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Working Party on Regulatory Cooperation and
Standardization Policies

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Item 10 of the provisional agenda

PROGRAMME OF WORK AND PRIORITIES OF THE WORKING PARTY

Programme of work for 2009-2010

Note by the secretariat¹

Summary

At previous sessions of the Working Party, it was decided that delegations should take part in on-going appraisals of the programme of work (ECE/TRADE/C/WP.6/2007/12; and ECE/TRADE/C/WP.6/2007/13, para. 81). This also reflects a specific request made in the UNECE Reform Plan (E/ECE/1434/Rev.1) to overview the programme of work.

This document contains the vision, mission, and long-term strategic directions for the Working Party, and outlines its programme of work for 2008-2010 based on decisions taken at its annual sessions of 2006 and 2007.

In addition, the Bureau of the Working Party, at its meeting on 17 March 2008, reviewed a table of priorities prepared by the secretariat. The table, which is included in this document, describes in detail the status of Working Party initiatives underway, and outlines their respective mandates.

¹ This document was submitted late for document processing as clearance from relevant parties was received late.

I. INTRODUCTION

1. With traditional barriers to trade – such as tariffs and quotas – being progressively eliminated, the ability to comply with technical regulations and use international standards emerges as a key factor of success on national and international markets. But to comply, and to prove the conformity of their products, firms need an adequate and efficient institutional and regulatory framework, at the national, regional and international levels.
2. In particular, many industries now operate at a global level, with a single engineering approach based on international standards and international certification schemes. But national laws and regulations often are very different. This situation makes international trade costly, especially for small and medium enterprises, because it is particularly difficult for them to adapt their production, packaging and marketing to the technical requirements of the different markets.
3. Additionally, Market Surveillance (MS) practices vary significantly from country to country, presenting a barrier to a fully effective system of cross-border co-operation. It is also a fact that, due to the vast number of products put on the market worldwide, the challenges imposed on a market surveillance authority are enormous, and it is almost impossible to cover all the requirements of the technical legislation.
4. The key to improving this situation is the cooperation and harmonization of MS approaches amongst countries. The establishment of a clear framework and guide for the operation of MS, based on good practice worldwide, would be a major asset to regulators and would be a significant step forward in the enhancement of a safe, efficient and transparent market for legitimate trade.
5. The UNECE Working Party on Regulatory Cooperation and Standardization Policies is leading the concept of the use of standards as the basis for technical regulation and is developing recommendations on a variety of policy matters relating to technical regulations, standardization, conformity assessment, accreditation, market surveillance, quality/environmental management systems and metrology.
6. The Working Party's major concern is to encourage not only the UNECE member countries, but all United Nations Members countries and territories, whenever possible, to develop, adopt and apply converging regulatory, standardizing and conformity assessment approaches, as well as conformity assessment procedures. Its main objectives are to safeguard public health and safety, to protect the environment and to promote of scientific and technological cooperation, while at the same time minimizing technical barriers to international trade that result from disparate technical regulations and standards and their applications.

II. OUR VISION

7. Our vision is to achieve a predictable, transparent, least restrictive and converging regulatory environment for citizens and economic operators, both nationally and globally.

III. OUR MISSION

8. Our mission is to improve the current legal and administrative framework to enable economic operators in countries, irrespective of their level of development, to trade in safe and reliable products and services to achieve less costly, more predictable and more open market access.
9. To accomplish this, the Working Party will:
- (a) Develop supporting recommendations and good practices;
 - (b) Facilitate trade and market access by:
 - (i) Providing a platform for increased awareness and cooperation through information exchange on national, regional and international experiences on regulatory and standardizing issues;
 - (ii) Stimulating dialogue on regulatory cooperation and convergence;
 - (iii) Encouraging the participation of all countries in international standardization;
 - (iv) Promoting the use of international standards and guides;
 - (v) Supporting scientific and technological development related to standardization;
 - (vi) Keeping the World Trade Organization Committee on Technical Barriers to Trade informed of the Working Party activities and achievements; and developing partnerships with international, regional and national standards-setting institutions as well as sectoral standards associations and other development organizations active in standards implementation (in particular, the International Trade Centre (ITC) and the United Nations International Development Organization (UNIDO)).
10. All those activities fully support the goals and principles of the United Nations Millennium Declaration, specifically to further develop “*an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system*”; ...“*to create an environment - at the national and global levels alike - which is conducive to development and to the elimination of poverty*”; and to help integrate sustainable development principles in national policies (<http://www.un.org/millennium/declaration/ares552e.htm>).

IV. STRATEGIC DIRECTIONS

11. The Working Party identifies the following tasks as strategic directions for its long-term work:
- (a) Identify efficient and least trade-restrictive means for regulatory, standardization and conformity assessment action related to products traded in UNECE Member States;
 - (b) Collect and disseminate information on good practices and share experience and information on developments in regulatory cooperation, standardization, market surveillance, conformity assessment and metrology;

- (c) Review current recommendations and develop new ones to encourage good standardization and regulatory practices and approaches;
- (d) Promote national implementation of the recommendations, providing capacity-building to countries, as necessary;
- (e) Strengthen partnerships with the private sector and civil society in pursuit of economic development and consumer/user protection;
- (f) Liaise and cooperate with other organizations and agencies;
- (g) Use its “UNECE Standardization and Regulatory List” of sectors and product areas of interest to member States (ECE/STAND/20/Rev.5) to identify sectors and areas where Governments are interested in regulatory cooperation and see the need for further work on international standards;
- (h) Provide upon request to countries in transition and, when relevant, to developing countries, advice and assistance in implementing standards-receptive regulatory regimes in different areas and sectors, and in promoting best practice in market surveillance;
- (i) Continue to cooperate with a wide range of organizations at the international, regional and national levels, including organizations from the United Nations family as well as those from the Commonwealth of Independent States, the European Union and the European Free Trade Association. The Working Party will also explore the interests of the regional commissions of the United Nations and other regional groupings, beginning with Africa and Asia, in developing projects in their regions;
- (j) Work with the private sector and non-governmental organizations bringing their concerns to the attention of Governments, and support, in consultation with industry, market-based regulatory projects approved by the Working Party.

V. PROGRAMME OF WORK 2009--2010

A. Standardization policies

12. Objective:

- (a) To provide a forum for exchanging information and experiences on issues of concern to UNECE Member States, other States Members of the United Nations, international and regional organizations, and representatives of business and civil society in the area of standardization and related activities;
- (b) To promote implementation and use of international standards.

13. Work to be undertaken:

- (a) To organize panel sessions and seminars – as appropriate and upon receiving instructions and guidance from the Working Party, its Bureau and its task forces, initiatives and working groups – on topical issues in the international debate relating in the area of standardization and related activities;
- (b) To continue to work towards a better reciprocal understanding through internationally accepted definitions of terms;

(c) To ensure follow-up, as appropriate, to the issues discussed at the 17th session of the Working Party and during its Forum on challenges faced by the regulatory authorities in their work. If interest is expressed by delegations, work will commence on the revision of Recommendation D on “Reference to Standards”, taking into account relevant international guidelines and documents;

(d) To publish a revised edition of the UNECE Recommendations on Standardization Policies, and to continuously update it as new recommendations are adopted;

(e) To update existing recommendations and prepare new ones to respond to the needs of member States.

B. Regulatory practices and regulatory cooperation: Support initiatives based on the UNECE Recommendation L developed by the Team of Specialists on Standardization and Regulatory Techniques (START)

14. Objective:

(a) To continuously review issues related to regulatory practices at the national, regional and international levels;

(b) To strengthen regulatory cooperation;

(c) To support existing and new sectoral or regional initiatives for projects using the mechanisms and principles of the “International Model for Technical Harmonization”, in cooperation with interested governments, international organizations and private operators.

15. Work to be undertaken:

(a) To facilitate good regulatory practice and strengthen regulatory cooperation at the regional and international level by sharing best practices through workshops, seminars and publications;

(b) To support the work of the Sectoral Initiative on Explosive Environments Equipment towards the development of harmonized legislation in the sector of “Equipment for Explosive Environments”, based on existing international standards, the mutual acceptance of test procedures and test results among the test houses, and comparable installation, maintenance and repair procedures of the equipment;

(c) To continue to promote the CROs that were developed by the Telecom Initiative, and endorsed by the Working Party at its 13th session in 2003, in liaison with relevant international organizations;

(d) To continue to promote the CROs that were developed by the Earth-Moving Machinery project and endorsed at the 14th session of the Working Party in 2004; in particular, working towards the adoption of national legislation that is based upon international standards;

(e) To continue work on the preliminary proposal for the establishment of a Taskforce on Oil and Gas Pipeline Safety based on Recommendation L;

(f) If interest is expressed by national delegations, to support new sectoral projects using the mechanisms and principles of the International Model for Technical Harmonization;

(g) If financially possible, to assist regional trade agreements which involve developing countries or countries with economies in transition in furthering regulatory cooperation among their members, based on the principles of Recommendation L.

16. In developing this line of work, the UNECE Working Party 6 will continue to cooperate closely with the ISO, the IEC and other national, regional and international standardization bodies. It will also build on and reinforce cooperation with the WTO Committee on Technical Barriers to Trade, including by actively participating in its meetings, seminars and workshops.

C. Market surveillance: support to the Advisory Group on Market Surveillance (MARS)

17. Objectives:

(a) To reinforce cooperation among market surveillance (MS) authorities worldwide;

(b) To foster harmonization of MS approaches through the development of internationally accepted definitions of terms, as well as through a clear framework and guidelines for the operation of market surveillance;

(c) To continue to promote the implementation of Recommendation M on the “Use of Market Surveillance Infrastructure as a Complementary Means to Protect Consumers and Users against Counterfeit Goods”.

18. Work to be undertaken:

(a) To review approaches and practices in the area of market surveillance at a global level, and to promote an exchange of information and best practice among national authorities worldwide by supporting the Advisory Group on Market Surveillance (MARS);

(b) To support the work of the Market Surveillance Model Task Force for the development of a generic model and guidelines of good practice for market surveillance;

(c) To support the work of the MARS Group on definitions to promote better mutual understanding at an international level and to bridge the major existing variations in the use of terms related to market surveillance;

(d) To continue to promote the principles of Recommendation M, including, if sufficient funds can be raised, to directly support its implementation in developing countries and countries with economies in transition.

19. In developing this line of work, the UNECE Working Party 6 will continue to cooperate actively with: the PROSAFE initiative of the European Union, the ISO/CASCO and specifically its newly established STAR Group, as well as CEN and CENELEC and EASC.

D. Conformity assessment

20. Objectives:

(a) To review and promote harmonized international conformity-assessment principles and practices as well as bilateral and multilateral agreements and arrangements for the acceptance of conformity-assessment results;

(b) To regularly review trade-related work on conformity assessment in other international and regional organizations.

21. Work to be undertaken:

(a) Continue to provide a forum for the exchange of information and experience on conformity-assessment issues of concern to UNECE member States, other States Members of the United Nations, international and regional organizations, and representatives of business and civil society.

(b) In developing this line of work, the UNECE Working Party 6 will continue to cooperate actively with all relevant national, regional and international stakeholders.

E. Metrology

22. Objectives:

(a) To exchange information on national metrology policies and practices in UNECE member States;

(b) To consider possible ways of establishing criteria for metrological procedures.

23. Work to be undertaken:

(a) Continue providing a discussion forum for metrology issues of concern, with special emphasis on countries in transition;

(b) To start work on the revision of Recommendation K.

24. In developing this line of work, the UNECE will continue to cooperate actively with interested UNECE member countries and metrology organizations (e.g. the International Organization of Legal Metrology and the Euro-Asian Cooperation of State Metrology Institutions) and explore their interest in developing new recommendations for guidelines on the methodology for measuring procedures.

F. Capacity-building and technical cooperation

25. Objective:

To support implementation of its recommendations and other programmes, the Working Party will evaluate and, when appropriate and financially possible, respond to requests for training and capacity-building from interested countries and organizations from the UNECE and other regions. To that end, it will continue working with donors to obtain extrabudgetary resources for financing such projects.

26. Work to be undertaken:

(a) Explore the possibility of raising extra-budgetary funds can for the implementation of Recommendation M in countries with economies in transition and developing countries;

(b) Explore the possibility of raising extrabudgetary funds to assist regional trade agreements that involve developing countries or countries with economies in transition to further regulatory cooperation among their members, based on the principles of Recommendation L.

27. In developing this line of work, the UNECE will develop more active cooperation with those organizations that are active in capacity-building and technical cooperation activities relating to standards and regulations and which work towards a coordinated approach to standardization, conformity assessment and accreditation.

VI. TABLE OF PRIORITIES FOR 2008-2009

A. Explanatory Note

28. Provisional priority levels for the programme of work were assigned as follows:

- (a) Priority A: 2008
- (b) Priority B: On-going work
- (c) Priority C: 2009 or later

29. The Working Party has six major areas of work, namely:

- (a) Stand: Standardization policies
- (b) RC Regulatory practices and regulatory cooperation: Support to the Team of Specialists on Standardization And Regulatory Techniques (“START” Team)
- (c) MS: Market surveillance: support to the Advisory Group on Market Surveillance (MARS)Advisory Group on Market Surveillance (“MARS” Group)
- (d) CA Conformity assessment
- (e) M: Metrology
- (f) CB & TA: Capacity-building and technical cooperation

30. The source documents are the following:

ECE/TRADE/C/WP.6 /2006/13: Report of the sixteenth session of WP.6
ECE/TRADE/C/WP.6 /2007/11: Programme of work 2007-2008
ECE/TRADE/C/WP.6 /2007/13: Report of the seventeenth session of WP.6

31. The list of acronyms:

WP.6: Working Party on Regulatory Cooperation and Standardization Policies
START: WP.6 Team of Specialists on Standardization And Regulatory Techniques
(“START” Team)
MARS: WP.6 Advisory Group on Market Surveillance (“MARS” Group)
MS: Market surveillance
EX-Env: Sectoral initiative on Equipment for Explosive Environments
EMM: Sectoral initiative on Earth moving Equipment initiative

B. Status of the initiatives underway with their respective mandates

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
A	Stand	2006 Annual Session (ECE/TRADE/C/WP.6 /2006/13), para. 25(c)	The Working Party agreed on the inclusion of the revised text of Recommendation “J” in the set of UNECE Recommendations on Standardization Policies.	Secretariat	Will be incorporated into the revised publication
A	Stand	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13), para. 56	The Working Party agreed on the inclusion of the revised text of Recommendation “M” in the set of UNECE Recommendations on Standardization Policies.	Secretariat	Will be incorporated into the Revised Publication
A	Stand	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13), para. 58	Following a proposal by Kenya, and statements made by UNCTAD and the EC on the issue of private standards (company specifications), the Working Party asked its Group of Rapporteurs to consider possible actions	Secretariat	Panel on private standards organized
B	Stand	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13), para. 35	At its last session, the Working Party discussed the challenges faced by the Russian regulatory authorities in their work. As follow-up based on the background documents, the panel discussion and the UNECE-WP.6 International Forum on Common Regulatory Language for Global Trade, the Working Party entrusted Office bearers and the UNECE Secretariat to: 1. Prepare a reference/information	Working Party and Secretariat	Consider how best to follow-up

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
			document for interested regulatory authorities in the UNECE and other regions; 2. Initiate work on the revision of Recommendation D: "Reference to Standards".		
C	Stand	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11)	Complete the sixth revision of the "UNECE Regulatory and Standardization List" based on an on-going dialogue with member States and international standardization organizations.	WP.6 and Secretariat	At its meeting in March 2008, the Bureau recommended postponing the revision of this document to the next biennium.
C	Stand	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11)	Explore the interest of other United Nations Regional Commissions in using the principles and criteria laid down in the List for identifying the interest of Member States in standardization and regulatory cooperation.	WP.6 and Secretariat	The Working Party will explore this after the revision of the "UNECE Regulatory and Standardization" list.
A	RC	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13, para. 44)	The Working Party endorsed the establishment of a Task Force on Equipment for Explosive Environments at its 17 th session in 2007. The Task Force prepared a questionnaire to collect information on regulatory practices in force in different countries. Answers were received from the European Union, North America, Brazil & the Russian Federation.	Mr. F. Lieniesch EX-Env. Task Force	The Task force will hold one meeting in Paris back-to-back with the meetings of the IEC Ex-scheme (29 Sept.-3 Oct.) and another one as part of the WP.6 2008 annual session. As a result of the meetings, the Task Force expects to: adopt its Terms of Reference; highlight commonalities among the

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
					regulations in force; and start work on a possible Agreement.
A	RC	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11), Item A2c	The Telecom Task Force started work in 2003 and has developed common regulatory objectives (CROs) for the following equipment: personal computers (PCs); PC peripherals; legacy Public Switched Telephone Network (PSTN) terminals; Bluetooth, Wireless Local Area Network (WLAN); a Global Standard for Mobile Telecommunication (GSM); and International Mobile Telecommunications.	Mr. P. Döfnäs Telecoms Task Force	The possible use of the International Model in the context of the World Trade Organization (WTO) non-tariff barriers (NTB) discussions for the ICT sector should be explored. The CROs can provide practical examples of good regulatory practice for WTO Members
B	RC	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11), Item A2c	The Earth Moving Equipment Initiative under started work in 2003 and developed a proposal for CROs in 2004, which was endorsed by the Working Party at its 14 th session.	Mr. D. Roley EMM Task Force	The Earth-Moving Machinery Project was completed and an international team has been promoting the general principles of the project in China, India, Russia, and South America.
B	RC	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11), A2d	Support new sectoral or regional initiatives for projects using the mechanisms and principles of the International Model for Technical Harmonization, in cooperation with interested Governments, international organizations and private operators.	WP.6 and Secretariat	On-going

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
C	RC	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13), para 43.	At its 17 th session, the Working Party took note of a preliminary proposal for the establishment of a Taskforce on Oil and Gas Pipeline Safety based on Recommendation "L".	Pipeline Task Force Leader to be elected	The secretariat followed-up on this initiative but received no instructions on how to proceed. The Working Party needs to discuss how to revive this important initiative.
A	RC & Stand	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11), A1a	Provide a forum for exchanging information and experiences on issues of concern to UNECE member States, other States Members of the United Nations, international and regional organizations, and representatives of business and civil society, in the area of standardization and related activities.	Working Party Bureau Secretariat	On-going
B	RC & Stand	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13, para. 61)	The Working Party agreed, as requested by the Committee on Trade, to prepare a paper in cooperation with UN/CEFACT on possible joint activities, and entrusted the Bureau to pursue this work, as required.	Secretariat	WP.6 to discuss this under item 6

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
A	MS	Bureau Meeting March 2008 & MARS meeting in October 2007	Following discussions at the MARS meeting in October, the Bureau endorsed the establishment of a Task Force to develop a generic model and guidelines of good practice for market surveillance.	Mr. I. Hendrix Market Surveillance Model Task Force	The Task Force has developed two questionnaires, one on the methodology and another one to collect detailed and quantitative information on MS systems at legal, procedural, organizational and communication level. The administration of the questionnaires is to start imminently.
A	MS	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13), para. 46	The Working Party agreed to explore the interest of ISO/CASCO in reinforcing cooperation in the area of market surveillance.	MARS and Secretariat	UNECE participated in the ISO/CASCO workshop on MS on 29 October 2008.
B	MS	5 th "MARS" Group Meeting and 2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13, para 71)	At its last session, the Working Party supported the work proposed by the MARS Group on definitions and invited interested delegations and organizations to contribute to this work.	Mrs. Manafova MARS	Secretariat awaits instructions on how to pursue this.
A	M	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13, para. 58)	Delegations were asked to send their comments regarding possible revisions to Recommendations "I" and "K" by the end of April 2008.	Mr. Willem Kool International Organization of Legal Metrology (OIML)	Comments were received and revision will be discussed at the Annual Session
B	M	Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11)	Continue providing a discussion forum for metrology issues of concern, with special emphasis on countries in	WP.6 Bureau Secretariat	On-going

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
			<p>transition. Maintain contact with interested UNECE member countries and metrology organizations (e.g. the International Organization of Legal Metrology and the Euro-Asian Cooperation of State Metrology Institutions) to explore their interest in developing new recommendations for guidelines on the methodology for measuring procedures.</p>		
B	CA	<p>Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11), Ba</p>	<p>Continue to provide a forum for the exchange of information and experience on conformity-assessment issues of concern to UNECE member States, other States Members of the United Nations, international and regional organizations, and representatives of business and civil society.</p>	<p>WP.6 Bureau Secretariat</p>	<p>On-going</p>
B	CB&TC	<p>Programme of Work 2007-2008 (ECE/TRADE/C/WP.6 /2007/11), E</p>	<p>To support implementation of its recommendations and other programmes, the Working Party will evaluate and, when appropriate and financially possible, respond to requests for training and capacity-building from countries and organizations in the UNECE and other regions. To that end, it will continue working with donors to obtain extra-budgetary resources for financing such projects.</p>	<p>WP.6 and Secretariat</p>	<p>Ongoing</p>

Priority	Area of work	Mandate	Description	Chair/Team/Group/ Task Force Leader	Current Status (as of July 08)
B	CB & TC	2007 Annual Session (ECE/TRADE/C/WP.6 /2007/13), para. 56	The Working Party recommended that the UNECE member States, as well as all other States, where legal and institutional frameworks permit, encourage their national market surveillance bodies to use the approaches proposed in Recommendation "M".	WP.6 and Secretariat	Ongoing
