

**Economic and Social Council**

Distr. General
5 August 2010

Original: English

Economic Commission for Europe**Committee on Trade****Working Party on Regulatory Cooperation
and Standardization Policies****Twentieth session**

Geneva, 1-3 November 2010

Item 6 (b) of the provisional agenda

Regulatory cooperation: Sectoral projects**Progress report on the Sectoral Initiative on Telecom****Note by the secretariat****Summary*

The Sectoral Initiative on Telecom works to create a more open trading environment on the market for telecommunication products. The Working Party approved Common Regulatory Objectives for this sector in 2004. Although there has been limited interest in using these in national legislation or as a basis for mutual recognition agreements, they may nevertheless be a relevant reference in current negotiations under way in the Negotiating Group on Non-agricultural Market Access (NAMA) and in the International Telecommunication Union (ITU) (see <http://www.itu.int/ITU-T/worksem/wtsa-08/res76/index.html>). The Common Regulatory Objectives could be used to provide practical examples of good regulatory practice in the information and communication technologies sector.

This document is for discussion and information.

* At its eighteenth session, the Working Party asked the secretariat to provide annual updates on the work of all the sectoral initiatives (ECE/TRADE/C/WP.6/2008/18, para.63). Accordingly, this report contains concise information on the status of initiative, and describes the main activities that have been completed or are under way.

I. Project objective and key deliverables

1. The objective of the Sectoral Initiative on Telecom is to create greater market access for information and communication technology (ICT) products. Common regulatory objectives (CROs) for ICT products constitute agreements among interested countries on regulatory convergence in support of legitimate requirements (see TRADE/WP.6/2003/16/Add.2).

2. Common regulatory objectives were drawn up in 2003 for equipment such as:

- personal computers (PCs)
- PC peripherals
- legacy Public Switched Telephone Network Terminals
- Bluetooth
- Wireless Local Area Network
- Global Standard for Mobile Telecommunications
- International Mobile Telecommunications (IMT-2000).

[<http://www.unece.org/trade/wp6/SectoralInitiatives/Telecom/CROs.htm>]

II. Current status of project

3. Recent developments in the Non-agricultural Products Market Access (NAMA) Group include:

- Negotiating paper of the European Union (TN/MA/W/129, 7 December 2009, “Understanding on the Interpretation of the Agreement on Technical Barriers to Trade as Applied to Trade in Electronics”).
- Negotiating paper by the United States (TN/MA/W/125, 4 December 2009, “Negotiating Text on Non-Tariff Barriers Pertaining to the Electrical Safety and Electromagnetic Compatibility (EMC) of Electronic Goods”).
- EU, Brazil and India proposal (TN/MA/W/136, 15 March 2010, “Framework for Industry-specific NTB Proposals”).

4. The synergies between the CROs and these proposals are explained in detail in the annex to this report in two examples of how Recommendation “L” can be used to apply the World Trade Organization (WTO) proposal at a national level.

III. Progress in 2010 and deliverables for the annual session

5. In 2010, there was an exchange of correspondence between the Chair of WP.6 and the Chair of the NAMA Group, to highlight the potential relevance of the CROs for the negotiations.

IV. Communications during 2010

6. The informal group held one meeting in 2010 in Stockholm, as part of the meeting of the WP.6 Bureau, rapporteurs and coordinators, “START” Team, and the “MARS” Group.

V. Responsibility for the continuation of the work

7. Mr. Per Döfnäs is responsible for the continuation of this project.

VI. Role of the secretariat

8. The Sectoral Initiative recommends that the secretariat should assist it in (a) initiating a discussion about the CROs with the main producers and Governments of East Asian countries (e.g. China, Japan and the Republic of Korea) and (b) following up on the exchange of correspondence referred to above.

Annex

Synergies between the Common Regulatory Objectives of the United Nations Economic Commission for Europe Telecom Initiative and the World Trade Organization Non-agricultural Products Market Access Non-Tariff Barriers proposals

Using Recommendation L to implement the proposal in WTO NAMA submission TN/MA/W/129

Contents

1. Introduction
2. Conformity assessment options in TN/MA/W/129
3. Example – Use of Recommendation L based on the Telecom Initiative for PC and IMT-2000 equipment
 - 3.1. General and common aspects valid for ICT equipment
 - 3.2. Specific aspects of PC equipment
 - 3.3. Specific aspects of IMT-2000 equipment

Appendix: Description of Conformity Assessment options

1. Introduction

1. Discussions in the WTO regarding Non-Tariff Barriers (NTB) for electronic goods related to technical regulations for placing products on Members' markets are ongoing as part of the negotiations on for Non-Agricultural Products Market Access (NAMA). Two proposals have been submitted:

- TN/MA/W/129 dated 7 December 2009, by the European Union
- TN/MA/W/125 dated 4 December 2009, by the United States (includes Q&A)

2. Both proposals are restricted to requirements for safety and electro-magnetic compatibility of products within their scope. This may not be sufficient for placing products on national markets (radio products generally also need to comply with certain radio requirements; and environmental requirements are increasingly being applied in some countries).

3. As the NAMA negotiations are still continuing, the outcome is not yet certain.

4. Recommendation L, with its elements for Common Regulatory Objectives (CROs), may usefully be applied to results of the NAMA NTB discussions. This can be done in two ways:

- Full application of Recommendation L resulting in CROs, i.e. harmonization of technical regulations among a number of countries to achieve free movement of products complying with the CROs;

- Partial application of Recommendation L, i.e. application of the regulatory model in individual countries but with no formal commitment for free movement with other countries.

5. To show the complementary aspects of the International Model and ongoing WTO NAMA work on non-tariff barriers, this document gives two examples of products taken from the proposed CROs in the “Telecom Initiative”: “PC” and “IMT-2000”. The proposal given in TN/MA/W/129 is used as reference.

2. Conformity assessment options in TN/MA/W/129

6. Document TN/MA/W/129 includes alternative ways for assessing conformity to requirements. These conformity assessment options are set out in the appendix to the current document. The procedure that is relevant for this example – in line with that given in the CROs of the Telecom Initiative – is option A, which is illustrated in the appendix.

3. Example – Use of Recommendation L, based on the Telecom Initiative for PC and IMT-2000 equipment

3.1. General and common aspects valid for ICT equipment

3.1.1. Scope

7. This CROs applicable to ICT equipment, as defined in the text of the CROs. (see <http://www.unece.org/trade/wp6/SectoralInitiatives/Telecom/Telecom.html>)

8. A CRO is structured in two parts:

- Part 1 – common to the CROs that have been developed for all ICT equipment - specifies the common and general requirements needed to satisfy the regulatory objectives of the participating countries.
- Part 2 – developed for different types of ICT equipment– specifies, for that specific type of ICT equipment, the requirements needed to satisfy the regulatory objectives of the participating countries.

9. The validity of a CRO is only achieved with the full application of Part 1 and Part 2.

10. Thus, each CRO will allow the corresponding type of ICT equipment, when in compliance with the associated CRO (Part 1 and Part 2), to be placed on the market and, except in cases where licensing is required, be put into service within countries that have implemented this CRO.

3.1.2. ICT equipment

11. ICT equipment is, in the context of the present document, all equipment specified in the text of the CROs

(see <http://www.unece.org/trade/wp6/SectoralInitiatives/Telecom/Telecom.html>)

3.1.3. References

Document symbols

Document title and web page

UNECE/TRADE/378

An international model for technical harmonization based on good regulatory practice for the preparation, adoption and application of technical regulations via

<i>Document symbols</i>	<i>Document title and web page</i>
	the use of international standards http://www.unece.org/trade/wp6/Recommendations/Rec_L.pdf
WTO/TBT, Art.2.4 and Art. 2.6	Agreement on Technical Barriers to Trade http://www.wto.org/english/docs_e/legal_e/17-tbt.pdf
ISO/IEC 17050-1:2004	Conformity Assessment – Supplier’s declaration of conformity – Part 1: General requirements
ISO/IEC 17050-2:2004	Conformity Assessment – Suppliers’ declaration of conformity –Part 2: Supporting documentation
ECE/TRADE/C/WP.6/2009/11	A General Market Surveillance Procedure (Draft of 30 September 2009)

3.1.4. Definitions

12. Applicable definitions are found in:

<i>Document symbols</i>	<i>Document title and web page</i>
WTO/TBT, Annex 1	Agreements on Technical Barriers to Trade http://www.wto.org/english/docs_e/legal_e/17-tbt.pdf
ISO/IEC Guide 2 :2004	Standardization and related activities – General vocabulary
ISO/IEC 17050-1 :2004	Conformity Assessment – Supplier’s declaration of conformity Part 1: General requirements
ECE/TRADE/C/WP.6/2009/13/	Draft common definitions and terminology in market surveillance http://www.unece.org/trade/wp6/documents/2009/WP6_09_13E.pdf

3.1.5. Adoption of a CRO nationally

13. The countries that have agreed to a CRO shall submit that CRO to the process used nationally, in order to adopt the whole or parts of the requirements specified in that CRO into their national regulations. The international part of this process is defined in the 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.

14. For each CRO, countries shall inform the UNECE secretariat about any legal marking requirements to be met in their territory for each type of ICT equipment covered by the CRO.

3.1.6. Placing on the market and putting into service

15. Countries having adopted a CRO into their national regulation shall allow the placing on their market and putting into service of ICT equipment, which comply with the requirements of that CRO, related to the aspects of Safety and Electro-magnetic Compatibility.

16. In the cases where licensing is required, e.g. individual frequency or special service conditions for mobile base stations, the country will inform UNECE, prior to subscribing to the corresponding CRO. UNECE shall within 1 month inform all other countries, which have notified the use of that CRO, and all countries that are on their way to implementing that CRO.

3.1.7. Reference to standards

17. Preferably, the reference should be done directly to the relevant international or regional standards identified in each CRO, but a country may have national regulations requiring that the international or regional standards referenced in the “Reference to Standards” part of “Specific Aspects...” of each adopted CRO are national standards. Such countries shall ensure that the international or regional standards are transposed into national standards (without any changes), and that this process is done in due time. If translations into its national language are needed, the country shall ensure that the translations are done in due time. The country shall recognize references by suppliers to the international or regional standards as equivalent to their corresponding national standards.

18. These measures are not needed in countries where reference to the standards can be done directly.

3.1.8. Compliance

19. Compliance with each CRO shall be demonstrated as stated below:

- The supplier shall prepare a Supplier’s Declaration of Conformity (SDoC). It shall contain the elements described in IEC/ISO 14050-1.
- The supplier shall reference the CRO in the SDoC.
- The supplier shall keep the SDoC and the documentation demonstrating evidence of conformity with the CRO available for market surveillance purposes in the countries having adopted the CRO.

3.1.9. Information provided with ICT equipment

20. ICT equipment shall be identified by the supplier by means of type, batch and/or serial numbers and by the name of the manufacturer or the person responsible for placing the equipment on the market.

21. The documentation provided with the ICT equipment shall include information regarding the intended use of the equipment and how to obtain the SDoC if it is not included with the documentation.

3.1.10. Market surveillance

22. Countries having adopted a CRO are responsible for market surveillance in its territory and have the right to withdraw the corresponding ICT equipment from its national market if they are not in compliance with that CRO.

Note: General Guidance on Market Surveillance can be found in ECE/TRADE/C/WP.6/2009/11.

3.1.11. Protection

23. Any country that withdraws equipment from the market, after it has been introduced in the market under the CRO regime, shall declare this action to UNECE without any time delay, indicating the reasons behind its decision.

24. UNECE shall immediately inform all other countries that have notified the use of that CRO, and all countries that are on their way to implementing that CRO.

3.2. Specific aspects of PC equipment

3.2.1. Scope

25. This CRO is applicable to PC equipment, as defined in paragraph 3.2.2.

26. The CRO applicable to PCs is structured in two parts:

- Part 1 – common to all ICT equipment – specifies the common and general requirements needed to satisfy the regulatory objectives of the participating countries.
- Part 2 – specifically developed for PC equipment – lays down the requirements needed to satisfy the regulatory objectives of the participating countries for these products.

27. A CRO becomes valid only after parts 1 and 2 have been fully applied.

28. This CRO specifies the requirements needed to satisfy the regulatory objectives of countries. Thus, this agreement will allow PC equipment that is in compliance with this CRO to be placed on the market and be put into service as equipment within countries that have implemented this CRO.

3.2.2. Personal computer equipment

29. PC equipment can consist of a central unit for processing, and separate keyboard and visual display unit. These functions can also be combined into one unit, typically for a portable PC. It can be equipped with one or more ports for external communications.

3.2.3. References

30. There are no specific references related to this CRO apart from what is given in Part 3.1.3.

3.2.4. Definitions

31. There are no specific definitions related to this CRO apart from what is given in Part 3.1.4.

3.2.5. Product requirements

32. This CRO covers the legitimate regulatory objectives for PC equipment.

33. The objectives cover:

- Safety
- Electro-magnetic compatibility.

3.2.6. Reference to standards

34. PC equipment shall be held to be compliant if it complies with the standards listed below. The version of the standard listed is valid at the time of publication of this CRO. Subsequent versions of the listed standards are accepted unless otherwise stated by countries having agreed on this CRO.

35. Conformity requirements can be found in the standards where the technical requirements are defined, or in separate standards.

3.2.6.1. Safety

<i>Document symbols</i>	<i>Document title and web page</i>
CENELEC EN 60950-1:2001 (IEC 60950-1:2001 (modified))	Information technology equipment – Safety – Part 1: General requirements
National Deviations/Amendments to IEC 60950-1	National deviations or amendments valid in countries that participate in the CRO

3.2.6.2. Electromagnetic compatibility

<i>Document symbols</i>	<i>Document title and web page</i>
CENELEC EN 55022-1:2006 (CISPR 22:2005 (modified))	“Information technology equipment – Radio disturbance characteristics – Limits and methods of measurement”
FCC Part 15.109 Class B	Additional for emissions above 1 GHz: “Radio Frequency Devices; Unintentional Radiators; Radiated emission limits”
IEC 61000-3-2:2006	For equipment with AC mains power: “Electromagnetic compatibility (EMS) – Part 3-2: Limits – Limitation for harmonic current emissions (equipment input current ≤ 16 A per phase)
IEC 61000.-3-3:1995 with amendments	For equipment with ac MAINS POWER: “ Electromagnetic compatibility (EMC) – Part 3-3: Limits – limitation of voltage changes, voltage fluctuations and flicker in public low-voltage supply systems, for equipment with rated current ≤ 16 A per phase and not subject to conditional connection”
CENELEC EN 55024:1998 (Alt: CISPR 24:1997)	“Information technology equipment – Immunity characteristics – Limits and methods of measurement”

3.3. Specific aspects of IMT- 2000 equipment**3.3.1. Scope**

36. This CRO is applicable to IMT-2000 equipment, as defined in paragraph 3.3.2.

37. A CRO is structured in two parts:

- Part 1 – common to all ICT equipment - specifies the common and general requirements needed to satisfy the regulatory objectives of the participating Countries.
- Part 2 – specifically developed for IMT-2000 equipment – lays down the requirements needed to satisfy the regulatory objectives of the participating countries for these products.

38. A CRO becomes valid only after parts 1 and 2 have been fully applied.

39. The CRO for IMT- 2000 equipment specifies the requirements needed to satisfy the regulatory objectives of the countries. Thus, this agreement will allow IMT-2000 equipment that is in compliance with this CRO to be placed on the market and be put into service within countries that have implemented this CRO.

3.3.2. IMT 2000 equipment

40. International Mobile Telecommunications-2000 (IMT-2000) is defined by a set of interdependent ITU recommendations. IMT-2000, also known as Third Generation Mobile Systems, provides a framework for worldwide wireless access by linking the diverse systems of terrestrial and/or satellite based networks.

3.3.3. References

41. In addition to the references in section 3.1.3 of the CRO, relevant references are given in the ITU-T recommendations for IMT-2000.

3.3.4. Definitions

42. In addition to the references in section 3.1.4 of this CRO, applicable definitions are found in ITU-T recommendations for IMT-2000.

3.3.5. Product requirements

43. This CRO covers the legitimate regulatory objectives for IMT-2000 equipment.

44. The objectives cover:

- Safety, including electromagnetic fields
- Electromagnetic compatibility.

3.3.6. Reference to standards

45. IMT-2000 equipment shall be held to be compliant if they comply with the standards listed below. The version of the standard listed is valid at the time of publication of this CRO. Subsequent versions of the listed standards are accepted unless otherwise stated by countries having agreed on this CRO.

46. Conformity requirements can be found in the standards where the technical requirements are defined, or in separate standards.

3.3.6.1. Safety, including electromagnetic fields

Document symbols

Document title and web page

EN 60950-1:2001
(IEC 60950 :2001 (modified))

Information technology equipment –
safety – Part1: General requirements

<i>Document symbols</i>	<i>Document title and web page</i>
National deviations/amendments to IEC 60950-1	National deviations or amendments valid in countries that participate in the CRO
EC 60950-22:2006 (IEC 60950-22:2005 (modified))	Information technology equipment – safety – Part 22: Equipment installed outdoors
ICNIRP (April 1998)	Guidelines for limiting exposure to time-varying electric, magnetic, and electromagnetic fields (up to 300 GHz) – International Commission on Non-Ionizing Radiation Protection, <i>Health Physics</i> , vol. 74, No. 4, April 1998
IEEE C95.1 – 2005	Standard for safety levels with respect to human exposure to radio frequency electromagnetic fields, 3 kHz to 300 GHz
CENELEC EN 62311:2008 (IEC 62311:2007 (modified))	Assessment of electronic and electrical equipment related to human exposure restrictions for electromagnetic fields (0 Hz – 300 GHz)
CENELEC EN 50360:2001	Product standard to demonstrate the compliance of mobile phones with the basic restrictions related to human exposure to electromagnetic fields (300 MHz – 3 GHz)
CENELEC EN 50371:2002	Generic standard to demonstrate the compliance of low power electronic and electrical apparatus with the basic restrictions related to human exposure to electromagnetic fields (10 MHz – 300 GHz – General public
FCC OET Bulletin 65 (2001)	Supplement C: Evaluating compliance with FCC guidelines for human exposure to radiofrequency electromagnetic fields: Additional information for evaluating compliance for mobile and portable devices with FCC limits for human exposure to radiofrequency emissions
CENELEC EN 50385:2002	Product standard to demonstrate the compliance of radio base stations and fixed terminal stations for wireless telecommunication systems with the basic restrictions or the reference levels related to general public exposure to radio frequency electromagnetic fields (110 MHz – 40 GHz)

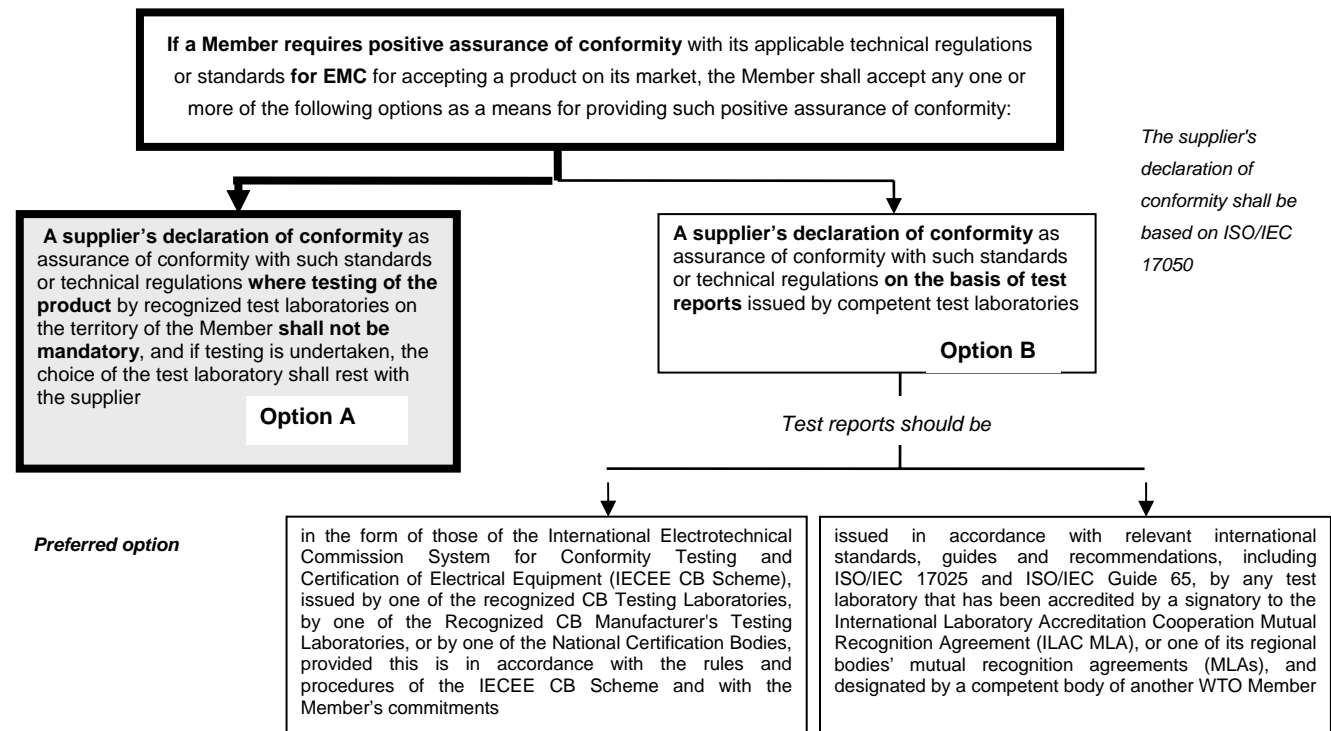
3.3.6.2. Electromagnetic compatibility

<i>Document symbols</i>	<i>Document title and web page</i>
EN 301 489-1 V1.8.1	Electromagnetic compatibility and Radio spectrum Matters (ERM) ; Electromagnetic compatibility standard for radio equipment and services ; Part 1 Common technical requirements
3GPP TS34.124	For mobile terminals and ancillary equipment: “Electromagnetic compatibility requirements for mobile terminals and ancillary equipment”
3GPP TS25.113	For base stations and repeaters: “Base station and repeater electromagnetic compatibility”
FCC Part 15.207 (2008)	Radio frequency devices; intentional radiators; conducted limits
FCC Part 15.209 (2008)	Radio frequency devices; intentional radiators; radiated emission limits

Appendix

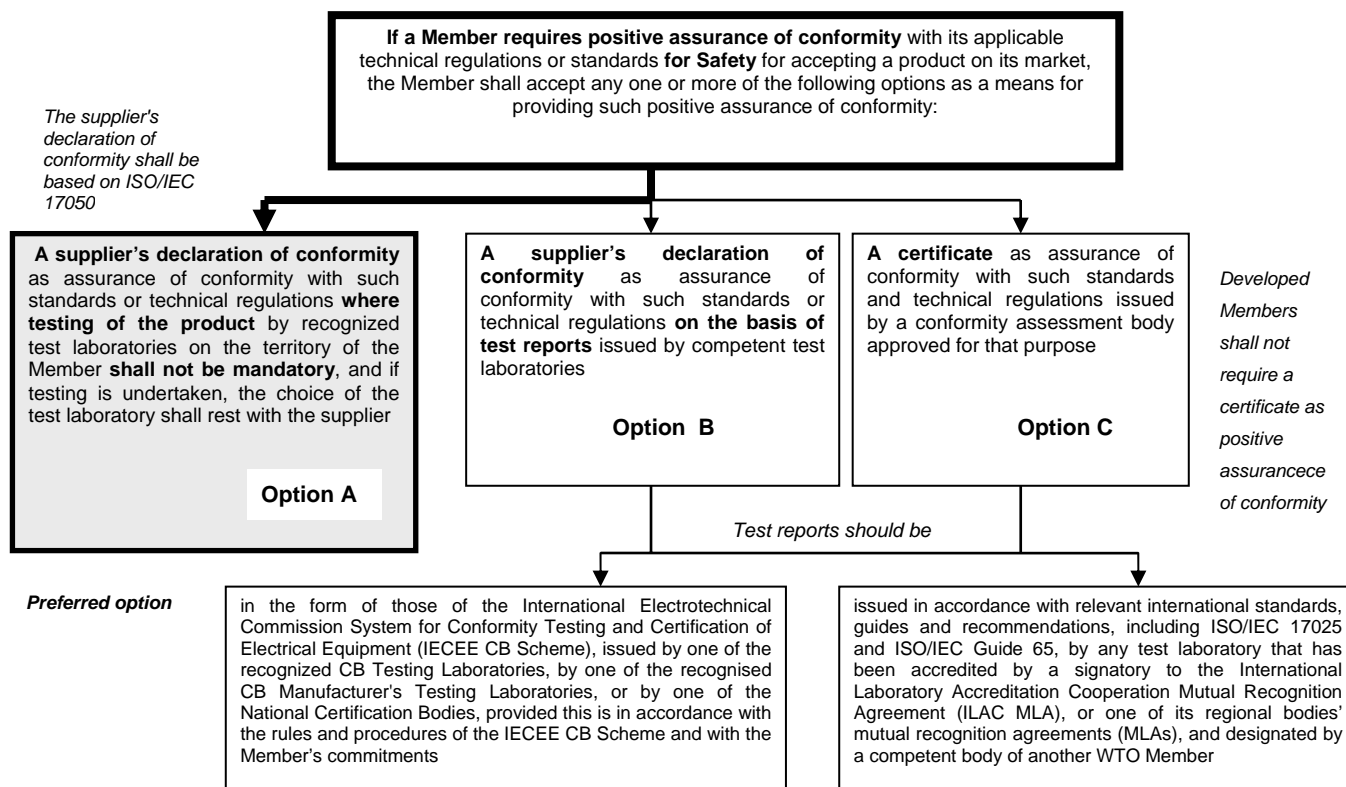
Description of conformity assessment procedures

I. Conformity assessment procedures for electromagnetic compatibility in TN/MA/W/129



Members shall not require mandatory third-party certification and developed country Members shall endeavour to accept supplier's declaration of conformity.

II. Conformity Assessment Procedures for Safety in TN/MA/W/129



Members may accept certificates issued by any conformity assessment body that the Member deems competent, or otherwise approves. Conformity assessment bodies in the territory of any other Member are accorded treatment no less favourable than conformity assessment bodies in the Member's own territory