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## Economic Commission for Europe

Steering Committee on Trade Capacity and Standards

### Working Party on Regulatory Cooperation and Standardization Policies (WP.6)

#### Thirty-first session

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Item 8 (b) of the provisional agenda

#### Programme of work for 2022

## Programme of work of the Working Party on Regulatory Cooperation and Standardization Policies for 2022

Submitted by the Bureau

### *Summary*

This document presents the detailed *Programme of work of the Working Party on Regulatory Cooperation and Standardization Policies* based on the *Trade subprogramme's programme of work for 2022* (ECE/CTCS/2021/7) that was endorsed during the sixth session of the Steering Committee on Trade Capacity and Standards on 21–22 June 2021 and subsequent silence procedure.

This document is presented to the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) for decision.

#### *Proposed decisions:*

“The Working Party adopts the *Programme of work of the Working Party on Regulatory Cooperation and Standardization Policies for 2022*.”

“The Working Party recommends the extension of the mandates of the MARS Group, of the START Team and of the GRM Group and requests the secretariat to seek, as appropriate, the approval of the Steering Committee on Trade Capacity and Standards and of the United Nations Economic Commission for Europe Executive Committee.”



## I. Introduction

1. The programme of work of the Working Part on Regulatory Cooperation and Standardization Policies (WP.6) applies a results-based management approach, a broad management approach which establishes a logical relationship between the hierarchical results (deliverables – results – objectives – impact) known as “results chain”, the resources (human and financial) known as “inputs” and the external factors (strategic, governance, operational, financial) which can prevent the group from achieving its objective.
2. The objective, the strategy, the planned results and the deliverables in the programme of work correspond to those contained in the United Nations Economic Commission for Europe (ECE) *Proposed programme budget for 2022 (A/76/6 (Sect.20))*. The work of the subprogramme is aligned with the Sustainable Development Goals (SDGs).
3. As per its terms of reference, the objective of the Working Party is to: “serve as a forum for the exchange of information on developments and experiences in the areas of technical regulations, standardization, conformity assessment and related activities at the national, regional and international levels”.<sup>1</sup> This work is vested in the Regulatory Cooperation Unit of the Market Access Section of the Economic Cooperation and Trade Division.

## II. Objective and alignment with the Sustainable Development Goals

4. The objective of WP.6 is aligned with SDGs. In attaining its objective, WP.6 builds on cross-sectoral collaboration with other subprogrammes in relevant ECE nexus areas where multiple SDGs converge<sup>2</sup> and on well-established cooperation with external partners. This type of collaboration enables the subprogramme to maximize existing synergies, increase the efficiency of its work and have a multiplying effect on the impact of its actions to support countries to implement SDGs. The Working Party addresses among others the following SDGs:
  - (a) SDG 5 on gender equality, in particular to ensure women’s full and effective participation and equal opportunities especially at decision-making levels of political, economic and public life
  - (b) SDG 8, on decent work and economic growth, in particular to progressively achieve decent work for all
  - (c) SDG 9 on industry, innovation and infrastructure, in particular to develop quality, reliable, sustainable and resilient infrastructure
  - (d) SDG 11 on sustainable cities and communities, in particular to reduce deaths and economic losses linked to disasters
  - (e) SDG 12 on responsible consumption and production, in particular to guide companies to adopt more sustainable practices, to promote sustainable procurement practices, to raise awareness on sustainable development and lifestyles in harmony with nature and to support developing countries to strengthen their scientific and technological capacities
  - (f) SDG 17 on partnerships for the goals, in particular to promote a universal, rules-based, open, non-discriminatory and equitable multilateral trading system, to significantly increase exports of developing countries and to significantly increase the use of information and communication technologies

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<sup>1</sup> Please refer to the Annex of document TRADE/2004/11.

<sup>2</sup> The ECE nexus areas are as follows: 1) Sustainable use of natural resources; 2) Sustainable and smart cities for all ages; 3) Sustainable mobility and smart connectivity; and 4) Measuring and monitoring SDGs.

5. The deliverables of the subprogramme fall into the following main categories: (a) facilitation of the intergovernmental process and expert groups; (b) generation and transfer of knowledge, including technical cooperation projects, training events, seminars, workshops, and publications; (c) other substantive deliverables, and (d) communication deliverables.

### III. Highlights of expected achievements during 2022

#### A. Regulatory cooperation

6. Products placed on markets need to comply with the regulatory requirements in domestic and export markets. Consistent with the requirements of the World Trade Organization (WTO) administered multilateral trading system, technical regulations should be developed with the aim of addressing health, safety and environmental concerns without posing unnecessary barriers to trade. Businesses need to study, understand and comply with such regulatory requirements by implementing standards referenced in national technical regulations.

7. Technical regulations and standardization policies can support a circular economy approach. In this stream of activities, WP.6 has established a portal on “Standards for the SDGs” which maps existing standards that can support member States to achieve a selection of SDGs.

8. In the area of regulatory cooperation, WP.6 plans to conduct the following activities:

- (a) Develop further the “Standards for the SDGs” portal, expanding the mapping to remaining SDGs and seek expert commentaries and case studies for this portal
- (b) Review existing recommendations and guidance material on regulatory cooperation to evaluate if revisions or modifications are necessary

#### B. Market surveillance

9. Market surveillance enables Governments to ensure that products comply with mandatory regulatory requirements. The Advisory Group for Market Surveillance (MARS Group) promotes best practice guidelines that could serve as a reference framework for Governments.

10. Market surveillance can support a circular economy approach by reducing unnecessary waste. Products that do not comply with market access requirements may be seized or destroyed at the border, wasting the composing resources.

11. In the area of market surveillance, WP.6 plans to conduct the following activities:

- (a) Review for possible updates the *Recommendation M on Use of Market Surveillance Infrastructure as a Complementary Means to Protect Consumers and Users against Counterfeit Goods*
- (b) Continue exchanges of experience in the area of market surveillance in order to identify and bring forward best practices in this field while further developing the network of global and regional market surveillance entities
- (c) Enhance cooperation with customs agencies, with an objective to improve controls at the border and application of market access regulations
- (d) Finalize a revision of the *Glossary of Market Surveillance Terms* (ECE/TRADE/389)
- (e) Develop further the *Market Surveillance Model Initiative Guide to the Use of the General Market Surveillance Procedures* covering all phases of market surveillance from planning of inspections to dangerous product recall

### C. Risk management

12. Risk management aims to safeguard against hazards that stem from the quality of products and services – or lack thereof – that have the potential to cause harm or damage the health and safety of consumers and the environment. Standards and technical regulations are – among other things – risk mitigation tools and they should be proportionate to risks they were set out to address. Development and enforcement of regulations require application of the state-of-the-art risk management tools. Taken collectively, regulations make products safe, organizations’ processes stable and consumers better protected from hazards.

13. Implementation of the circular economy approach requires building risk-based regulatory frameworks and efficient enforcement processes. Risk management therefore can support a circular economy approach as it aims to ensure that necessary regulations are in place and that products are compliant with relevant standards and technical regulations. This could include regulations on the durability and life cycle of products, energy and waste management.

14. In the area of risk management, WP.6 plans to conduct the following activities:

- (a) Finalize the guide jointly being developed with the International Trade Centre (ITC) *Facilitating trade for business through integrated risk management: Guide for border regulatory agencies*
- (b) Develop training materials and guidance documents on the implementation of the *Recommendation V on Addressing Product Non-Compliance Risks in International Trade*
- (c) Enhance cooperation with customs agencies, national trade facilitation bodies, international organizations working in the field, with an objective to improve risk management procedures and harmonization, contribute to the risk management activities of other international organizations
- (d) Systematize risk management best practices in the following areas:
  - (i) Application of artificial intelligence-related technologies in regulatory systems
  - (ii) Reviewing safety regulations
- (e) Explore common regulatory objectives on cybersecurity including the development of guidance documents and the organization of international events on the issue

### D. Gender-responsive standardization

15. The lack of gender-responsive standards and awareness of their importance has resulted in unnecessary health and safety risks for women and girls. Many standard-setting bodies operate without a policy for mainstreaming gender in their activities and in the management of their organizations. In 2016, WP.6 launched the Gender-Responsive Standards Initiative (GRSI). This is an important contribution to achieving SDG 5, “Achieve gender equality and empower all women and girls”. This has resulted in the publication in 2018 of the *Recommendation U on Gender-Responsive Standards* and the *Declaration for Gender-Responsive Standards and Standards Development* which has to date seventy-three signatories.

16. In the area of gender-responsive standardization, WP.6 plans to conduct the following activities:

- (a) Enhance the implementation of the *Recommendation U* and encourage national standards bodies and relevant standards developers to sign the *Declaration*
- (b) Conduct surveys of pledge signatories to the *Declaration* to better understand how this is being implemented and if there are any needs for further guidance material

- (c) Develop material on assessing gender responsiveness of existing standards (in addition to ensuring the gender responsivity of standards to be developed), develop relevant training material and deliver training seminars
- (d) Act as a focal point for information sharing, collaboration and developing relevant solutions such as national gender action plans, essentially through three action areas of GRSI:
  - (i) Knowledge sharing and best practices
  - (ii) Gender-responsive standards methodology
  - (iii) Network development
- (e) Further enhance the GRSI web pages with relevant documentation from both the GRSI action areas and external partners

## E. Education

17. Building awareness on standards and the standardization processes is important not only for those within specific industries using standards, but for all those who may potentially be impacted by standards, in other words, anyone who would be involved in commercial trading activities. The START-Ed initiative on Education and Standardization has been established as a platform for cooperation and exchange of experiences on teaching standards, methodological and practical support to teachers.

18. In the area of education, WP.6 plans to conduct the following activities:

- (a) Explore labour market requirements regarding new skills and competences of graduates in relation to standardization
- (b) Enhance cooperation with WP.6 subgroups to develop teaching material which could be used under the START-Ed initiative and under the subgroups

## IV. External factors

19. The Regulatory Cooperation Unit is expected to achieve its objective on the assumption that: (a) there is political will and cooperation among Governments, standards bodies and other key quality infrastructure institutions; (b) there is demand for ECE standards and recommendations; (c) member States provide the necessary information and support; (d) there is active participation by experts in ECE technical meetings; (e) donor support for the work of the subprogramme is adequate, in view of the COVID-19 pandemic; and (f) the freeze on regular budget expenditure affecting parts of the work of the secretariat is lifted.

## V. Deliverables to be implemented in 2022

20. The mandates of WP.6 and its subgroups provide the legislative framework for its deliverables. The table below lists all deliverables, by category and subcategory, for the year 2022 that are expected to contribute to the attainment of the objective of WP.6 stated above. This table is an excerpt from the *Proposed programme budget for 2021* (A/75/6 [Sect. 20], from page 45).

<i>Deliverables</i>	<i>2022</i>
	planned

### Quantified deliverables

#### A. Facilitation of the intergovernmental process and expert bodies

##### Parliamentary documentation (number of documents)

Documentation for the Working Party on Regulatory Cooperation and Standardization Policies

13

<i>Deliverables</i>	<i>2022</i>
	planned
<b>Substantive services for meetings</b> (number of three-hour meetings)	
6. Meetings of Working Party on Regulatory Cooperation and Standardization Policies	5
<b>B. Generation and transfer of knowledge</b>	
<b>Seminars, workshops and training events</b> (number of days)	
13. Workshops for policymakers and experts in low- and middle-income countries in the ECE region on trade procedures, supply chain management, conformity assessment and market surveillance and women entrepreneurship	3
<b>Publications</b> (number of publications)	
Publications on risk-based inspections and disaster and sustainable development	1
<b>Technical materials</b> (number of materials)	
22. Material on trade standards	2
<b>C. Substantive deliverables</b>	
<b>Consultation, advice and advocacy:</b> Advisory services to Government officials and other stakeholders in ECE member States on trade facilitation and electronic business, agricultural quality standards, regulatory cooperation and standardization and regulatory and procedural barriers to trade	
<b>Fact-finding, monitoring missions:</b> Fact-finding missions in ECE member States on trade facilitation and electronic business, agricultural quality standards, regulatory cooperation and standardization and regulatory and procedural barriers to trade	
<b>D. Communication deliverables</b>	
<b>Outreach programmes, special events and information materials:</b> Booklets, fact sheets, information brochures	
<b>External and media relations:</b> Annual set of press releases for the Unit	
<b>Digital platforms and multimedia content:</b> Update and maintenance of the website and databases of the subprogramme as well as of the portal on “Standards for the SDGs”	

## VI. List of planned activities and outputs of WP.6 in 2022

21. Within this broad mandate, the secretariat proposes to undertake the following activities
- (a) To prepare and service the thirty-second annual session of WP.6:
    - thirteen documents
    - three half-day meetings
    - reporting
  - (b) To support the work under the sectoral initiatives
  - (c) To prepare and service the twentieth MARS Group annual meeting:
    - organizing two webinars
    - updating the online database on market surveillance
    - updating the information on global and regional market surveillance networks
    - finalizing the “Market Surveillance Model Initiative”
    - reporting
  - (d) To prepare and service six webinars of the Group of Experts on Risk Management in Regulatory Systems (GRM):

- collaborating through the secretariat with ISO/TC 262 and ISO/TC 292 in developing work on disruption-related and supply chain risks
  - identifying and involving regulators in the group's work: in particular Chief Risk Management Officers
  - finalizing the joint ECE–ITC publication on risk-based inspections and disaster and sustainable development
- (e) To support the activities on education on standards-related issues:
- organizing two webinars
  - continuing the cooperation through the secretariat with the League of European Research Universities and the University of Geneva
- (f) To promote and advocate for the use of standards in the context of the implementation of the 2030 Agenda for Sustainable Development:
- contributing to ECE and United Nations-wide initiatives on SDG implementation and supporting the participation of standards organizations
  - contributing to the work of the ECE nexuses
- (g) To prepare and service up to six webinars of the Gender-Responsive Standards Initiative
- (h) To cooperate with WTO: WP.6 secretariat will participate in the meetings of the WTO Technical Barriers to Trade Agreement as well as the WTO Informal Working Group on Trade and Gender in 2022 and provide updates on its activities in these meetings

## **VII. Additional resources being sought**

22. If additional resources can be secured, the Working Party will
- (a) respond to requests for capacity-building by member States;
  - (b) support the implementation of ECE WP.6 recommendations by member States, as appropriate.

## **VIII. Extension of mandates**

23. The mandates of the MARS Group, of the Ad Hoc Team of Specialists on Standardization and Regulatory Techniques (START Team) and of the GRM Group were renewed in 2019 for a two-year period (document ECE/CTCS/WP.6/2019/5) and have elapsed.

24. The Working Party is therefore called upon to decide on an extension of their respective mandates, for a further two-year period. The mandates are laid out, respectively, in Annex I (MARS Group), in Annex II (START Team) and in Annex III (GRM Group).

## **Annex I**

### **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>3</sup> and the ECE Committee for Trade, Industry and Enterprise Development<sup>4</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 of experts 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.

#### **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.

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<sup>3</sup> The name of Working Party 6 changed in 2004 to its current name: “Working Party on Regulatory Cooperation and Standardization Policies”.

<sup>4</sup> The name of the Steering Committee changed in 2014 to its current name: “Steering Committee on Trade Capacity and Standards”.



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

#### **D. Reporting**

9. The Advisory Group works under the guidance of WP.6 and reports to it. The Advisory Group works on the understanding that its final proposals or recommendations will be decided by WP.6 as an intergovernmental body.

## **Annex II**

### **Terms of reference of the Ad Hoc Team of Specialists on Standardization and Regulatory Techniques (START Team)**

#### **A. Establishment of the Team**

1. The establishment of the Ad Hoc Team of Specialists on Standardization and Regulatory Techniques (START Team) was suggested at the United Nations Economic Commission for Europe (ECE) International workshop on implementation and use of international standards (18 May 1999, Geneva) which was organized in conjunction with the ninth session of the Working Party on Technical Harmonization and Standardization Policies<sup>5</sup> (17–19 May 1999, Geneva). The Working Party supported and approved this proposal. The establishment of the Team was endorsed by the third session of the ECE Committee for Trade, Industry and Enterprise Development<sup>6</sup> (8–10 June 1999).

#### **B. Objectives of the Team**

2. The general task of the Team 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.

3. The specific task of the Team is to examine the possibilities for reducing non-tariff barriers to trade by limiting the content of related regulations to the essential requirements for meeting regulatory objectives and using reference to international standards as the preferred means for setting out detailed requirements, including conformity assessment requirements.

4. The Team works under the guidance of WP.6, in accordance with terms of reference adopted by WP.6 and reports to it. Any reports and recommendations of the Team have preliminary and unofficial character and are subject to endorsement by WP.6.

#### **C. Composition of the Team, its membership and participation in its meetings**

5. The Team is composed of experts with the collective expertise to address the specific task defined for it.

6. The Team is composed of the members of the enlarged Bureau of WP.6 (including coordinators and rapporteurs) and of specialists appointed by ECE member States and invited by the Team.

7. The Team is open to participation by experts from interested United Nations Member States and international organizations as well as to representatives of the private sector as observers in their personal capacity.

8. The Team can establish subgroups of specialists to prepare projects requiring specific expertise, which are expected to become a part of general activities of the Team.

9. The ECE secretariat provides necessary support to the Team and its subgroups within available resources.

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<sup>5</sup> The name of Working Party 6 changed in 2004 to its current name: “Working Party on Regulatory Cooperation and Standardization Policies”.

<sup>6</sup> The name of the Steering Committee changed in 2014 to its current name: “Steering Committee on Trade Capacity and Standards”.

**D. Reporting**

10. The Team reports to WP.6. The Team works on the understanding that its final proposals or recommendations will be decided by WP.6 as an intergovernmental body.

## **Annex III**

### **Terms of reference of the Group of Experts on Risk Management in Regulatory Systems (GRM)**

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

1. At its forty-fifth meeting, the United Nations Economic Commission for Europe (ECE) Executive Committee (EXCOM) decided to establish a Group of Experts on Risk Management in Regulatory Systems (GRM) on the recommendation by the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) and the Committee on Trade,<sup>7</sup> to consider how risk management can contribute to an efficient regulatory framework.

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

2. The Group of Experts aims at an improved management of hazards that have the potential to affect the quality of products and services, and/or cause harm or damage to people, the environment, property and immaterial assets.

3. To achieve this goal, the Group of Experts will

- collect and share information about hazards resulting from use of products and from production processes;
- develop and share best practices on how to address these hazards through regulatory and managerial best practices.

4. The Group of Experts will develop and share best practices – including, if relevant, in the form of recommendations – as regards the use of risk management tools to

- (a) achieve proportionality between technical regulations and the risks they set out to address, including through regulatory impact assessment and best regulatory practices;
- (b) choose among alternative regulatory instruments;
- (c) assess the respective merits of risk-based regulations and deterministic regulations in different contexts and sectors;
- (d) increase effectiveness of the implementation of regulations and standards as regards pre-market activities (certification, registration, conformity assessment) and post-market ones (inspections and market surveillance);
- (e) improve managerial control of processes and operations as a contribution to a consistent and predictable implementation of standards and regulations;
- (f) analyse legal and supply chain requirements on traceability of goods as a means of meeting legitimate security and consumer safety concerns;
- (g) promote measures to build mutual confidence through better access and wider sharing of relevant information among regulatory agencies, at both national and regional levels (data banks on dangerous goods).

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<sup>7</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 Group of Experts, its membership and participation in its meetings**

5. The Group of Experts is open to participation from any individual or organization from all United Nations Member States. Participation from governmental authorities, intergovernmental organizations, business associations and private firms, standards-setting organizations, certification bodies, test houses, international schemes for conformity assessment, civil society and consumer organizations is particularly welcome.

6. The Group of Experts mainly works through teleconferences, webinars, and an interactive website to elaborate recommendations and guidance documents.

**D. Reporting**

7. The Group of Experts reports to WP.6. The Group of Experts works on the understanding that its final proposals or recommendations will be decided by WP.6 as an intergovernmental body.

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