Report of Working Party on Regulatory Cooperation and Standardization Policies on its twenty-fifth session

Introduction

1. The Working Party on Regulatory Cooperation and Standardization Policies (WP.6) held its twenty-fifth session from the afternoon of 2 December to 3 December 2015. The session was preceded by the World Standards Cooperation (WSC) workshop on Conformity Assessment which took place on 1 - 2 December 2015.

2. The following ECE member States were represented: Belarus, Canada, Croatia, the Czech Republic, France, Germany, Ireland, Israel, Montenegro, the Netherlands, Norway, Poland, the Republic of Moldova, the Russian Federation, Serbia, Slovakia, Sweden, Switzerland, Turkey, Ukraine, and the United Kingdom of Great Britain and Northern Ireland, the United States of America.

3. The following non-ECE Member states were also present: Australia, Brazil, Cameroon, China, Democratic Republic of the Congo, Ethiopia, Ghana, Kenya, Malaysia, Mexico, Paraguay, the Republic of Korea, South Africa, Swaziland, Trinidad and Tobago, Uganda, and the United Arab Emirates.

4. The meeting was attended by representatives of the European Commission (EC).


Laboratory Accreditation Co-operation (ILAC), Associations of Europe, Middle East & Africa (EMEA) of Eaton, Russian Union of Industrialists and Entrepreneurs (RSPP).

7. Observers present at the invitation of the secretariat included representatives of private-sector companies, associations, universities and civil-society organizations from various regions.

8. The Director of the UNECE Economic Cooperation and Trade Division and the Chair of the Working Party opened the meeting.

I. Adoption of the agenda (Item 1)

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9. The Working Party approved the provisional agenda (Decision 1).

II. Election of officers (Item 2)

10. In accordance with the Commission’s rules of procedure and established practice, the Working Party re-elected Ms. Marion Stoldt (Germany) as Chairperson and Mr. Valery Koreshkov (Belarus) as Vice-Chair and Mr. Christer Arvius as Special Advisor to the Bureau (Decision 2).

III. Matters arising (Item 3)

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11. The secretariat introduced document ECE/CTCS/WP.6/2015/3 and highlighted how standards were an important tool for implementation of the 2030 agenda, in the context of effective regulatory systems based on the management of risks and on consultation with relevant stakeholders. The Secretariat encouraged delegations to put forward concrete proposals on how the Working Party could further contribute to the Sustainable Development Goals.

IV. Programme of Work (Item 4)

(a) Report of the past session and intersessional developments

(c) Adoption of the WP.6’s intersessional implementation plan
12. The secretariat introduced the report of the previous session, highlighting progress made under various work items in the intersessional period and plans for the following year.

13. The Working Party adopted the report of its last session (Decision 3) and adopted the intersessional implementation plan. (Decision 4)

(b) Reports by other UNECE bodies of potential interest to the Working Party

14. The secretary of the Working Party on Agricultural Quality Standards (WP. 7) reported on a Conference on Traceability of Agricultural produce that had been organized by WP.7 in November 2015. The Conference had highlighted challenges, presented concrete solutions and shown how agricultural quality standards could support traceability efforts. She said that there were different ways to document traceability (such as the “one up, one down” model, cumulative tracking, the single source database and a traceability network solution) that had been developed under different networks. It was now important to a) better define the regulator’s role in traceability systems and its access to information in case of fraud or food safety alerts; b) to identify solutions that can work across supply chains and past country borders that would make it possible for authorities to become a more active and informed part of the traceability chain; and c) to define the limit between necessary information and privacy; and d) be accessible to small producers from lower income countries. She concluded by inviting the WP.6 to participate in the WP.7 traceability discussion group.

15. One of the Vice-Chairs of UN/CEFACT gave an overview of the main activities of UN/CEFACT and explained the procedure of setting up a project according to UN/CEFACT Open Development Process.

16. The representative of the Netherlands commented that the EU priority plan for ICT standards which is currently being prepared seems to have similar priorities as the Sustainable Development Goals (SDGs) therefore offered opportunities for improving cooperation.

17. The EU representative took a note of the comment and stressed the importance of good cooperation with the aim of achieving a coordinated approach.

18. The Secretary of the Steering Committee on Trade Capacity and Standards (the WP.6’s parent body) presented the Draft programme of work for the trade subprogramme for 2016-2017. Additionally, he recalled that the Working Party should, on an exceptional basis,
request that EXCOM approves the renewal of the Mandates of its three subsidiary bodies: the Group of Experts on Managing Risks in Regulatory Systems, the Advisory Group on Market Surveillance, and the Team of Specialists on Standardization and Regulatory Techniques Team. A discussion on this item took place at the end of the session when the report was adopted (see Item 13).

19. The Working Party noted the information on the recent activities of the Steering Committee on Trade Capacity and Standards, of UN/CEFACT and of the Working Party on Agricultural Quality Standards (Decision 5).

V. International Regulatory Cooperation (Item 6)

(a) International Regulatory Cooperation

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20. The Special Advisor to the Bureau explained that the initial idea of a global model for technical harmonization was the outcome of an international conference in 1999, where it was entrusted to the UNECE for further elaboration. As a result, the UNECE had worked on the subject and the “International Model” Recommendation L had been agreed in 2001. He further elaborated on the meaning and content of the Model and outlined the proposals for amendments that would make the Model more understandable and easier to implement. He concluded with a look into the future, outlining follow-up actions and possible other enhancements to the Model that could be implemented in coming years.


22. The representative of the E15 initiative gave a presentation explaining that as tariffs become increasingly irrelevant as market segmenting factors, the attention of the world trading system focused on the impact of non-tariff barriers (NTBs). There were two issues, which, nonetheless, had hampered progress so far on this front: one was that the classic WTO recipe for integrating markets, i.e. non-discrimination, does not guarantee market access when non tariff barriers are the impediment; two, non-tariff barriers could not be effectively addressed by speaking to the trading community alone, the regulatory community had to be involved. The WTO had a lot to learn on both respects by looking into practices developed in clubs, and would increase its relevance if it increased its flexibility and better accommodates clubs under its aegis.

23. The Working Party noted the information given by the E15 initiative (Decision 7).

(c) Sectoral projects

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<td>Progress report on the sectoral initiative on Equipment for</td>
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24. The representative of Physikalisch-Technische Bundesanstalt (PTB), rapporteur of the Sectoral Initiative on Equipment for Explosive Environments (SIEEE), gave an overview of activities since the last session, highlighting the joint workshop with the International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres (IECEx System) that had been held in Gdansk, Poland, in April 2015. This workshop was one of many promotion activities for the Common Regulatory Objectives (CROs) of the SIEEE during the last 5 years. At the same time, the process of updating the CROs had started. He went on to present the new features of the proposed update. Discussions on the revision of the CROs would continue at the next workshop in India in 2016.

25. The Chairman of ISO/TC 127 informed the Working Party that the International Team for the sectoral project for Earth-Moving Machines was continuing to promote the project. The challenge for 2015 was the implementation of new regulatory requirements that require third party certification for the sale of replacement parts. Replacement parts can impact the safety and regulatory compliance of machines as well as their performance, reliability and durability. Machine manufacturers validate all parts on a machine during the machine development process. Thus, third party certification is appropriate for parts that were not part of the manufacturer's machine development process, but is not needed for parts that are already validated by the manufacturer.

26. The Telecom Initiative, initiated by industry in 2004, suggests Common Regulatory Objectives (CROs) for certain globally traded Information and Communications Technology products. Although no specific interest has been raised by Members to take the initiative forward, the CROs nevertheless provide examples of good regulatory practice for market access for these products. This is of special interest in relation to the renewed discussions of Non-Tariff Barriers (NTBs) in the WTO Committee for the Information Technology Agreement. A workshop on NTBs had been held in May 2015, where the private sector expressed their concerns over increasing NTBs, and made some proposals for addressing these. The UNECE International Model and, in particular, the Telecom Initiative can provide good guidance in this work.

27. The Rapporteur of the Pipeline Safety Initiative (SIPS) updated participants on developments under the initiative since the last session. He reported that the initiative had developed a draft questionnaire on rules and procedures for the development of regulatory frameworks in the sector. This questionnaire was being finalized and comments would be welcome until 30th January 2016 on the current draft, which will be available on the webpage of the initiative and will be circulated to member States.

VI. Standardization and regulatory practice (Item 7)

(a) Review of developments in standardization

29. The presentation of the representative of the Russian Standards Body informed the session of developments in standardization in the Russian Federation and regulatory developments in the Eurasian Economic Union. Under the first topic, he introduced the new law on standardization that had been signed in 2015. Under this law, “reference to standards” has a legal basis in the Russian Federation. He expressed his appreciation to the UNECE WP. 6 for its work on Recommendation D, which had been an important point of reference for the development of the law. Under the second item, he reaffirmed that standards were the basis for economic integration in the EEC. He said that a number of important developments had taken place in 2015: the name of the Organization was changed to Eurasian Economic Union and two new members had joined: Armenia and Kyrgyzstan. A new agreement on common technical regulations had come into force, including issues related to conformity and accreditation, progress was ongoing on a common policy on market surveillance. He concluded by pointing to several areas where further cooperation with WP. 6 was of special importance: (a) the revision of Recommendation A “Further Developments in International Cooperation on Technical Harmonization and Standardization Policies”, (b) education, consumer protection, model agreements, and mutual recognition of conformity assessment (CA) results, (c) use of standards in public procurement.

30. The representative of the Russian Union of Industrialists and Entrepreneurs (RSPP) complemented this information, referring to the report of EU experts on standardization.

31. Replying to a question from a business representative on the recognition of CB certificates the representative of Rosstandart said that this did not depend exclusively on the Russian authorities but required one single policy by the EEC – and that progress on this was underway.

32. The representative of Belarus referred to a new law on standardization which was a part of a new set of legislative developments within the EEC.

33. Reporting on the recent IEC-ISO-UNECE event on “Using and referencing International Standards to support public policy”, a representative of IEC explained that standards organizations continued to depend on the sales of standards to finance their activities. She stressed that the IEC, in cooperation with other standards organizations, was continuing to explore ways that standards referred to in regulatory texts could be made accessible while respecting the intellectual property incorporated in the standard and without damage to the bodies’ business models.

(c) Review of relevant developments in regulatory practice

34. The Swedish Standards Institute (SIS) presented its experience in working actively with different developing countries around the world in order to strengthen their involvement in the international standardisation processes, i.e. how to practically implement standards, showing methodologies and results from concrete pilot cases.

35. The representative of IEC presented updates since last year’s Annual Session, including the progression of System Evaluation Groups to Systems Committees, new Strategic Groups and the launch of an African Regional Centre in Nairobi, Kenya.

36. The representative of the European Commission introduced the “Better Regulation Package” that had been adopted on 19 May 2015. She explained the stakeholders consultation process and outlined the Impact Assessment and Better Regulation Guideline, these being tools to assist the Commission in making EU laws more effective and efficient. Additionally, she presented the “Regulatory Fitness and Performance Programme” (REFIT)
including its Platform. She went on to explain how the Commission assessed the expected and actual impacts of policies, legislation and other important measures at every stage of the policy cycle. She invited member states to consider these good regulatory practices as inspiration for their legislative practice and also invited all stakeholders to make use of the online contact form – available at http://ec.europa.eu/smart-regulation/index_en.htm to express their views on how to make laws more effective.

37. The American Society for Testing and Materials’ (ASTM) leadership in international standards development is driven by the contributions of its members: more than 30,000 of the world’s top technical experts and business professionals representing 135 countries. International consensus standards play an important role in the information infrastructure that guides design, manufacturing and trade in the global economy. When these voluntary standards are utilized as a means of regulatory compliance, through reference, they ensure that the most current and technically accurate processes are implemented in order to put safe and quality products on the market. Some updates were given to participants on the most recent ASTM initiatives to foster its global relevance and outreach, the newest ASTM standards in support of public policies and their most recent cooperation with European counterparts

38. The Working Party noted information on standardization provided by Rosstandart, the European Commission, Swedish Standards Institution (SIS), ISO, IEC and ASTM International (Decision 9).

VII. Review of recent development in conformity assessment and accreditation (Item 8)

39. The representative of the International Organisation for Standardization Conformity Assessment Committee (ISO/CASCO), explained that CASCO standards were mainly for the operation of conformity assessment bodies (certification bodies, laboratories and inspection bodies) and accreditation bodies. He informed the session that two major standards were currently being revised, ISO/IEC 17025 on the competence of laboratories and ISO/IEC 17011 on the requirements for accreditation bodies. CASCO was developing informative resources on its standards and on conformity assessment issues such as the information on, “using CASCO standards in regulations” available at www.iso.org.

40. The Chair of the joint International Accreditation Forum and the International Laboratory Accreditation Cooperation (IAF-ILAC) Marketing and Communication Committee provided an update of the global system of accreditation managed by ILAC and IAF, to highlight the increasing use of accreditation and, of global mutual recognition agreements by regulators. Examples of this increased use can be viewed on a new joint website (www.publicsectorassurance.org), a joint ILAC/IAF/ISO/IIOC initiative that sets out case studies that show the benefits that accredited testing, inspection, and certification provide to meeting policy objectives. This includes the recently signed Trans-Pacific Partnership (TPP) trade agreement, which references accreditation, recognised by existing regional and international mutual recognition arrangements as being as a key measure to support trade through the removal of technical barriers.

41. The representative of IEC reported on the World Standards Cooperation event on Conformity Assessment that had been held in conjunction with the WP.6 session. Over 20 speakers and moderators, from all around the world, and almost 200 experts, had participated and had discussed the important synergies that could be created through the use of conformity assessment in regulatory policy and practice. For example, world electricity consumption could be cut as much as 10% by encouraging the use of more energy effective motors through the use of international standards and certificates. On the issue of counterfeit products and certificates, the priorities identified included improved information
sharing among countries, through a coordinated and centralized tool for customs authorities and regulators to exchange information on risky and counterfeit products that they had detected. Preliminary feedback collected from participants indicated that they would welcome a half day event to be held in connection with the WP. 6 annual session on a yearly basis, with additionally, every about three years, an event similar to that just concluded

42. The Working Party noted the information provided by the ISO and the Joint IAF-ILAC Marketing and Communications Committee and by the IEC on the outcome of the Word Standards Cooperation (WSC) Conformity Assessment Workshop (Decision 10).

43. The WP.6 requested that the Bureau initiate a revision of Recommendations F and G on conformity assessment taking into consideration developments in this area, in consultations with all interested UN member States, the conformity assessment community and relevant stakeholders. (Decision 11)

(b) Education on standards-related issues (Item 6)

44. The secretariat reported on the meeting of the task force on Education on Standards and Standards-related issues (START-Ed group) that had been held in November in Geneva. Participants – representing education institutions from the UNECE region - had shared their experiences teaching standards and standards-related issues, using the WP.6 modules (available at: http://www.unece.org/trade/wp6/educationonstandardization.html) as a basis for their programmes including in non-technical educational institutions. The meeting had also been attended by other UNECE programmes, which expressed interest in the UNECE model programme and in preparing joint basic modules. The Russian Academy of Standardization had presented a new module on management standards – which focussed on environmental management, energy efficiency and social responsibility. At the meeting, proposals had been made for further activities including: organizing a panel discussion on optimizing access to national and international standards by educational institutions, and preparing a special module on harmonized training requirements and practices for experts, auditors and certification and inspection bodies. The coordinator of the group reported on the recent meetings of the group and the outcomes.

45. During the session, the Representative of the Moscow State Regional University reported on their new programme on standards elaborated in cooperation with UNECE and the Director of the Academy of standardization, metrology and certification from Russia highlighted experiences in teaching standards at non-technical educational institutions in Russian regions.

46. The Working Party took note of the information, thanked the START-ED group and invited interested delegations to contribute to this activity.

VIII. Risk management in regulatory systems (Item 5)

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47. In the absence of the coordinators, a member of the GRM group presented the priorities and the plans for 2015 indicating that the details of the activities for 2014 could be found in the report submitted to the session (ECE/CTCS/WP.6/2015/7). The priorities for GRM will be to finalize a recommendation on the implementation of the GRM best practice in sectoral projects; becoming an “on-demand” group addressing the needs of regulatory stakeholders and providing specific recommendations; developing recommendations and methodologies on the application of big data and machine learning technologies within regulatory frameworks; and, promote the work of GRM through field projects and trainings while establishing and strengthening liaisons with other risk management organizations. He also discussed the need to have a face-to-face meeting of GRM to focus the group squarely on the United Nations agenda 2030 for Sustainable Development building upon the ongoing work of GRM.

48. He also highlighted that ISO risk management standards provided a complete suite of tools that can support the development of legislation and regulations. In addition, they could also be used to analyse the inherent risks associated with a specific legislative act or regulation and to identify gaps, duplications or redundancies. It is the risk management process in the standard that is the most practical tool for those involved in regulatory administration and implementation. Coupled with controls and conformity assessments, these tools allow a regulator to evaluate the effectiveness of any management measure and the performance of the entire regulatory management regime in consultation with regulated parties and stakeholders.

49. The secretariat reported on its activities undertaken in cooperation with the UNISDR for the increased use of voluntary standards in the implementation of the Sendai Framework for Action that had been adopted at the Third Conference on Disaster Risk Reduction in Sendai, Japan in March 2015 and endorsed by the General Assembly. These activities had included, in particular, the setting up of a task force under the ISO Technical Committee on “Security and Resilience” which was tasked with identifying standards that could be used in the implementation of the Sendai Framework and areas where standards would be needed. The task force needed further expertise in completing its exercise, including from national, regional and international standards bodies. The secretariat, therefore, asked for the assistance of delegations in completing this task.

50. The Working Party noted the information on Risk Management in regulatory Systems. It adopted the progress report on the activities of the Group of Experts on Managing Risks in Regulatory Systems (ECE/CTCS/WP.6/2015/7) and took note of its priorities for the next year (Decision 12).

IX. Market surveillance (Item 9)

(a) Updates from regional groupings and the Advisory Group on Market Surveillance

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51. The Chairperson of the Advisory Group on Market Surveillance (MARS Group) presented the report of its June 2015 meeting in Prague which had been attended by more than 20 experts. The meeting had discussed challenges as well as resources available to market surveillance bodies.
52. Over the next year, the Group would: a) continue the development of the general market surveillance (MS) initiative; b) work more closely with other groups under the umbrella of the WP.6; c) enhance activities related to cooperation between market surveillance bodies and conformity assessment bodies; d) continue to update the MARS global database of Market Surveillance Authorities (MSAs); e) establish contact with the global and regional MS networks that had been identified and f) explore the possibility for training of market surveillance authorities on issues related to counterfeit goods, product marks and on-line Market Surveillance.

53. The representative of the Belarus Center for Identification Systems (and the Chairman of GS1 Belarus) informed the Working Party about the new system based on international standards and modern information and communication technologies (ICT, RFID technologies), which had been developed to fight counterfeit products and the monitoring of product supply chains within the Eurasian Economic Community (uniting Russian Federation, Belarus, Kazakhstan, Armenia and Kyrgyzstan). The system will start functioning as of 1 April 2016.

54. The Working Party noted the information on Market Surveillance provided by the Chairperson of the MARS Group and by the representative of GS1. It adopted the report of the MARS Group on its meeting in Prague (ECE/CTCS/WP.6/2015/12) and took note of the priorities of the MARS Group for the next year (Decision 13).

X. Metrology (Item 10)

55. The Chairperson of the Working Party, representative of the German metrology body, PTB, presented an update on recent developments in metrology. Recent priorities in the field included the development of a complete set of standards based on natural constants rather than realizations, and a revision of the Bureau international des poids et mesures (BIPM) mutual recognition agreement.

56. She recalled that World Metrology Day would be observed on 20th May and would be dedicated, in 2016, to Metrology in an ever-changing world.

57. The Working Party noted the information on metrology provided by the PTB (Decision 14).

XI. Capacity-building activities under the Working Party and the Steering Committee on Trade Capacity and Standards (Item 11)

58. The Secretary to the Steering Committee on Trade Capacity and Standards (SCTCS) reported on the results of the needs assessment studies undertaken by the Secretariat on the regulatory and procedural barriers to trade. The Working Party took note of the information provided by the Secretariat (Decision 15).

XII. Other business (Item 12)

59. The secretary of the Working Party explained that it was necessary to proceed with the renewal of the mandates of the following three teams of specialists: Group of Experts on Managing Risks in Regulatory Systems, Advisory Group on Market Surveillance, Team of Specialists on Standardization and Regulatory Techniques.

60. The representative of Sweden proposed that the documents be amended so as to allow participation from all UN member States in the work of the groups.
61. The Working Party agreed with the proposal from Sweden and requested the Secretariat to follow up so that the request could be endorsed by the SCTCS and presented to the EXCOM for approval (Decision 16).

62. The Working Party agreed to hold its 26th session from 30(pm) November - 2 December 2016 (Decision 17).

XIII. Adoption of the report and closing of the meeting (Item 13)

63. According to its rules of procedure, the Working Party adopted the report of its 25th session (Decision 18).
ANNEX I. Renewal of the Mandates

I. Advisory Group on Market Surveillance

1. The Working Party on Regulatory Cooperation and Standardization Policies promotes the least possible restrictive approaches to regulate safety, health and other legitimate concerns of Governments. In most UNECE member States today, the emphasis for enforcing regulations has shifted from pre-market controls to the control of products already placed on the market; i.e. from certification to market surveillance. Effective market surveillance, therefore, is an essential part of the implementation of modern regulatory frameworks.


A. Membership

3. The “MARS” Group membership includes the following:

(a) Governmental experts from national market surveillance authorities of UN member States

(c) Standards-setting organizations

(d) Certification bodies

(e) Test houses

(f) International schemes for conformity assessment

(g) Business

(h) Civil society

(i) Consumer organizations

(j) International organizations.

B. Activities

4. The work undertaken in 2014 – 2015 can be found in the report of the MARS Group in document ECE/CTCS/WP.6/2015/12.

5. At their annual session on 24 – 25 June 2015, the Group decided to undertake the following work over the next two years:

a. to continue the development of the general market surveillance initiative (see: ECE/TRADE/C/WP.6/2009/11 and ECE/TRADE/C/WP.6/2009/12)

b. to strengthen cooperation with other groups under the umbrella of WP.6,

c. to enhance activities related to cooperation between market surveillance authorities (MSA) and customs authorities,

d. to update MARS global database of MSAs and establish contact between global and regional Market Surveillance Networks;

e. to support MSAs and explore the possibility of training market surveillance authorities on issues related to counterfeit goods, product marks and on-line Market Surveillance.
C. Request for extension of Mandate

6. Following its review of the work of the Group, the Working Party, at its twenty fifth session, decided to request the extension of the Group’s mandate (See Annex I). It hereby requests the Steering Committee on Trade Capacity and Standards to endorse the extension of the mandate for two years and to submit this to the UNECE Executive Committee. No additional resource requirements are foreseen for the continuation of this work and no changes to the scope of the work are being requested.
II. Ad Hoc Team of Specialists on Standardization and Regulatory Techniques

1. In 1999, the Working Party created an ad hoc Team of Specialists on Standardization and Regulatory Techniques (“START” Team). The Team was to examine how non-tariff barriers to trade could be reduced by (a) limiting the content of related regulations to the essential requirements for meeting regulatory objectives, and (b) referring to international standards as the preferred means of setting out detailed requirements, including for conformity-assessment.

2. Since its creation, the Team has held consultations with Governments, international organizations and private companies to explore their concerns in regulatory convergence areas. It has created, revised and updated the “International Model for Technical Harmonization”, Recommendation L, which comprises a set of voluntary mechanisms and principles for good regulatory practices. The International Model can be used by countries wishing to align their regulatory regimes in specific sectors or product areas.

3. Currently, there are four “sectoral initiatives” under way, each following the International Model:
   (a) Telecom (SIT)
   (b) Equipment for Explosive Environments (SIEEE)
   (c) Pipeline Safety (SIPS)
   (d) Earth-moving Machinery (SIEMM)

A. Membership

4. The START Team membership includes representatives from the following:
   (a) Governmental experts from UN member States
   (b) Standards-setting organizations
   (c) Certification bodies
   (d) Test houses
   (e) International schemes for conformity assessment
   (f) Business
   (g) Civil society
   (h) Consumer organizations
   (i) International organizations

B. Activities

5. Reports and plans for future activities of these sectoral initiatives can be found in documents:
   (a) “Progress report on the sectoral initiative on Telecom” (ECE/CTCS/WP.6/2015/8);
   (b) “Progress report on the sectoral initiative on Earth-Moving Machinery (EMM)” (ECE/CTCS/WP.6/2015/9);
   (c) “Progress report on the sectoral initiative on Equipment for Explosive Environments (SIEEE)” (ECE/CTCS/WP.6/2015/10); and
   (d) “Progress report on the sectoral initiative on the Safety of Pipelines” (ECE/CTCS/WP.6/2015/11). Since the last renewal of its mandate, in 2005, the Team has held four meetings. The meetings dealt primarily with supervising the implementation of the three sectoral initiatives: on telecom, earth-moving machinery and equipment for explosive environments.
C. Request for extension of Mandate

6. Following its review of the work of the Team, the Working Party, at its twenty sixth session, decided to request the extension of the Team’s mandate (see annex II). It hereby requests the Steering Committee on Trade Capacity and Standards to endorse the extension of the mandate for two years and to submit this to the UNECE Executive Committee. No additional resource requirements are foreseen for the continuation of this work and no changes to the scope of the work are being requested.
III. Group of Experts on Risk Management in Regulatory Systems (GRM)

1. The Working Party on Regulatory Cooperation and Standardization Policies, at its 20th Session, recommended the establishment of a new Group of Experts on Risk Management in Regulatory Systems. This was then endorsed by the Committee on Trade at its fourth session in June 2011 (ECE/TRADE/C/2011/14, Decision 13).

A. Membership

2. The membership of the Group of Experts on Risk Management in Regulatory Systems includes representatives from the following:

   (a) Governments
   (b) National Standards-setting organizations
   (c) Business
   (d) Civil Society
   (e) Academia
   (f) International organizations

B. Activities

3. At its twenty-fifth session, the Working Party approved the priorities and plan of work for 2015 of the Group of Experts on Risk Management in Regulatory Systems (GRM). The plan focused on broadening the work of the GRM in the area of crisis management in regulatory frameworks (including participation in the Sendai Conference on Disaster Risk Reduction), as well as on the implementation of the risk management recommendations and tools developed by the Group in 2011-2015 across various fields and sectors.

4. The Group of Experts has developed two recommendations: one on Risk Management in Regulatory Systems and another on Crisis Management in Regulatory Systems. The Group has also developed a plan for the practical implementation of these Recommendations, including through an analysis of legislation and regulatory systems as well as the development of guidance on how risk management functions should be performed within a regulatory system and on how to increase crisis preparedness.

C. Request for the extension of Mandate

5. Following its review of the work of the Team, the Working Party, at its twenty sixth session, decided to request the extension of the Team’s mandate (see annex III). It hereby requests the Steering Committee on Trade Capacity and Standards to endorse the extension of the mandate for two years and to submit this to the UNECE Executive Committee. No additional resource requirements are foreseen for the continuation of this work and no changes to the scope of the work are being requested.
ANNEX II. Terms of references

I. Terms of reference of the Advisory Group on Market Surveillance (“MARS” Group)

A. Establishment of the Advisory Group

1. The establishment of a group of experts group on market surveillance matters was suggested at the UNECE International Forum on Market Surveillance (29 October 2002, Geneva), which was organized in conjunction with the twelfth session of the Working Party on Technical Harmonization and Standardization Policies (WP.6), 28-30 October 2002, Geneva. The WP.6 recommended to establish such a Group and this was approved by the seventh session of the UNECE Committee for Trade, Industry and Enterprise Development (May 2003).

B. Objectives of the Advisory Group

2. Market players like public authorities, manufacturers, retailers, importers, and consumers/users need transparent rules of play. Consistent and effective procedures in the field of the protection of consumers and workers are a precondition to address this concern. Improved co-ordination and creation of “good practices” for market surveillance authorities is of great importance. Such co-operation and co-ordination is essential for the good functioning of both national markets and for the UNECE region at large in order to eliminate distortion of competition and to protect consumers. Transparent and consistent “good practices” will also contribute to the facilitation of international trade.

3. The general task of the Advisory Group of experts on MARket Surveillance (“MARS” Group) is to contribute to the activities of the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) aimed at creating conditions conducive to the development and promotion of global trade and economic cooperation.

The specific tasks of the Group are:

(a) To provide for interaction on a national/regional/international level between all players concerned, including public authorities, manufacturers, retailers, importers, and consumers/users against goods not in conformity with legislation being placed on the market;

(b) To increase transparency and attract attention to the responsibilities of public authorities and their staff for market surveillance with regard to their accountability in the chain of control;

(c) To identify good practices and methods ensuring fulfilment of legitimate objectives (such as protection of human health or safety, animal or plant life or health, or the environment and to ensure fair competition) in existing legislation;

(d) To promote (and when necessary initiate) coherent good practices and to elaborate relevant recommendations concerning market surveillance within the UNECE region.

C. Composition of the Advisory group, its membership and participation in its meetings

4. Members of the Group are representatives from UNECE Member States and other United Nations Member States.
5. The Group is open to participation by experts from international organizations as well as to representatives of the private sector and non-governmental organisations (NGOs) as observers in their personal capacity.

6. The Group may establish sub-groups of experts to prepare projects requiring specific expertise, which are expected to become a part of the general activities of the Group. The Group can work with interested governments and organizations on financing and implementation of such projects.

7. The UNECE secretariat will provide necessary support to the Group and its sub-groups within available resources.

E. Reporting

8. The Group works under the guidance of the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) and reports to it. The Group works on the understanding that its final proposals or recommendations will be decided by the WP.6 as an intergovernmental body.
II. Terms of Reference of The Ad Hoc Team of Specialists on Standardization and Regulatory Techniques (START Team)

A. Establishment of the START Team

1. The establishment of the START Team was suggested at the UNECE International workshop on implementation and use of international standards (18 May 1999, Geneva) which was organized in conjunction with the ninth session of the Working Party on Technical Harmonization and Standardization Policies (17-19 May 1999, Geneva). The Working Party supported and approved this proposal. The establishment of the Team was endorsed by the third session of the UNECE Committee for Trade, Industry and Enterprise Development (8-10 June 1999).

B. Objectives

2. The general task of the Team is to contribute to the activities of the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) aimed at creating conditions conducive to the development and promotion of global trade and economic cooperation.

3. The specific task of the Team is to examine the possibilities for reducing non-tariff barriers to trade by limiting the content of related regulations to the essential requirements for meeting regulatory objectives and using reference to international standards as the preferred means for setting out detailed requirements, including conformity assessment requirements.

4. The Team works under the guidance of the UNECE Working Party on Regulatory Cooperation and Standardization Policies (WP.6), in accordance with terms of reference adopted by WP.6 and reports to it. Any reports and recommendations of the Team have preliminary and unofficial character and are subject to endorsement by WP.6.

C. Composition of the Team, its membership and participation in its meetings

5. The Team is composed of experts with the collective expertise to address the specific task defined for it.

6. The Team is composed of the members of the enlarged Bureau of the WP.6 (including coordinators and rapporteurs) and of specialists appointed by UNE member-states and invited by the Team.

7. The Team is open to participation by experts from interested United Nations Member States and international organizations as well as to representatives of the private sector as observers in their personal capacity. The Team works on the understanding that final recommendations and proposals of the Team will be endorsed by the Working Party 6 as an inter-governmental body.

8. The Team can establish sub-groups of specialists to prepare projects requiring specific expertise, which are expected to become a part of general activities of the Team.

9. The UNECE secretariat provides necessary support to the Team and its sub-groups within available resources.
D. Reporting

10. The Team reports to the Working Party on Regulatory Cooperation and Standardization Policies. The Group works on the understanding that its final proposals or recommendations will be decided by the WP.6 as an intergovernmental body.
III. Terms of Reference of the Group of Experts on Risk Management in Regulatory Systems (GRM)

A. Establishment

1. At its forty-fifth meeting, the EXCOM decided to establish a Group of Experts on Risk Management in Regulatory Systems (GRM) on the recommendation by the Working Party on Regulatory Cooperation and Standardization Policies and the Committee on Trade, to consider how risk management can contribute to an efficient regulatory framework.

B. Objectives

2. The Group of Experts aims at an improved management of hazards that have the potential to affect the quality of products and services, and/or cause harm or damage to people, the environment, property and immaterial assets.

3. To achieve this goal, the Group of Experts will:
   (a) Collect and share information about hazards resulting from use of products and from production processes;
   (b) Develop and share best practice on how to address these hazards through regulatory and managerial best practice.

4. The Group of Experts will develop and share best practice - including, if relevant, in the form of recommendations - as regards the use of risk management tools to:
   (a) Achieve proportionality between technical regulations and the risks they set out to address, including through regulatory impact assessment and good regulatory practices;
   (b) Choose among alternative regulatory instruments;
   (c) Assess the respective merits of risk-based regulations and deterministic regulations in different contexts and sectors;
   (d) Increase effectiveness of the implementation of regulations and standards as regards pre-market activities (certification, registration, conformity assessment) and post market ones (inspections and market surveillance);
   (e) Improve managerial control of processes and operations as a contribution to a consistent and predictable implementation of standards and regulations;
   (f) Analyse legal and supply chain requirements on traceability of goods as a means of meeting legitimate security and consumer safety concerns;
   (g) Promote measures to build mutual confidence through better access and wider sharing of relevant information among regulatory agencies, both at a national and at a regional level (data banks on dangerous goods).

C. Composition of the Group of Experts, its membership and participation in its meetings

5. The Group is open to participation from any individual or organization from all United Nations member States. Participation from governmental authorities, intergovernmental organizations, business associations and private firms, standards-setting organizations, certification bodies, test houses, international schemes for conformity assessment, civil society and consumer organizations is particularly welcome.
6. The Group will mainly work through teleconferences, webinars, and an interactive website to elaborate recommendations and guidance documents.

D. Reporting

7. The Team reports to the Working Party on Regulatory Cooperation and Standardization Policies. The Group works on the understanding that its final proposals or recommendations will be decided by the WP.6 as an intergovernmental body.