Economic and Social Council

Economic Commission for Europe

Steering Committee on Trade Capacity and Standards
**Working Party on Regulatory Cooperation
and Standardization Policies session**

Twenty-sixth session
Geneva, 30 November - 2 December 2016

Report of Working Party on Regulatory Cooperation and Standardization Policies on its twenty-sixth session

Introduction

1.   The Working Party on Regulatory Cooperation and Standardization Policies (WP.6) held its twenty-sixth session from the afternoon of 30 November to 2 December 2016.

2.   The following UNECE member States were represented: Belarus, Bosnia and Herzegovina, Croatia, the Czech Republic, Germany, Ireland, the Netherlands, Norway, Poland, the Republic of Moldova, the Russian Federation, Serbia, Slovakia, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

3.   The following non-UNECE Member states were also present China, Kenya, Mozambique, and the Republic of Korea.

4   The meeting was attended by representatives of the European Commission (EC).

5.   The following United Nations bodies and specialized agencies participated: International Trade Centre (ITC), Telecommunication Union (ITU), Food and Agriculture Organization (FAO), United Nations Conference on Trade and Development (UNCTAD), United Nations Industrial Organization (UNIDO).

6.   The following inter- and non-governmental organizations participated: Associations of Europe, Middle East & Africa (EMEA) of Eaton, Bureau International des Poids et Mesure (BIPM), Eurasian Economic Commission (EEC), European Free Trade Association (EFTA), International Electrotechnical Commission (IEC), International Centre for Trade and Sustainable Development (ICTSD), International Organization for Standardization (ISO), International Laboratory Accreditation Co-operation (ILAC), Organization for Economic Cooperation and Development (OECD), Russian Union of Industrialists and Entrepreneurs (RSPP), International Sustainable Energy Organization (ISEO), World Trade Organization (WTO).

7.   Observers present at the invitation of the secretariat included representatives of private-sector companies, associations, universities and civil-society organizations from various regions.

8.   The Executive Secretary of the UNECE and the Chair of the Working Party opened the meeting.

I. Adoption of the agenda (Item 1)

Title of document	Document symbol	For information/decision
Annotated provisional agenda	ECE/CTCS/WP.6/2016/1	Decision

9. **The Working Party approved the provisional agenda (Decision 1).**

II. Election of officers (Item 2)

10. **The Working Party decided to increase the number of Vice-Chairs to three (Decision 2).**

11. **The Working Party, in accordance with the Commission's rules of procedure and established practice, elected Ms. Heidi Lund (Sweden) and Mr. Miroslav Chloupek (Czech Republic) as Vice-Chairpersons of the Working Party for the period of 2016-2018 (Decision 3).**

III. Mini workshop (Item 3)

Title of document	Document symbol	For information/decision
Contribution of the Working Party on Regulatory Cooperation and Standardisation Policies to the implementation of the 2030 Agenda for Sustainable Development	ECE/CTCS/WP.6/2015/3	I
The "Gender Dimension of Standards and Technical Regulations"	ECE/CTCS/WP.6/2016/3	I

12. The representative of the National Board of Trade, Sweden observed that although Agenda 2030 starts from a multilateral focus, its implementation and the sustainability effects of trade are highly dependent on national preconditions. This in connection with changes in our trade reality (Global Value Chains, Servicification and Digitalization, which are not automatically tackled by the multilateral level, but rather by FTAs), as well as considering the tendencies with global trade slow down and growing tendencies towards anti-globalization and protectionism could result in an increase in barriers to trade, especially non-tariff barriers. As a consequence, it is important for authorities to engage with their national standards bodies to identify solutions, to highlight the importance of public-private partnerships, to follow more closely the development of private standards. The crucial effort is to take new tendencies on board not only in the national, regional and international fora for sustainability, but above all, to integrate them in the activities of the existing established fora and make use of existing coordination and information exchange mechanisms for international regulatory cooperation, such as the UNECE and OECD. By these means it is possible to intensify efforts in mapping out regulatory strategies that will help balance the sustainability ambitions with their potential effects on trade.

13. The representative of the Global Reporting Initiative (GRI) stated that the contribution of the private sector was essential for the delivery of the 2030 Agenda. He presented tools developed by his organization to facilitate corporate reporting, including the Sustainable Development Goals (SDG) Compass. In September 2016, at the UN Private Sector Forum during the UN General Assembly, GRI and the UN Global Compact had

announced a new partnership to develop a list of disclosures for tracking SDGs implementation.

14. The secretariat introduced the background paper for the panel session on Standards for Goal 5: "Achieve gender equality and empower all women and girls". The goals of the proposed initiative were: a) to enhance the use of standards and technical regulations as tools for implementation of SDG Goal 5; b) Mainstream a gender perspective in the development and implementation of standards; c) Mainstream a gender perspective in the development and enforcement of technical regulations.

15. The representative of IEC recalled that the work of her organization impacts all SDGs directly (energy) and indirectly (12 in total). Women are most affected by poverty and many time-consuming chores, such as fetching water, are left to them. Access to electricity will therefore contribute directly to women empowerment. On the other hand, participation by women in the standards-development work was constrained by the small percentage of women that participate in science, technology, engineering and mathematics. Some progress had been made in increasing women's representation in technical work and the IEC is committed to pursuing this further. In particular, the General Secretary and CEO of IEC had just become one of the Geneva Gender Champions, upon invitation by the Executive Secretary of UNECE.

16. The representative of ISO stated that women are getting increasingly involved in technical work of their organization, and many of them are leaders of the ISO technical committees where standards are developed, covering everything from IT to finance. She quoted positive examples of participatory standards-development processes such as ISO 26000 and the cook stove initiative. Yet there is still a long way to go as a disproportionate majority of participating experts and managers are men. She reported on her organization's commitment in principle to the initiative and to the Geneva Gender Champion network.

17. The representative of UNCTAD reported that the participation of their Secretary-General in the Geneva Gender Champion initiative has resulted in a mainstreaming gender in publications and technical assistance work. She introduced UNCTAD's work in mainstreaming gender in trade policy and mentioned that the same approach could be replicated in the area of standardization. It consisted of: a) ex ante assessment; b) ex post evaluation of impact on men and women; c) elaboration of provisions to reflect specific needs of women; and inclusion of gender issues in the main body of the text.

18. The International Trade Centre's women's economic empowerment flagship initiative "SheTrades" supports SDGs 1, 5 and 8 and aims to connect one million women to markets by 2020. The ITC main goals through this programme has been to equip women in business with the skills, knowledge and networks to make trade possible. Only 5% of women-owned companies are able to export: the small size of these companies makes the cost of compliance with standards higher, and women face discrimination when communicating with officials. The standards community could help by elaborating common definitions of terms such as "women-owned enterprises" - taking into account both ownership and control and other important characteristics – as well as by elaborating solutions for affordable certification schemes for women entrepreneurs.

19. During the question and answer session, the representative of BSI emphasized the importance of targeting gender diversity in the composition of national standards committees. He said it was important to promote participation in the standards work. BSI is engaging with young engineers and working with national standards committees to include an annual review of their diversity. The representative of Organization for the Advancement of Structured Information Standards (OASIS) said it was difficult to change the perception that standards are gender neutral, especially in the field of information technology. The representative of IEC encouraged women to rely on and participate in the development of international standards rather than private ones. Women could also access

the ITC Standards Map to help them navigate private standards which could be applicable to their products.

20. **The Member States agreed to give a mandate to the Bureau and the Secretariat to initiate consultations on developing a roadmap and a recommendation on mainstreaming gender into standards and regulatory policies at national and international levels (Decision 4).**

21. **The Working Party requested the Secretariat to prepare a publication on how standards can contribute to sustainable development, especially as regards Goal 5, on "Empower women and girls" (Decision 5).**

22. During the panel session on Industry initiatives for SDG Goal 12 on "Ensuring sustainable consumption and production patterns", the representative of China National Textile and Apparel Council (CNTAC) said that the textiles industry was the biggest polluter after the oil and gas industry. He explained that the industry was subject to a huge number of private standards imposed on them by retailers and supply chains. For this reason, the CNTAC had developed a sustainability platform to encourage enterprises to be more socially and environmentally responsible. This was in line with China's national development strategy, in particular the latest five-year plan for the textile industry, which aimed at establishing a green manufacturing system by the year 2020 with specific targets for the reduction in the consumption of energy and water and of the total amount of pollutant discharge.

23. The business representative from Bangladesh shared his company's experience in building a state-of-the-art factory with minimal environmental impact with rainwater harvesting, solar panels, and an efficient effluent treatment plant. It had been awarded the platinum label from the "Leadership in Energy and Environmental Design (LEED)" certification by the U.S. Green Building Council (USGBC), leading benchmark in green building.

24. In the Questions & Answers session the participants added that by using the platform the industry could reduce the cost of complying with different requirements from private companies. The platform could be broadened to include also international standards. They mentioned that chemicals were the most complex issue in the supply chain and standards on their responsible use could be an important entry point.

IV. Matters arising and programme of work (Item 4)

(a) Report of the past session and intersessional developments

(c) Adoption of the WP.6's intersessional implementation plan

Title of document	Document symbol	For information/decision
Report of the Working Party on Regulatory Cooperation and Standardization Policies on its twenty-fifth session	ECE/CTCS/WP.6/2015/2	D
Draft programme of work of the trade subprogramme for 2016-2017	ECE/CTCS/2015/7 and ECE/CTCS/2015/7/Cor.1	I
Draft intersessional implementation plan for the Working Party on Regulatory Cooperation and Standardization Policies	ECE/CTCS/WP.6/2016/13	D

25. The secretariat introduced the report of the previous session, highlighting progress made under various work items in the intersessional period and plans for the following year.

26. **The Working Party adopted the report of its last session (Decision 6) and adopted the intersessional implementation plan. (Decision 7).**

(b)   Reports by other UNECE bodies of potential interest to the Working Party

27. The Secretary to the Steering Committee on Trade Capacity and Standards (SCTCS) announced that the 50th Jubilee Session of UNECE would be held in April 2017 and encouraged the WP. 6 delegates to participate and contribute to the discussion.

28. He reported on the results of the needs assessment studies undertaken by the Secretariat on regulatory and procedural barriers to trade: Belarus, Kazakhstan, Tajikistan, Kyrgyzstan, Moldova and Albania. Future studies will also involve a regional or sub-regional analysis in addition to the national focus. The input of the WP. 6 would be sought e.g. in the form of peer reviews.

29. Reporting on the activities of the Working Party on Agricultural Quality Standards (WP. 7), he focussed on projects in the area of traceability and food loss where the expertise of WP. 6 could be relevant.

30. The secretary to UN/CEFACT gave an overview of the main activities of UN/CEFACT and highlighted areas of cooperation with the WP 6 including a technical cooperation project in Kyrgyzstan. UN/CEFACT could assist the MARS Group by establishing a project aimed at electronic exchange of information among market surveillance authorities but would need assistance from the Group in the subject matter.

31. The Working Party took notes of the presentations.

V.   Risk management in regulatory systems (Item 5)

Title of document	Document symbol	For information/decision
Risk Management in Regulatory Frameworks	ECE/TRADE/390	I
Progress report on the activities of the Group of Experts on Managing Risks in Regulatory Systems (GRM)	ECE/CTCS/WP.6/2016/4	D
Draft Recommendation on "Applying predictive risk management tools for targeted market surveillance "	ECE/CTCS/WP.6/2016/7	D
Sendai Framework for Disaster Risk Reduction 2015 - 2030[1]		I

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[1] http://www.preventionweb.net/files/43291_sendaiframeworkfordrren.pdf

Title of document	Document symbol	For information/decision
UN Plan of Action on Disaster Risk Reduction for Resilience[2]		I

32.   The moderator introduced the goals of the mini-workshop. The Coordinator of the Group introduced the report on the Group's activities and recalled that the aim of the group was "an improved management of hazards that have the potential to affect the quality of products and services, and/or cause harm or damage to people, the environment, property and immaterial assets". Its main achievements were: the adoption of two recommendations on "Risk Management in Regulatory Systems" and "Crisis Management of Regulatory Systems" and the publication of a guidebook for authorities on how to use risk management tools in all areas of regulatory activities.

33.   The GRM has a broad and diversified membership – 30 experts from 13 countries, 16 active experts – and operates via bi-monthly webinars under the Chairmanship of the Chairperson of the ISO TC 262. In 2016, the group had discussed the possibility of a meeting on approaches for managing risks in regulatory systems in support of the Sustainable Development Goals (SDGs); a partnership for a "Risk Management advisory" on the UN/DESA online platform and a draft recommendation on targeted market surveillance, which was now before the Working Party for adoption.

34.   During the mini-workshop on "Risk Management in Regulatory Systems", the representative of ISO introduced ISO standards that could be used to support the implementation of the Sendai Framework for Disaster Risk Reduction. These were mainly developed under the ISO/TC 292 on "Security and resilience" and focussed on: continuity management, organizational and community resilience, emergency management, protective security and supply chain security, authenticity of products and documents.

35.   The committee had engaged in mapping those ISO, IEC and other standards that could be related to specific objectives in the Sendai Framework. To facilitate uptake of its standards, ISO/TC 292 has also established a coordination group that cooperates with UN agencies. Other TC including ISO/TC 262 Risk management and ISO/TC 268 Sustainable cities and communities also had some relevant standards.

36.   The representative of UNI – the Italian National Standards Body – introduced a proposed standard on complexity and explained that an appropriate level of complexity is required for systems but an excess of complexity can cause several serious problems. The standard would be a means to a better understanding of the complexity of an organization's systems and its implications for security and resilience.

37.   The representative of the International Risk Governance Council (IRGC) presented her organization's risk governance framework, which provides overarching guidance to governing complex risks, marked by uncertainty and ambiguity. The framework offers a comprehensive view to the most important phases in a risk management process, from helping to define the context in which a risk develops and can be managed, assessing the risk and its perception, deciding about a risk management strategy, implementing it and communicating risk. The IRGC generic framework inspires numerous risk management frameworks developed by public and private organisations.

38.   The UNECE Environment Division introduced the "Convention on the Transboundary Effects of Industrial Accidents and its linkages to the Sendai Framework and its four priorities for action. The representative gave examples of concrete activities that the Convention had undertaken to enhance disaster preparedness for effective response

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[2] http://www.preventionweb.net/files/33703_actionplanweb14.06cs1.pdf

(Sendai priority 4) including a joint field exercise carried out under the Danube Delta Project between the Republic of Moldova, Ukraine and Romania. The Convention had also developed guidance on land-use planning, siting of hazardous activities and related safety aspects. A joint UNECE/OECD seminar had just been conducted to foster implementation of the sustainable development agenda for industrial accidents prevention, preparedness and response.

39.   In the Questions & Answers session, the participants reflected on the need for common taxonomy and better understanding of the different frameworks used by different organizations. It was important to engage both practitioners and academia to ensure diversified representation. It was also important to analyse the specific risks that confront women in their different societal roles especially those that made them particularly vulnerable. In this regard, specificities of women had started to be introduced in safety tests but much work remained to be done.

40.   The Coordinator of the GRM introduced the Recommendation S on "Applying predictive risk management tools for targeted market surveillance". The recommendation aims at providing guidance to market surveillance authorities in planning surveillance activities on the basis of a predictive risk-based assessment of products/businesses within their jurisdiction.

41.   In response to the proposal of Belarus to develop practical recommendations related to the management of risk in the context of the global sustainable development goals, including Goal 5, the Working Party requested the Coordinators of the GRM to discuss the proposal at the next webinar of the Group.

42.   The Working Party welcomed the proposal of the Eurasian Economic Commission to nominate its representative to the GRM. The Working Party requested the GRM to consider the experience of the Commission related to the use of the risk management tools in regulatory systems in its work, including in developing risk management recommendations of the Working Party.

43.   Answering a question about how the predictive risk management tool relates to the RAPEX system, the GRM Coordinator explained that RAPEX is used after the products have been found to be non-compliant, whereas the proposed system will measure the risk of non-compliance of the product based on how dangerous the product is when non-compliant and on the probability of non-compliance.

44.   The system is predicting better as it gets more data – that is it is learning system. It does not aim at replacing existing methodologies. It is instead intended as complementary guidance and fosters a culture of prevention of accidents on the basis of a structured assessment of risks.

45.   **The Working Party adopted the report of the GRM, taking note of the extension of its mandate by the UNECE Executive Committee (ECE/EX/2016/L.16). It mandated the secretariat and the coordinators to continue to report on an annual basis on its activities. It instructs the secretariat, resources permitting, to organize a "face to face" meeting of the GRM with the participation of regulatory authorities from various sectors during the course of 2017 (Decision 8).**

46.   **The Working Party adopted the Recommendation. It mandated the secretariat to report on its implementation. They encourage the donor community to make available resources for capacity-building projects to assist member States in its implementation (Decision 9).**

VI. International Regulatory Cooperation (Item 6)

(a) **Mini-workshop on international regulatory cooperation: the experience of members**

Title of document	Document symbol	For information/decision
Regulatory Cooperation: A Wikihow	ECE/CTCS/WP.6/2015/7	I

47. In order to pursue further international regulatory cooperation, the Moderator found it important to take stock and follow up on these activities at different levels.

48. The representative of the United States presented the "United States Government Policy on Participation in the Development and Use of Voluntary Consensus Standards and Conformity Assessment Activities" (Office of Management and Budget Circular A-119). The latest revision of Circular A-119, published in January 2016, updates and expands upon the guidance provided in the previous version in a number of areas. He focussed on guidance related to choosing and using standards, agency participation in standards development, conformity assessment, and meeting international obligations.

49. The representative of the European Commission explained the EU approach to regulatory cooperation, presenting instruments and tools for cooperation with countries outside the EU.

50. The representative of OECD reported on their project on "International Regulatory Cooperation (IRC): The Role of International Organisations in Fostering Better Rules of Globalisation". She explained that the project had collected, compared and assessed the practices of 50 international organisations on their governance arrangements, operational modalities, use of quality management disciplines and co-operation efforts. The UNECE secretariat complemented the presentation made by the OECD and provided details of the case study of UNECE which had been developed on the basis of the OECD methodology.

51. The publication showcases examples of successful tools of international regulatory cooperation developed by the UNECE. It also reflects on the reasons of the success of the organization and the challenges going forward. These were: finding effective ways of sharing knowledge between different parts of the organisation and balancing the need to respond to demands from non-UNECE member countries, with the organization's regional role.

52. The representative of the Russian Union of Industrialists and Entrepreneurs (RSPP) explained that their organization actively cooperates with international, regional and national standardization organizations. Russian experts also participate in working groups with joint working groups with industry experts, government bodies and research organization such as WP.6. The deliverables of the WP.6 had been widely used: for example, in 2013 the Recommendation D of the Working Party had been referenced in the Russian Standardization Law adopted in 2015.

53. In the Questions & Answers session, the moderator asked whether the definition of IRC included only government to government cooperation or if it included also private arrangements. Panellists replied that this was mainly government dialogue but that the inputs from other stakeholders were taken into account.

54. The moderator noted that different harmonization sectoral measures were applied in the trade policy triangle represented by APEC-EURAS-EU. He recalled the possibility for sectoral regulatory convergence offered through the use of principles embodies in the UNECE International Model (Recommendation L).

55. The Ministry of Economic Development of the Russian Federation asked if UNECE could carry out a study on the effects of standards on the volume of international trade. The secretariat replied that this activity could be undertaken in cooperation with relevant research or academic institutions.

(b) Regional developments

56. The representative of Kyrgyzstan explained that her country's system of quality control and quality assessment aims to ensure full compliance with internationally recognized standards. A number of reforms had been carried out including: a transition from compulsory to voluntary standards, the harmonization of labels, and the increased use of the system of presumption of conformity among others. There was a need for technical assistance, in particular capacity-building.

57. The representative of Albania explained that her government policy is based on the principle of reducing technical barriers to trade by adopting European harmonised standards as Albanian standards. In this regard, Albania is aligning its product legislation with the EU acquis which refers to harmonized European standards for presumption of conformity. The establishment of the Market Surveillance Inspectorate and its full operation in the near future will complete the institutional framework to ensure market standards, fair competition and consumer protection.

58. The representative of ISO asked if OECD could provide examples of good practices by international organizations of impact evaluations on the use of their deliverables. She answered that not many organizations have examples of tangible implementation but standards bodies' had a good practice of reviewing the use of their instruments.

(c) Sectoral projects

Title of document	Document symbol	For information/decision
Progress report on the sectoral initiative on Telecom	ECE/CTCS/WP.6/2016/8	D
Progress report on the sectoral initiative on Earth-Moving Machinery (EMM)	ECE/CTCS/WP.6/2016/9	D
Progress report on the sectoral initiative on Equipment for Explosive Environments (SIEEE)	ECE/CTCS/WP.6/2016/10	D
Progress report on the sectoral initiative on the Safety of Pipelines	ECE/CTCS/WP.6/2016/11	D

59. The Telecom Initiative, drawn up by industry in 2004, had developed Common Regulatory Objectives (CROs) for certain globally traded Information and Communications Technology products. Although no specific interest has been raised by Members to take the initiative forward, the CROs nevertheless provide examples of good regulatory practice for market access of these products. This is of special interest in relation to the renewed discussions of Non-Tariff Barriers (NTBs) in the WTO committee for the Information Technology Agreement. A workshop on NTBs was held in May 2015, where the private sector expressed their concerns over increasing NTBs, and made some proposals for addressing these. A Subcommittee on NTBs had been formed within the ITA Committee, and is now starting to address some NTBs more formally. It is expected that the first focus will be on Transparency, Conformity assessment, and e-labelling. The UNECE

International Model, and in particular the Telecom Initiative can provide good guidance in this work.

60.   The representative of Physikalisch-Technische Bundesanstalt (PTB), rapporteur of the Sectoral Initiative on Equipment for Explosive Environments (SIEEE), gave an overview of activities since the last session. There were plans to organize a joint workshop with IECEx in Shanghai in 2017.

61.   The Chairman of ISO/TC 127 informed the Working Party that the International Team for the sectoral project for Earth-Moving Machines was continuing to promote the project. The self-declaration of conformity was generally accepted but in some countries third party testing and certification provisions were still required.

62.   Under the Pipeline Safety Initiative (SIPS) an expert working group was created, with 15 experts from 7 countries. They had developed a draft questionnaire on rules and procedures for the development of regulatory frameworks in the sector. This questionnaire had already received a few answers. The elaboration of the CROs had started and would be based on the risk assessment by critical points and analysis of legislation acts and normative documents of different countries.

63.   **The Working Party noted information on regulatory cooperation provided by the delegates and adopted the reports of the four sectoral initiatives and requested them to report at the 2017 session (Decision 10).**

VII.   Metrology (Item 10)

64.   The representative of the Bureau International des Poids et Mesures (BIPM) explained how the organization's activities dovetail with the other wider quality infrastructure elements as well as how the CIPM Mutual Recognition Arrangement (CIPM MRA) underpins laboratory accreditation worldwide. He introduced the Joint BIPM, OIML, ILAC and ISO Declaration on Metrological Traceability, which provides guidance to regulators and other interested parties requiring access

65.   The representative of the International Organization of Legal Metrology explained that his organization had obtained support from the ACP EU TBT Programme for an e-learning project. This project aims to establish comprehensive metrology e-learning package using standard open-source platform. It will be hosted on OIML servers for continuity. Courses will be available to anyone and further courses will be added even after the current ACP EU TBT Programme ends at the end of 2016.

66.   **The Working Party noted information on metrology provided by the presenters OIML and BIMP and requested to further report at the 27th session (Decision 11).**

VIII.   Review of recent developments in standardization and regulatory practice (Item 7)

67.   Under the item on regulatory practice, the Minister for Technical Regulation of the Eurasian Economic Commission (EEC) updated the audience on recent developments in the system of technical regulation of the Eurasian Economic Union (EAEU) among Armenia, Belarus, Kazakhstan, Kyrgyzstan and the Russian Federation and its topical issues.

(a)   Review of developments in standardization

68.   The representative of the European Commission said that standards are key for innovation and progress in the EU Single Market, and are essential to supporting European competitiveness, jobs and growth. The European standardisation system needs to adapt to meet the challenges of a changing economy, the increasing importance of services, and

digital innovations. In line with the Commission's 2015 Single Market Strategy and the EU standardisation package adopted on 1 June 2016, the Joint Initiative on Standardisation sets out a shared vision for European standardisation. Its aim is to modernise, speed up and better prioritise standard setting across the board. The initiative consists of 15 concrete actions and pilot projects and it is driven by stakeholders (EU and EFTA Member States, standardisation organisations and bodies, European industry and industry associations, SMEs, and societal stakeholders), with the European Commission playing a mainly coordinating role and building consensus - bringing together the expertise of all parties involved. A video is available on the internet to illustrate: https://www.youtube.com/watch?v=ubxFi0UOjGc

69. By signing the Frankfurt Agreement, CENELEC and IEC have reconfirmed their longstanding cooperation that has resulted in a very high level of technical alignment in the last 20 years. This new agreement preserves the spirit and approach conveyed by the Dresden Agreement, in particular the strategic commitment of CENELEC to supporting the primacy of international standardization. It includes several update aiming to simplify the parallel voting processes, and increases the traceability of international standards adopted in Europe thanks to a new referencing system.

70. Supporting the current drive toward sustainable development is an important focus of ASTM International standards development activities. ASTM technical committees have hundreds of standards that promote the environment. The results are clear: cleaner air and water; eco-friendly homes and office buildings; enhanced waste management and recycling programs; innovations in oil spill response and cleanup; improved environmental assessments and much more. Working across borders, disciplines and industries, ASTM open process harnesses the expertise of over 30,000 members to create consensus and improve performance in manufacturing and materials, products and processes, systems and services.

71. The representative of ASTM highlighted some of the activities carried out by a number of technical committees and added comments on a few recent initiatives related to sustainability. Among those was the creation of a sustainability standards database (see: www.astm.org/sustainability) and the support given to a group of female students and their startup "Think like a girl. Become an Engineer" on technical education for women. ASTM representative said that she will familiarize her organization with the UNECE initiative on "Mainstreaming gender in standards" to possibly support it in the future. She announced the upcoming shift in ASTM leadership with the nomination of Ms. Kathie Morgan as the new President of the organization as of January 2017.

72. Answering a question from the floor the representative of the European Commission said that it was important for voluntary sustainability standards to respect the WTO Code of Good Practice. The representative of ASTM said to address the growing trend in private sector standards not necessarily complying with the WTO TBT Code of Good Practice.

73. Answering a question from the floor about how ASTM monitors implementation of its standards, she said that as regards governments there were more than 7000 citations by regulators from 75 countries and as regards companies, membership in the TCs is in an indicator of the use of standards by industries.

74. **The Working Party noted information on standardization provided by the speakers requested them to report at the 27th session (Decision 12).**

(b) **Education on standards related issues**

75. The Rector of the Academy for Standardization, Metrology and Certification acknowledged the importance of including education on standards and related issues in different academic programmes, and not only technical degrees. The academy trained 5000-7000 students per year in standardization and related issues. They had

developed teaching materials based on the UNECE Model Programme on Standardization: a module on ISO 26000 had just been added and more modules were needed as regards ISO 9001:2015 and ISO 140001 and the GRI reporting standards.

76. The representative of ISO gave an overview of main activities in ISO in the field of education about standardization. Activities addressed are the organization of regional workshops of ISO members to discuss needs for standards education, the Academic Day of the World Standards Cooperation, an annual event organized by ISO together with IEC and ITU as well as the International Cooperation about Education in Standardization (ICES). A short overview is given about the Master's programme "Standardization, Social Regulation and Sustainable Development" in which ISO collaborates with the University of Geneva and about a number of more specialized training programmes for ISO members on topics such as "Standards in support of public policies", "Development of national standardization strategies", "Support for the establishment of national quality infrastructures" etc.

77. A professor of the university of Belgrade, Faculty of Organizational Sciences, shared her experience in teaching standardization in the business school and highlighted the importance of active teaching methods as – for example – case studies to ensure that students understand and apply the content they are learning. More support needs to be given to the collaboration among universities and industry (e.g. through industry – academia workshops). The best way to attract university teachers to teach about standardization is to involve them in the research about it.

78. The representative of CEN/CENELEC asked how to sensitize responsible entities on the importance of including the subject of standardization in the curriculum of high schools. The Rector replied that the Academy was working closely with the Ministries of Education and Science towards gradual inclusion of standardization in the curricula.

79. National Institute of Standards and Technologies (NIST) has integrated trainings on standardization in programs on different disciplines such as sustainability and welcomed collaboration under the umbrella of UNECE WP. 6 to avoid duplication of work and make good use of scarce resources.

80. BSI emphasized the importance of national initiatives and reported that his institution had a plan for engaging with educational institutions. Also in light of the fact that the forum of discussion under the umbrella of CEN/CENELEC had been closed, he welcomed sharing good practices.

81. The European Commission representative said that two actions connected to education were planned under the framework of the Joint Initiative on Standardization. The Chair of the Working Party welcomed with thanks the proposal of NIST to join efforts in this area. The representative of ISO encouraged the use of online courses to share knowledge in a flexible way and ensure a broader audience. Within the UN, there were several platforms for online learning including the UNITAR, the UNCTAD virtual institute and the Turin UN Training Centre.

82. **The Working Party took note of the STaRT-ED group activities and requested the secretariat to continue supporting the activities of the group, including by issuing a publication of relevant materials suitable for use in educational programmes on standardization (Decision 13) and requested the group to report on progress at the 27th session.**

VII. Review of recent development in conformity assessment and accreditation (Item 8)

(a) Review of recent development in conformity assessment

83.   The representative of IEC explained that the organization has two main activities, standards development (SD) and conformity assessment (CA). IEC has four global CA Systems, the IECEE, IECEx, IECQ and IECRE for renewable energy, and provides assistance to developing countries through its ACAS programme, which includes e-learning modules. Recent activities of IEC CA are collaboration between IEC and ITU to create a global interoperability certification scheme to ITU recommendations, and the continued development of global cybersecurity services in the IECEE.

84.   The representative of the ISO Committee on Conformity Assessment (ISO/CASCO) reported that 2016 was an important year for CASCO in terms of technical development, with 3 documents being published in 2016 and 8 active working groups being run by CASCO or jointly with other ISO Committees. She also reported on a number of other CASCO projects and initiatives undertaken in 2016. She highlighted the CASCO Stakeholder Forum organized with the insurance industry in London, on the 25th of November; the 2015 ISO Survey of Management System Standards that was for the first time realized in house and a number of informative brochures/materials developed by CASCO to support other ISO committees and the users of standards, all publically available from the website. She finally informed the audience that the 32nd CASCO Plenary meetings and workshop on services will take place from 26-28 April 2017, in Vancouver, Canada.

85.   The representative of Belarus introduced the National technical legislation of the Republic of Belarus and explained that it is based on two fundamental laws, which in October 2016 have been approved in new editions: of the Law "On technical regulation and standardization" and the Law "On conformity assessment with technical requirements and accreditation of conformity assessment bodies". These laws will take effect on 30 July, 2017. The new editions of the laws continue to adhere strictly to the provisions of the World Trade Organization Agreement on Technical Barriers to Trade, take into account the rules of the Treaty on the Eurasian Economic Union (EAEU), aspects of the systems of technical regulation, standardization and conformity assessment of a number of countries of the Commonwealth of Independent States and the European Union.

86.   When preparing new draft laws, the concept of the laws presentation was changed by transition from the frame (base) statement to direct, comprehensive and systematic presentation of the provisions that will facilitate the creation of a well-ordered, open and transparent model of legal regulation.

87.   Technical regulation and standardization are based on the following principles: mandatory application of technical regulations; voluntary application of governmental standards; availability of technical regulations and standards, information on the order of their development, approval and publishing to users and other stakeholders; priority use of international and intergovernmental (regional) standards; use of state-of-the-art science and technology; ensuring the right of participation for legal entities and individuals, including foreign ones, and technical committees on standardization in development of standards.

88.   The principles of the conformity assessment are as follows: harmonization with international and regional approaches in the field of conformity assessment, ensuring the identity of the conformity assessment procedures of domestic and foreign objects of conformity assessment; openness, accessibility and compensatory nature of the conformity assessment procedures.

89.   **The Working Party noted information on recent developments in conformity assessment and accreditation provided by BELST, IEC and ISO (Decision 14).**

(b)   Discussion on revision of Recommendation F and Recommendation G

90.   **After discussion, the Working Party adopted a revised version of the Recommendation F on "Creation and Promotion of International Agreements on Conformity Assessment" and revised Recommendation G on "Acceptance of**

Conformity Assessment Results", with the revised texts appended to this report (Annex I and Annex II) (Decision 15).

IX. Market surveillance (Item 9)

(a) Updates from regional groupings and the Advisory Group on Market Surveillance

Title of document	Document symbol	For information/decision
Report of the Advisory Group on Market Surveillance, its activities and its meetings	ECE/CTCS/WP.6/2016/12	Decision

91.   The Chairperson of the Advisory Group on Market Surveillance (MARS Group) presented the report of its September 2016 meeting in Geneva which had been attended by more than 20 experts. The meeting had discussed challenges as well as resources available to market surveillance bodies.

92.   Over the next year, the Group would: to continue the development and coordination of the General Market Surveillance Procedure; to update the market surveillance contact database; to collect national practices of market surveillance authorities for cross-border cooperation in one or more specific sectors and regions; to work more closely with other groups under the umbrella of the WP.6, especially the sectoral initiatives and the Group of Experts on Risk Management in Regulatory Systems (GRM); to develop cooperation between market surveillance authorities (MSAs) and conformity assessment bodies; to continue establishing contacts between global and regional Market Surveillance Networks, encouraging them to participate in the WP.6 activities; and to explore the possibility for training of MSAs on issues related to counterfeit goods, product marks, online market surveillance and proactive market surveillance.

93.   The representative of the European Commission provided an update on market surveillance in the EU focusing on priorities of action. She presented the status of implementation of the Multi-Annual Action plan, and focussed on the importance of cross-border cooperation in order to ensure that non-compliant product was removed from the market. Finally, she outlined the new enforcement and compliance initiative.

94.   In reply to a proposal from the co-coordinator of the GRM Group, the Working Party requested the MARS Group to appoint a representative to the GRM and to develop project proposals and plans related to the implementation of the recommendation S.

95.   **The Working Party adopted the report of the MARS Group with agreed modifications in paragraphs 16 and 18 (Decision 16) and requested the group to report on further development at the 27th session.**

X. Capacity-building activities under the Working Party and the Steering Committee on Trade Capacity and Standards (Item 11)

96.   The secretariat reported on the results of the needs assessment studies undertaken by the Secretariat on the regulatory and procedural barriers to trade which had been undertaken in Albania, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan and the Republic of Moldova over the period 2012-2016. The Secretariat highlighted the main challenges and capacity building needs emerging from the studies in the different areas of technical regulations, standardization, conformity assessment, metrology and market surveillance. The

representative of the Eurasian Economic Commission and of the Republic of Belarus stated that the information contained in the study on Belarus was not up to date with the view of legislation in the Eurasian Economic Union (EAEU) and offered assistance with identifying current problems and presenting the latest information at the Session of the Steering Committee on Standards and Trade in April 2017. The representative of the European Commission noted that the studies had been published over the period 2012-2015, so that for some countries, the information was not up-to-date and it was understood that the general issues highlighted in the presentation did not reflect the current situation in any specific country.

97.   The secretariat also offered information on a technical assistance project that was going to be implemented in Kyrgyzstan and which aimed at building the capacity of trade support institutions in these countries.

98.   **The Working Party took note of the information provided by the Secretariat (Decision 17).**

XI.   Other business (Item 12)

99.   **The Working Party agreed to hold its 27th session from 28 to 30 November 2017 (Decision 18).**

XII.   Adoption of the report and closing of the meeting (Item 13)

100.   **According to its rules of procedure, the Working Party adopted the report of its 26th session (Decision 19).**

ANNEX I

Recommendation F on "Creation and Promotion of International Agreements on Conformity Assessment"

1.   The Working Party on Regulatory Cooperation and Standardization Policies

<u>Taking into account</u> that even if regulations and standards are harmonized there is still a risk that technical barriers to trade could arise if different conformity assessment procedures are applied;

<u>Bearing in mind</u> that national and regional conformity assessment systems, especially those which are mandatory, may constitute barriers to international trade;

2.   Has agreed to recommend that:

(a)   UNECE Governments should promote the establishment of agreements on conformity assessment (including 1st, 2nd and 3rd party) when justified by the over-all economic benefits to international trade;

(b)   UNECE Governments should, when considering conformity assessment, include any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled;

(c)   UNECE Governments should, with regard to such agreements on conformity assessment, take into account the relevant provisions of the WTO Agreement on Technical Barriers to Trade;

(d)   UNECE Governments should encourage national bodies to apply appropriate ISO/IEC Guides and International Standards on conformity assessment;

(e)   UNECE Governments should encourage the establishment and strengthening of contacts between national bodies in different UN member countries responsible for agreements on conformity assessment relevant to international trade, whether directly or through existing international organizations;

(f)   UNECE Governments should encourage the use of existing international conformity assessment systems and schemes operated by long-standing and recognized international organizations, such as the IEC CA Systems and joint IEC/ITU certification scheme and the multilateral mutual recognition arrangements of the International Accreditation Forum (IAF) and the International Laboratory Accreditation Cooperation (ILAC), where appropriate;

(g)   UNECE Governments should apply and encourage application of the following guidelines in promoting agreements on conformity assessment.

I.   Purpose

3.   The main purpose of international agreements on conformity assessment should be the creation of confidence in the conformity assessment results issued from within countries participating in the agreements, with the goal of creating mutually favourable conditions for economic cooperation between these countries. The agreements should also provide market access opportunity for product manufacturers and service providers and, most importantly, provide the end user with confidence and trust in those products and services.

Any party considering joining an international agreement would have to review and accept the terms before they enter into the agreement.

II. Participation

4. Parties to an agreement on conformity assessment, possibly in different roles, may be States, groups of States, Governments, national or international organizations. In the latter two cases, these may be governmental or non-governmental.

5. In the case of governmental bodies, participation should be available to any party. In the case of both governmental and non-governmental agreements, parties must be willing to accept and able to conform to the existing rules and obligations. Concerning the technical and administrative capacity and competence of the conformity assessment bodies of a party seeking participation, e.g. accreditation and peer assessment may be necessary before entry of this party into an agreement on conformity assessment.

III. Equality of rights, obligations and treatment

6. The principles of equality of rights and obligations and of equal treatment of all products and services covered by the agreement (and satisfying its CA requirements), whether imported or domestic, should be reflected in the agreement.

IV. Availability of information

7. Agreements on conformity assessment should be published in full. Names and addresses of participating bodies, as well as other relevant information about their activities, should be made readily available.

V. Mutual recognition

8. The first goal of a bilateral mutual recognition agreement on assessment of conformity should be the mutual recognition of conformity assessment results carried out in the exporting country in accordance with the requirements of the importing country, for determining conformity with standards or technical regulations. Such agreements can constitute a first step towards a harmonized conformity assessment system for the parties to the agreement.

9. The first goal of a multilateral mutual recognition agreement on assessment of conformity should be the mutual recognition of conformity assessment results carried out in any participating country in accordance with the requirements of the importing country, for determining conformity with standards or technical regulations. Such agreements require confidence between the parties to the agreement which should be built on a harmonized conformity assessment system between the parties.

10. In agreements on conformity assessment, parties should be aware of liability concerns, and may be required to be insured against possible liability arising from their operations.

VI. Harmonization of standards and technical regulations

11. Agreements on conformity assessment should preferably be based on international standards where they exist or as an alternative on harmonized national standards, technical regulations or regional standards. These standards and regulations should have market acceptance.

VII. Consultations and complaints procedure

12.   Provisions should be made for informal consultations in the first place between the interested parties and, in cases where these do not resolve difficulties, for a formal complaint procedure. The latter procedure should, when applicable, be initiated within the international organization or other body agreed upon by the parties to the agreement.

VIII. Mutual confidence

13.   Mutual confidence in the technical competence, reliability and impartiality of the relevant national bodies and systems is a prerequisite for the effective functioning of an agreement on conformity assessment. A basis for mutual confidence may be promoted by implementing the procedures presented in the appropriate ISO/IEC International Standards on conformity assessment.

14.   Parties seeking participation in a multilateral mutual recognition agreement should be assessed for acceptance to the agreement through a harmonised process.

15.   Parties participating in a multilateral mutual recognition agreement should be required to consistently apply harmonised conformity assessment processes.

16.   Parties participating in a multilateral mutual recognition agreement should be required to consistently apply a harmonised approach for application of standards to which the conformity assessment processes are being applied.

ANNEX II

Recommendation G on Recognition of Conformity Assessment Procedures and Results

1.   Working Party on Regulatory Cooperation and Standardization Policies

Bearing in mind that activities for the assessment of conformity of products and services are complementary to standardization activities;

Bearing in mind that it is desirable to facilitate international trade by avoiding the duplication of conformity assessment procedures which are not justified on grounds of safety and public health;

2.   Has agreed to recommend that:

(a)   Governments should contribute to the development of multilateral agreements for the acceptance of the results of conformity assessment procedures (e.g. calibration, testing, inspection, certification, and accreditation) such as existing international conformity assessment systems or schemes operated by long-standing and recognized international organisations.

(b)   Governments should take into consideration the relevant provisions of the WTO Agreement on Technical Barriers to Trade in the acceptance of conformity assessment results.

(c)   Governments should draft, or contribute to the drafting of, clauses on acceptance of conformity assessment results in more general agreements concerning the harmonization or equivalence of technical regulations, or on mutual recognition of conformity assessment systems.

(d)   Governments should promote the use of harmonized assessment for the acceptance of parties wishing to participate in multilateral mutual recognition agreements.

(e)   Governments should promote the consistent use of harmonized conformity assessment processes used in multilateral mutual recognition agreements.

(f)   Governments should promote the consistent use of harmonized approach for application of standards used for conformity assessment processes in multilateral mutual recognition agreements.

(g)   National accreditation systems for conformity assessment bodies already existing or in the process of being established, should be based, as far as the requirements for the technical competence of conformity assessment bodies are concerned, on the application of the relevant ISO/IEC International Standards on conformity assessment.

(h)   Governments should promote the use of existing international multilateral mutual recognition arrangements among national accreditation bodies (e.g. IAF MLA and ILAC MRA).

(i)   Governments should promote the use of existing international conformity assessment systems and schemes operated by long-standing and recognized international organisations (e.g. IEC CA Systems and schemes, including joint IEC/ITU certification scheme), and their international multilateral agreements, for the mutual recognition of conformity assessment results prescribed by national requirements.

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