

Terms of reference of the  
**Advisory Group on Market Surveillance (MARS)**



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# **Terms of reference of the Advisory Group on Market Surveillance (MARS Group)**

## **A. Establishment of the Advisory Group**

1. The establishment of an advisory group on market surveillance matters was a recommendation of the United Nations Economic Commission for Europe (ECE) International Forum on Market Surveillance (29 October 2002, Geneva), which was endorsed by the Working Party on Technical Harmonization and Standardization Policies (WP.6)<sup>1</sup> and the ECEommittee for Trade, Industry and Enterprise Development<sup>2</sup> in May 2003.

## **B. Objectives of the Advisory Group**

2. Market players such as 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 coordination and creation of best practices for market surveillance authorities are of great importance. Such cooperation and coordination are essential for the good functioning of both national markets and for the ECE region at large in order to eliminate distortion of competition and to protect consumers. Transparent and consistent best practices will also contribute to the facilitation of international trade.

3. The general task of the Advisory Group 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.

4. The specific tasks of the Advisory Group are

- 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;
- 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;
- to identify best 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;
- to promote (and when necessary initiate) coherent best practices and to elaborate relevant recommendations concerning market surveillance within the ECE region.

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<sup>1</sup> The name of Working Party 6 changed in 2004 to its current name: “Working Party on Regulatory Cooperation and Standardization Policies”.

<sup>2</sup> The name of the Steering Committee changed in 2014 to its current name: “Steering Committee on Trade Capacity and Standards”.

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

5. Members of the Advisory Group are representatives from ECE member States and other United Nations Member States.

6. The Advisory Group is open to participation by experts from international organizations as well as to representatives of the private sector and non-governmental organizations (NGOs) as observers in their personal capacity.

7. The Advisory Group may establish project teams of experts to prepare projects requiring specific expertise, which are expected to become a part of the general activities of the Advisory Group. The Advisory Group can work with interested Governments and organizations on financing and implementation of such projects.

8. United Nations Member States, international organizations, standards development organizations, NGOs and private sector participants are encouraged to consider gender balance when nominating representatives to participate in the Advisory Group.

9. The ECE secretariat will provide necessary support to the Advisory Group and its project teams within available resources.

**D. Reporting**

10. The Advisory Group works under the guidance of WP.6, in accordance with terms of reference and working practices adopted by WP.6 and reports to it. The Advisory Group works on the understanding that its final reports, proposals or recommendations will be decided by WP.6 as an intergovernmental body.