

EXECUTIVE SUMMARY

3rd Meeting of the CEFTA Working Group on TBT

19 April 2011, Belgrade

The third Working Group meeting on TBT was held in Belgrade on 19 April 2011 under the chairmanship of Bosnia and Herzegovina. All the members of the WG except Moldova were present. The representatives from the IPA Quality Infrastructure Project were invited as guests at the meeting.

The purpose of this meeting was to discuss and make proposals on developing a systematic approach towards eliminating unnecessary TBT by proposing adequate solutions for the existing issues to the Subcommittee on NTBs and TBT at its next meeting scheduled for 2 and 3 June 2011 in Sarajevo.

MAIN POINTS OF THE THIRD MEETING

Reduction of pre-market control, moving of control to the market/transposition of the essence of the Regulation 765. The Chair addressed the issue of pre-market control which is widely presented across the region and the problems that follow the moving of control to the market, one of these being the lack or poor training of the customs officials. The Chair explained that the region was not isolated and that many EU countries still faced difficulties when performing control at the border. In conclusion, the Parties agreed that there was undoubtedly a need for a change of the old system and suggested starting with the reduction of pre market control. Moreover, it was widely recognised that customs officials had to receive the necessary training and well prepared guidelines for specific products. In order to speed up the process, the Parties agreed to come up with a deadline at the forthcoming Subcommittee meeting in June 2011 by when they would be ready to complete the transposition of Directive 765. The necessity and the means of introduction of the electronic system at the border should also be part of the same agenda at this meeting, having in mind that this system could significantly add to the efficiency of the process.

Safety control instead of quality control in the “quality infrastructure” regulations (*documents*). The Chair raised the question of using the term of quality instead of safety control in the quality infrastructure regulations (*documents*) having in mind that this could create problem at the border and eventually lead to potential NTB. This is a very frequent case in BiH. Serbia reported that they use the term “safety control” in their legislation, but in principle quality control can be seen as a precondition for safety control. Some parties (Croatia, Albania) said that quality control was under the responsibility of consumer protection and that they did not encounter any problems in this respect at the border. Those parties that still do not have this in their documents agreed that they should introduce the term of “safety” instead of “quality” control.

Collaboration between national accreditation bodies. Mr. Norris from the IPA Quality Infrastructure project made a presentation on the existing potential for improving collaboration among the accreditation bodies of the region. The main means for collaboration are meetings organised by EA, in which all NABs participate to a greater or lesser extent. In June 2010, the IPA project organised a hands-on training course in Brussels. As a result, the CC decided to ask the IPA project to focus on the issue of lack of confidence in the work of assessors from neighbouring countries and therefore lack of recognition of certificates issued by CABs accredited by NABs from these countries. The IPA project therefore arranged for the heads of the NABs of the region to meet in Budapest in February 2011 and the following month in Istanbul. Together, it is expected that this will lead to greater confidence amongst the region's NABs and that consequently they will be more likely to accept as equivalent certificates issued by CABs in neighbouring countries. The Chair and the Parties supported all the activities undertaken by the IPA Quality Infrastructure project in this area.

Preconditions for the recognition of conformity assessment documents between the CEFTA Parties. The Chair addressed the issue of recognition of conformity assessment documents among the CEFTA Parties as a useful tool in reducing non tariff barriers across the region. He presented several proposals for discussion and consideration depending on whether the accredited laboratories signed the MLA with EA or not. First, the testing of the products to be exported should be done in accordance with the regulations and standards of the importing country. Second, only the report from the accredited laboratory should be recognised. Third, the only mean to recognise the competency of an accreditation system in one country is signing the MLA with EA, for the specific area (testing laboratories, calibration laboratories, inspection bodies, etc). If the laboratory test has been done by the accredited laboratories and the accreditation body of that country signs the MLA with EA for testing laboratories, and the testings have been done in accordance with the regulations and standards of the importing country, this report should be automatically recognised by all CEFTA Parties. If there is no signed MLA for the accreditation system of for example two Parties, which is the most frequent case, the proposal is to have a meeting of accreditation bodies to try to reach the conclusion that their system of accreditation is of the same value and in accordance with that of the EU model. Even if there is no agreement between the accreditation bodies, there is a possibility for one country to propose its own laboratory for the recognition of its tests. That laboratory should pass the examination from the importing country by the relevant institutions from the importing country. Regarding the third proposal, the Parties are also expected to state their positions at the Subcommittee meeting in June 2011.

Identification of priority sectors for NTB elimination as a first step to the implementation of the Multilateral Monitoring Instrument. On behalf of the BiH Chair of the Subcommittee on NTBs, Ms. Rakovic of the CEFTA Secretariat presented the Action Plan for 2011 on Elimination of NTBs. The Action Plan envisages that the CEFTA Parties select the priorities sectors where the identified NTBs will be reduced and eliminated in the next period. This decision on prioritisation is to be taken at the next CEFTA Subcommittee on NTBs and TBT to be held in Sarajevo, on 2-3 June 2011. The next steps will include the self assessment and independent assessment of the Multilateral Monitoring Framework, the first presentation of results at the Roundtable in Budapest in October and reporting to the Joint Committee in November this year. This process requires active involvement of all CEFTA Parties in the areas where the barriers were identified such as: SPS, TBT and administrative barriers. Some of the Parties expressed

their wish to expand the list of the 12 selected sectors, although their responsible officials already confirmed them within the deadline. The final positions and proposals should be sent to the Chair of the Subcommittee in the shortest possible time.

Cooperation with the IPA Project on Quality Infrastructure. Mr. Norris reported on a close cooperation with the CEFTA structures, in particular with the Secretariat and the Working Group on TBT. He informed the participants that the financing of the new project has just been approved by the European Commission, with the envisaged duration of 2.5 years. It is mainly financed by the EC (2.5 mil EUR) and EFTA. The emphasis of the Project's activities in future will be the follow up of the components from the previous years, but it also will address key topics in the field of accreditation and market surveillance in the region.