WTO Committee on Technical Barriers to Trade
Workshop on Different Approaches to Conformity Assessment

Geneva, 16-17 March 2006

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Mutual Recognition Agreements and Regulatory Co-operation: Some EU Experiences.

Characteristics of an MRA

- Recognition of results of *compulsory certification* required by a Party where the certificates are issued by conformity assessment bodies (CABs) in the territory of another Party

- Such an MRA *does not of itself* imply harmonisation of technical regulations or standards.

What MRAs are in place?

Country	Entry into force
Australia	1 January 1999
Canada	1 November 1998
Israel	1 May 2000
Japan	1 January 2002
New Zealand	1 January 1999
Switzerland	1 June 2002
United States	1 December 1998
United States (marine equipment)	1 July 2004

Note: PECAs or ACAAs with accession countries were withdrawn on their accession to the EU.

Types of MRA

- Traditional (without alignment of rules or standards) – US, Canada, Australia, NZ, Japan, Switzerland (in part)
- Based on *acquis* pre-accession: PECAs
- Based on *acquis* without foreseeing accession: ACAAs, Switzerland (in part)
- Based on international rules or standards: US marine equipment (based on IMO Conventions); Israel GLP (based on OECD)

What does an MRA do?

Traditional MRA

- Enables certification to the other Party's rules by local CAB rather than by CAB located in other Party (that's all it does)

MRA based on common rules and standards

- Eliminates duplicate testing
- Improves market access for both sides

PECA or ACAA

- Recognises progress towards adoption of *European legislation*

Experiences

Some examples...

- Telecommunications – apparently substantial activity
- Marine Equipment – substantial activity – now mirrored by EFTA
- Canada EMC: will soon be rendered obsolete by move to supplier's declaration by both sides
- Electrical safety: No EU requirements for third party testing – so MRA has no effect on trade into Europe

Experiences

- PECAs and ACAAs - interest from potential partner countries in the European neighbourhood
- Development of dialogue between MRA partners' regulatory authorities.
- MRAs in some sectors have not proved possible to implement – for example, owing to concerns of regulators
- Little or no trade observable under some MRA sectors.
- MRAs are ineffective if they do not cover *all* requirements for a product.

Standards and Conformity: The International Dimension

4-fold Strategy:

- Support to WTO-TBT Agreement
- Bilateral Agreements - Government level
- Regulatory co-operation
- Technical Assistance

Standards and Conformity: The International Dimension

MRAs are second best :

- Greatest savings need harmonisation of:
  - technical requirements
  - conformity assessment procedures
- Harmonisation is difficult
  - EU Internal Market a rare example
- Easier conformity assessment helps market access

Standards and Conformity: The International Dimension

Regulatory Co-operation:

- Compatibility of Approach
- Appropriate Level of Regulation and CA Procedure
- Compatibility of Market Surveillance
- Help tackle counterfeiting and IPR issues

Regulatory Co-operation

Typically:

- Voluntary and “informal”
- Regulators in different countries consult each other
- Bilateral or multilateral
- May result in more formal agreements

Regulatory Co-operation

Context:

- Governance
- Trade Policy
- Competitiveness

Regulatory Co-operation

Examples of Bilateral Co-operation:

- EU - US
- EU - China
- EU - Canada
- EU - Japan

Regulatory Co-operation

Examples of Multilateral Co-operation:

- Medical Devices - GHTF
- UN/ECE
- OECD - GLP
- EuroMed
- ASEM

Conclusions

- Regulatory Co-operation is often productive
- Can help to “converge” regulations and procedures
- But ….. not possible to have dialogues with all potential partners
- Prioritisation necessary

Further information

http://trade-info.cec.eu.int/tbt/index.cfm

http://europa.eu.int/comm/enterprise/international/index_en.htm