November 14, 2024

Alejandro Trujilo

## RE: Opposition to the Formation of a Technical Committee on Digital Marketing

Good morning, Alejandro,

Thank you again for advising us that the ISO will be voting on November 15<sup>th</sup> on whether to create a Technical Committee to create a global standard for Creative Digital Design.

The Canadian Marketing Association (CMA) strongly opposes this initiative. We urge the Standards Council of Canada to vote against the proposal and to advise the ISO Secretariat that it would be counterproductive to allow this initiative to advance.

Our opposition stems from fundamental concerns about the nature of creativity and the potential negative impacts of standardizing creative processes. Specifically:

- 1. Fluidity of the Creative Process: Creativity in digital design is inherently fluid and dynamic. It thrives on flexibility, innovation, and adaptability to rapidly changing technologies and cultural trends, and is often influenced by consumer research that reflects the perspectives and wishes of local consumers. Standardizing this process could stifle the essence of creativity that drives strong economic success.
- 2. **Cultural Diversity in Creativity:** Creative expression is deeply rooted in cultural context. An international standard risks homogenizing creative outputs, potentially diminishing the rich diversity of cultural expressions that currently exist in digital design globally.
- 3. **Rapid Technological Evolution:** The digital design landscape is constantly evolving. Any static international standard would likely become obsolete quickly, potentially hindering rather than helping organizations, consumers and the economy.
- 4. **Innovation and Competitive Advantage:** Standardizing creative processes could limit differentiation and innovation, key factors that drive competitive advantage in creative industries.
- 5. **Subjectivity in Creative Evaluation**: Unlike technical fields, evaluating creative work is largely subjective. An international standard would struggle to accommodate this subjectivity, potentially leading to misguided assessments of creative quality.
- 6. **Risk to Emerging Talent:** Rigid standards might create barriers for emerging talent and smaller creative agencies, who often bring fresh perspectives and disruptive ideas to the field.
- 7. **Conflict with Existing Best Practices:** The creative industry has developed organic best practices that evolve naturally. An imposed international standard might conflict with these established practices, causing confusion and inefficiency.

We believe the creative digital design sector benefits most from an environment that fosters originality, flexibility, and innovation. International standards, while valuable in many technical fields, are ill-suited to the subjective and ever-changing nature of creative work.

Furthermore, to the extent that principles should be applied to the ethical development of creative materials, there is already a robust set of principles governing such activities in Canada that is compatible with Canadian laws and expectations, including:

- The federal Competition Act that regulates several marketing practices.
- Provincial and federal laws applicable to marketing of specific goods and services.
- Provincial and federal privacy laws setting specific requirements and impacting marketing practices.
- Consumer protection laws across the country.
- A suite of laws (copyright, defamation, right of publicity and anti-fraud) that protect the use of people's images and organizational marks.
- Self-regulatory codes, most notably, The Canadian Marketing Code of Ethics and Standards and the Canadian Code of Advertising Standards.

As noted in the CMA's recent letter in opposition to the proposal to establish an international standard on digital marketing, the Canadian Marketing Code of Ethics & Standards has long served as the foundation for self-regulation within Canada's marketing community. Recognized as a trusted benchmark for effective self-regulation, the Code brings together the relevant laws and best practice for Canada's marketing sector. The Code is often relied on by governments and regulatory bodies when considering legislative and regulatory measures.

Creating a new and separate technical standard will undermine Canada's well-established benchmarks and create unnecessary uncertainty at a time when the marketing profession is confronting seismic changes resulting from developments in technology and economic turbulence.

For these reasons, we respectfully request that the Standards Council of Canada vote against the establishment of this Technical Committee. We're open to further discussion and can provide additional insights on the potential implications for Canada's creative industries.

Let me know if you would like to discuss this before Friday's vote.

Thank you for your consideration of our views on this important issue.

Best regards, Sara Clodman

Chief Public Affairs and Governance Officer Canadian Marketing Association