The General Council may make appropriate arrangements for consultation and cooperation with non-governmental organisations concerned with matters related to those of the WTO.*

The General Council of the WTO has gone on to clarify the framework for relations with NGOs through the adoption on 18 July 1996 of a set of guidelines. The guidelines (WT/L/162) recognise “*the role NGOs can play to increase the awareness of the public in respect of WTO activities*”. Subsequent initiatives by the WTO have focussed on attendance by NGOs at Ministerial conferences, participation in issue-specific symposia, and fostering an informal dialogue with civil society through regular contacts between the WTO secretariat and civil society organisations. The WTO maintains web pages with information for NGOs (NGO Room) and publishes monthly a list of NGO position papers that are submitted to it. The WTO also introduced a new policy to accelerate document declassification in 2002.

## 7.1 Participation at WTO Ministerial Conferences

NGOs can obtain accreditation to participate in WTO ministerial conferences. NGOs include business, and the WTO has taken a broad view by allowing NGOs representing national interests to participate. The numbers of NGOs participating is on the increase, as shown below:

Cancun 2003 — almost 1,000 NGOs  
Doha 2001 — almost 400 NGOs  
Seattle 1999 — 600 NGOs  
Geneva 1998 — 125 NGOs  
Singapore (year) — 100 NGOs

## 7.2 Public Symposia

Another initiative of the WTO is the annual public symposium. In 2005, 23 workshops were organised by NGOs. Workshops present a considerable opportunity to raise issues of concern to the NGO community.

### Examples of Symposiums

- 20 to 22 April 2005, WTO Annual Public Symposium: "WTO After 10 Years – Global Problems and Multilateral Solutions"
- 25 to 27 May 2004, WTO Public Symposium: "Multilateralism at a crossroads"
- 16 to 18 June 2003, WTO Public Symposium: "Challenges Ahead on the Road to Cancún"
- 29 April to 1 May 2002, Symposium: "The Doha Development Agenda and beyond"
- 6 to 7 July 2001, Symposium on issues confronting the world trading system

## 7.4 EU Trade Consultation

The European Union has instituted a formal dialogue with Civil Society on trade-related matters, including the WTO.<sup>43</sup>

A full discussion of consumer and environmental NGO interactions with the WTO is beyond the scope of this report. For further information, the reader should access the following reports (among other good references): "Environment and Trade: A Handbook" (Second Edition), IISD and UNEP, 2005 and "Decision-Making in the Global Market: Trade, Standards and the Consumer," Consumers International, June 2005.

## 7.3 CI Global Governance Project

As noted earlier, Consumers International (CI) has recently been undertaking a major report on decision making in the global marketplace. The final report is due out in September 2006. One aspect of the work was an examination of international standards development in ISO and IEC. That report has been referred to earlier in this report. Another focus of the CI work has been the WTO itself.

---

<sup>43</sup> <http://trade-info.cec.eu.int/civilsoc/index.cfm>

## Chapter 8 — Summary and Conclusions

International standards have long been of interest to consumers. With the expansion of international standards activities away from traditional product safety concerns to new fields, such as services, management systems, environmental aspects and social responsibility, international standards have caught the attention of a much broader consumer and public interest community.

Canadian regulators do not make systematic recourse to standards in the way that European and American regulators do. At the same time, the relative importance of standards in Canada is set to increase with the implementation of the findings of the External Advisory Committee on Smart Regulation.<sup>44</sup> A new Government Directive on Regulating is set to attach more importance to the consideration of the use of regulatory alternatives, such as standards.

### 8.1 NGO Participation in International Standards Setting

Consumer NGOs have long recognised the need to participate in international standards work. The concept of participation at the technical level in *international* standardisation is well established, but many obstacles remain for NGOs to achieve the more extensive and effective levels of participation that have been attained at the *national* and

*regional* levels in Europe. While consumer representatives sit on the boards of many national and European standards bodies, access to higher policy and technical management structures in international standards bodies is denied. The formal structures that exist for coordinating consumer representation in standards work at the national level are often well-resourced, as is the case for ANEC at the European level. At the international level, Consumers International, the undisputed voice of the international consumer movement, has difficulty securing funding for standards work and runs its own technical standards project with very limited resources. Increased resources, but also political willingness to more systematically involve consumers at all levels and stages of the international standards-writing process, are the two main issues that have to be addressed.

ENGOS have been slower than consumer groups to identify the need to participate in standards work and slower to accept that voluntary standards can play a role in environmental policy. Much of the focus of ENGOS has been on ISO/TC207 and, more recently, the ISO initiative on social responsibility. The focus of ENGO efforts at addressing the issue of NGO participation more broadly has been the *CAG-NGO Task Force* and the *Future Vision Task Force in ISO/TC207*. The *ISO Horizons* exercise paving the way for the adoption of the *ISO Strategy 2005–2010* also attracted considerable comment from ENGOS. In Europe, ENGOS are trying to emulate the experience that consumer NGOs have had with ANEC. The secretary-general of ECOS recently made a

---

<sup>44</sup> [www.regulation.gc.ca](http://www.regulation.gc.ca)

plea for a larger secretariat and more security of funding, benefits enjoyed by ANEC for some time now.<sup>45</sup>

## 8.2 Collaboration Between ENGOs and Consumer Groups

We have noted in this report that there has been collaboration between ENGOs and consumer groups on some standards-related issues. These include joint position statements and press releases, for example, as is the case in Europe with ANEC and ECOS. Looking at the comments that consumer groups and ENGOs have made in light of the ISO strategy process, there is clearly common ground in the visions the two groups have for reform of the existing ISO process.<sup>46</sup>

There is a lot of scope for future collaboration, given the common ground that exists between consumer groups and ENGOs in the way they constructively engage in the ISO and WTO processes and view the need for reform and the directions reforms should take. Consumer groups and ENGOs also have similar issues with access to resources. There are synergies that could be generated with greater cooperation; for example, in monitoring the implementation of the ISO strategy and monitoring the work of the WTO TBT committee (the fourth triennial review of the agreement currently being undertaken). This is in addition to cooperation on individual technical issues of mutual interest.

At a more technical level, there appears to be a number of issues in which consumer groups and ENGOs have a shared interest. These include environmental management, water quality, social responsibility and environmental aspects of products. To the extent that consumer groups and ENGOs can agree on positions, their common positions will carry more weight in the standards development process. Even just discussing issues they may not agree on could enhance the understanding of each other's positions and facilitate compromises.

## 8.3 Current Situation in Canada

The value of consumer representation in standardisation is widely acknowledged in Canada and is enshrined in the procedural documents that guide the activities of the SDOs. We have seen, however, that in practice there is enormous variety in the arrangements for consumer representation in the four SDOs and in the SCC. The CSA runs an extensive consumer program, similar in its reliance on volunteer members of the public to the practices of the Consumer Policy Committee of the British Standards Institute. BNQ has made a recent initiative to launch a consumer advisory committee comparable to that which exists in a number of European countries, but which has yet to develop a strong sense of identity and purpose. ULC and CGSB appear unable to devote significant resources to consumer representation in their work. The SCC operates its own *Consumer and Public Interest Committee*. CPIC is, however, an advisory committee to the Standards Council of Canada and is not a representative platform in itself, nor does it have a mandate to coordinate consumer representation in standards work. SCC operates a large number of Canadian Advisory Committees to ISO committees; however, there is no specific support for consumer representatives who serve on these committees.

---

<sup>45</sup> ECOS: NGO(s) in standardisation at European level, Presentation at EU standardisation workshop, 2 December 2005.

<sup>46</sup> For a summary, see the inventory of proposals for reform of ISO contained in the report of the Consumers International Global Governance Project.

In particular, it should be stressed that no direct resources are made available for NGO participation in standards development work, other than reimbursement of travel expenses when, for example, participation takes place in the framework of the CSA consumer program. NGOs receive no discretionary funding with which they can set their own priorities for participation. Some funding for studies is available through the Contributions Program of Industry Canada's Office of Consumer Affairs, but this is not available for direct participation in standards development work. Consumer groups have, however, been successful in obtaining funding to follow certain standards projects and to examine ways of improving consumer representation in standardisation. This report by Pollution Probe was funded under the Contributions Program and can serve as a contribution to capacity-building by ENGOs and consumer groups. The Industry Canada funding program is, however, aimed at all types of consumer policy issues, so funding accorded for standards-related studies is limited. Moreover, projects are approved by Industry Canada whose own priorities have to be respected.

## **8.4 What Can We Learn From the Europeans?**

### **8.4.1 Dedicated Resources**

The success of ANEC and the many national consumer councils in Europe has been founded on dedicated resources. These resources are the key to successful involvement in standards work. With their limited resources, consumer groups and ENGOs cannot accord the same priority to participate in standards work as the standards system itself requires to ensure comprehensiveness, balance and public credibility. NGOs may be interested in standards development projects when their areas of interest are affected, but this will too often be outweighed by their lack of resources

and hence inability to participate effectively. The standards system benefits from their involvement, and this system and the proponents of voluntary standards that affect the public interest should find ways to facilitate and support NGO participation.

The issue of competing priorities for attention by NGOs can be resolved, in part, by having dedicated resources and support mechanisms, so that standards do not have to unfairly compete for attention against other merit-worthy consumer and environmental issues, especially ones for which NGOs can obtain funding support through foundations and other sources. National standards bodies, governments and the European public authorities recognise the value that consumer representation brings in establishing the acceptability of the results of European standardisation. In return, they grant funds exclusively for consumer group and, more recently, ENGO participation. This is the single most important lesson to be learned from the European experience. ISO has also acknowledged the importance of dedicated resources with its identification of the need to establish a separate funding mechanism for consumer representatives active in international standards as a priority under its 2005–2010 strategy; however, the mechanism has yet to be put in place.

### **8.4.2 Activity at all Levels of the Standards Process**

There are important lessons to be learned about how NGOs can best use the resources that are, or that should be, made available to them. There needs, for example, to be an NGO presence at both the technical and policy levels. Many issues cut across a number of technical bodies, and NGO representatives have to influence the policies that guide and influence the development of standards. Especially with respect to environmental issues, such as the environmental aspects of product standards, a horizontal approach is

needed to ensure that all technical bodies incorporate appropriate provisions in their standards. Effecting change across a broad range of technical bodies is a powerful tool and an efficient use of resources. In addition, outstanding issues remain with respect to international rules of procedure, and only by engaging at the policy level can consumer and ENGO representatives effect change in this regard.

### **8.4.3 Coordination of Representation**

Another lesson from Europe is that better use is made of resources when efforts are coordinated, either at the national level or at the European level. All the national consumer councils and ANEC function as coordination structures, bringing together NGOs and representatives to share their experiences and, when possible, develop common positions. This helps reduce duplication of effort and allows individual NGOs (and even countries in the case of ANEC) to concentrate on their own priorities, while lending tacit support to efforts on issues they might not consider a priority.

## **8.5 What Can Be Done in Canada to Catch Up?**

Reflecting on the lessons learned from Europe, a number of initiatives could be undertaken in Canada.

### **8.5.1 Dedicated Funding**

First and foremost, dedicated resources for standards work needs to be made available for consumer and public interest groups. This could be a composite funding model. SDOs have to provide some funding, for example, for travel and subsistence as part of minimum acceptable efforts for accreditation by SCC. SCC should also provide some earmarked funding for matters falling under its control, such as participation in international

meetings in which SCC operates the appropriate Canadian Advisory Committee itself. In addition to funding for travel and coordination activities, funding should be made available for research to support consumer and ENGO representatives' positions on standards committees. A number of government departments whose policies make reference to standards should have a vested interest in contributing to a central fund exclusively used for standards work. Industry Canada, Health Canada, Environment Canada and Natural Resources Canada are the most obvious players.

### **8.5.2 Establishment of a Coordination Platform**

A strong lesson coming from Europe concerns the need for coordination. It can easily be argued that, in the Canadian context, coordination of the activities of consumer and public interest representatives, and of consumer and public interest NGOs, is desirable. Synergies avoid duplication of effort, rationalisation of activities, and a better flow of information.

The issue in Europe is also one of directly representing consumers at the European level, where otherwise representation is through national delegations in which the consumer voice could be lost through the discipline of adhering to a national delegation position. It may not be necessary in the Canadian context to go as far as to try to develop single consensus positions among the various interests, as the existing rules in Canada allow for a diversity of views from different stakeholder groups to be presented. To the extent that these views diverge, they would have to be resolved according to the procedures in place for developing consensus.

When consumer and public interest advocates are able to agree on common positions, this would be to their advantage, as a clear and unambiguous consumer and

public interest voice will carry more weight. There may also be strategic and policy issues for which agreement on common positions is easier; for example, with respect to the use of standardisation within government policy or to the provisions for balanced representation contained within the Canadian procedural rules for standards development.

The goal from the outset should be the coordination of activities, and not imposing one view on all consumer and public interest groups. In the specific case of Canadian delegations to ISO, if consumer and public interest groups are unable to have their positions adequately incorporated in the position to be taken by the Canadian delegation, they can have recourse to direct participation through international NGOs accredited to ISO.

### **8.5.3 Structure**

As a start, and at a minimum, a virtual project with some central staff resources could be envisaged, supported by a listserv/e-mail explorer, website, newsletter and some independent analysis capacity for strategic and policy issues. The principal role of this structure would be to act as conduit for information from SDOs, SCC and government with respect to standards work, providing a guaranteed route to consumer and public interest NGOs.

The existence of an NGO coordination structure and encouraging direct NGO participation should in no way compromise the SDOs' own efforts. These initiatives should, in fact, complement the SDOs' efforts by providing a network of NGO contacts that can be approached in the first instance to measure NGO interest and provide a method for volunteer representatives to engage a larger reference group.

## Additional References

### **Consumer Participation in Standards Work**

- ANEC. 2001. *Consumer representation in standardisation national arrangements in the EU and EFTA*.
- Consumers International. 2005. *Decision Making in the Global Market: Trade, Standards and the Consumer*.
- COPOLCO. 2003. *COPOLCO Directory* (7th edition).
- European Commission. 2005. *Questionnaire on Consumer Representation in Standardisation Activities at National, European and International Level Evaluation Report*.
- Langmann, G. 1997. *Consumer Representation in Standardization: A Review of the National Arrangements for Coordinating Consumer Representation in ISO-COPOLCO Member Countries*. ANEC — European Association for the Co-ordination of Consumer Representation in Standardisation, Brussels.
- Union de Consommateurs. 2005. *For Greater Consumer Participation in Standardisation Processes*.

### **NGO Participation in Standards Work**

- Eco-Logic. 2002. *Participation of Non-Governmental Organisations in International Environmental Governance: Legal Basis and Practical Experience*.

Hauselmann, P. 1996. *ISO inside out — ISO and environmental management*. WWE, Gland, Switzerland.

ISO/TC 207/N590. *Increasing the Effectiveness of NGO Participation in TC207*.

Morikawa, M. and J. Morrison. 2004. *Who Develops ISO Standards? A Survey of Participation in ISO's International Standards Development Processes*. Pacific Institute.

Roht-Arriaza, N. 2002. *The International Organisation for Standardisation: Drafting of the ISO14000 Series, in The Greening Of Trade Law 251*. (Richard H. Steinberg ed.). Rowman & Littlefield.

### **Environmental Aspects of Product Standards**

ISO/TR 14062. *Environmental Management — Integrating Environmental Aspects into Product Design and Development*.

ISO Guide 64 — *Guide for the Inclusion of Environmental Aspects in Product Standards*.

IEC Guide 109 — *Environmental Aspects: Inclusion in Electro-technical Product Standards*.

CEN Guide 4 — *Guide for the Inclusion of Environmental Aspects in Product Standards*.

Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee, Integration of Environmental Aspects into European Standardisation {SEC(2004)206} Brussels, 25.02.2004 COM(2004)130 final

## Policy Documents

Code of Ethics, ISO, June 2004.

ISO Council Resolution on Consumer Participation 48/1964.

ISO-IEC Statement on Consumer Participation in Standardisation Work.

## Useful Websites

ANEC — [www.anec.org](http://www.anec.org)

BEUC — [www.beuc.org](http://www.beuc.org)

CI — [www.consumersinternational.org](http://www.consumersinternational.org)

ECOS — [www.ecostandard.org](http://www.ecostandard.org)

IEC — [www.iec.org](http://www.iec.org)

INNI — [www.pacinst.org/inni](http://www.pacinst.org/inni)

IISD — [www.iisd.org](http://www.iisd.org)

ISEAL — [www.isealalliance.org](http://www.isealalliance.org)

ISO — [www.iso.org](http://www.iso.org)

WTO — [www.wto.org](http://www.wto.org)

## List of Acronyms

ACEA — Advisory Committee on Environmental Aspects of the International Electro-technical Commission

ANEC — European Consumer Voice in Standardisation

ANSI — American National Standards Institute

BEUC — Bureau Européen des Unions de Consommateurs European Consumer Organisation

BNQ — Bureau de normalisation du Québec

CAC — Consumers Association of Canada

CCQC — Comité consultatif québécois pour les consommateurs (consumer consultative committee of the Bureau de Normalisation du Québec)

CEN — European Standardisation Committee (also Canadian Environmental Network)

CENELEC — European Electro-technical Standardisation Committee

CGSB — Canadian General Standards Board

CI — Consumers International

CIF — Consumer Interest Forum of the American National Standards Institute

CPIC — Consumer and Public Interest Committee of the Standards Council of Canada

CROWs — Consumer Representatives of Winnipeg

CSA — Canadian Standards Association

CSD — Commission for Sustainable Development

CU — Consumers Union

DIN — German National Standards Body

ECOS — European Environmental Citizens Organisation for Standardisation

EEB — European Environmental Bureau

EFTA — European Free Trade Association

## Comparative Study of Consumer Groups and Environmental NGOs Engaged in International Standards Work

ENGO — Environmental Non-governmental Organisation	NGO — Non-governmental Organisation
ETSI — European Telecommunications Standardisation Institute	OECD — Organisation for Economic Cooperation and Development
EU — European Union	PC — Public Citizen
FLO — Fairtrade Labelling Organisation	PIAC — Public Interest Advocacy Centre
FSC — Forest Stewardship Council	SABE — Strategic Advisory for the Environment of the European Standardisation Committee (CEN)
FTE — Full-time equivalent	SAI — Social Accountability International
GATT — General Agreement on Tariffs and Trade	SCC — Standards Council of Canada
IFOAM — International Federation of Organic Agriculture Movements	SDO — Standards Development Organisation
IISD — International Institute for Sustainable Development	TABD — Trans-Atlantic Business Dialogue
INNI — International NGO Network on ISO	TACD — Trans-Atlantic Consumer Dialogue
IOCU — International Organisation of Consumer Unions (now Consumers International)	TAED — Trans-Atlantic Environmental Dialogue
ISA — International Federation of National Standardising Associations (forerunner of ISO)	TBT — Technical Barriers to Trade
ISEAL — International Social and Environmental Accreditation and Labelling Alliance	TR — Technical Report (publication of a standards development organisation, but not a full standard)
ISO — International Organisation for Standardisation	ULC — Underwriters Laboratory of Canada
MAC — Marine Aquarium Council	UN — United Nations
NCL — National Consumers League	UNEP — United Nations Environment Programme
	WTO — World Trade Organisation