

Regulatory Cooperation: the UNECE Approach

My presentation will be structured in three parts:

- How quality infrastructure contributes to sustainable development
- How my program contributes to enhance quality infrastructure
- How regulatory cooperation contributes to enhance quality infrastructure

Quality infrastructure and sustainable development

I would like to start by saying a few words on how quality infrastructure (Q.I.) plays an essential role in furthering sustainable development.

Q.I. gives the business sector the capacity to produce energy efficient and “green” goods and services. It empowers national administration to enforce regulations which aim directly or indirectly at protecting the environment and the well-being of present and future generations. It also implement and prove compliance with which contain the blueprint of and services, which can be disposed of effectively.

Q.I. is then essential to all 3 dimensions of sustainable development, namely:

- Environmental integrity: Q.I. gives society the metrics to monitor emissions, to measure our carbon footprint, it enables business to comply and prove compliance with standards and technical regulations. It allows identifying and removing from the market non-compliant goods which may cause accidents, preventing environmental degradation.
- Societal equity: Q.I allows administrations to single out non-compliant practices and businesses. By doing so, it protects complying producers from the competition of rogue market players, who cut corners on safety and often collude with international organized crime. A stricter enforcement of regulations will also protect vulnerable consumers, which are more likely to be tricked into buying low-quality goods.
- Economic growth: Q.I. is essential for winning market shares internationally, because standards are the international language of trade. It also enables firms to innovate and move up the knowledge and technology ladder.

The contribution of UNECE and the Working Party on Regulatory Cooperation and Standardization Policies

The UN Economic Commission for Europe works for approximation of technical regulations and standards through the Working Party on Regulatory Cooperation and Standardization Policies. We are the only UN economic commission that dedicates specific work to these issues.

The Working Party is an inter-governmental forum; participation is open to all UN Member States as well as to representatives of the private sector. It formulates non legally-binding recommendations serving as blueprints for regulatory cooperation agreements.

My programme also provides practical tools and best practice for regular cooperation in specific sectors, or for regional arrangements. These tools are based on our regulatory cooperation model that we call the “international model”. The “international model” provides a roadmap for countries that want to align their regulatory frameworks in a specific sector. It is also useful for preferential trade arrangements aiming at approximating their technical regulations across the board.

Regulatory cooperation starts with the assessment of a need for regulatory convergence in specific sector. In general, this assessment comes from UN Member States. It can be motivated by the excessive costs of trade, or by safety concerns due to the coexistence of different safety rules. It can also originate in the need to avoid delays caused by repeated testing.

So, to achieve regulatory cooperation, we first define the governmental objectives for regulating a specific sector. Later, we initiate an inclusive process of consultations that leads to the drawing up of common Regulatory Objectives (CROs).

Common Regulatory Objectives include references to international standards and indicate how compliance with their requirements can be assured and demonstrated; they may also set out recognized conformity-assessment bodies and applicable market surveillance procedures.

To provide an example, the Working Party approved Common Regulatory Objectives in the sector of “equipment for environments with an explosive atmosphere” in 2010. As a result, the products at issue won’t need to be tested twice by participating countries.

One essential element which enables countries to effectively contribute to and participate in this line of work is a reliable quality infrastructure, and it is for this reason that in the initiative going forward in this sector we partner with PTB. It is really commendable that PTB has set up a “proficiency testing” programme in this sector of high concern for safety.

A second requirement for the success of a regulatory cooperation project is that countries in their respective regulations not only rely on the same standards, but also use similar ways of assessing conformity to these standards. It is for this reason that a second partner of UNECE in this initiative is the IECEX2.

Regulatory cooperation contributes to enhance quality infrastructure

Let me turn to my third and final point: how regulatory cooperation enhances quality infrastructure.

The best use of the scarce Q. I. that is available on a global level, is for conducting thorough and conclusive tests, making use of the best equipment and expertise available, to deliver certificates that should be accepted everywhere.

Tested once, accepted everywhere - is, perhaps, a distant goal. How can we move towards it?

There are at least three important stakeholders.

The first is you, the testing laboratories, the national and regional metrology institutions, the conformity assessment bodies. It is you – the PTB and all the experts that are in this room, that work every day to enhance Q.I. internationally.

Another essential part of the work is done by ISO/CASCO, by global bodies like ILAC and IAF, as well as their regional counterparts, and also by international schemes of assessment of conformity to standards. These stakeholders provide the tools that enable cooperation at all levels among Q.I. bodies.

Yet, there is another, perhaps less understood component, and these are our counterparts: the governmental authorities. In the end, even if cooperation among laboratories and conformity assessment bodies is optimized, yet, each government continues to require that products are tested and certified within its own territory, we find ourselves in a situation where tests are duplicated many times.

The causes for duplication of tests and certificates are many. Some governments simply do not trust testing institutions or certificate bodies in partner countries. Others, want to protect their own Q. I. bodies, or perhaps give its own local industry a boost. In other cases, the regulatory approaches applied to a specific sector are so different that mutual recognition is simply impossible.

Whatever the causes, the result of this duplication are staggering. I will give you an example in which my organization is already making a difference, the sector of equipment for explosive environments. These tools are used in mines, in offshore and onshore oil and gas extraction sites, in energy plants and other high-risk environments. Duplicate testing, in this sector, means that the costs of this important equipment makes it simply unaffordable for those people that need it the most.

We can no longer afford such waste. As I said in the beginning, we need to make effective use of the scarce Q.I. we have available to advance towards our commonly agreed sustainable development goals. We need to now spur regulatory cooperation, so that governments understand the priority of international recognition of test results, certificates and conformity marks.

For these reasons (I hope I convinced you) we need not only better Q. I., but also better regulatory and standardization policies. However, it is only by acting every day for regulatory cooperation on a global level that that we can make that goal come true.