



**Avoiding technical barriers to trade:
best practice in regulatory cooperation
- mutual recognition and equivalency**

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Different degrees/levels of ambition in regulatory co-operation

National practice
(“Good Regulatory Practices”)

**Information exchange /Transparency measures;
and
Observance of principal trade policy provisions
(non-discrimination, proportionality, performance based regulations, use of internat. stand. etc.)**

.... and more far reaching instruments such as....

Trans-national arrangements
(“Regulatory co-operation”)

Recognition of conformity assessment procedures;
Down  **to**
Recognition of fully harmonized technical regulations

There are certain limitations for the use of the same (international) standards if technical regulations are too different in various countries...

Wording in WTO/TBT Agreement Article 2.4 on the use of international standards (“...except when such international standards....would be ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued...”)

Hence, the use of identical (international) standards in different countries/regions is made difficult if there exist different regulatory objectives in countries/regions.

See e.g. The OECD study “The use of international standards in technical regulation”, July 2010 – a pilot study of three sectors (household appliances, natural gas, telephony) in five countries (Canada, EU, Korea, Mexico and the US), July 2010.

(“...there is no point in encouraging a country to use international standards as a basis of regulation of a given issue if that country does not regulate that issue in the first place...”)

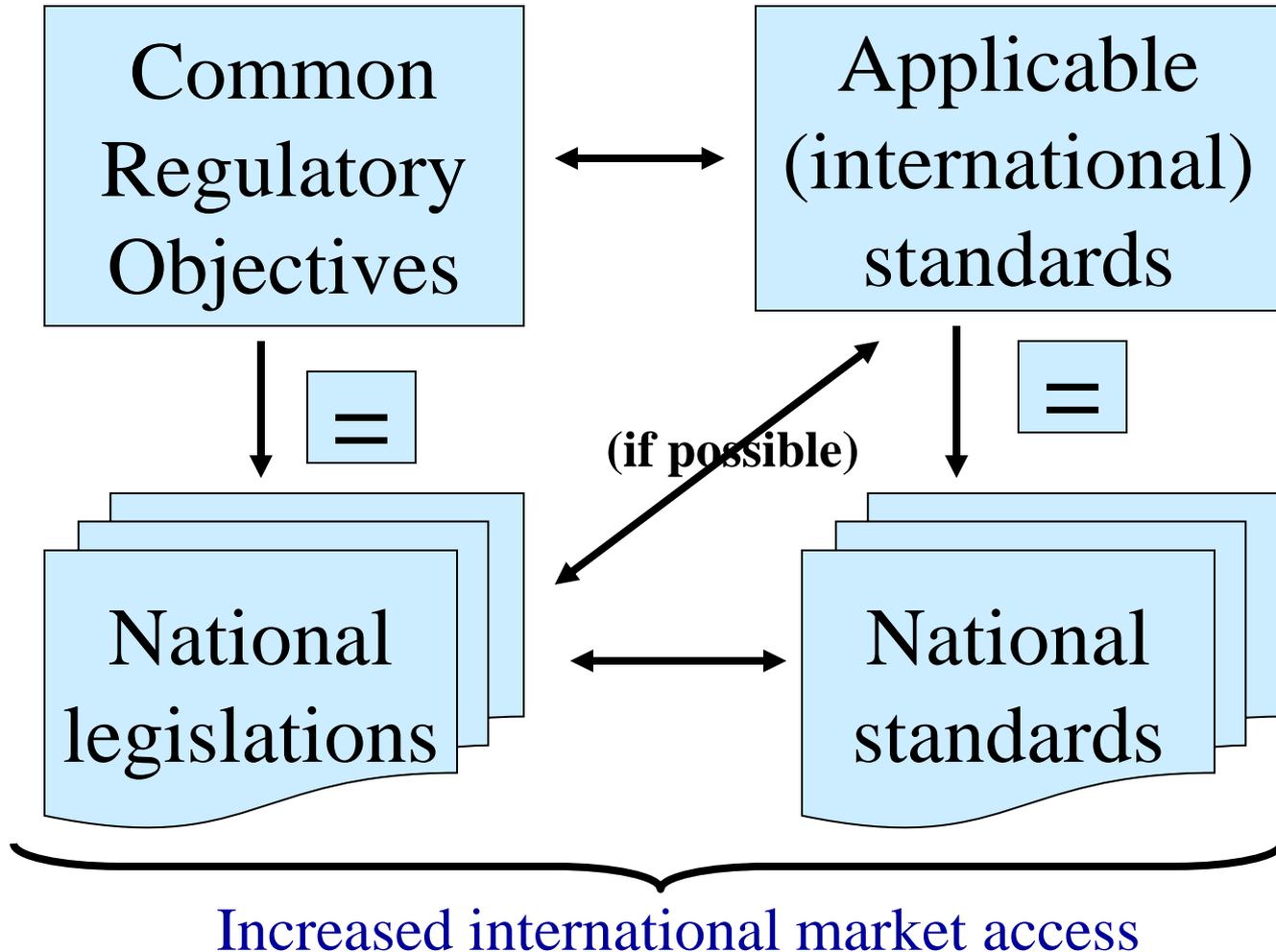
(cont.)

...this is why there need to be a certain degree of coherence in regulatory objectives for a sector/regulatory area to make it possible for the countries concerned to use the same (international) standards



... and this is one rationale for the “standards receptive regulatory techniques” developed in the UNECE (the “International Model”)

The UN/ECE International Model



With regard to the experience gathered so in work under the UNECE “International Model” (Recommendation L) a review of Model should be considered, and if so decided, a precise mandate should be given to the WP.6 Bureau on the steps forward for such a review

The review could aim at:

- Assessing what has worked well and what has worked less well in implementing the International Model;
- Making proposals for any amendments of the text of Recommendation L which would be conducive to make the Model more effective and appropriate for use by responsible authorities and economic operators in trading partners.

**Thank you very much
for your attention !**

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