

Human Rights and ICT Standardisation: Enhancing the EU Standardisation Strategy

Standardisation and Human Rights



Human Rights – from sculptor Mariano González Beltrán (taken from <https://www.strasbourg-europe.eu>)

Standards are primarily technical but may have legal effect, e.g. in Europe under the New Legislative Framework when defining the technical way how to be compliant with legal requirements.

Standardisation in topic areas like AI or cybersecurity and privacy can have more ethical implications than standardisation in other areas.

Two recent examples of addressing the issue:

EU Multi-Stakeholder
Platform for ICT
Standardisation:

Working group on
Geopolitical
Challenges in
Standardisation

ETSI

Development of ETSI
Values which are now
part of the ETSI
Directives

Standardisation and Human Rights: Hypothetical Scenario

Lets consider a
hypothetical work item:

Standard defining how to
make use of data that is
collected with mass
surveillance technology for
training of IT systems.



High likelihood for such a
work item to be in conflict
with European law (e.g.
GDPR) and European
values as laid down in the
EU Charter of Fundamental
Rights.

Standardisation and Regulation

In 2021 an Adhoc Group of the EU Multi-Stakeholder Platform discussed the topic of standardisation and regulations and respective geopolitical challenges.

Four key challenges were identified.

Input to EU standardisation strategy.

Challenge A: Ethical values and legal and regulatory approaches

Maximise commonality – perhaps allow for optionality to accommodate regulatory requirements

Check whether a standard or a proposal for new work may contradict or conflict with values, law or regulation

Challenge C: Competing Standardisation activities leading to regional or local forks

Refer to international and global standards on a voluntary basis in regional and national regulatory contexts.

Avoid conflicts with starting new work in areas covered in another reputed SDO

Challenge B: Role of governments and administrations in standardisation

Supportive measures to strengthen EU-based engagement with EU-based experts

Governments to use voluntary standards for supporting regulatory needs.

Challenge D: Public support in Europe for Standardisation lags behind some other countries

Globally inclusive and balanced processes.

Education and awareness of public authorities and procurers.

Be flexible to address evolving and changing dynamics in the standards ecosystem to ensure market growth and society's benefit.

ETSI Values: Two Basic Aspects



Fundamental Rights
Human Rights
Base Law

Supporting the European Commission in the implementation of the European Standardisation Strategy ETSI developed the ETSI Values.

ETSI is one of the first standards organisations having such values in place.

Respect
Diversity
Personal Interaction



ETSI Values:
Fundamental Rights
Human Rights
Base Law

“ETSI’s governance and working environment are driven by joint values which are based on European and global democratic principles and human rights.”



EU

French and EU law and values
Treaty on European Union
Charter of Fundamental Rights of the European Union
European Declaration on Digital Rights and Principles for the Digital Decade

Europe/ CEPT

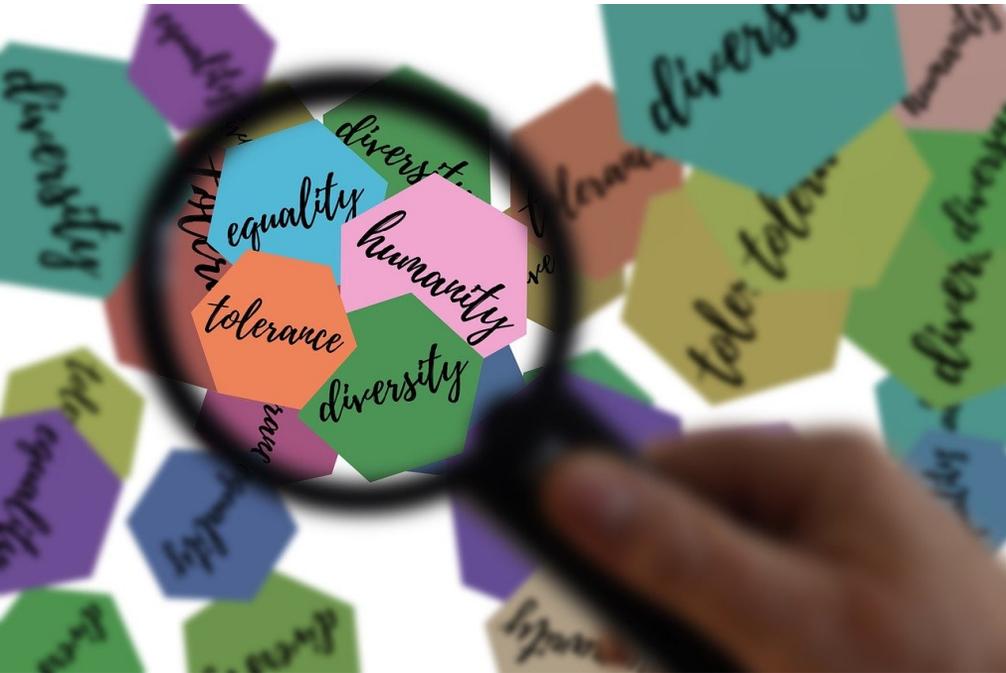
European Convention on Human Rights and other agreements of the Council of Europe

Global

UN Guiding Principles on Business and Human Rights
United Nations Convention on the Rights of Persons with Disabilities

ETSI Values:
Respect
Diversity
Personal Interaction

“Rules and processes related to ETSI’s governance are laid down in the ETSI Directives. Moreover, several guides also further detail specific rules and processes and provide reference points for working and interacting in ETSI.”



Diversity and respect

Value every human being and treat everyone with respect
Value diversity and act against any discrimination
ETSI operates in a secular environment.

Technical Standardisation

Full respect of the WTO and the TBT Agreement and the respective Code and Principles for standardisation
ETSI deliverables and standards development processes align with European values.

Respect for the environment

Contribute to combating climate change, increasing sustainability and achieving the objectives of climate neutrality
Consider environmental protection in our actions and aim at improving our ecological footprint

Thanks very much
for your attention

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Annex: Full text of the ETSI Values

Introduction

ETSI is an open Standardisation Organisation for stakeholders to come together and collaborate on European and global standards, within the domain of digital and information and communication technologies.

ETSI Full membership is available via a formal presence in a member state of the CEPT. ETSI's governance and working environment are driven by joint values which are based on European and global democratic principles and human rights. Also ETSI's strategy, other campaigns and programmes are based on and provide an expression of ETSI's Values.

The legal background and references

As an organization located in France, and the European Union, ETSI is based on and follows French and EU law and values.

ETSI fully adheres to the rules laid down in the Treaty on European Union with its latest amendments laid down in the Lisbon Treaty. ETSI respects and follows the Charter of Fundamental Rights of the European Union and the European Declaration on Digital Rights and Principles for the Digital Decade.

ETSI operates in a secular environment.

ETSI respects and follows the European Convention on Human Rights and other agreements of the Council of Europe.

On a global level, the UN Guiding Principles on Business and Human Rights provide a reference point. ETSI observes the United Nations Convention on the Rights of Persons with Disabilities. ETSI's governance and processes comply with all relevant EU regulations, including EU Regulation 1025/2012 on "European Standardisation".

The above referenced documents constitute ETSI's understanding of European values.

ETSI's governance

Rules and processes related to ETSI's governance are laid down in the ETSI Directives. Moreover, several guides also further detail specific rules and processes and provide reference points for working and interacting in ETSI. These guides are the Delegate's Guide, the Experts' Guide, the Rapporteurs' Guide, the guide on Writing World Class Standards, the Chair's Guide, the Member Official Contacts' Guide, and The use of gender-inclusive language in ETSI deliverables.

Other guides may be added over time.

Annex: Full text of the ETSI Values

Diversity and respect

At ETSI we value every human being and treat everyone with respect.

We value diversity and act against any discrimination, e.g. regarding gender, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

We encourage and promote freedom of speech and expression, by respectful open exchanges and discussion.

Technical standardisation

ETSI fully respects the WTO and the TBT Agreement with the “Code of Good Practice for the Preparation, Adoption and Application of Standards” and the “Principles for the Development of International Standards, Guides and Recommendations”.

These principles, namely coherence, transparency, openness, consensus, voluntary application, independence from special interests and efficiency, also constitute the founding principles of the European Standardisation System.

As part of the European Standardisation System and as a provider of global standards ETSI is based on direct participation of all interested parties. We provide an open environment for all stakeholders to participate directly in the elaboration of ETSI deliverables, and we actively promote inclusiveness and the taking into account of all stakeholders’ views in the development of ETSI deliverables.

ETSI is contribution driven.

ETSI deliverables are built to support global trade and connectivity and to promote fair competition. They respond to market needs and where appropriate to regulatory requirements or societal needs. ETSI deliverables can be the means for supporting specific regulatory and policy objectives.

ETSI deliverables and standards development processes align with European values.

ETSI deliverables are accessible to everyone free of charge and without the need to provide personal data in order to get access.

Annex: Full text of the ETSI Values

Respect for the environment

ETSI deliverables play a role in contributing to combating climate change, increasing sustainability and achieving the objectives of climate neutrality.

At ETSI we are aware of the need to protect the environment. We consider environmental protection in our actions and aim at improving our ecological footprint.

Attention to and promotion of the ETSI Values

We broadly inform about our Values. Awareness about the Values is created in all groups and technical bodies and committees.

[Reference: https://portal.etsi.org/directives/48_directives_dec_2023.pdf, pp. 91-92.]