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Working Party on Regulatory Cooperation and
Standardization Policies

Fifteenth session, 24-26 October 2005

Items 7 (a) and (b) of the provisional agenda

**REGULATORY COOPERATION ACTIVITIES
AND PROJECTS OF THE WORKING PARTY**

Note by the secretariat

This note contains information on the regulatory cooperation activities of the Working Party since its last session and on the status of its ongoing and new projects.

This paper is presented to delegates for information.

I. INTRODUCTION

1. The regulatory activities of the Working Party are primarily linked to the implementation of the UNECE Recommendation “L”-“International Model for technical harmonization based on good regulatory practice for the preparation, adoption and application of technical regulations via the use of international standards” (“International model for technical harmonization”), which was adopted by the Working Party as a new UNECE “Recommendation on Standardization Policies” in October 2001¹.
2. During the past few years the Working Party, in cooperation with interested Governments and private sector representatives, has initiated a number of projects.
3. The implementation of regulatory projects is entrusted by the Working Party to its Team of Specialists on Standardization And Regulatory Techniques (“START” Team) (see terms of reference in document TRADE/WP.6/2001/8/Add.1). The Working Party requested the “START” Team to assist interested parties (regulators, industry, standardizers, etc.) with existing and future sectoral and regional projects based on the “International Model”.
4. At its latest meeting on 15 June 2005, in Geneva, the UNECE Team of Specialists on Standardization and Regulatory Techniques (START Team) discussed the progress of its regional (CIS and south-east Europe) and sectoral (Telecom and Earth-moving Machinery) projects, as well as a proposal for a new project on pipelines (see paragraph (c) under Sectoral Projects below).

II. REGIONAL PROJECTS

(a) Commonwealth of Independent States (CIS)

5. On the basis of the “International Model”, the CIS countries have prepared a draft agreement on harmonizing technical regulations in their region. It was prepared in cooperation with the CIS Interstate Council for Standardization, Certification and Metrology (also called the Euro-Asian Council for Standardization, Metrology and Certification - EACS), which unites the standardization agencies of the 12 countries of the former Soviet Union. The draft agreement was approved by EACS in May 2003 and has been sent for comment to each of the 12 Governments.
6. The latest information received from the CIS is that the revised agreement was considered at the CIS Economic Council meeting in May 2005 and was included for consideration on the provisional agenda of the meeting of the Heads of the CIS States to be held in the autumn of 2005.
7. It was also noted that in March 2005 the countries members to the Eurasian Economic Commonwealth – EurAzEC (Belarus, Kazakhstan, Kyrgyzstan, Russian Federation and Tajikistan) signed an agreement on the principles of harmonization of technical regulations between member States of this grouping (this agreement is also based on Recommendation “L” as it reflects the general approaches of the CIS agreement mentioned above).
8. With the assistance of the Working Party a regional conference (May 2004, in Kazan) and a round table on regulatory matters (December 2004, Moscow) were organized in the Russian Federation. The Working Party is currently working with the Russian Union of Industry and Employers on the organization of a conference on EU and Russian standardization and regulatory experiences to be held in Brussels in autumn 2005.

1 The latest edition of UNECE Recommendations on Standardization Policies was published in 2002 as document ECE/STAND/17/Rev.4.

(b) **South-East Europe**

9. In 2003, with assistance from the Swedish International Development Agency (SIDA), the UNECE started a project in the Balkan region to identify regulatory problems in trade and explore the feasibility of initiating a regulatory convergence dialogue among countries in the region.

10. In the framework of this project, a number of meetings were organized in 2003-2004 with participation of experts from the region. As result of consultations delegates agreed on the need of enhancing regulatory cooperation. Among areas where further dialogue and assistance are required were noted: governmental mutual recognition agreements (MRAs) to be concluded within the bilateral Free Trade Agreements (FTAs) between the Western Balkan countries; regulatory reform in areas where regulations of the ex-Yugoslavia (with mandatory standards and third party certification) are still applied; implementation of the World Trade Organization's Agreement on Technical Barriers to Trade (WTO/TBT).

11. SIDA has expressed its satisfaction with the results of this project and at present the UNECE secretariat is negotiating with SIDA the continuation of a second phase of the project.

(c) **Other regions**

12. The Working Party's regulatory concepts and projects were presented to the ASEM (Asia-Europe Meeting) meeting in Tokyo in January 2005 and at the General Assembly of the ARSO (African Organization for Standardization) and the ARSO Workshop on "Standardization and Poverty Alleviation in Africa" in Accra, Ghana, in February 2005. ARSO expressed an interest in holding a number of sub-regional meetings in Africa to promote the use of the "International Model" as one of the available regulatory tools. Consultations with ARSO are currently under way to elaborate the practical modalities of such further cooperation and means of its financing.

13. The Working Party was also invited to present its regulatory approaches at the ISO DEVCO (Committee on Developing Country Matters) meeting in Singapore in September 2005 in conjunction with the ISO General Assembly.

III. SECTORAL PROJECTS

(a) **Telecom sector**

14. The project (UNECE "Telecom Initiative") started in 2002 at the proposal of, and in cooperation with, representatives of telecommunication companies.

15. In 2003, discussions on the elaboration of requirements for "Common Regulatory Objectives" for a number of the most popular portable IT products (GSM, IMT-2000, Wireless LAN, Bluetooth, Personal Computers, Public Switched Telephone Network (PSTN) Modem) were joined by representatives of public authorities.

16. In November 2003, the Working Party formally established a "Telecom Task Force" to monitor implementation of this project. Its terms of reference are available in document TRADE/WP.6/2003/16/Add.2, Annex 3.

17. In 2004, the Telecom Task Force prepared a plan of action, including establishing a special web page for this project http://www.unece.org/trade/ctied/wp6/sectoral/telecom/tele_cros.htm (on this page can be found the draft Common Regulatory Objectives prepared by members of the Task Force, as well as other information).

18. In 2005, a special UNECE list server was made available to members of the Task Force to facilitate dissemination of information and contacts between experts. As a result of informal consultations in 2005 between members of the Task Force, it was decided that it would be useful to know the reaction to the project of telecom regulators from beyond the UNECE region.

19. With this in mind, a letter was sent in spring 2005 to WTO member States' enquiry points with a request to provide contact information for telecom regulatory authorities. On the basis of these replies another UNECE letter will be sent in the early autumn of 2005 providing information about the project and inviting interested agencies to join the Telecom Task Force.

20. The representatives of the EC and of a number of EU countries participate in the work of the Task Force. The first European Commission report on the Radio and Telecom Terminals Regulation refers to the UNECE Telecom Initiative as being compatible with the New Approach (see http://www.unece.org/trade/ctied/wp6/sectoral/telecom/tele_ref.htm for this report on the R&TTE Directive).

(b) Earth-Moving Machinery

21. Discussions on the project ("UNECE Earth-Moving Machinery Initiative"- "EMM Initiative") started in 2003, and it was formally launched in 2004, when at its fourteenth session the Working Party considered and endorsed a proposal from industry representatives for draft Common Regulatory Objectives (CROs). For more information on the project please visit the WP.6 webpage at: http://www.unece.org/trade/ctied/wp6/sectoral/earth-moving/earth_bkgrd.htm.

22. A number of meetings were held in 2005 to promote the EMM project, namely:

- The chairman and the secretary to the Working Party had a meeting with representatives of the Japanese earth-moving industry in Tokyo in February 2005. They discussed specific Japanese requirements for the EMM sector; the structure of regulatory authorities in Japan for this sector and possible involvement of Japanese regulators in the UNECE project.
- At the invitation of the ISO TC 127, a presentation on the UNECE's regulatory activities and on this project was given at the ISO TC 127 meeting held in May 2005 in Beijing. The ISO/TC 127 standards are widely used in most countries as the basis for national standards and ISO/TC 127 tries to work with the member countries to encourage them to adopt the ISO/TC 127 standards as national and regional standards.

23. One of the new ISO/TC 127 standards, ISO 20474, is being prepared to directly support national and regional regulations. ISO 20474 is a general safety standard that addresses all of the significant safety risks for earthmoving machines. ISO 20474 references over 50 of the other ISO/TC 127 standards to compile all of the safety requirements for earthmoving machines into a single standard that makes a convenient package for reference in national regulations. This standard is being promoted as the basis for the requirements for model legislation for the UNECE WP.6 project. The requirements in ISO 20474 are already being used in the EU, USA, and Japan.

24. ISO/TC 127 and the industry trade associations support the UNECE WP.6 model legislation projects and are working with the UNECE to help promote the model legislation. Future plans are to promote the UNECE WP.6 model legislation project and ISO 20474 as the basis for new regulations for earthmoving machines in China, Russia and India.

25. The secretariat has also established contacts with regulators in the Russian Federation where the first meeting of a preparatory committee (involving state agencies and the private sector) with a view to elaborating a technical regulation for EMM in Russia was held in June 2005. The UNECE secretariat informed this committee about WP.6 activities and on the work in progress under the UNECE's EMM project.

26. The EMM project was also presented at the annual session of the CIS Interstate Council for Standardization, Certification and Metrology held in the Republic of Moldova in June 2005. Participating CIS agencies were requested to inform their EMM regulators about the EMM-project and invite them to join this project.

(c) **Pipelines – proposal for new “Sectoral initiative”**

27. At its latest meeting on 15 June 2005, the “START” Team was informed about a new proposal from the Russian union of oil and gas pipeline constructors related to the development of a new Russian technical regulation for safety requirements to be applied to pipelines. It was suggested that this might be a new project with an invitation to interested UNECE member countries to cooperate in developing common requirements according to the “International Model”. After discussions on this project presented at the meeting, the “START” Team suggested to submit it for further consideration to the Working Party session in October 2005. Such a proposal is available as document TRADE/WP.6/2005/5/Add.1.

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