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Draft: Recommendations for an improved balance of stakeholder participation in ISO TC 207

ISO TC 207 NGO/CAG Task Force

April 2007

1. Introduction

This contribution is a follow-on to the ISO TC 207 NGO-CAG Task Force Interim Report – Phase 1 of Work Plan (N699) circulated to the TC 207 membership (N700) following a resolution taken in Buenos Aires (207-14/2004) and which was approved by correspondence (N708). It relates to Proposal 1 of the document:

Proposal 1: TC207 should assign the TF responsibility for reviewing the areas of the ISO Directives that pertain to stakeholder involvement, and subsequent to the review, for developing operational guidance for TC207 in ways of improving its stakeholder involvement.

An initial analysis of the ISO/IEC Directives Part 1 – Procedures for technical work (Fifth edition, 2004) was carried out by Franz Fiala and subsequently discussed at the meeting of the NGO-CAG TF in Madrid in September 2005. The document was further refined and endorsed by the NGO-CAG TF in the period leading up to the March 2006 TC 207 CAG meeting. This most recent iteration of the paper reflects input provided by CAG members at that meeting.

The proposals made herein are intended to be in line with existing ISO procedures. However, difficulties encountered in interpreting these rules including possible improvement options are also reported. It should be noted that implementation of the recommendations in this report is just one step toward more balanced participation in TC 207's standardisation processes. Additional measures may be required both at the national and international levels which were out of the scope of the present work.



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2. Review of ISO/IEC Directives Part 1

The analysis was limited to rules contained in the ISO/IEC Directives Part 1 – Procedures for technical work (Fifth edition, 2004) applicable to a TC and its subgroups focusing on the elaboration of standards.

The analysis includes a discussion of the following issue areas:

- The principle of “consensus building”
- Balanced representation - national input and decision making in the ISO structure (TC, SC, WG and other groups)
- The role of liaisons
- Additional procedural issues regarding the development of standards
- Appeals

A summary of the recommendations for additional operational guidance for TC 207 can be found in the next chapter.

A detailed analysis of the issue areas is contained in Annex 1. For each issue area, we discuss:

- The relevant provisions of the ISO/IEC Directives Part 1
- An interpretation
- A proposal



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3. Recommendations for operational guidance

The operational guidance for TC 207 to improve the balance of stakeholder representation should include the following elements:

Consensus building

- A written procedure regarding how TC 207 participants can formally express a “sustained opposition” or “substantial objections” vis-à-vis the ISO Directives. (e.g. simply by indicating this in the relevant section of the written comments or when verbal comments are made).
- A clear statement that this procedure is meant to be used by P-members and liaison organizations.
- A statement that all substantial objections are to be treated equally irrespective of their origin and that an effort should be made by the TC’s or relevant subgroup’s leadership to resolve all conflicts as far as possible.

Balanced representation - national input and decision making in the ISO structure (TC, SC, WG and other groups)

- Guidance on current practice regarding stakeholder involvement at the national level (ongoing activity of the NGO-CAG TF).
- Guidance on communication of minority (e.g., stakeholder) positions not covered by national positions during enquiries on draft standards. (Such communications would be circulated at the international level for informational purposes.)
- A stakeholder categorisation scheme that can be used to track stakeholder participation at TC 207-related meetings (ongoing activity of the NGO-CAG TF).
- Guidance on stakeholder composition for nationale delegations to ISO/TC 207 and its working parties taking into account the stakeholder categories as defined in the NGO-CAG Task Force’s *Guidance on Stakeholder Categories in ISO/TC 207*.¹
- Operational procedures for WGs on how to identify different stakeholder needs and how to achieve an outcome of the discussions which is as balanced as reasonably possible. An example of such a procedure is given in Annex 2.

¹ The ISO WG SR has defined six categories of stakeholders: Consumers, Government, Industry, Labour, NGO and Other (renamed in Service, support, research and others). It is recommended that a national delegations consist of one person per stakeholder group. If a stakeholder group does not want to make use of the right to be represented in the WG another stakeholder group may fill in but there is a maximum of two representatives per stakeholder group.



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- Guidance on the composition of the ISO TC 207 CAG and any other existing advisory group with respect to the balance of interests.

The role of liaisons

- The introduction of an indicative (informal) voting procedure for A-liaisons regarding preliminary work items, approval of new work items, draft standards, and resolutions.
- The requirement that the negative indicative votes of A-liaisons are resolved in an equally conscientious manner as negative votes of NSOs.
- The requirement that any decision of the TC is reviewed in case of a significant number of negative indicative votes from A-liaisons.
- A-liaisons are receiving CDs, DISs, FDISs for comment and the compilation of comments following the enquiries.

Appeals

- Establishment of an informal conflict resolution mechanism that does not involve the Chief Executive Officer of ISO and would stay strictly within TC 207
 - Such mechanism could be accessed by all P-members and A- liaisons
 - It would cover only substantive objections to draft standards which have been notified during enquiries on draft standards (CD, DIS) and resolutions
 - It could work at the levels of the WGs, the SCs and the TCs by establishing small dispute arbitration panels

NOTE: CEN has established rules for an informal conflict resolution mechanism: these rules can serve as the basis for developing the TC 207 version.



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ANNEX1: Review of the ISO/IEC Directive Part1 - Procedures for the technical work

A) The principle of “consensus – building”

RELEVANT PROVISIONS:

The term “consensus” is introduced first in the foreword of the ISO/IEC Directives Part 1 as a basic concept :

“Consensus, which requires the resolution of substantial objections, is an essential procedural principle and a necessary condition for the preparation of International Standards that will be accepted and widely used. Although it is necessary for the technical work to progress speedily, sufficient time is required before the approval stage for the discussion, negotiation and resolution of significant technical disagreements”.

In the part dealing with the various stages of the development of international standards (clause 2) this is further detailed by referring to the definition of consensus contained in ISO/IEC Guide 2:1996:

“consensus: General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

NOTE Consensus need not imply unanimity.”

Some procedural guidance is also provided:

“Within ISO, in case of doubt concerning consensus, approval by a two-thirds majority of the P-members of the technical committee or subcommittee voting may be deemed to be sufficient for the committee draft to be accepted for registration as an enquiry draft; however every attempt shall be made to resolve negative votes”. This applies to the committee stage.

“Every attempt shall be made to resolve negative votes”. This applies to the enquiry stage.

INTERPRETATION:

Whilst the description of consensus in the foreword seems to be straightforward (“resolution of substantive objections”) the interpretation of the further detailing of the term in the part dealing with development of international standards causes some difficulties.

1) It is unclear what “sustained opposition” means and how it can be expressed. One possible interpretation is, of course, that a sustained opposition is expressed by giving a negative vote. However, the provision that “in case of doubt concerning consensus” a voting result - a two-thirds majority of the P-members – is considered sufficient to register a document as enquiry document suggests that there can be negative votes that do NOT need to be resolved. From this follows that the existence of negative votes does not run counter to



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the consensus principle (which is debatable). Another possible interpretation is that “sustained opposition” means something else than a negative vote. But this is nowhere described in detail. There is no guidance how it can be expressed.

2) It is unclear who is allowed to express a “sustained opposition”. Whilst the definition of consensus talks about “absence of sustained opposition to substantial issues by any important part of the concerned interests” which includes the views of liaison organisations the provision that “every attempt shall be made to resolve negative votes” seems to limit the consensus building to the ones allowed to vote and thus able to vote negatively.

In both cases the rules are inconclusive, even contradictory. In the following it is assumed that the basic consensus principle applies irrespective of its possibly inconsistent implementation in the ISO rules. Hence, it is assumed that:

- all parties concerned including liaisons are allowed to make clear their points of “sustained opposition” or “substantial objections”
- all such fundamental disagreements deserve the same thorough treatment and effort to be resolved

Note: the ISO Directives may need to be revised to remove the inherent contradictions and ambiguities.

PROPOSAL:

Written guidance should be provided containing:

- A description of the way how to express a “sustained opposition” or “substantial objections” (e.g. simply by indicating this in the relevant section of the comments or when verbal comments are made)
- A clear statement that this procedure is meant to be used by P-members and liaisons
- A statement that all substantial objections are to be treated equally irrespective of their origin to resolve all conflicts as far as possible.

B) Balanced representation - national input and decision making in the ISO structure (TC, SC, WG and other groups)

National input

RELEVANT PROVISIONS:

There is an obligation of the national standards bodies to take into account the views of all relevant interests in developing a national position and in determining their delegations to



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ISO TC or SC meetings (clause 1.7 Participation in the work of technical committees and subcommittees).

“National bodies have the responsibility to organize their national input in an efficient and timely manner, taking account of all relevant interests at their national level”.

INTERPRETATION:

This provision is too general to be of practical use. It is neither clear who the “relevant” interests are nor is it clear how this should be accomplished in practice. No evidence needs to be provided concerning the actual involvement in the decision making and whether indeed all parties agree with the national point of view. The composition of the national delegations is also at the discretion of the NSOs.

This provision is clearly insufficient but leaves a room for a TC or SC to establish a variety of detailed rules and activities to address the subject. Key issues are:

Stakeholder involvement at the national level, more transparency regarding diverging views at the national level, monitoring of the stakeholder composition of national delegations, rules regarding composition of national delegations with respect to stakeholder groups.

PROPOSAL:

The following should be developed:

- Guidance document on the broad range of practice regarding stakeholder involvement at national level (ongoing activity of the NGO-CAG TF)
- Guidance on the communication of stakeholder positions not covered by national positions during enquiries on draft standards and provide guidance for this
- A stakeholder categorisation scheme based on the ISO WG SR scheme (ongoing activity of the NGO-CAG TF)
- Guidance on stakeholder composition for national delegations to ISO TC 207 and its SCs

Decisions at TC and SC level – vote on drafts (CD, DIS) and resolutions

RELEVANT PROVISIONS:

The rules regarding voting rights are given in clause 1.7 Participation in the work of technical committees and subcommittees. A national standards body can indicate “if it intends

- to participate actively in the work, with an obligation to vote on all questions formally submitted for voting within the technical committee or subcommittee, on enquiry



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drafts and final draft International Standards, and to participate in meetings (P-members), or

- to follow the work as an observer, and therefore to receive committee documents and to have the right to submit comments and to attend meetings (O-members).

A national body may choose to be neither P-member nor O-member of a given committee, in which case it will have neither the rights nor the obligations indicated above with regard to the work of that committee. Nevertheless, all national bodies irrespective of their status within a technical committee or subcommittee have the right to vote on enquiry drafts (see 2.6) and on final draft International Standards (see 2.7)".

INTERPRETATION:

It is quite clear that the voting rights are limited to NSOs (DIS and FDIS). P-members of a TC/SC have additional voting rights (CDs and TC/SC resolutions). However, there is also a clause dealing with liaison organisations (1.17 Liaison with other organizations) which contains the following provision. "Technical committees and subcommittees shall seek the full and, if possible, formal backing of the organizations having liaison status for each document in which the latter is interested". This is discussed in the section liaisons below.

PROPOSAL

See section liaisons below.

Groups other than TC or SC

Working groups

RELEVANT PROVISIONS:

"1.11 Working groups

.....A working group comprises a restricted number of experts individually appointed by the P-members, A-liaisons of the parent committee and D-liaison organizations, brought together to deal with the specific task allocated to the working group. The experts act in a personal capacity and not as the official representative of the P-member or A- or D-liaison organization (see 1.17) by which they have been appointed. However, it is recommended that they keep close contact with that P-member or organization in order to inform them about the progress of the work and of the various opinions in the working group at the earliest possible stage.

It is recommended that working groups be reasonably limited in size. The technical committee or subcommittee may therefore decide upon the total number of experts and also upon the maximum number of experts appointed by each P-member.

Once the decision to set up a working group has been taken, P-members and A- and D-liaison organizations shall be officially informed in order to appoint expert(s).....".

Remark: it is interesting that Task Groups which are often created by WGs are not mentioned at all in the Directives.



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INTERPRETATION:

Given that in most cases the development of an international standard takes place in a WG rather than in a SC or TC the decision making in a WG is of utmost importance. In a WG the members act in a personal capacity and can, therefore express stakeholder views. They are not bound to a national position and do not even have to defend the comments forwarded by “their” NSOs or liaison organisations during the consultations of draft standards. Therefore the composition of a WG and the decision making are crucial. However, there are no provisions in place to achieve a balanced composition of a WG and, consequently, a balanced outcome of the discussions. Key issues are:

The balance of interests represented, the monitoring of the stakeholder composition, identification of stakeholder views and the achievement of a balanced outcome of the deliberations.

PROPOSAL

If the suggested guidance on stakeholder composition of national delegations given in clause “National input” are implemented within ISO TC 207, it can be assumed that the balance within the WGs will improve. On the other hand, it has to be borne in mind that the WG members are nominated separately by the NSOs and that a balanced TC is not in itself sufficient to achieve a balance in a WG. Hence some additional measures are suggested:

- Use stakeholder categorisation scheme (ongoing activity of the NGO-CAG TF) to identify and monitor the stakeholder balance in a WG
- Develop operational procedures for WGs on how to identify different stakeholder needs and how to achieve an outcome of the discussions which is as balanced as reasonably possible

Advisory groups

RELEVANT PROVISIONS:

1.13 Groups having advisory functions within a committee

“A proposal to establish such a group shall include recommendations regarding its constitution, bearing in mind the requirement for sufficient representation of affected interests while at the same time limiting its size as far as possible in order to ensure its efficient operation. Members of advisory groups shall be nominated by national bodies. The parent committee shall approve the final constitution”.

INTERPRETATION:

The wording seems to suggest that the TC/SC is free to lay down the composition of the advisory groups. Whilst the NSOs have a right to nominate participants the parent body determines the final constitution. This means that not everybody nominated will necessarily be part of the group.



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The provision that only NSOs are allowed to make nominations does not seem to be in line with practice (the NGO-CAG TF itself is an example for this).

PROPOSAL

It is suggested that

- the balance of interests is sought whenever an advisory group is established using the stakeholder categorisation scheme
- liaisons are allowed to form part of advisory groups
- the composition of the ISO TC 207 CAG is reviewed with respect to the balance of interests

C) The role of liaisons

RELEVANT PROVISIONS:

One clause of the directives deals with liaisons other than liaisons between technical committees or between ISO and IEC (1.17 Liaison with other organizations). There are 2 types of liaisons which are allowed to participate in the technical work: category A (TC, SC and WG) and category D (WG). "The liaison organizations shall be international or broadly based regional organizations working or interested in similar or related fields". There is one provision dealing with the obligations of a TC or SC to take into account the positions of the liaisons:

"Technical committees and subcommittees shall seek the full and, if possible, formal backing of the organizations having liaison status for each document in which the latter is interested".

INTERPRETATION:

Liaisons with other organisations do not have a voting right. However, this is not explicitly stated but an implicit provision of the definition of the voting rights of NSOs, e.g. that only P-members are allowed to vote on CDs and so forth (see clause on Decisions at TC and SC level above). However, the above mentioned provision implies that some sort of formal expression of approval (or disapproval) of documents by liaisons should be employed in the standardisation work. No further details are specified.

Given that the general principle of consensus "requires the resolution of substantial objections" and that the definition of consensus requires "to take into account the views of all parties concerned and to reconcile any conflicting arguments" it would seem strange that liaison organisations do not have a formal means to express (substantive) objections the reconciliation of which constitutes the essence of consensus building. The absence of such a mechanism would effectively place the liaisons outside of one of the key principles of the standardisation work. This point is already addressed in the clause on consensus as far as



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the issue of fundamental disagreements is concerned. In addition, it seems logical that also non-substantive objections can be expressed.

PROPOSAL

In addition to the right to express a fundamental disagreement on standards it is suggested to:

- introduce an indicative (informal) voting right for A-liaisons regarding preliminary work items (below), approval of new work items (below), draft standards (below) and resolutions
- require that the negative indicative votes of A-liaisons are resolved in an equally conscientious manner as negative votes of NSOs
- require that any decision of the TC is reviewed in case of a significant number of negative indicative votes from A-liaisons

D) Additional procedural issues regarding the development of standards

Preliminary stage

RELEVANT PROVISIONS:

2.2 Preliminary stage

“Technical committees or subcommittees may introduce into their work programmes, by a simple majority vote of their P-members, preliminary work items (for example, corresponding to subjects dealing with emerging technologies), which are not yet sufficiently mature for processing to further stages.

This stage can be used for the elaboration of a new work item proposal (see 2.3) and the development of an initial draft”.

INTERPRETATION:

See interpretation regarding D) Liaisons. Key issue is the consideration of the positions of A-liaisons when preliminary work items are approved and new work items including initial drafts are prepared. The provision does not indicate the type of group which is supposed to do the work.

PROPOSAL

See proposals regarding D) Liaisons regarding indicative voting. In addition, it is essential that the preparation of the new work item and the drafting of an initial document is carried out with balanced stakeholder involvement.



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Proposal stage

RELEVANT PROVISIONS:

2.3 Proposal stage

“A new work item proposal within the scope of an existing technical committee or subcommittee may be made in the respective organization by

- a national body;*
- the secretariat of that technical committee or subcommittee;*
- another technical committee or subcommittee;*
- an organization in liaison;*
- the technical management board or one of its advisory groups;*
- the Chief Executive Officer.*

Each new work item proposal shall be presented using the appropriate form, and shall be fully justified (see C.5 for all new work other than amendments to existing publications).

Copies of the completed form shall be circulated to the members of the technical committee or subcommittee for P-member ballot and to the O-members for information.

P-members agreeing to participate actively in the work shall nominate (an) expert(s) on the appropriate form.

Acceptance requires

a) a commitment to participate actively in the development of the project, i.e. to make an effective contribution at the preparatory stage, by nominating technical experts and by commenting on working drafts, by,

- in IEC.....

- in ISO, 5 P-members approving the work item:

individual committees may increase this minimum requirement, and

b) approval of the work item by a simple majority of the P-members of the technical committee or subcommittee voting”.

INTERPRETATION:

See interpretation regarding D) Liaisons. It should be noted that liaisons can make a new work item proposal, but cannot express an opinion on other proposals. Key issue is the consideration of the positions of A-liaisons when new work items are approved.

PROPOSAL

See proposals regarding D) Liaisons.

Preparatory stage

RELEVANT PROVISIONS:



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2.4 Preparatory stage

“When a new project is accepted the project leader shall work with the experts nominated by the P-members during the approval (see 2.3.5a).

The secretariat may propose to the technical committee or subcommittee, either at a meeting or by correspondence, to create a working group or project team the convenor of which will normally be the project leader.

In responding to the proposal to set up a working group or, in IEC, a project team, those P members having agreed to participate actively (see 2.3.5a)) shall each confirm their technical expert(s). Other P-members or A- or D- liaison organizations may also nominate expert(s)”.

INTERPRETATION:

It is not clear what is meant by the first sentence saying that “the project leader shall work with the experts nominated by the P-members during the approval”. If this means that the project leader can work (temporarily or for the duration of the whole project) with the experts without creating a working group then it is obvious that liaisons will be excluded. The term “may” in the second sentence suggests that the creation of a working group is not a must.

PROPOSAL

- Clarify meaning of first sentence and develop proposal to ensure that liaisons have the possibility to be involved in case the work can take place outside a WG structure.

Committee stage

RELEVANT PROVISIONS:

2.5 Committee stage

“As soon as it is available, the first committee draft shall be circulated to all P-members and O members of the technical committee or subcommittee for consideration, with a clear indication of the latest date for submission of replies.

No more than 4 weeks after the closing date for submission of replies, the secretariat shall prepare the compilation of comments and arrange for its circulation to all P-members and O-members of the technical committee or subcommittee.

Consideration of successive drafts shall continue until consensus of the P-members of the technical committee or subcommittee has been obtained or a decision to abandon or defer the project has been made”.

INTERPRETATION:



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Read in isolation the first and second paragraph means that the liaisons do neither receive CDs nor compilations of comments. However, there is a provision in the clause on category A liaisons which says that “such organizations are sent copies of all relevant documentation and are invited to meetings”. Hence, the latter provision “overrules” the unfortunate text quoted above. Most unfortunate is also the provision that “successive drafts shall continue until consensus of the P-members” has been reached. It can again only be assumed that there is an inconsistency in the text. The alternative interpretation is that liaisons are not part of the consensus building!

PROPOSAL

Clarify the text to ensure that:

- A-liaisons are receiving CDs for comment and the compilation of comments.
- A-liaisons are part of the consensus-building (see clause on consensus and liaisons).

Enquiry stage

RELEVANT PROVISIONS:

2.6 Enquiry stage

“At the enquiry stage, the enquiry draft (DIS in ISO, CDV in IEC) shall be circulated by the office of the CEO within 4 weeks to all national bodies for a 5 months vote.

National bodies shall be advised of the date by which completed ballots are to be received by the office of the CEO.

Every attempt shall be made to resolve negative votes”.

INTERPRETATION:

See interpretation on Committee stage and consensus.

PROPOSAL

Clarify the text to ensure that:

- A-liaisons are receiving DISs for comment and the compilation of comments.
- A-liaisons are part of the consensus-building (see clause on consensus and liaisons).

Approval stage

RELEVANT PROVISIONS:

2.7 Approval stage



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“At the approval stage, the final draft International Standard (FDIS) shall be distributed by the office of the CEO within 3 months in ISO, 4 months in IEC, to all national bodies for a 2 month vote”.

INTERPRETATION:

See interpretation on Committee stage and consensus.

PROPOSAL

Clarify the text to ensure that:

- A-liaisons are receiving FDIS for comment.
- A-liaisons are part of the consensus-building (see clause on consensus and liaisons).

E) Appeals

RELEVANT PROVISIONS:

5 Appeals – 5.1 General

“National bodies have the right of appeal

- a) to the parent technical committee on a decision of a subcommittee;*
- b) to the technical management board on a decision of a technical committee;*
- c) to the council board on a decision of the technical management board, within 3 months of the decision in question.*

The decision of the council board on any case of appeal is final.

A P-member of a technical committee or subcommittee may appeal against any action, or inaction, on the part of the technical committee or subcommittee, when the P-member considers that such action or inaction is

- a) not in accordance with*
 - the Statutes and Rules of Procedure;*
 - the ISO/IEC Directives; or*
- b) not in the best interests of international trade and commerce, or such public factors as safety, health or environment.*

Matters under appeal may be either technical or administrative in nature.

Appeals on decisions concerning new work item proposals, committee drafts, enquiry drafts and final draft International Standards are only eligible for consideration if

- *questions of principle are involved, or*
- *the contents of a draft may be detrimental to the reputation of ISO or IEC.*

All appeals shall be fully documented to support the P-member's concern”.

INTERPRETATION:



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Obviously the appeal procedure is limited to national bodies (the contradiction between clause 5.1.1. which states that national members have the right to appeal and the subsequent sub clauses which limits the right to appeal against TC or SC decisions to P-members is not further discussed here). The key issue is whether liaisons should have access to some form of appeal. Given that the rules do not allow liaisons to access the formal appeal mechanism involving the Chief Executive Officer of ISO one could discuss other forms of arbitration.

PROPOSAL

One option could be:

- an informal conflict resolution mechanism which does not involve the Chief Executive Officer of ISO and would stay strictly within TC 207
- such mechanism could be accessed by all P-members and A- liaisons
- it would cover only substantive objections to draft standards which have been notified during enquiries on draft standards (CD, DIS) and resolutions
- it could work at the levels of the WGs, the SCs and the TCs by establishing small dispute arbitration panels

NOTE: CEN has established rules for an informal conflict resolution mechanism.

Remark: ISO may wish to consider access of liaisons to the formal appeal procedure



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Annex 2: Extract from procedural rules developed by the ISO Working Group on Social Responsibility

Operating Procedure on Observers, Special Advisors and Balanced Participation

Observers

1. Observers may receive all communications and documents circulated by, and attend all meetings of, the WG and TGs to which they have been registered.
2. In TG 1, 2 and 3, observers may, in special circumstances subject to the procedures outlined below (clause 6-9), make formal comments in meetings and/or in correspondence.
3. In the WG or any other TG or subgroup, observers may not comment or otherwise seek to influence the proceedings, either in meetings or in correspondence.
4. Observers may participate in their respective Stakeholder Groups according to the policy elaborated by that Stakeholder Group.
5. Observers shall be differentiated from experts in the following ways:
 - a. Observers' name tags are to be a different color than those of experts.
 - b. Observers may only sit in a designated "observers' section", which will be clearly indicated at each WG and TG meeting. Meeting organizers should consider the value of locating observers close to experts from their national member or D liaison body in the WG meeting. Observers to Strategic Task Groups (TG1, TG2 and TG3)
6. TG1,2 and 3 Convenors may each, with the consensus support of their respective experts, allow observers to make formal comments within their TG, both at meetings and during correspondence between meetings. This consensus support should be sought at each meeting.
7. TG 1, 2 and 3 Secretariats shall ensure that all meeting minutes, or other records of discussions, indicate clearly which comments observers made.
8. Observers may provide information on a discussion topic. The relevant TG Convenors should encourage discussion among experts after all observers' input have been offered. Observers will not engage in debate on a topic and their views will not be considered during the assessment of consensus. Observers may not lodge sustained oppositions.
9. Any expert who believes that the rights granted to an observer have diluted their own influence in the TG should notify the relevant TG Convenor immediately. If necessary, the expert may also choose to notify the WG Chairs. TG Convenors and/or WG Chairs shall record all such notifications and shall seek to resolve them in consultation with the relevant expert.

Additional Expertise: Special Advisors

1. Where they have identified an important gap in expertise, the WG Chairs and/or the Convenors of a TG may, with the approval of the respective experts, invite national member bodies and D liaison organizations to nominate individuals with relevant expertise to serve as Special Advisors. The participation may be limited to a defined period of time.
2. Special Advisors shall submit the same registration information as experts and observers, as well as an indication that they possess the required expertise.
3. The TG Convenor may, with the consensus support of the TG experts, invite a Special Advisor(s) from among the nominations. If more nominations have been



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received than are required, the TG Convenor shall consult with the respective national member bodies and liaison D organizations prior to proposing a Special Advisor(s) to the TG experts. The TG Convenor will also circulate to the respective TG a list of all nominees and relevant information on them, clearly indicating the TG Convenor's proposal for Special Advisor(s) and a justification for the decision.

4. Special Advisors shall be granted:
 - a. access to relevant TG documents;
 - b. the right to formally comment on relevant documents in the relevant TG during the defined period of time;
 - c. observer status in the WG at the discretion of the WG chairs for the defined period of time.

Ensuring balanced participation in TGs

1. The WG and TG Secretaries should keep an up to date register of TG experts, observers and Special Advisors, including information on their delegation, stakeholder category and expert status. A summary of this information shall be made publicly available (i.e. stakeholder category; developed/developing country; and national member body/liaison organization).
2. An aggregated summary of the stakeholder and regional balance of experts, observers and Special Advisors registered in the TG shall also be kept up to date and made publicly available.
3. Stakeholder Groups are encouraged to nominate at least one "TG liaison" for each TG. These Stakeholder TG Liaisons shall accept shared responsibility, along with the respective TG Convenor, for monitoring, assessing and ensuring adequate stakeholder balance. They may also serve as an informal liaison mechanism between the TG Convenors and the Stakeholder Groups. Each Stakeholder Group is free to establish its own TG Liaison nomination process.
4. TG Convenors shall, in cooperation with the Stakeholder TG Liaisons, review stakeholder and regional balance at regular intervals and decide if and how to address stakeholder imbalances.
5. Temporary stakeholder imbalances shall not restrict progress in the TG.
6. There are a wide range of approaches through which balance can be improved, including:
 - a. encourage WG experts from the under-represented stakeholder group(s) or regions to join the work of the TG;
 - b. encourage WG experts from the under-represented stakeholder group(s) or regions to comment on a specific issue;
 - c. seek input on an issue from the relevant Stakeholder Group TG Liaisons;
 - d. seek advice from the WG Chairs, in consultation with the CAG;
 - e. in deciding on whether the objection is made by an important part of the concerned interests, the Chair/Convenor should consider developed/developing country and stakeholder representation. The Chair/Convenors's decision and its context will be recorded.
7. The WG Secretariat will provide logistical assistance in achieving any of the above, including sending requests from TG Convenors to all WG experts.



ISO/TC 207
Enronmental Management

ISO/TC 207 CAG N437R1

Secretariat: Canada (SCC)

Secretary: A. Hussein



Secretariat: Canada (SCC)
Secretary: A. Hussein

Comments On The Improved Balance of Stakeholder Participants in TC207

N437 - UK Comments

The UK thanks the NGO/CAG TF for all its hard work. We welcome the discussion raised by the recommendations outlined in ISO/TC 207 CAG N437 as we are keen to encourage all stakeholders to participate in the process of the development of standards within ISO and particularly recognise the importance of engaging NGOs in ISO/TC 207. However, we would like further information as to why ISO procedures need changing. The UK is keen to ensure that the ISO directives are sufficient for all ISO TCs, and if this is not the case, that it be communicated to ISO/TMB and the Technical Group responsible for the content of the directives. Currently we do not see that the directives are failing in this regard.

The recommendations are suggesting a model for ISO/TC 207 that is the same for the ISO/TMB/WG SR. This working group was accepted by ISO/TMB as requiring a different model due to the nature of the subject area. There is no documented need for a similar such model for TC207.

The subject of liaison organisations is currently being discussed at ISO/TMB level and as such TC 207 should not be active in this whilst it is being looked at in TMB. Balanced participation in ISO/TC SC or WG could eventually be put in question if too many organizations are granted liaison status. The matter of liaison organizations should thus be left to the attention of the ISO/TMB.

Therefore we request further information as to why these recommendations should be made.

N437 – French Comments

French views and comments on review of ISO/IES Directives Part 1

Consensus building:

We fear the proposed new rules for consensus might slow down the standards developing process and could possibly discourage good will.

Balanced representation:

- ***Composition of national delegations to ISO TC 207 and its working parties is under standardization bodies responsibility.***
- The system put in place for the membership of the WG SR is specific because the topic being dealt with is specific. There is no evidence so far for a need to extend this to other TCs, and to TC 207 especially. Moreover we doubt such a system would speak in favour of increasing participation of developing countries, since it is indeed often difficult for them to find expertise in at least one stakeholders' category.

Role of liaisons:

- ***As far as liaisons in TC/SC and WG are concerned, we would like to stress the importance of guaranteeing a balanced participation within the TC/SC or WG with liaison organisations as well. The great number of liaisons organisations could indeed lead to:***

- create a useless competition between stakeholders' categories for representation in the ISO process,
- duplicate representation of very close or similar organisations, and so increase the cost of the ISO process without any added value.



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Balanced participation in ISO/TC SC or WG could eventually be put in question if too many organizations are granted liaison status. The matter of liaison organizations should thus be put to the attention of the ISO/TMB.

Appeals:

- A new appeal procedure would complicate the standards developing process and would increase the standards elaboration time.
- ISO standards are not mandatory so a substantive objection is not needed and furthermore this would have a negative effect because this could delay or block the procedure.