Standards and regulation:
yesterday-today-tomorrow

ALEXANDER ZAZHIGALKIN
Deputy Head of the Federal Agency on Technical Regulating and Metrology (GOST R)
Standards as a way to approximation
The main problems of standardization in Russia

The main problems:

- Standardization system focuses on safety issues, i.e., “service” technical regulations
- Lack of participation of industry in standardization activities
- Inadequate spread of standards in society

Reasons:

- Standardization is seen as part of the technical regulation; the law “On Technical Regulation” narrowed the scope of standardization
- Unbalanced economy growth and lack of development of export-oriented industries
- Lack of awareness and low consumer interest in standards
Why do we need Federal law «On standardization in the Russian Federation»?

**DISADVANTAGES OF THE ACTING LAW:**

- Standardization system aims mainly at "service" of technical regulations;
- Limited use, as it contains many exceptions (Article 1 of the Federal Law "On Technical Regulation")
  - Requirements for the operation of a single network connection
  - Requirements to ensure the reliability of electric power systems
  - Requirements for the protection of the environment
  - Sanitary and epidemiological requirements
  - Requirements for labor safety
  - Social Responsibility

**TRADITIONAL OBJECTS OF STANDARDIZATION**

Federal law «On standardization in the Russian Federation»?
Main task of standardization

Influence expansion of standardization in society and engaging new stakeholders
Standardization and provision of sustainable development

Standards
- Environmental integrity
- GHG emissions and climate changes
- Energy efficiency and renewable resources
- Waste management
- Life cycle analysis and "Green labeling"

Economic growth
- Trade facilitation
- Emerging economies
- Convergence of economies
- Good business practice
- Dissemination of new technologies
- Alleviating poverty
- Water, soil and air quality

Social equity
- Ethics
- Worker protection
- Consumer protection
- Health services
- Security
- Fair trading

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3 new ISO/TC from 2004

20 new ISO/TC from 2004

19 new ISO/TC from 2004

Worker protection
- Consumer protection
- Health services
- Security
- Fair trading

ROSSTANDARD
Four stages of standardization development in Russia

- Mandatory standards
- Formally mandatory standards
- Voluntary standards
- Voluntary standards + New approach

Violation of the standard is punishable by the law
Fund of national standards (in 2013)

- Agriculture Food processing industry: 10%
- Building: 24%
- Environment protection: 6%
- Information technology, electronics, telecommunications: 9%
- Metallurgy: 8%
- Metrology: 7%
- Machine building: 12%
- Other standards: 6%
- Oil and gas industry: 8%
- Power and Electrical Engineering: 6%

The level of harmonization 49%

26050 standards
Sectors of the economy in Russia and standardization (in 2013)
Implementation on a voluntary basis of *international, regional* standards and (or) *national* (state) standards included in the list approved by the Commission of the Customs Union is a sufficient condition for compliance with the requirements of Technical Regulation.
Standardization is a part of technical regulation?

- Health protection
- Safety
- Environmental protection
- Culture
- Communication
- Services
- Education
- Innovative technologies
- Social security
- Consumers protection

STANDARDIZATION
What is better: reference to a standard or provisions of a standard in a law?

Government

ISO, IEC, UN/ECE, NSBs

Regulations and standards
The concept of Federal law Draft

• Ensure the continuity of the Federal Law "On Technical Regulation" wherever possible
• Standardization in the provision of technical regulations
• Considering today's best practices in standardization
• Strengthening the role of standardization in society
• Basing on the concept of a national system of standardization to 2020
Novels of the Federal law draft «On standardization in the Russian Federation»

- The possibility of using references to standards in the regulatory acts
- Priority use of standards in public procurement
- Project committees
- State policy in the field of standardization
- New types of documents on standardization
- Simplification of procedures for standards developing
State policy in the field of standardization (international experience)

**Determined:** at the level of legal documents (corresponding decree in France, agreements with governments of the UK and Germany, the National Technology Transfer and Advancement Act of 1995 (Public Law 104-113))

**Implemented by:**
- to define the powers of national standards bodies
- active use of national standards in the economies of states
- coordination of government and all stakeholders in the standardization work
- determining cases of the mandatory application of national standards
- the direct participation of governments in the development of national standards
Requirements of standards are voluntary, except for cases of references to standards or in case of specific requirements of standards contained in the documents, obligatory for execution according to the current legislation
UNECE Recommendation D
«Reference to Standards»

Recognizing the important advantages offered by the use of the method of «reference to standards», inter alia, that:

• (a) the elimination and prevention of barriers to trade is facilitated when reference is made to regional or preferably to international standards or to national standards transposing international or regional standards;
• (b) the legislative work is simplified and accelerated;
• (c) technical regulations can be changed more easily and at less cost to take account of technological advance;
• (d) the results of the work of international standards organizations can be more easily taken into account.
Who is a regulator?
Who is a standardizer?

Law
- Authorities
- Governmental organizations

Standard
- NSB
- TC
  - Manufacturers
  - Consumers
  - Authorities
  - Scientific organizations
- All interested parties
Business associations and consumer organizations in Russia

Government of the Russian Federation

Association of Industrialists and Entrepreneurs

Consumer associations

Total quantity: about 800,000 companies

Total quantity: about 200 organizations
How to make a reference to a standard (ISO Guide 2:2004)

Types of references to standards in regulation:
- Dated reference
- Undated reference
- General reference

Strength of references to standards in regulation:
- Exclusive reference
  Use of standard - the only way to meet the relevant requirements of regulations
- Indicative reference
  Use of standard - one way to meet the relevant requirements of regulations
### Dated reference
— that identifies one or more specific standards in such a way that later revisions of the standard or standards are not to be applied unless the regulation is modified

**Advantages:**
This can help to provide legal certainty by indicating the exact technical solution that may be used to comply with the regulation.

**Shortcomings:**
The legal text will then need to be changed to note any amendments to, or revisions of the standard.

### Undated reference
— that identifies one or more specific standards in such a way that later revisions of the standard or standards are to be applied without the need to modify the regulation

**Advantages:**
The regulation allows the use of subsequent revised editions of the same standard. In the case of a revision of a standard, the regulation itself does not need to be adapted.

**Shortcomings:**
Control of the regulator for revisions of the standards is complicated.
Where technical regulations are required and relevant international standards exist or their completion is imminent, Members shall use them, or the relevant parts of them, as a basis for their technical regulations...
Position of the politicians: Standards referred in legislation have to be publicly available.

Standards bodies: NO

Politicians and Regulators: YES
Value of standards sales (as of 2011)

ISO ¹

- 33%
- 67%

For comparison: IEC ²

- 42%
- 58%

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¹ Source: Agenda of the 91nd meeting of ISO Council
² Source: Agenda of the 76th General session of IEC
Recommendations for ISO/IEC and different International Standards Bodies

• to develop a position,

• to prepare offers (guidelines on using references to standards),

• to begin dialogue with the Governments
Our mission is more and more good standards!
Thank you for attention!

Federal Agency on Technical Regulating and Metrology
Phone: (+7495) 236-03-00
http://www.gost.ru

Euro-Asian Council for Standardization, Metrology and Certification
Phone: (+37517) 262-17-92
http://www.easc.org.by