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Working Party on Regulatory Cooperation and
Standardization Policies

Seventeenth session
Geneva, 5-7 November 2007

**REPORT OF THE WORKING PARTY ON REGULATORY COOPERATION
AND STANDARDIZATION POLICIES ON ITS SEVENTEENTH SESSION**

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I. ATTENDANCE

1. The Working Party on Regulatory Cooperation and Standardization Policies (WP.6) held its “Regulatory Cooperation and Standardization Week” from 5 to 7 November 2007 in Geneva. The Week included the Working Party’s seventeenth session (5-7 November), the UNECE International Seminar on Product Safety and Counterfeiting (in the afternoon of 5 November and the morning of 6 November), and as a side event, a break-out session on Equipment for Explosive Environments (6 November).
2. The following countries were represented: Albania, Armenia, Azerbaijan, Belarus, Belgium, Canada, Cyprus, Czech Republic, Finland, France, Georgia, Germany, Greece, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Malta, Moldova, Netherlands, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, and Uzbekistan.
3. The meeting was also attended by a representative of the European Community (EC).
4. Representatives of Australia, Brazil, China, Indonesia, Japan, Jordan, Kenya, Malaysia and Uganda participated under article 11 of the Commission’s terms of reference.
5. The following United Nations bodies and specialized agencies participated: United Nations Economic Commission for Africa (ECA), United Nations Conference on Trade and Development (UNCTAD), World Intellectual Property Organization (WIPO) and World Trade Organization (WTO).
6. The following intergovernmental organizations also attended: the Inter-Parliamentary Assembly for the Commonwealth of Independent States (IPA-CIS), International Organization of Legal Metrology (OIML) and the Organisation for Economic Co-operation and Development (OECD).
7. The following accredited non-governmental organizations participated: the European Committee for Standardization (CEN), the International Electrotechnical Commission (IEC) and the International Organization for Standardization (ISO).
8. Observers were present at the invitation of the secretariat included representatives of private-sector companies, associations and chambers of commerce, and civil-society organizations from various regions.

II. ADOPTION OF THE AGENDA (Agenda item 1)

Documentation: ECE/TRADE/C/WP.6/2007/1 – Provisional agenda

9. The provisional agenda (ECE/TRADE/C/WP.6/2007/1) was adopted with certain revisions.

III. ELECTION OF OFFICERS (Agenda item 2)

10. Mr. C. Arvius (Sweden) was elected Chairperson, and Mr. V. Koreshkov (Belarus) and Mr. P. Lukac (Slovakia) were elected Vice-Chairpersons.

IV. MATTERS ARISING FROM THE SIXTY-SECOND SESSION OF THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE AND FROM THE FIRST AND SECOND SESSIONS OF THE COMMITTEE ON TRADE (Agenda item 3)

11. The Working Party:

- (a) Noted the information from the Chief of the Trade Policy and Governmental Cooperation Section, on the new modalities of the work of the Commission;
- (b) Agreed, in view of the specific request to prepare a paper on possible joint projects with UN/CEFACT from the Committee to, to make the necessary changes while reviewing its programme of work (agenda item 11).

V. INTERNATIONAL SEMINAR ON PRODUCT SAFETY AND COUNTERFEITING (Agenda item 4)

Documentation: ECE/TRADE/C/WP.6/2007/2 – Provisional programme of the Seminar

12. The Seminar was organized so that problems could be considered from the points of view of all major stakeholders (international and regional organizations and bodies, Governments and their national authorities/agencies, the private sector and consumers).

13. During the opening session, the UNECE work on intellectual property right (IPR) matters was highlighted by Mr. Patrice Robineau, Senior Adviser to the Executive Secretary. Presentations were also made by WIPO on the general international context of IPR issues and by the OECD on the cost of the counterfeiting to the world economy (results from the recent OECD study on “the Economic Impact of Counterfeiting and Piracy”, 2007).

14. Session one on “Product safety: common concerns and challenges” provided an opportunity to consider the views of Governments. The delegate of the EC presented the main features of a legislative proposal on the strengthening of market surveillance in the European Union (EU). Work on a subregional level was highlighted in presentations from the Commonwealth of Independent States (CIS) Inter-Parliamentary Assembly and the CIS Interstate Council on Standardization, Certification and Metrology; and on a national level by a representative of Brazil. The consumer perspective was discussed as well as that of the private sector which was represented in presentations by the Business Action to stop Counterfeiting and Piracy (BASCAP) of the International Chamber of Commerce (ICC) and the Canadian Anti-counterfeiting Network (BCAN).

15. An exchange of practical experience took place in the framework of a session on “Building common networks to protect consumers and users against dangerous and counterfeit goods”. The work of the “MARS” group of the Working Party and its proposal of a new recommendation (“M”) on involving market surveillance bodies in fight against counterfeiting was presented. Representatives of Moldova and Ukraine spoke about their experiences in working with private companies. The work of public authorities to protect consumers in Indonesia and Switzerland was also presented.

16. The final session on “International and regional cooperation on product safety issues” provided information on the work of the Product Safety Enforcement Forum of Europe (PROSAFE) and the International Consumer Product Safety Caucus (ICPSC), related projects at the European Union and on recent, related standardization activities initiated by CEN.

17. Among the issues raised at the Seminar was the importance of having clear and legally binding definitions of counterfeit and falsified products (raised by the delegation of CIS).

18. Attention was drawn to a new problem in trade, namely the counterfeiting of certification marks affixed to goods where there exists a health and or safety concern (raised by the Canadian regulatory authorities and industry).

19. Delegates agreed that, in broad terms, the use of counterfeit conformity-assessment marks undermines the overall confidence in conformity-assessment bodies on national and international levels.

20. A number of cross-sectoral issues were raised during the discussions. They included the alleged practice of registration of old Soviet standards as trademarks, IPRs of companies that participate in the preparation of public standards, and in general terms the relation between private and public standards; IPR issues relating to dissemination of standards (shall public standards be made available free of charge, for example, when it concerns security and public health).

21. Among actions proposed by speakers and experts to address the various aspects of counterfeiting were increasing industry and consumer awareness, cooperation between all relevant law-enforcement authorities (patent offices, police, customs, market surveillance, etc.). The proposed recommendation “M” was noted as an innovative approach which does not require additional resources but brings positive results.

22. On a regulatory level, the proposals included creating databases of issued certificates and also of goods which were refused certification (for various reasons) on a national level, further linking the databases with counterparts in other countries and including data on counterfeit goods and marks into information shared by current and future regional systems on goods that pose a risk to public safety. It was desirable that such databases (with access restricted to regulators) contain characteristics of genuine products (when manufacturers are interested in sharing such information) and of genuine conformity-assessment marks.

23. Participants stressed that the fight against counterfeit goods (and, in particular, those which are dangerous) is a common task both for authorities and companies.

24. At the end of the Seminar, participants agreed to:

- (a) Welcome the initiative of UNECE in holding such an event, and thanked the speakers for their excellent, informative presentations;
- (b) Note the negative economic and legal implications for a “rule of law society” of infringement of intellectual property rights (IPRs) and in particular the danger which dangerous counterfeits and goods with counterfeit conformity assessment marks can pose to consumers and users;
- (c) Confirm the major responsibility of public authorities in ensuring product safety and respect of IPRs (in cooperation with the private sector) and stress the importance of establishing and promoting good practices in this area (for example, as proposed by the “MARS” Group and by its new recommendation “M”);
- (d) Encourage Governments to promote inter-agency cooperation on product safety and IPR matters on a national and regional level;
- (e) Take note of a number of intersectoral issues relating to IPR matters raised at the Seminar which would require further discussion in the secretariat and with other organizations;
- (f) Request the Bureau of the Working Party on Regulatory Cooperation and Standardization Policies to consider how issues raised during the Seminar might be taken into account in the programme of work.

VI. STANDARDIZATION AND REGULATORY PRACTICE (Agenda item 5)

A. Review of developments

Documentation: ECE/TRADE/C/WP.6/2007/3 – Developments in standardization and regulatory areas
ECE/TRADE/C/WP.6/2007/4 – Questions from the Russian regulatory authority and preliminary replies

General debate on standardization developments

25. The Working Party took note of document (ECE/TRADE/C/WP.6/2007/3) submitted by the secretariat of the Eurasian Economic Community (EurAsEC) that provides information on an agreement on preparation of uniform technical regulations adopted by this group of countries. It was recalled that this agreement uses the mechanisms suggested in Recommendation “L” of the Working Party.

26. The EC representative provided information on the ongoing review of the New Approach legislation in the EU and a related legislative proposal on a common legal framework for the marketing of products.

27. The Working Party took note of the submission from EurAsEC on an agreement on the preparation of uniform technical regulations (ECE/TRADE/C/WP.6/2007/3), and further took note of the presentation from EC on the New Approach legislation reform.

Panel discussion

28. It was recalled that following the debate during the June 2006 UNECE International Forum on Common Regulatory Language for Global Trade, organized jointly by the Working Party and the Committee on Trade, regulatory issues and questions were raised during contacts with the Russian regulatory authorities. The Bureau of the Working Party agreed on the usefulness of having a more in-depth debate on practical problems faced by the Russian regulatory authorities. The background document (which was made available to participants) contained questions from Russian regulators, preliminary replies from the EC and comments from the Chair of ISO/TC/127 ("Earthmoving Machinery").

29. The head of the Russian department responsible for regulatory policies presented the latest developments in Russia (including changes to the Law of technical regulations) and challenges and problems faced by regulators in their work..

30. The EC representative introduced contributions made by EC experts to the background document.

31. A comprehensive presentation from Canada highlighted the national legal regulatory framework and concrete means and tools used by regulators (including various ways of referencing national, international and foreign standards in Canadian technical regulations).

32. The representative of the Russian industry spoke about its involvement in national standardization work and stressed the importance of a dialogue between Government and industry.

33. The representative of Kenya enquired about the use of private standards (Company specifications) and their link to public standards and regulations. The representative of UNCTAD recalled recent UNCTAD meetings where this problem had been considered.

34. During the debate (on regulatory approaches in the European Union (EU), Canada, the Russian Federation and the Commonwealth of Independent States (CIS)) delegates stressed the importance of exchanging practical experiences in preparing, implementing and using technical regulations and of good regulatory practices and called for further continuing the initiative launched by the Working Party.

35. The Working Party:

- (a) Welcomed the results of the panel discussion and agreed to continue debate in such a format in the future and noted with appreciation information provided by speakers from the Russian Federation, the EC and Canada, and thanked other delegates for their contributions to the debate;
- (b) Invited delegations to send their regulatory related questions to the UNECE secretariat by the end of April 2008;
- (c) Entrusted its office bearers and the UNECE secretariat to prepare a reference/information document on regulatory matters for interested regulatory authorities, based on the background document (ECE/TRADE/C/2007/16-ECE/TRADE/C/WP.6/2007/4) and incorporating information provided during the panel discussion (and at the UNECE-WP.6 International Forum on Common Regulatory Language for Global Trade held in June 2006), and any other relevant information provided to the secretariat by the end of April 2008;
- (d) Following a proposal by Kenya, and statements made by UNCTAD and the EC on the issue of private standards (company specifications), the Working Party asked the Group of Rapporteurs to consider possible actions that could help address this issue.

B. Revision of UNECE Recommendations

Documentation: ECE/STAND/17/Rev.4 – UNECE Recommendations on Standardization Policies

36. The representative of the ISO secretariat presented a new ISO information document on “using and referencing ISO and IEC standards for technical regulations”. A copy of the document was made available to delegates.

37. The work of the Working Party on related issues (including preparing UNECE recommendations and updating recommendation “D” “Reference to Standards”), as well as the UNECE contribution to the ISO General Assembly (GA) open session on the role of standards in September 2007 was recalled.

38. The Working Party:

- (a) Took note of the ISO information on a new document on “Using ISO and IEC Standards for Technical Regulations”. The Working Party agreed on the usefulness of this document and invited UNECE member States, as well as other States, to encourage their regulatory authorities to use the approaches suggested in this document and to exchange experiences on any practical problems related to implementation of these approaches;

- (b) Asked the Group of Rapporteurs to initiate work on the revision of Recommendation D on “Reference to Standards”, taking into account the ISO document as well as the contributions from the Russian Federation, EC Commission, etc. as contained in document ECE/TRADE/C/WP.6/2007/4.

C. Standardization and regulatory priorities

Documentation: ECE/TRADE/C/WP.6/2007/5 – Standardization and regulatory priorities
ECE/STAND/20/Rev.5 – Standardization List

39. The UNECE secretariat presented document ECE/TRADE/C/WP.6/2007/5, which contains information on the standards alignment work done in the Asia-Pacific Economic Cooperation organization (APEC); on the survey of the Asia-Europe meetings (ASEM) of obstacles to alignment with international standards conducted in 2006-2007 and on the industry concerns related to standardization and regulation raised in the context of ASEM activities and the results of discussions on the role of international standards in the multilateral trading system held during the “2006 WTO Public Forum” organized by the World Trade Organization (WTO).

40. During the discussions the representative of Japan noted the importance of an ongoing upgrading of international standards (the ASEM survey showed that industry had found some international standards outdated).

41. The Working Party:

- (a) Noted the interest in the work on good regulatory practices (ECE/TRADE/C/WP.6/2007/5) as expressed by participants in the “2006 WTO Public Forum” and by industry in the context of the ASEM dialogue, took note of information from EurAsEC and Ukraine, and agreed to continue its work in these areas;
- (b) Invited delegations and industry to continue the information exchange on standardization and regulatory priorities with a view to identifying countries having common regulatory priorities as a first step towards establishing a transboundary dialogue/information exchange between national regulatory authorities in an effort to promote regulatory cooperation in areas of mutual interest;
- (c) Requested the secretariat and the Group of Rapporteurs to pursue further contacts on these matters with EC and regional organizations such as CIS, EurAsEC and other bodies such as the African Regional Standardization Organization (ARSO) and ASEM.

VII. REGULATORY COOPERATION (Agenda item 6)

Documentation: ECE/STAND/17/Rev.4 – UNECE Recommendations on Standardization Policies

42. The Working Party was informed by the secretariat about the work done by the Team of Specialists on Standardization And Regulatory Techniques (“START” Team) since the previous session. Two meetings had been held: in November 2006 and in March 2007 where, besides other issues, the practicalities of starting a project on equipment for explosive environment, including preparation of a break-out session on this subject during the current session, were discussed.

A. Regional projects

43. The chairman of the Eurasian Economic Community (EurAsEC) Group on Technical Regulations provided information on the current work in EurAsEC and in the CIS on technical regulations. The representative of Ukraine highlighted the developments in this area in his country.

44. The Working Party took note of the information from the CIS and EurAsEC on their regulatory work; and invited interested countries and regional organizations to provide updated information on their regulatory cooperation activities and projects prior to its next session in 2008.

B. Sectoral projects (agenda item 6(b))

Documentation: ECE/TRADE/C/WP.6/2007/6 – Proposal on an initiative on the safety of pipelines
ECE/TRADE/C/WP.6/2007/7 – Proposal from Germany on an initiative in the area of equipment for explosive environments

Telecommunications project

45. The representative of the Telecommunications Task Force (Mr. P. Döfnäs) recalled that the “Telecom Initiative” was an industry proposal that had been developed some years previously. It applied the International Model to some globally traded information and communications technology products.

46. He said that the recent EC proposal in WTO (under the discussions of the Negotiating Group on Non-Agricultural Market Access (NAMA) in the Doha round) for an “Understanding on the Application of the Agreement on Technical Barriers to Trade in Electronics” was very interesting. The industry saw possible synergies between these WTO discussions and the UNECE International Model - and with the Telecom Initiative in particular - and that industry would closely follow the developments in WTO.

47. The Working Party took note of the status report on the Telecommunications project

presented by a representative of the Telecommunications Task Force.

UNECE Earth-Moving Machinery Initiative

48. The Chairperson (Mr. D. Roley) of the Earth-Moving Machinery Task Force presented information on progress in elaborating a national technical regulation on earth-moving machinery in the Russian Federation.

49. The Working Party noted the status report on the Earth-Moving Machinery Initiative from the Chairperson of the Task Force.

Safety of pipelines

Documentation: ECE/TRADE/C/WP.6/2007/6 – Proposal on an initiative on the safety of pipelines

50. The representative of the Russian regulatory authority in the area of safety of pipelines (“ROSTEHNADZOR”) recalled the discussions on this matter at previous sessions. He also said that contacts with their counterparts in other CIS States had been established and there seemed to be an interest in having a common technical regulation in this area among relevant CIS regulatory authorities.

51. During the debate the importance of having common transnational safety requirements was noted. A representative from the World Youth Bank Network suggested organizing an international conference on this subject.

52. The work of the Russian Standardization Council (organized by the private sector) in the oil and gas industry sector was also presented.

53. The Working Party took note of the information on the development of the Oil and Gas Pipeline Safety proposal, as contained in document ECE/TRADE/C/WP.6/2007/6 and in information provided by the delegate from the Russian Federation. It was agreed that the Russian Federation would submit a concept paper for a proposed (transnational) technical regulation to be disseminated to interested countries.

Equipment for explosive atmosphere

Documentation: ECE/TRADE/C/WP.6/2007/7 – Proposal from Germany on an initiative in the area of equipment for explosive environments

54. Results of the break-out session on Equipment for Explosive Environments were presented by the session Chair. He informed the meeting that the Task Force would prepare a Model based on UNECE WP.6 Recommendation “L”.

55. A comparison table would be prepared by the Chair detailing the different approaches and situations in various countries. The questions prepared for the current meeting would be sent

out to regulators for this purpose. Work on the table should be completed by end January 2008 and participants were asked to cooperate in providing responses to the questionnaire. A follow up meeting of the Task Force would be held in 2008, possibly at the “START” team meeting in May 2008. The Working Party endorsed the establishment of a Task Force to manage this project and invited countries to provide information to the “matrix document” that will be sent to them by the Task Force. The report from this meeting is available on the WP.6 webpage:

http://www.unece.org/trade/wp6/sectoral/explosive-environment/Nov_07/report_1107.pdf

VIII. CONFORMITY ASSESSMENT (Agenda item 7)

A. Review of recent developments

Documentation: ECE/TRADE/C/WP.6/2007/8 – Developments in conformity assessment

56. The representative of Brazil presented document ECE/TRADE/C/WP.6/2007/8 on the conformity-assessment system in his country and its specificities linked to a large territory and the remoteness of some regions.

57. The Chairman of the ISO Council Committee on Conformity Assessment (ISO/CASCO) presented highlights of its latest activities, and in particular a proposal for a new work item in the area of market surveillance. (a background information document on the ISO/CASCO activities was made available to delegations). During the debate it was pointed out that the “MARS” Group has already initiated work in areas mentioned by ISO/CASCO and, thus, delegates stressed the importance of UNECE and ISO working together in this area.

58. The Working Party:

(a) Noted the document from Brazil on the country’s conformity-assessment system (ECE/TRADE/C/WP.6/2007/8);

(b) Took note of the report of ISO CASCO Chairman on the ISO CASCO activities and publications in the field of conformity assessment, and agreed to explore the interest of ISO CASCO in possible joint activities in market surveillance.

B. Mutual recognition agreements (Agenda item 7(b))

59. The secretariat recalled its previous activities in this area and informed delegations that due to the change of her position in the national administration, the current Rapporteur had not been able to provide an update for the meeting.

60. The Working Party invited delegations to continue an exchange of information and experiences on governmental mutual recognition agreements (MRAs). The Working Party asked the Group of Rapporteurs to consider any further actions required in this area.

C. Accreditation

61. The representative of the EC highlighted the main directions of the reform in the area of accreditation at the EU.

62. The Chairman of the International Laboratory Accreditation cooperation (ILAC), Mr. D. Pierre, provided information on the latest developments in EA, in ILAC and in the International Accreditation Forum (IAF).

63. During the debate the representative of Belarus enquired about the method for laboratories' accreditation. The EC representative said that Governments may use different means to assess the competence of a laboratory, including through accreditation. However, EU favours the creation of a single EU accreditation system.

64. A number of delegates from new EU member States noted that in their countries accreditation is already the principal tool used for the assessment of laboratories.

65. The Working Party took note of the presentation by the Chairman of ILAC on the activities of IAF, ILAC and EA and the presentation by the representative of the EC on the development of a framework for accreditation in the EU.

D. Other issues

Organic agriculture

66. The representative of UNCTAD made an update on the latest projects undertaken in the framework IFOAM/UNCTAD Task Force on Organic agriculture (IFOAM is the International Federation of Organic Agricultural movements).

67. The Working Party noted the information from UNCTAD on current developments in the organic agriculture sector.

Quality infrastructure

68. As part of the discussion on companies' experiences with the introduction and use of various management systems, a consultancy company provided examples of how risk control management tasks could be incorporated in existing management systems (including for quality issues).

69. A presentation by a representative of the Russian Federation highlighted the methods used in the EU Directive on the control of major-accident hazards involving dangerous substances (SEVESO II) in order to control the danger of accidents at facilities using dangerous substances. It was suggested that these approaches (namely identifying potential risks, their consequences and probability and finally suggesting solutions to address them) could be used as a methodology for regulatory convergence (as a yardstick in comparing different technical regulations and their regulatory objectives, their expected efficiency in reducing risks, etc.).

70. The Working Party:

- (a) Took note, regarding quality-related issues, of the presentation on risk assessment in relation to quality management systems;
- (b) Took note of a proposal from the Russian Federation to use EU approaches to risk assessment as set out in the SEVESO II Directive in order to prepare a methodology to be used in the development of technical regulations.

IX. MARKET SURVEILLANCE (Agenda item 8)

A. Activities of the Advisory Group on Market Surveillance (“MARS” Group)

Documentation: ECE/TRADE/C/WP.6/2007/9 – Report of the Advisory Group on Market Surveillance (“MARS” Group) held in September 2006

Report of the Advisory Group on Market Surveillance (“MARS” Group) held in October 2007 will be made available on
http://www.unece.org/trade/wp6/sectoral/mars/mars_bkgrd.htm

71. The Chairperson of the “MARS” group highlighted results of the Group’s meetings held in 2006 and 2007. Major decisions from the latest October 2007 “MARS” meeting included: to “START” work on a model market surveillance procedure and to continue work on definitions (the report of the 2007 meeting will be made available on the web page of the Working Party).

72. The Working Party noted information from the Chair of the “MARS” Group on the work done by the Group and on the results of its meetings in 2006 (ECE/TRADE/C/WP.6/2007/9) and in 2007 (see http://www.unece.org/trade/wp6/sectoral/mars/mars_bkgrd.htm). The Working Party supported the work proposed by the “MARS” Group on definitions and good market surveillance practices and invited interested delegations and organizations to contribute to this work.

B. Draft recommendation on market surveillance and counterfeiting

Documentation: ECE/TRADE/C/WP.6/2007/10 – New consolidated version of Recommendation “M”

73. The Working Party had before it the latest proposal for a new recommendation “M”. The Working Party noted a positive reaction to the suggested approaches from the participants of the Seminar (see agenda item 4).

74. The Working Party:

- (a) Approved the new consolidated version of UNECE Recommendation “M”: “Use of Market Surveillance Infrastructure as a Complementary Means to Protect Consumers and Users against Counterfeit Goods”, as set out in document ECE/TRADE/WP.6/2007/10;
- (b) Recommended that the UNECE member States, as well as all other States, where legal and institutional framework permit, encourage their national market surveillance bodies to use the approaches proposed in Recommendation “M”;
- (c) Agreed on the inclusion of the revised text of Recommendation “M” in the set of UNECE Recommendations on Standardization Policies.

X. METROLOGY (Agenda item 9)

75. The representative of OIML provided information on the latest activities of that organization.

76. The previous work of the Working Party on metrology issues was recalled (recommendations “I” and “K”).

77. The Working Party took note of the presentation by the representative of OIML on its activities. Delegations were asked to submit their comments regarding possible revisions to Recommendation “I” and “K” by the end of April 2008.

XI. PROGRAMME OF WORK OF THE WORKING PARTY (Agenda item 10)

Documentation: ECE/TRADE/C/WP.6/2007/11 – Programme of work
ECE/TRADE/C/WP.6/2007/12 – Evaluation of the 16th session of the Working Party and its International Forum in June 2006

78. The Working Party was informed about the positive reaction from the Committee on Trade (CT) regarding the activities of the Working Party and its new streamlined programme of work and about the request from the Committee to prepare a paper on possible joint projects with another subsidiary body UN/CEFACT (Centre for Trade Facilitation and Electronic Business).

79. The Working Party noted with satisfaction the positive evaluation of its activities carried out by delegations (document ECE/TRADE/C/WP.6/2007/12).

80. It thanked its rapporteurs and coordinators for their important ongoing contribution to its work. It entrusted the Bureau with considering the optimal composition of this group in view of the current tasks faced by the Working Party and to fill existing vacancies.

81. The Working Party:

- (a) Noted the final version of the document ECE/TRADE/C/WP.6/2007/11, which contains the Working Party vision, mission, strategic directions for 2007-2010, as well as a short-term programme of work for 2007-2008;
- (b) Agreed as requested by the Committee on Trade to prepare a paper in cooperation with UN/CEFACT on possible joint activities and entrusted the Bureau with pursuing this work, as required;
- (c) Took note of the positive results of an appraisal done at the sixteenth session (ECE/TRADE/C/WP.6/2007/12), and found this practice useful. The Working Party agreed to continue this practice and invited delegations to take part in the appraisal carried out at the current session.

XII. OTHER BUSINESS (Agenda item 11)

Meetings of the Working Party in 2008

82. The Working Party was informed about the provisional dates for its annual session in 2008 (10-12 November). The tentative schedules of the ad hoc groups' meetings of the Working Party are: spring 2008 for the "START" Team and autumn 2008 for the "MARS" Group.

New European Community Regulation concerning the Registration, Evaluation, Authorisation and Restriction of Chemical substances (REACH)

83. At the request of Russian industry, the Working Party agreed to discuss the EU REACH regulation with a view to identifying practical problems with its implementation by exporters from third countries.

84. It was recalled that at the recent meetings organized by the Russian Union of Industrialists and Entrepreneurs in cooperation with the Working Party, as well as at the "MARS" meeting in Slovakia in October 2007, CIS governmental and private-sector representatives raised the issue, on several occasions, of the complexity and difficulties of understanding the REACH regulation.

85. At the current session, the Chairman of the Russian Tube Foundation made a presentation on specific problems related to getting practical information on REACH. These difficulties were also highlighted in comments from other Russian companies, which stressed that the problem was mainly due to companies receiving conflicting answers to the same questions and because official EU guidelines were not yet ready.

86. The industry was concerned that adaptation to the REACH provisions would take time, require significant financial and human resources and that industry was reluctant to undertake any important activities on the basis of unofficial information. Companies stressed that their unpreparedness could lead not only to financial losses for Russian companies but also negatively

affect the business of their traditional partners in the EU and could undermine the commercial image of a large number of companies both in the EU and in third countries.

87. The representative of the EC recalled that the REACH provisions applied in a non-discriminatory manner both to national and foreign companies and that the REACH regulations had been drawn up in cooperation with all concerned stakeholders, including the private sector, and that their concerns to the most possible extent had been taken into account in the final text of this regulation. He provided information on different channels through which economic operators could seek information and guidance (namely the European Chemical Agency, national REACH helpdesks, EU industry organizations, etc.) and on the provisional schedule for the release of additional comprehensive information and materials offering practical guidance.

88. Participants were assured that the EC was aware of the complexity of the REACH regulation and that its purpose was not to punish for non-compliance (unless it has to do with deliberate offenders) and that information materials on better understanding of REACH were under preparation.

89. During the debate some delegations, including from EU Member States, confirmed that their national companies also had difficulties in understanding REACH provisions and suggested that an exchange of experiences on implementation might be useful at Working Party meetings and/or forums.

90. The Working Party took note of the discussions on implementation of the REACH regulation, based on questions raised by Russian industry and other CIS countries, and took note of the statements made by the EC regarding current and future mechanisms available to address industry concerns. The Working Party proposed to Russian industry to document any concerns they may have and use the above mechanisms to convey them to the EC.

XIII. ADOPTION OF THE REPORT (Agenda item 12)

Documentation: ECE/TRADE/C/WP.6/2006/17 – Report on the seventeenth session

91. According to the established procedures, the Working Party approved a “List of Decisions” at the current session. The secretariat was requested, in consultation with the office bearers, to complete the descriptive part of the report, taking into account the contributions made and the discussions held during the session.

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