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ENTERPRISE DEVELOPMENT

Working Party on Technical Harmonization  
and Standardization Policies

Twelfth session, 28-30 October 2002

Item 7 (a) of the provisional agenda

**REPORT OF THE WORKSHOP ON STANDARDIZATION AND CONFORMITY  
ASSESSMENT MATTERS IN TRANSITION ECONOMIES  
(Bratislava, 12 and 13 December 2001)**

It is recalled that at its eleventh session, the Working Party discussed the preparations for this Workshop in Bratislava.

This paper is presented for information to delegates.

**WORKSHOP ON STANDARDIZATION AND CONFORMITY ASSESSMENT MATTERS  
IN TRANSITION ECONOMIES**

1. The Workshop on Standardization and Conformity Assessment Matters in Transition Economics was held in Bratislava on 12 and 13 December 2001. The Workshop was organized at the invitation of the Government of Slovakia by the United Nations Economic Commission for Europe (Working Party on Technical Harmonization and Standardization Policies (Working Party 6)) and the Slovak Office of Standards, Metrology and Testing.
2. Representatives of the following countries took part in the workshop: Austria, Czech Republic, France, Ireland, Latvia, Republic of Moldova, Russian Federation, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom and Yugoslavia. A representative of the European Commission also took part in the meeting.
3. Representatives of the following international and regional organizations took part in the Workshop: the International Organization for Standardization (ISO) and the European Organization for Conformity Assessment (EOTC). Representatives of private-sector companies also participated in the Workshop.
4. The final programme of the Workshop can be found in the annex to this report.
5. The Workshop was opened by the Vice-Premier for European Integration of the Government of Slovakia, Mrs. M. Kadlecikova, who welcomed participants, described the successful implementation of market transformation reforms in the country and recent measures undertaken by the Government with a view to accelerating the process of approximating national legislation and institutional frameworks to the requirements of European Union (EU).
6. The Chairman of Working Party 6 highlighted the role of this international forum for countries in transition and the latest projects launched at UNECE, including technical harmonization, the transposition of international standards on a national level, coordination and other related matters.
7. The presentation by the UNECE secretariat was devoted to the global and regional relevance of standards, regulations and recommendations drawn up by different groups of experts working for UNECE (i.e. in the areas of: standardization policies, trade facilitation, agricultural quality standards, vehicle regulations, transport of dangerous goods, etc.).

8. The President of the Slovak Office of Standards, Metrology and Testing reported on the amendments to the existing Law on Technical Requirements for Products and Conformity Assessment adopted by the Parliament in October 2001. Referring to progress in the implementation of European standards and EU directives, he pointed out that the Government of Slovakia had adopted 16 sector ordinances which effectively transposed EU legislation in a number of areas covered by the New Approach Directives. As of September 2001, almost 70% of the European Committee for Standardization (CEN) European standards and almost two thirds of the European Committee for Electrotechnical Standardization (CENELEC) standards had been transposed into Slovak standards.

9. Various views and approaches were presented on regulatory cooperation mechanisms, on ways of dealing with standardization and on conformity assessment related barriers to trade.

10. The presentation by the WP.6 Rapporteur on Conformity Assessment was devoted to international approaches to conformity assessment and their implementation in transition economies. The speaker spoke about industry needs when exposed to global competition, the marketing costs of conformity assessment requirements, the use of conformity assessment for regulatory purposes and the recognition of the competence of conformity assessment bodies.

11. Particular attention was devoted to transition economies and to difficulties encountered by some transition economies in the acceptance of their national conformity assessment procedures abroad. Some possible approaches and potential solutions were proposed.

12. The speaker from a private sector business association said that when companies tried to accelerate the placing of new goods on the market, they faced numerous and often different certification requirements (moreover, sometimes difficult to justify). The cost of such unnecessary certification was obviously transposed into the cost of goods. Thus, Governments should revise their mandatory certification procedures and keep them only if they are really necessary. Otherwise, by claiming to protect consumers, certification bodies make them pay more for goods and services. The necessity of closer cooperation on these matters between Governments and the private sector was stressed.

13. The ISO presentation covered the following matters on standardization and technical regulations: differences between them; examples, how they are covered in the World Trade Organization Agreement on Technical Barriers to Trade provisions; the organization of standardization work at ISO (Technical Committees, sub-committees and expert groups, participation in the development and adoption process of

standards, product and generic standards), national adoption of ISO standards, ISO work on conformity assessment (ISO, CASCO guides), regional harmonization (ISO-CEN “Vienna Agreement” and IEC-CENELEC “Dresden Agreement”).

14. A speaker from the European Organization for Conformity Assessment (EOTC) outlined the major challenges faced by EU candidate countries in their efforts to approximate their legislation and institutional framework to the EU requirements. In this context the EOTC objective was to constitute focal points for the rationalization and development of conformity assessment related activities in Europe.

15. EOTC promoted the establishment of EOTC national committees in the candidate countries as a means of bringing together conformity assessment stakeholders. The strategic aims of such committees were knowledge development, lobbying (to influence the regulatory process in the country), and networking.

16. The presentation on the results of WTO’s Second Triennial Review recalled its main achievements, namely, the elaboration of principles for the development of international standards, progress in the application of conformity assessment procedures, agreement to develop a technical assistance programme, improvements in notification procedures, recognition of the importance of labelling and foreseeing future work on best regulatory practice.

17. More detailed information was provided on the European Commission’s contribution to the Triennial Review process, namely, on EU submissions and proposals on technical assistance and on labelling.

18. With reference to labelling issues at WTO, it was noted that labelling requirements fell within the scope of the TBT agreement and that labelling problems persisted and there was a danger that they would become increasingly important. With this in mind, the European Commission had called on the WTO for further clarification of this issue through: (a) the promotion of information exchange; (b) examination of relevant work in international forums; and (c) analysis of how better to apply TBT provisions to labelling.

19. A representative of Slovakia spoke on the implementation and administration of the WTO Agreement on Technical Barriers to Trade (WTO TBT) at a national level, stressing the necessity of having an adequate organizational and legal capacity for the implementation and, if necessary, for the enforcement of WTO obligations.

20. It was also noted that among the preconditions for success were an adequate administrative capacity and efficient cooperation and coordination between the public bodies and the agencies involved, as well as transparency and a dialogue with society.

21. The speaker from the European Commission (EC) highlighted the European Union (EU) external State policy with regard to regulatory cooperation, standardization and conformity assessment. The role of standards and conformity assessment was analysed from the standpoint of the EU and its single market requirements and also from the international aspect.

22. Examples were provided of EU institutional agreements (European Economic Area, Protocol on European Conformity Assessment (PECAs) under the Europe Agreements, Mutual Recognition Agreements (MRAs), EU-Turkey customs union), their objectives and characteristics.

23. Referring to the possible options available to Governments for mutual recognition schemes, the concept of a “tool box” of legal instruments was recalled, which included:

- harmonization (with the purpose of drawing up common rules, examples, EU, ICAO)
- recognition of equivalence (different regulations, but the same objective; example – EU-US marine safety equipment agreement),
- voluntary agreements (for example through sub-contracting, cooperation between laboratories etc., an example being the IEEC-CB schemes)

24. This indicative list provided tools that might be appropriate in addressing regulatory issues in particular cases.

25. The presentation on mutual recognition agreements (MRAs) analysed the basic principles of MRAs, their scope and common characteristics. More detailed insight was provided on different types of MRAs which had been negotiated by the EU with third countries, namely, the United States of America, Canada, Australia, New Zealand, Switzerland and Japan, and also with EU candidate countries (i.e. the PECA agreements concluded with Hungary and Czech Republic and which are currently under negotiation with a number of other countries).

26. Speaking about the role of MRAs it was noted that MRAs do not eliminate technical barriers to trade but they could contribute to a dialogue on regulatory convergence and international harmonization.

27. Comments from the EC representative stressed specific features of the PECA agreements (compared with other MRAs) namely that they were based on the same legislation (candidate countries were supposed to implement the EU legal framework) and their natural way of integrating candidate countries progressively into the EU.

28. During the discussions it was noted that although MRAs were the most efficient from the point of view of results, in practice MRAs were very difficult to negotiate and thus Governments should not overlook other conformity assessment tools available to them as interim means of facilitating trade exchange.

29. A number of presentations were devoted to the way in which companies (large and small, foreign and national) use international standards, provide assurance of conformity and work on the different markets.

30. The representative of a car-producing company spoke about the company's activities and achievements in the fulfilment of its investment, production and export preferences. It was noted that by the yardstick of production of cars per capita, Slovakia at present occupied the tenth place in the world.

31. Information was also provided on the products used for the homologation of cars exported to other markets, on quality assurance schemes used in the company and in its relations with sub-contractors.

32. In the case of industrial insulators, the manufacturer demonstrated that the right mixture of factors (knowledge of the markets, good quality, attention to clients' needs and careful management) were the reasons for the success of this stable and constantly expanding export oriented company.

33. Extensive discussions involving governmental experts and private operators were held on the matter of certification and whether it could be considered excessive under current conditions in the transition countries where Governments sometimes had no other means to protect their populations.

34. Among options proposed were the promotion of voluntary agreements between goods and service providers that in the experience of developed market economy countries could provide for the mutual control of quality among its members and for dissemination of best practices. It was noted that small companies in countries in transition had problems with meeting the cost of certification procedures.

35. As a follow-up to this meeting it was suggested that regular meetings should be held providing for the regular exchange of information and experience between countries in transition. Speaking about matters where further cooperation would be required the following areas were mentioned: advice to Governments on how and under what conditions to choose proper procedures for conformity assurance (from the supplier's declaration to third party certification) and ensure control over their implementation; a legal framework for conformity assessment, including the liability of companies and certification bodies; market surveillance and best practices in its organization; establishing a dialogue between standardization, certification, accreditation bodies and the private sector on a national level.

36. At the end of the Workshop participants thanked the Government of Slovakia and the Slovak Office of Standards, Metrology and Testing for their hospitality and the excellent organization of the meeting.

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## Annex

### PROGRAMME OF THE WORKSHOP

#### DAY 1, 12 December 2001

##### Opening session

###### Opening of the Workshop

- Mrs. Maria Kadlecikova, Vice-Premier for European Integration, Government of Slovakia

###### UNECE Working Party on Technical Harmonization and Standardization Policies (Working Party 6) and its assistance to countries in transition

- Mr. Christer Arvius, Chairman, UNECE Working Party 6

###### UNECE global and regional standard-setting activities

- Dr. Serguei Kouzmine, Secretary, UNECE Working Party 6

###### Slovakia's transition reforms and integration into the world economy

- Mr. Dusan Podhorsky, President, Slovak Office of Standards, Metrology and Testing

##### **Session 1: Views on regulatory cooperation, standardization and conformity assessment cooperation - the global dimension**

*Moderator, Prof. Matej Bily, Vice President of the Slovak Office of Standards, Metrology and Testing*

###### EC external trade policy with regard to regulatory cooperation, standardization and conformity assessment

- Mr. Goran Lindholm, Principal Administrator, European Commission

###### Industry views on the need for the global cooperation to eliminate technical obstacles to trade

- Dr. Thomas Fischer, "Siemens" (Germany) and representative of ICSCA (Industry Cooperation on Standards and Conformity Assessment)

###### Development of Conformity Assessment - international approaches and their implementation in transition economies

- Mr. Lucien Tronel, AFNOR, France

EOTC –Forum for Conformity Assessment in Europe and EOTC role in candidate countries

- Mr. Stefano Sedola, Advisor for candidate countries, EOTC

Development and use of international standards for facilitating production and trade

- Mr. Christian J. Favre, Assistant Secretary General, ISO

**Session 2: Implementation and administration of the WTO/TBT Agreement: the need for efficient regulatory infrastructures and good regulatory practices**

*Moderator, Dr. Juraj Knopp, Slovak Chamber of Commerce*

WTO Agreement on Technical Barriers to Trade - Results of the Second Triennial Review

The Triennial review and on going work in the WTO TBT Committee

- Mr. Goran Lindholm, Principal Administrator, European Commission

Presentation on the implementation in Slovakia

- Mrs. Kvetoslava Steinlova, Slovak Office of Standards, Metrology and Testing.

Creation of a regulatory infrastructure on a country level to implement WTO regulatory objectives and to enhance international cooperation - developments in Slovakia

- Mr. Peter Brno, State Secretary, Ministry of Economy, Slovakia

**DAY 2, 13 December 2001**

**Session 3: The need for further trade facilitating efforts- Different trade policy instruments- The development of international regulatory cooperation**

*Moderator, Dr. Serguei Kouzmine, Secretary to Working Party 6*

Presentations from business operators

Presentation by an international company

- Mr. Jozef Uhrík, Chief Representative of the Administrative Board, “Volkswagen Slovakia joint stock company”

Presentation by a national company

- Ing. Juraj Kumicak, Representative of "PosAM" company

Presentations on different trade policy instruments

Mutual recognition agreements - their role today and tomorrow

- Ms. Marie-Christine Poncin, Ministry of Economy, Finance and Industry, France

Mutual recognition agreements in the private sector

- Mr. John McDonald, EOTC Representative

Regulatory convergence - UNECE project "International Model for Technical Harmonization"

- Mr. Christer Arvius, Chairman, UNECE Working Party 6

**Concluding Session**

Assessment of results and draft conclusions of the Workshop

- Mr. Dusan Podhorsky, President, Slovak Office of Standards, Metrology and Testing

Follow-up and closing of the workshop

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