Advisory Group on Market Surveillance MARS

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Challenges on international markets: the role of market surveillance

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Current challenges on international markets

- Deep regulatory fragmentation
- Staggering rates of non-conformity on the markets
- Proliferation of low quality and counterfeit goods not just for consumer products, but also for:
  - High-tech equipment used in plants and factories
  - Electrotechnical equipment of all kinds
- In spite of mounting costs for the *testing & certification* of products and production processes

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Cooperation in market surveillance:

When market surveillance authorities work together, they can

- Avoid that products that are rejected on one market are then dumped on the market of a neighbouring country
- Access a wider range of expertise, testing labs and conformity assessment bodies
- Act together in joint market campaigns to empower and educate consumers.

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A few words on UNECE WP. 6

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UNECE Working Party on: Regulatory cooperation

What we are:

- Intergovernmental body
- Participation by: authorities, regional & int'l org, standards-setting bodies, business, certification bodies, test houses, civil society
- From all UN Member States
- 1970 – 2015: 45+ years

Our mandate:

- ☑ Standardization ☑ Technical regulations ☑ Conformity assessment ☑ Accreditation ☑ Metrology ☑ Market surveillance ☑ Risk Management ☑ Education on standards and standards related issues

Our activities

- Develop and share info & best practice
- Capacity-building (trainings and awareness-raising events)
- Develop and maintain a set of recommendations
- Implement a set of initiatives on specific industrial sectors

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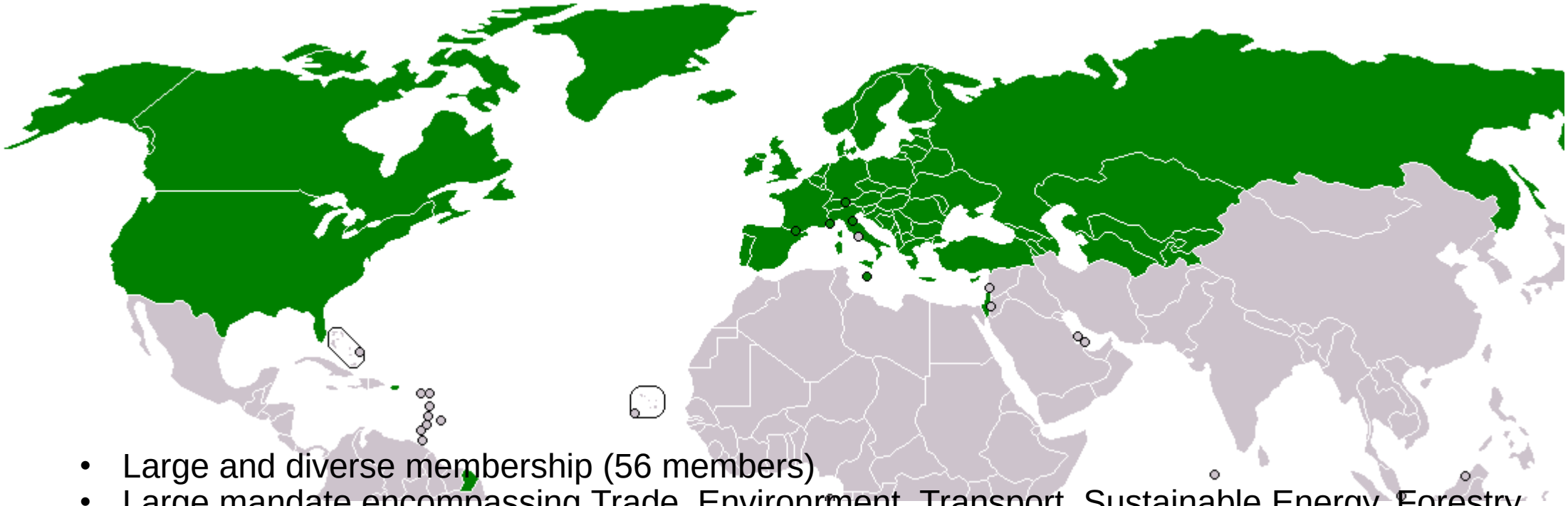

- Large and diverse membership (56 members)
- Large mandate encompassing Trade, Environrment, Transport, Sustainable Energy, Forestry, Housing and Land Management, Statistics, etc.
- UNECE helps implement the Sustainable Development Goals by translating global goals into norms, standards and conventions, building capacity and engaging in partnerships with the private sector, the academia, and civil society
- “UNECE’s achievements have made it a go-to source for improving global public goods and services, with more than 100 countries beyond the UNECE region benefiting from its work” (UN Secretary-General Ban Ki-moon)

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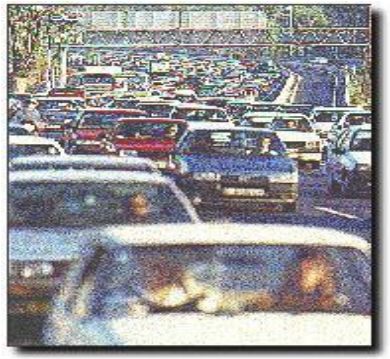
UNECE Work Areas



Transport

Economic cooperation

Statistics

Sustainable

Housing

Trade

Environmental policy

Forests & timber

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Achievements (1) Reference to standards

- Recommendation D adopted in 1974, revised in 1980, 1984, 1988, 1995 and 2013
- Only tool adopted by an intergovernmental body to recommend that policy makers «whenever possible make use of international, regional and national standards in regulatory work»
- Used by several countries as the basis for their laws on stds (i.e. Russia)
- Successful event held with ISO and IEC in November 2015 at Palais des Nations

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Achievements: (2) Recommendation L: International Model for Regulatory Cooperation

L. International Model for Transnational Regulatory Cooperation Based on Good Regulatory Practice[13]

The Working Party, noting that:

there is a clear market need from trade and industry and a positive interest from Governments in further reducing trade barriers and facilitating market access

- the "International Model" developed by the United Nations Economic

- Approved by UNECE in 2001 – revised November 2015
- From harmonization of technical requirements to common regulatory systems
- Recommendation L sets out a model for regulatory cooperation that is comprensive and includes both pre and post market dimensions:
  - Common technical requirements
  - Reference to international standards as the basis for the technical requirements
  - Provisions on how compliance shall be demonstrated.
  - Provisions on third-party-assessment bodies, when recourse to third party assessment is needed;
  - Provisions for post-market surveillance.

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Recommendation L helps regulatory practices converge:

4 sectoral initiatives underway:

- Telecom
- Earthmoving equipment
- Pipeline safety
- Equipment for use in explosive environments

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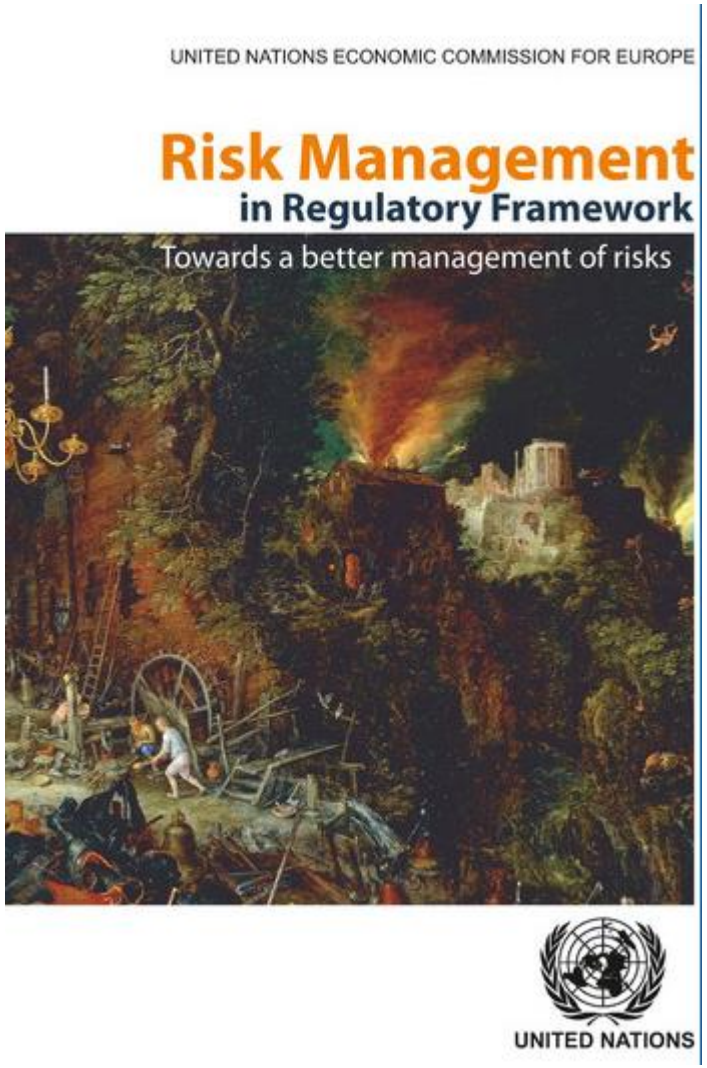
Achievements (3) Proportionality of risks and regulations



Work carried out in UNECE since 2009 aimed at reinforcing the proportionality between risks and regulatory action at all levels:

- defining regulatory requirments on the basis of risk classes
- increased stringency of mechanisms for assessing the conformity of products to these requirements based on risk assessment
- use of RM best practice in carrying out market surveillance actions to remove from the market dangerous/non-compliant products

http://www.unece.org/trade/wp6/riskmanagement.html

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Current priorities for UNECE WP6: looking ahead

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Twenty-sixth Session of the Working Party on Regulatory Cooperation and Standardization Policies (WP.6)

30 November - 2 December 2016

Palais des Nations, Geneva, Switzerland

Introduction | **Registration**

The 26th Annual Session of the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) will be held from 30 November 2016 starting at 15:00 and ending on 2 December 2016 at 18:00.

Three mini-workshops will be held as part of the session on:

- The implementation of the 2030 Agenda for Sustainable Development: what role for standards and regulatory cooperation?
- Managing risks, managing development
- International regulatory cooperation: the experience of members

The session will additionally discuss and possibly adopt recommendations on "Cooperation in Conformity Assessment" and on "Import compliance: implementing product-based surveillance".

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Panel 1: Sustainable development

- What role for standards for SDGs
- Particular focus on:
  - Standards for gender equality
  - Standards for sustainable production and consumption in particular textile

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Panel 2: Managing risks, managing development

- What role for standards in the implementation of the Sendai framework for action?
- Role of risk management in the development and enforcement of regulations

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Panel 3: Regulatory cooperation, the experience of members

- Presentations of experience of members on regional integration
- Reports of the 4 sectoral initiatives
- Report on OECD project on «Regulatory cooperation in international organizations»

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Recommendation F & G on Conformity Assessment

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Recommendations on regulatory cooperation and standardization policies

Working Party on Regulatory Cooperation and Standardization Policies

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G. Accepta

The Working Party or

Bearing in mind that services are complementary t

Bearing in mind that i duplication of conformity asse safety and public health;

F. Creation and Promotion of International Agreements on Conformity Assessment[1]

The Working Party on Technical Harmonization and Standardization Policies,

Noting that the Final Act of the Conference on Security and Cooperation in Europe (CSCE) recognizes international cooperation in the field of certification as an important means of eliminating technical obstacles to international trade and industrial cooperation;

Recalling that the Economic Commission for Europe in Decision D (XXXI) (1976) reminded its competent Principal Subsidiary Bodies that, in addition to the topics specifically referred to in the CSCE Final Act for multilateral implementation by the Commission, they should devote special attention to the multilateral implementation of other provisions set out in the section of the Final Act entitled "Cooperation in the field of economics, of science and technology and of the environment", such as: "2. The promotion of international agreements and other appropriate arrangements on acceptance of certificates of conformity with standards and technical regulations";

- Tabled for revision in November 2016 at the UNECE annual session
- Strong role of IEC CAB in the group of experts that revised the recommendations
- Revision of recommendations follow-up to the WSC Workshop on CA in December 2015

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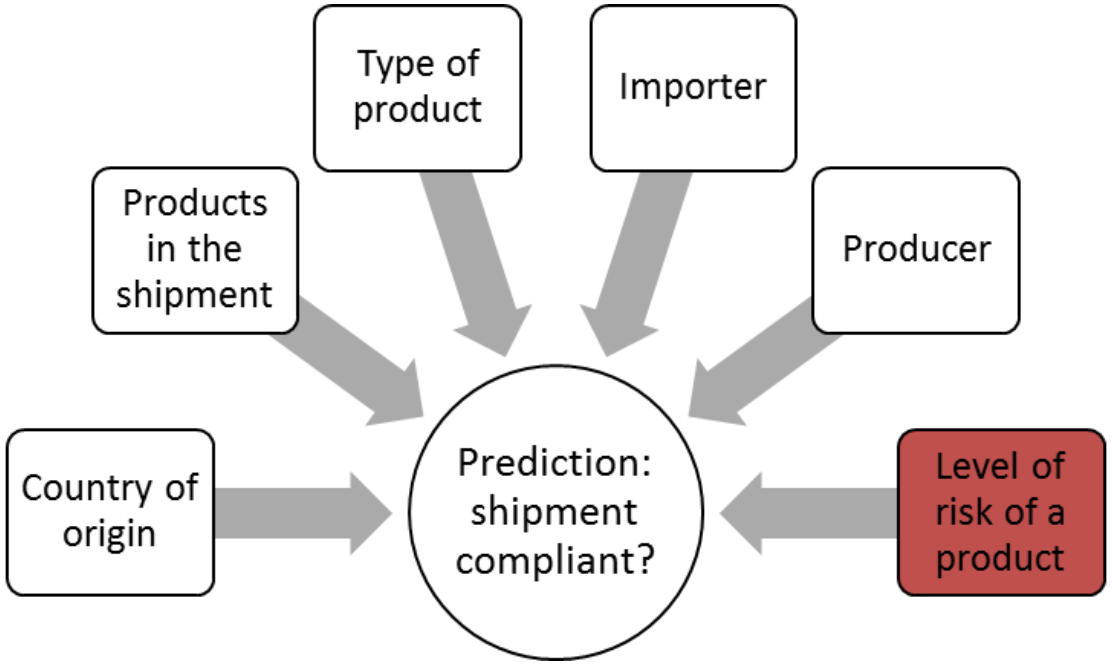
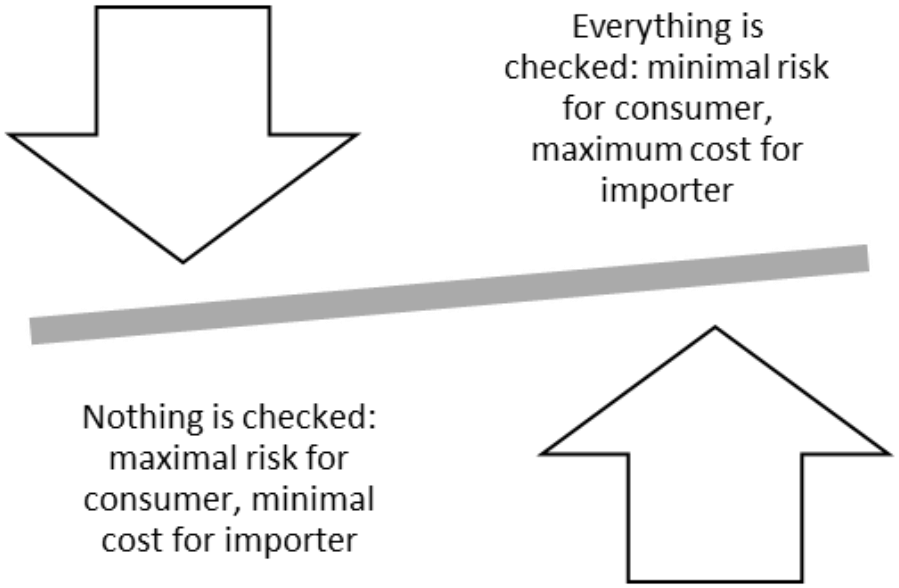
Recommendation S:
predictive risk management tools for targeted market surveillance





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Thank you

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