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GUIDE

Facilitating transition to European standards in the EaP countries



This guide is developed within the project “Enhancing the role of Civil Society and SMEs from Eastern Partnership Countries in the implementation of European standards” that benefits from the support of the EaP CSF Re-granting Scheme.

ABOUT THE PROJECT

The guide “Facilitating transition to European standards in the EaP countries” was developed within the project “Enhancing the role of Civil Society and SMEs from Eastern Partnership Countries in the implementation of European standards” implemented by Center for Innovation and Policies in Moldova (CIPM), Georgia’s Reforms Associates (GRASS) and Strategic and Security Studies Group in Kyiv, Ukraine.

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GLOSSARY

CAB – Conformity assessment body

CEN – European Committee for Standardization

CENELEC – European Committee for Electrotechnical Standardization

Conflictual standard – the national standard having the same standardization scope and subject as an European standard and with such provisions that compliance with the requirements of this national standard does not ensure compliance with the European standard or vice versa

DCFTA – Deep and Comprehensive Free Trade Agreement

EA MLA – European Accreditation Multilateral Agreement. It is a signed agreement between the European Accreditation Full Members whereby the signatories recognise and accept the equivalence of the accreditation systems operated by the signing members, and also the reliability of the conformity assessment results provided by conformity assessment bodies accredited by the signing members

EaP – Eastern Partnership

EASC – Euro-Asian Council for Standardization, Metrology and Certification

EN – European standard

ETSI – European Telecommunications Standards Institute

GEOSTM – Georgian National Agency for Standards and Metrology

GOST – Interstate standard

Harmonized standard – a European standard developed by a recognized European Standards Organization: CEN, CENELEC, or ETSI. It is created following a request from the European Commission to one of these organizations. Manufacturers, other economic operators, or conformity assessment bodies can use harmonized standards to demonstrate that products, services, or processes comply with relevant EU legislation. The references (lists) of harmonized standards are published in the Official Journal of the European Union (OJEU)

ISM – Institute for Standardization of Moldova

ISO – International Organization for Standardization (or International standard)

NAB – National accreditation body

NMB – National metrology body

NSB – National standardization body

SMEs – Small and medium-sized enterprises

UAS – Ukrainian Agency for Standardization

SMOOTH AND EFFICIENT TRANSITION TO EUROPEAN STANDARDS

RECOMMENDATIONS FOR THE INTERESTED PARTIES

Recommendations for all stakeholders:

I. Small and medium-sized enterprises (SMEs)

II. Regulatory authorities

III. Quality infrastructure bodies

IV. Civil Society & Academia

V. Most common challenges in transition to European standards

VI. Conclusions



INTRODUCTION

The purpose of this Guide is to provide useful recommendations that will facilitate implementation of European standards in Eastern Partnership countries, especially in Moldova, Georgia and Ukraine, and will contribute to implementation of the European integration agenda by these three countries.

The recommendations are based on the analysis of the evolution of the standardization sector in Moldova, Ukraine and Georgia. This Guide is taken into consideration the constraints faced by these countries in the process of implementation of European standards.

Implementation of European standards is carried out by several actors, each with its role in this process. It is important that the efforts of all stakeholders (SMEs, regulatory authorities, quality infrastructure bodies, civil society and academia) are mutually correlated and mutually reinforced. For these reasons, the Guide provides recommendations for each category of stakeholders and is structured so that it is easy to use by each representative of them. At the same time, the Guide provides additional recommendations specific to the agro-food, construction and energy efficiency sectors.

Recommendations for all stakeholders

▶ To actively participate in standardization works through technical committees for standardization

Technical committees are the most prevalent work platform in the field of standardization. Participation in the activities of technical committees ensure participation in development of the standards with the possibility to influence this process, the knowledge of the draft of standards before their publication, including the latest knowledge and the most innovative solutions, initiating of implementation of standards before their publication, knowledge of GOSTs which will be replaced by European standards and the period of applicability of GOSTs, date of withdrawal, date of entrance into force of European standards which replace the GOSTs, knowledge of the period of applicability of both (withdrawn and new standards), if such a period has been established.



▶ To actively participate in standardization works through participation in conferences, workshops, round tables, meetings and other events in standardization field

Collaboration between all stakeholders may be established in different ways. The most common way is signing of collaboration agreements and periodical plans of actions regarding the themes of the planned events, the implementation period and the target groups. Also, the stakeholders can identify by themselves the events which are interesting for them and to contact the organizers for participation

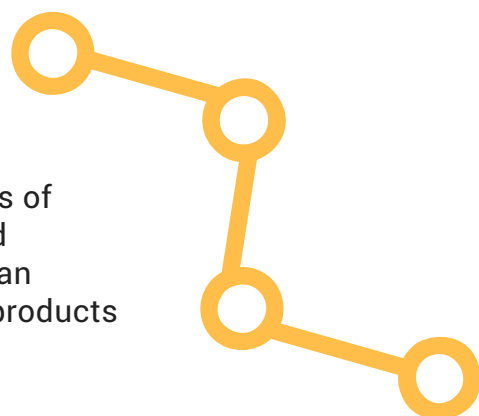


▶ To self-inform on a regular basis about European standards adopted at national level or planned to be adopted at national level

Self-informing is possible to achieve when stakeholders already have an interest in standardization. It is recommended to communicate to the stakeholders about self-informing opportunities and what are the means of information

I. Small and medium-sized enterprises (SMEs)

Small and medium-sized enterprises (SMEs) represent 99% of all businesses in the EU. SMEs represent the biggest part of the users of standards. In the same time, SMEs are one of the most challenged stakeholders in transition from GOSTs to European standards, as an opportunity to expand the market, to increase the quality of their products and services, to improve satisfaction of consumers.



RECOMMENDATIONS

- ▶ **To monitor the process of adoption of European standards as national standards**

SMEs should continuously monitor the process of adoption of European standards in order to know the evolution of standardization in their field of activity. This will allow SMEs to effectively plan their work on transition to the requirements of the new European standards. Information regarding the European standards planned for adoption is public and can be found on the official NSBs web-pages.



- ▶ **To be aware of the fact that implementation of European standards offers a number of competitive advantages to the products and services produced and offered by SMEs**

Successful implementation by SMEs of European standards depends largely on their awareness of the benefits they offer: opening new markets, increasing the quality of products and services, reducing manufacturing costs etc. In this way, SMEs should work on self-inspiring and look at the process of transition to European standards as a positive one.

► **To participate actively in the process of identifying and withdrawing of GOST standards conflictual with European standards**

Because SMEs have deep and practical knowledge of the real situation on the market, they have to actively engage in the process of identifying and withdrawal of conflictual GOST standards. SMEs expertise and experience is very important and useful for NSBs in the process of identifying of conflicting GOST standards with European standards. At the same time, SMEs knowledge of the "on-the-ground" situation (technical endowment, employee competence, availability of human and financial resources etc.) will be useful for regulatory authorities to set the optimal transition period from GOST standards to European standards.



► **To make reasonable efforts in implementing the European standards in as short as possible period**

SMEs should be aware that they operate in a competitive environment. Implementation of European standards provides SMEs with a number of competitive advantages and, therefore, SMEs which first of all will implement European standards will have the dominant position in the market segment in which they operate. That is why SMEs need to make efforts (to train the staff, to re-engineer the production processes etc.) in order to implement the European standards in their activity as soon as possible.



II. Regulatory authorities

The regulatory authorities do not use directly standards, but they make references (direct or indirect) to them in regulations and, thus, regulatory authorities represent the most important decision maker in the process of transition from GOSTs to new European standards. Regulatory authorities should determine when and how the transition from GOSTs to the European standards will take place.

RECOMMENDATIONS

- ▶ **To communicate with industry about its plans to transpose European legislation**

European standards, especially European harmonized standards, are closely linked to relevant European legislation (Directives and Regulations). That is why for SMEs it is important to know when and how respective European legislation will be transposed into national and when the relevant European standards will be adopted in order to support implementation of this legislation. Thus, regulatory authorities should implement policies and procedures that would ensure predictability and transparency of the process of transposing European legislation into national legislation.



- ▶ **To establish in the developed technical regulations, which transpose European legislation, clear provisions about transition mechanism and period**

When regulatory authorities develop technical regulations which transpose European legislation, it is crucial to be established a transition period from old system of technical requirements and conformity assessment procedures (based on GOST standards) to the new system of technical requirements and conformity assessment procedures (based on European standards). It is necessary that technical regulations to enter into force on the date of their publication in order to enable manufacturers which are ready to implement European standards to apply them immediately and for manufacturers which still need time to comply with the new requirements and rules to establish the transition period. In this case, during the transition period, could be applied two systems of technical requirements and conformity assessment procedures – the old one, based on GOST, and the new one, based on EN standards.

- ▶ **To collaborate with NSB and to correlate the process of transposition of European legislation with the process of adoption of European standards**

Once regulatory authority started to develop a technical regulation which will transpose relevant European legislation supported by harmonized European standards, regulatory authority should ensure that adoption of these standards is also planned and is correlated with the timeframe for development of regulation. Because the number of normative acts planned to be developed by regulatory authorities is big, it is difficult for the NSB to monitor all of them and therefore the regulatory authorities should take the initiative to correlate these two processes.



- ▶ **To ensure effective enforcement of the technical regulations which transpose European legislation**

In many cases implementation of European standards (especially of harmonized standards) depends on how the regulatory authorities assure enforcement of legislation with which these standards are linked. It is important to understand that legislation and the standards work together. Enforcement of legislation will facilitate implementation of European standards.



- ▶ **To be aware that facilitation of implementation of European standards is primarily the task of the regulatory authority, not the task of the NSB**

The regulatory authority has to take the leading role in the process of facilitation of implementation of European standards because it has the necessary levers (market surveillance procedures, different permissive acts etc.) of influence to facilitate it, and NSB doesn't have.



- ▶ **To establish clear and effective mechanisms, by adjusting the legal framework, on the recognition of the European conformity assessment documents across the country**

In order to remove technical and administrative barriers in trade and to put into application European standards, regulatory authority should develop clear mechanisms and procedures for recognition of the European conformity assessment documents across the country. Existence of such a mechanism and procedures will facilitate implementation of European standards, especially by conformity assessment bodies (CABs), which will need to be accredited for the areas which are covered by respective European standards.

III. Quality infrastructure bodies

National Standards Bodies
(NSBs)

Conformity Assessment Bodies
(CABs)

National Accreditation
Bodies (NABs)

National Metrology Bodies
(NMBs)

In the quality infrastructure system, the national standardization bodies are the entities which provide the stakeholders with standards they need. The national standardization bodies are not direct users of standards, like the national accreditation and conformity assessment bodies or the consumers are. The national accreditation and conformity assessment bodies are the entities which provide that the processes, methods, products, services and systems comply with the standards declared by a certain actor.

COMMON RECOMMENDATIONS

- ▶ To closely collaborate and to coordinate activities, especially regarding the adoption of European standards and withdrawing of conflictual GOST standards



- ▶ To develop and run large-scale information campaigns on the benefits of implementation of European standards (including with the participation of regulation authorities)

RECOMMENDATIONS FOR NSBs

- ▶ To implement policies and procedures that would ensure the predictability and transparency of the process of adoption of European standards

For example: by publishing annually the list of European standards planned to be adopted as national standards and by publishing the regular (weekly or monthly) publication of the list of European standards adopted as national.



- ▶ To implement policies and procedures that would ensure the predictability and transparency of withdrawal of conflictual GOST standards with European standards by creating stakeholders consultation mechanisms on standards withdrawal

NSBs should consult stakeholders through permanent technical committees, if they exist, or through ad-hoc (project) technical committees, created for this purpose. If there is no possibility for creating technical standardization committees (for example, the industry is not developed in the country), it is recommended to create an advisory council from NSBs staff with extensive experience in standardization field that will examine the lists of GOST standards proposed for withdrawal and will recommend to NSBs management the adoption of decision regarding the withdrawal of these standards. In any case, the lists of GOST standards proposed to be withdrawn (even if it was examined by the technical committees or the advisory council) must be subject to public consultation for a reasonable time (at least 30 days) to ensure that stakeholders were adequately informed about the GOST's withdrawal. After the public consultations have been completed, and the proposals received taken into account (for example: regarding the exclusion of GOST standards from the list, with appropriate arguments), the standards are usually withdrawn within 2-3 months from the date of the signature of the withdrawal document. The cancellation announcement must contain information about the status of the withdrawn standards and the conditions under which they may continue to be used even after withdrawal.

- ▶ To implement procedures regarding the methodology for identifying conflicting GOST standards with European standards

First of all, the NSBs must ensure withdrawal of conflictual standards in the regulated areas where there is national legislation transposing European legislation and the lists of harmonized European standards that support the legislation. Because it is often difficult to univocally identify the conflictuality of GOST standards with European standards, it is recommended to identify conflicting groups of standards (the "many to many" principle).



- ▶ To introduce legal provisions or at least to specify in the standardization rules that the withdrawn standards may be applied and the conditions for their application



- ▶ To ensure accessibility of European standards, including in the official language of the EaP country. In particular, consideration should be given to the accessibility of European standards for SMEs. For that may be applied discount schemes, on-line access to standards etc.

RECOMMENDATIONS FOR NABs

▶ To adjust the accreditation rules and policies by introducing the possibility for accredited bodies to apply the withdrawn standards, specifying the concrete conditions for applying these standards



▶ To facilitate application of European standards by conformity assessment bodies which request the accreditation by providing appropriate recommendations (for example: by recommending replacing a GOST with an appropriate European standard)



▶ To develop and to carry information campaigns to facilitate application of European standards by conformity assessment bodies, especially when NABs become the signatory of the EA MLA



▶ To establish clear rules on accreditation procedures and policies when GOST standards can be included in accreditation fields by conformity assessment bodies

When these standards refer to the products regulated by national legislation harmonized with European legislation (for example: food field) without harmonized European standards, or when there is national legislation harmonized with European legislation, as well as lists of harmonized European standards published at national level supporting this legislation (for example: in the industrial fields), the NABs should establish clear rules on how to use withdrawn GOST standards.

RECOMMENDATIONS FOR CABs

- ▶ To make reasonable efforts to implement European standards in as short as possible period



- ▶ To be aware of their important role in implementation of European standards

Often manufacturers which produce goods according to European standards can't demonstrate compliance of their products with European standards due to the lack of competent CABs accredited according to European standards.



- ▶ To cooperate, including through association or collaboration agreements, regarding the sharing testing equipment to ensure coverage of the entire range of tests required by European standards

RECOMMENDATIONS FOR NMBs

- ▶ To develop capacities for calibration of equipment used by CABs in accordance with European standards

Often, CABs have possibility to implement the new test methods, but there is no equipment calibration capacity at national level (of NMBs), which affects the process of implementation of European standards (especially test methods standards) and generates additional costs for CABs, which reflects on the cost of conformity assessment services.

IV. Civil Society & Academia

Civil society is not directly involved in standardization activity and is not directly applying the standards, but it's an important factor that influences public opinion about it and about the necessity of implementation of European standards. Also, civil society has the role of watch dogs in the standardization process, by monitoring and evaluating how the institutions in charge of this process are carrying on the reforms.

Academia is involved in standardization activity by participating in technical committees works and by teaching students to subject that are associated with standardization.

RECOMMENDATIONS

- ▶ To adjust curricula to European standards and practices
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- ▶ To facilitate involvement of students in standardization activity by offering assistance in developing course works by representatives of quality infrastructure system, by carrying out the practice in NSBs, NABs, other elements of quality infrastructure system
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- ▶ To establish collaboration with NSBs in order to improve the didactic knowledge in the standardization field
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- ▶ To introduce a chapter in the master research thesis as far as this is possible, regarding the European standards used in the elaboration of the thesis

V. Most common challenges in transition to European standards



AGRO-FOOD SECTOR

As the agro-food sector is regulated by European legislation and European standards only refer to product testing methods, it is necessary to focus on the withdrawing of GOST standards that set quality requirements for products and ensure implementation of legislation in this field.

Experience of the Republic of Moldova also demonstrates that in many cases GOST standards are used by manufacturers only to determine the terms of validity of products (which was previously prescribed in exact terms in GOST standards) and to use these standards as the equivalent of the technological instructions that are mandatory according to legislation.

Considering the above mentioned, at the national level, recommendations should be made to determine the terms of validity of agro-food products, depending on the product category. According to international practice, determination of the terms of validity is the responsibility of the manufacturer and depends on many factors: the product category, the type of packaging, the treatment of the product etc. Establishment of exact terms of validity in the standards (as it was previously in the GOST standards) is not acceptable.

Also, at the national level, there is a need to develop capacities to elaborate technological instructions for different categories of products. The state could ensure that the technology-type instructions are developed for some categories of products. As technological process is a commercial secret, at the national level should be developed consultancy services for elaboration of technological instructions. In this sense, involvement of the academic environment (research institutions) is necessary and beneficial.

CONSTRUCTION SECTOR

Traditionally construction sector is regulated by several categories of normative documents (norms, codes of good practices, standards etc.). Effective implementation of European standards in the sector must be supported by reasonable efforts of the regulatory authorities to adjust normative documents in construction with European standards. It is crucial that this process should be systematic, well-designed and planned. It is advisable to have at national level a program/plan for harmonization of national normative documents in construction with European standards. This program/plan should address the following main issues:

- ▶ Harmonization of national legislation in the field of construction with European legislation
- ▶ Harmonization of national normative documents in the field of construction with European standards (Euro codes)
- ▶ Strengthening the institutional framework in the field of technical regulation of construction
- ▶ Developing conformity assessment infrastructure in the field of construction
- ▶ Strengthening the capacities of human resources in the field of technical regulation of construction
- ▶ Increasing information and transparency in the field of technical regulation of construction

In the same time, it is necessary to keep in mind that construction products are specific - they are not intended for final use and are to be incorporated in construction works (for example: the brick is not used as such and is intended for building walls). For this reason, implementation of harmonized European standards for construction products will not succeed without harmonization of the national construction norms with European standards.

ENERGY EFFICIENCY SECTOR

Since most energy-consuming appliances (household appliances, computer equipment etc.) are imported, at national level there must be assured:

- ▶ Transposition of European energy efficiency legislation for energy-using appliances
- ▶ Establishment of the mechanism and procedures for the recognition of the results of the energy efficiency assessment of appliances carried out in compliance with European legislation and standards
- ▶ Existence of testing laboratories in the energy efficiency field of energy-consuming appliances, equipped according to European standards
- ▶ Existence of the calibration capacities and competences of the measuring equipment used in the process of energy efficiency assessment
- ▶ Enhancing the market surveillance for energy-related products (energy-using appliances)
- ▶ Conduct campaigns to promote energy efficiency of energy-consuming appliances

CONCLUSIONS


Implementation of European standards and transition to the European system of technical regulation and standardization requires a complex approach. The effective transition to the new European standards can only take place when this process is well designed, is carried out in collaboration with all stakeholders and taking into account the real situation in the sector.

It's important to be aware that the recommendations listed in this Guide will bring to the desired results only through consistent collaboration between all stakeholders, as each of them plays an important role in the quality infrastructure system and has a significant contribution to the transition from GOSTs to European standards.

Some of the recommendations from present Guide are valid not only for just one of stakeholders but can easily be implemented by other stakeholders, such as organizing and running large-scale information campaigns, especially on the benefits of implementing European standards, can also be done by or with the participation of regulatory authorities and civil society.

Informing stakeholders about standards and standardization activity during the transition period from GOSTs to European standards as well as after completion of this period is another recommendation which can be implemented by a large part of stakeholders. For example, not only SMEs should be informed about standards and standardization activity, but also regulatory authorities, national accreditation and conformity assessment bodies, civil society, academia. In the process of informing the stakeholders about standards and standardization activity, the national standardization bodies should be assisted and encouraged first of all by the regulatory authorities and after by all other stakeholders.

In conclusion, the transition process from GOSTs to European standards is a complex process that requires a lot of involvement and awareness. Therefore extensive involvement in this process of all the stakeholders is a must and can ensure better results and a softer transition process.



The project benefits from the support through the EaP CSF Re-granting Scheme. Within its Re-granting Scheme, the Eastern Partnership Civil Society Forum (EaP CSF) supports projects of the EaP CSF members with a regional dimension that contribute to achieving the mission and objectives of the Forum. The donors of the Re-granting Scheme are the European Union and National Endowment for Democracy. The overall amount for the 2017 call for proposals is 290.000 EUR. Grants are available for CSOs from the Eastern Partnership and EU countries. Key areas of support are democracy and human rights, economic integration, environment and energy, contacts between people, social and labour policies.

