



OECD WORKSHOP AND POLICY DIALOGUE ON TECHNICAL BARRIERS TO TRADE:

Promoting Good Practices in Support of Open Markets
Paris, 5-6 October 2009

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Objectives and scope

Building on recent and past analytical work, discussions and workshops in the field of technical barriers to trade, the OECD Trade Committee organized a workshop on 5-6 October 2009 in Paris on “Technical Barriers to Trade: Promoting Good Practices in Support of Open Markets”. This event followed up a 2005 workshop conducted in Berlin on “Standards and Conformity Assessment in Trade: Minimising Barriers and Maximising Benefits”. As such, this workshop aimed to provide a platform for policymakers, experts and practitioners from developing and developed countries to share their experiences and exchange views on effective TBT policy orientations from an open market perspective.

The workshop aimed to strengthen understanding and encourage dialogue under three headings:

- ***Minimising trade restrictiveness of technical regulations:*** Particular focus was given to approaches such as harmonisation, SDOC, MRAs and MLAs in the context of conformity assessment, paying attention to empirical evidence of the effectiveness of these approaches. Among other things, consideration was given to issues of regulatory capacity and infrastructure in developing countries.
- ***Gauging challenges facing standardisation in both regulated and non-regulated areas:*** The focus here was on two topics: the role of standards in advancing the climate change policy agenda, and the growth of private standards and their consequences for international trade.
- ***Reviewing the effectiveness of current efforts to extend the use of good regulatory practice in the TBT field:*** Attention was particularly paid to the role that regional trade agreements are increasingly playing in this area, thus following up on the discussion of this topic in Berlin in 2005.

The workshop was attended by some 90 participants from the trade policy community, national regulatory agencies and standards organisations, from both OECD and non-OECD countries. International organisations were also represented. **A list of participants is provided in the Annex.** The event was organized by the Trade and Agriculture Directorate of OECD, with special financial support by the governments of the Netherlands and Switzerland and the Standards Council of Canada Advisory Committee on Developing Countries.

Setting the stage

The workshop was opened by Raed Safadi, Deputy Director of the OECD Trade and Agriculture Directorate. Mr. Safadi noted the timeliness of the workshop's discussions, coming in the midst of an economic crisis that gave rise to serious concerns about protectionism and at a time of great interest in strengthening regulation for purposes of environmental objectives. In his comments, he traced the evolution of thinking that recognized the international implications of domestic regulation and the strengthening of international disciplines in this area particularly in the Uruguay Round. The Uruguay Round had extended the scope of global agreement on TBT issues to cover process-related product requirements for the first time, the earlier GATT agreements having been limited to products themselves. While regulatory objectives around the world continue to diverge, the globalisation of the world economy has brought pressure for more effective international cooperation, and the present workshop should be seen squarely in this perspective. He emphasized the importance of addressing not only policy goals, but also the means of achieving those goals.

In his keynote address, Ami Levin, Chair of the WTO TBT Committee, explained the approach taken by the WTO to technical regulations and standards and in particular the role and ongoing work of the TBT Committee as a forum for monitoring and multilateral review of TBT-related non-tariff measures, and in particular its ongoing work on notifications and specific trade concerns. He pointed out that there had been a notable increase in notifications to the TBT Committee since 2005, a majority of which have recently been coming from developing countries (which in many cases did not report earlier). About half of the measures notified in 2008 had as their objective the protection of human health and safety. Acknowledging that the TBT Committee itself was unsure whether this increase reflected a real increase in national technical regulations or simply an improvement in reporting, he said that the TBT Committee's discussions of specific trade concerns mainly aimed at providing additional information on the measures identified or considering whether they represented an unnecessary trade barrier. Once again, the measures raised were largely intended to protect human health or safety. In concluding, Mr. Levin reminded workshop participants that TBT issues were also included in the Doha Round in the context of NTM negotiations under NAMA and that some of the texts under consideration did address such issues.

Organisation of the workshop

The workshop was organized in three sessions, each devoted to one of the three objectives laid out above. The first two sessions provided an initial opportunity for plenary discussions, followed in each case by two breakout group discussions. The third session was composed of two panel discussions. Thematically the workshop was thus organized as follows:

- I. Tools for creating leaner yet effective conformity assessment systems
 - A. Tested once/ accepted everywhere: experience with improving the efficiency of CA;
 - B. Cross-border collaboration and market surveillance.
- II. Role of standards in addressing climate change and green growth
 - A. Controlling CO2 emissions from automobiles;
 - B. Private standards and trade: environmental issues and certification.
- III. Best practices that promote effective and trade-friendly TBT regimes
 - A. National experiences promoting trade-friendly approaches to standards and conformity assessment;
 - B. Are regional trade agreements breaking down TBT?
- IV. Wrapping-up and future directions

To encourage frank and open discussion, the workshop was conducted under the Chatham House rule. Accordingly, the following report on the discussions is intended to be analytical in nature and, aside from

the introductory and concluding statements, it does not refer to specific speakers or participants in the discussions.

I. Tools for creating leaner yet effective conformity assessment systems

For the purpose of shaping future policies, participants recognized the importance of understanding the trade impact of the various approaches adopted to establish effective but simplified conformity assessment. Ongoing OECD work has been examining empirical results of some approaches to conformity assessment and two of the background papers prepared for the workshop reviewed evidence and literature measuring the trade effects of different approaches. The studies indicate that trade benefits can be achieved particularly for new exporters and developing countries by relaxing mandatory requirements for third-party conformity assessment without jeopardizing the public interest. Nevertheless, the situation is complex and the lack of transparency in requirements and practices makes it difficult to draw clear policy conclusions. Increased use of methods to simplify conformity assessment appears as a response to a variety of motivations, including global scares arising with respect to certain products (e.g. toy safety) and the desire to ensure that the public interest is met.

While the focus in the workshop was on how to ensure that conformity assessment does not represent an unnecessary trade barrier, it was recognized that this issue needs to be addressed alongside the problem of divergent standards among nations and regions, where harmonisation and the adoption of international standards needs crucially to be addressed. To the extent that progress can be made in standards harmonisation, it should help overcome problems posed by conformity assessment. Moreover harmonisation and improved transparency in standards and technical requirements will notably contribute to the export potential of new traders and developing countries.

I. A. Tested once/ accepted everywhere: Experience with improving the efficiency of conformity assessment

Against the background of past discussions and in the lead-up to the next Triennial Review, the workshop considered a number of pieces of recent evidence which contributed to ideas about how to move forward to achieving the requirement in the TBT Agreement to use the least restrictive conformity assessment processes in technical regulation:

- OECD research that examined the specific case of SDoC (the least onerous method of demonstrating compliance), showing that it could produce quantifiable trade benefits without harming the public interest... but with the proviso that the policy implications need to be treated with great care;
- Continued progress in ISO CASCO, which has developed and improved its base of internationally recognised conformity assessment standards considerably in this decade;
- The EU's update of its New Approach, with the recommendation that it may offer a globally valid toolbox from which the right module can be selected, to achieve the optimum balance between protection of the public interest and minimum trade restrictiveness; and
- Emerging but still limited evidence of the acceptance of the voluntary accreditation processes of ILAC and IAF. Identifiable cases were revealed of acceptance and rejection of those mechanisms by regulators as proof of the competence of conformity assessment bodies.

Concerning the **work of ISO/ CASCO, an explanation was given of the efforts to create a toolbox of standards for conformity assessment systems and bodies**, including requirements for accreditation of the latter. While these standards are accepted internationally to a significant degree, it was pointed out that there remains a lack of international standards for conformity assessment schemes relating to most specific

products and procedures. Moreover, although many certification schemes are “open” and use the CASCO toolbox and accept accreditation or peer assessment, others are “closed” and are based on privately established requirements with high entrance fees. (The issue of private standards and schemes was the focus of a discussion later in the workshop.)

Concerning the EU’s work, it was noted that the EU has been a major factor in the harmonisation of standards and conformity assessment procedures. It has developed a “menu of modules” for CA, building on its New Approach to technical harmonisation. This permits a choice of procedures depending on the level of risk involved and the level of safety desired. Often when the risk is considered low and harmonised standards exist, the manufacturer is allowed to declare and ensure that a product satisfies EU requirements. For example, this is the case with low voltage electrical products and toys where harmonised standards cover all safety aspects. This approach is considered to work well (complemented by intensified surveillance for products of concern).

An approach used to facilitate acceptance of foreign conformity assessment has been **mutual recognition agreements (MRAs)**. While such agreements may provide for mutual acceptance of conformity assessment results (certificates), the implementation of these provisions is often difficult in practice due to the problem of designating and monitoring CABs in the exporting country (the example of Japan under its RTAS was cited) and possibly inadequate infrastructure there (the case of exporting fish from West Africa to the EU was cited).

A way to overcome this difficulty and achieve recognition of assessment increasingly comes through **accreditation of CABs** by signatories to multilateral agreements (e.g. under MLAs such as ILAC and IAF). ILAC’s main task is to gain acceptance of CA results from CABs accredited by MLA signatory accreditation bodies in markets (by regulators and others), among other things by facilitating harmonisation of accreditation processes – this is a real, concrete result.

In pursuing these ideas, reference was made to numerous **examples of success** in acceptance of assessments performed by accredited CABs, including in:

- the US, where the Federal Drug Administration, the Consumer Product Safety Commission (CPSC) and the Federal Highway Administration now all accept the results of certain foreign testing;
- the EU where, based on the New Approach to technical harmonisation, recent developments include requirements for accreditation and market surveillance. Accreditation has become the preferred route for assessment of the technical competence of CABs, providing confidence in the CA system; and
- certain international organisations (e.g. the World Anti-Doping Agency -- WADA), and certain large corporations.

Discussion in the workshop enabled identification of several important factors that can underpin **confidence** in CA systems and acceptance of certification:

- **Peer evaluation**, which provides an opportunity for cross-border collaboration to improve processes and practices in light of a broader range of experiences;
- The **reputation** of certifiers, even though this can be hard to establish and easy to destabilise. ILAC helps build and maintain reputations by setting and maintaining rigorous standards;
- **Market surveillance** (see next section below), which must be effective but not unduly cumbersome, taking account of the level of risk and the degree of safety sought. Under SDoC, surveillance is typically buttressed by manufacturer liability.

However in practice many problems still exist in the use of conformity assessment. For example,

- MLAs are voluntary and signatories do not have to accept reports or certificates;
- Many governments do not accept foreign CA results, even when by accredited CABs;
- Some private schemes involve private assessment of CABs (although sometimes they are linked to international CA systems);
- It may be easy to cheat about conformity assessment and difficult to detect (some consider this the biggest problem);
- Procedures may not effectively expand trade when developing countries or others have serious shortcomings with their infrastructure.

Concerning the latter issue, it was recognized that **developing countries** frequently face challenges in the development of national or regional quality **infrastructure**. Building infrastructure capacity in developing countries can noticeably contribute to international recognition of CA results. This provides more flexibility to developing country producers by focusing on the ‘supply side’ rather than stressing the demand side (i.e. acceptance of foreign CA results). Donor country support for quality infrastructure development has been an important theme in Aid for Trade. In addition, through regional cooperation developing countries may overcome technical and cost difficulties. While international standards for infrastructure exist (e.g. ISO17011 for accreditation bodies), some speakers emphasised that developing countries might not be able to meet all aspects of the requirements as they to ‘learn to fly’. Regional cooperation contributed to the development of three Pan African institutes and the development by SADC of a regional accreditation body, the first such body operating under ILAC. In Central America there are several nationally accredited bodies that cooperate in a loose framework. These approaches rely on regional capacity building and are less costly than having national accreditation bodies. However regional or bilateral approaches may favour stronger economies to the detriment of weaker developing countries.

Workshop participants repeatedly stressed that the use of international standards by importing countries is vitally important to developing countries. Such standards are more transparent and avoid conflicting requirements of multiple national/private standards.

I. B. Cross-border collaboration and market surveillance

Market surveillance is necessary but is also the “dark side” of conformity assessment. To the extent that non-conformity is a problem, market surveillance comes into play.

Stakeholders have an interest in ensuring conformity, e.g. to achieve the objectives of health and safety. Surveillance is sometimes required by accreditation bodies or by the owners of a private scheme. To be effective, MS requires collective collaboration, at national and international levels. It involves many players, each having a specific role – producers, consumers, government. Cooperation between market surveillance officials and stakeholders is crucial to the lowering of obstacles to trade and to create a level playing field. **No single player can play the role of market surveillance alone.** Yet the lack of any international standard or guide in this area (as well as the lack of international or harmonized standards) can lead to confusion among traders; Practice with MS varies from country to country;

Collaboration on surveillance aims mainly at improving **transparency**, which requires a smooth flow of information. This enables is necessary for each player to know what his role is, and also to have access to the rules of the game. Yet a dilemma often arises around public disclosure: at what level or stage can information be made public,? Certain knowledge can undermine confidence of market in players or the process. Public disclosure remains a significant challenge.

Collaboration on surveillance also aims at agreeing on **priorities for action**.

Experience with collaboration

National approaches to surveillance may vary considerably. National regulatory frameworks and public tolerance for risk are factors that determine the importance governments attach to compliance and how they go about ensuring it. For example, in order to reduce the incidence of noncompliant goods in the market so as to ensure consumer safety and increase public confidence, it was explained that the US engages primarily in pre-market surveillance, while the EC seeks a balance between pre-market assessment and post-market control.

In examining US experience with collaboration in market surveillance, eight elements were identified as key for ensuring success:

1. High-level commitment to achieving the regulatory goals in the countries collaborating;
2. Public-private partnerships that provide governments with technical expertise and information on the actual use of conformity assessment procedures; and provide industry with information about government perspectives.
3. Guidance from internationally established principles (TBT Agreement and recommendations, OECD/APEC good regulatory practice, ISO/IEC/Codex etc. on practices relating to conformity assessment)
4. Coordination among trade, regulatory and standards officials;
5. Flexibility in approach, with stress on process rather than the mandating of technical solutions;
6. Transparency and information sharing;
7. Capacity building among collaborating countries; and
8. Perception of mutually beneficial goals and outcomes.

These key elements were illustrated by two US-led initiatives in APEC that aimed to strengthen implementation of the TBT Agreement:

Toy safety initiative: Many APEC countries are exporters of toys (the region accounts for 70-80% of global toy supply) and it has seen much regulatory activity in this sector in the last three years. The initiative has focused on transparency through information-sharing, to ensure that the entire process of developing product standards, the regulatory framework, trade rules and addressing supply chain issues is understood by all players. Although progress has been made in this respect, there remain significant differences among countries in standards and CA procedures.

Food safety initiative (involving both TBT and SPS issues). This initiative is concerned mainly with **capacity-building** using training modules based on international standards of best practice, with the goal of building effective delivery mechanisms that take into account different levels of capacity.

Role of international organisations in collaboration on market surveillance

It was pointed out that an important role in collaboration on market surveillance to underpin international recognition of conformity assessment results is performed by the International Consumer Product Health and Safety Organisation (**ICPHSO**). This is an international, multi-stakeholder organisation with participation by government agencies, manufacturers, importers, retailers, certification/testing laboratories, law firms, academia, consumer advocacy groups, etc. It seeks to promote collaboration, including among market surveillance authorities under the Product Safety Enforcement Forum of Europe (PROSAFE) and the International Consumer Product Safety Caucus (**ICPSC**).

ICPSC in particular is a platform to facilitate the exchange of information on consumer product safety issues in the area of governmental policy, legislation and market surveillance with a view to strengthening the collaboration among governments and regulatory agencies around the world. ICPSC aims principally to foster a harmonized system of market surveillance in the area of product safety in particular through **information exchange** and **joint activities** among its members. These activities aim to enhance the health and safety of consumers while providing a transparent and level playing field for producers and traders. ISO-CASCO is considering identifying **good practices in market surveillance**.

It was recognized that standards often respond to regulatory circumstances that are unique to particular countries or regions, e.g. as in the case of bio-fuels. Similarly the circumstances in various sectors may differ significantly, although this may not always justify different sectoral approaches.

With respect to standards, it was pointed out that **ISO** lacks a significant presence in areas such as food safety, bio-fuels and toy safety. In such cases, the main economies can lead by encouraging technical harmonisation. An example of useful collaboration across boundaries with the goal of building international standards has been in **energy management systems**.

A good way to promote convergence is to bring together experts from different countries. It was noted that government policy experts often do not participate in meetings where TBT experts are present, e.g. in training programmes. Although not always easy to achieve, collaboration between all relevant experts is often the most effective way to deal with a hazardous situation. An example of a sector where this may be particularly relevant is toys.

II. The role of standards in addressing global climate change and green growth

It was recognised that the formal processes of international standardisation need to be capable of addressing evolving policy issues, such as climate change and green growth. For this to be effective, relevant information needs to be as complete as possible in order to serve as a valid basis for understanding the problem, determining specific objectives and envisaging how to achieve them.

In particular, the climate change debate offers a range of identifiable subjects where standards have a crucial role to play, including carbon calculation methodology (such as footprinting, carbon capture or control) and the technological base for wide-ranging deployment of renewable energies. Particular challenges are seen to arise from the fact that the link between standardisation and regulators in this field is often felt not to be optimal and to need strengthening. There is no question that the climate change debate will lead to new regulation in various forms, and yet regulators and governmental bodies often appear to treat standards as ancillary rather than central to progress. This underestimation of the importance of standards may result in disconnects between governmental and private-sector activity. There is a warning message to governments here, and possibly also to standardisers, who are sometimes criticised for being too slow to respond.

In the fields of climate change and green growth, one of the issues discussed in the workshop was improving energy efficiency and awareness of savings this could potentially entail. In order to make progress, common test procedures were seen to be important for allowing a common language for measuring energy efficiency, e.g. based on energy used per unit of service delivered. Such procedures should be aligned among countries in order to reduce costs, facilitate international performance comparisons and technological transfer and ultimately international trade. Nevertheless, it was noted that test procedures are so far not aligned among mature regional markets where there may be entrenched procedures and geographical differences (e.g. climatic); there is frequently also weak public policy-maker involvement in the design and maintenance of test procedures.

At the international level, ISO has contributed to policy making in this area, e.g. through development of an international framework for measuring greenhouse gas emissions and development of standards relevant for topical social and environmental policy challenges such as the green growth agenda.

As an example of how standards can help policy-makers at the national level advance their objectives, an explanation was given of the Brazilian Labeling Programme under Inmetro, which is designed to inform about the energy efficiency of a wide variety of products and thus contribute to lower fuel consumption and less environmental damage.

It was pointed out that significant green stimulus packages involving energy intensity reduction have been accorded in the US, EU, China, Japan, Korea, Switzerland, Norway, etc.

II. A. Controlling CO₂ emissions from automobiles

Standards on CO₂ emissions differ from country to country in terms of regulatory design and methods of measurement. Many developing countries may feel that they have low per capita emissions and need to maintain high growth as a national priority to reduce poverty. The case of India was developed.

It was explained that the World Forum for Harmonisation of Vehicle Regulations (WP.29 of the UN Economic Commission for Europe) provides for mutual recognition of approvals and has been developing a strategy for climate change mitigation aiming to introduce more environmentally friendly vehicles.

II. B. Private standards and trade: environmental issues and certification

Against the background of the growing economic role of private schemes of standards, which respond to the interests of a variety of stakeholders with diverse interests (consumers, producers, environmental and societal associations, etc.), participants in the workshop raised a large number of issues concerning standards established by producers, distributors or NGOs, sometimes reflecting codes of conduct, and their relation to governments:

How information about a product is provided, in particular:

- a) **the methodology for assessing effects of certain practices and their significance** (such as carbon footprint), taking account e.g. of supply chains, life cycle (involving production, distribution and utilisation) and possible differences in different countries, such as developing countries; and
- b) **labeling of products**, as a means of providing information about private standards: some types of information may be readily accessible and relatively clear (such as origin) while other issues and their interpretation are more ambiguous (such as the meaning of a carbon footprint).

Government policy toward private standards: government guidelines may exist e.g. for labeling (ADEM in France); government agencies may contribute to establishing private standards (AFNOR in France); private standards may become mandatory, as in France under Grenelle de l'Environnement where by 2011 products should correspond to certain environmental criteria.

Achieving the objective of establishing and implementing socially desirable standards: managing the complexity of legitimate interests with the need for simplicity of implementation -- e.g. in the latter case, self-assessment is often favoured, although transparency and confidence are necessary for success.

Capacity building in developing countries, recognising the need to involve different stakeholders while aiming to facilitate access to export markets. This requires improvement of quality and productivity by building on local supply chains and reducing costs by harmonisation with international standards and

achieving global standards testing competency (the experience of Thailand in area of electrical and electronic products was noted).

III. Good regulatory practice that promote effective and trade-friendly TBT regimes

Participants recognised that it is useful to identify good regulatory practices on the basis of experience around the world. However, it should not be forgotten that as much or more can often be learned from failures as from successes.

III. A. National experiences implementing good regulatory practice – How to identify and reform redundant or ineffective technical regulations

Consideration has been given in Germany to addressing the cost of federal regulation: a high political profile is given to reducing unnecessary administrative costs and bureaucracy for implementing new legislation. Use is made of new technologies, e.g. to improve transparency and consultations, encouraging stakeholder involvement. Moreover, newly introduced legislation usually includes a sunset or review clause. Mention was also made of Australia's experience in attempting to overcome divergences between sub-federal jurisdictions and the federal government through the Council of Australian Governments (COAG), which has succeeded in building confidence between different jurisdictions. More generally in the field of standard, it was suggested that international organisations such as ISO may be able to help bridge the gap between federal and sub-federal levels of government.

Attention was drawn to the Canadian approach for streamlining regulation through measurement, evaluation and regular review. The importance of reviewing regulations is stressed to ensure that they continue to serve effectively the purpose for which they were established. Use of the specified procedures is seen to ensure a "lifecycle" approach to regulating.

The recent experience of South African institutional reform relating to standards and conformity assessment was explained. Until 2009, standards development, accreditation and conformity assessment have been combined in one government agency, which is felt to be highly advantageous in increasing transparency and ensuring the involvement of all interested or affected parties, including different government ministries. At the same time, there was scope for confusion and conflict of interest in the different functions performed by the body, in particular that it was both a standards and a regulatory body. This situation should be improved by the establishment of the National regulator for Compulsory Specifications (NRCS) in 2009, which functions under a system of thorough stakeholder consultations.

New Zealand's experience with its "better regulation initiative" has shown the usefulness of identifying ministries where reductions in regulatory burdens can be made.

III. B. Are regional trade agreements breaking down TBT?

There was also some discussion of the role that regional cooperation can play in strengthening trade-friendly approaches, particularly by facilitating harmonisation and the development of quality infrastructure and market surveillance. For example, Turkish experience in aligning its legislation with that of the EU on the use of relevant international standards, equivalency of technical regulations and mutual recognition of CA results appears positive and does not seem to have had negative effects on imports from non-EU countries.

The experience of regional cooperation on standards in Caricom was explained, in a changing environment of progressive trade liberalisation, globalised production and markets increased consumer awareness. It

was felt that progress had been made in harmonising and implementing standards to facilitate international competitiveness and trade. Also, it is easier to negotiate trade agreements after infrastructure has been set up. Similarly, recent impetus in the East African Community has resulted in notable advances in harmonisation of standards and conformity assessment procedures, including strengthened coordination and sharing of information.

IV. Wrapping up and future directions

Wrap up comments were provided by Frank van Tongeren, Head of the Division in OECD's Trade and Agriculture Directorate. He noted that the workshop covered a lot of ground and that it was premature to summarise everything. The overriding theme was good practice applications in the field of TBTs, which fits in well with OECD's ongoing programme of work where it focuses on the interface between domestic regulation – dealing particularly with market failures -- and international trade. On the one hand, regulatory autonomy is accepted as necessary to safeguard legitimate interests. On the other hand, unnecessary obstacles to trade should be avoided. Increased trade itself is not the objective but rather more rational decisions in production and consumption, whose importance is particularly strong in times of economic crisis.

Building on the comments by Mr. Van Tongeren, one can identify from the discussions a number of themes in good regulatory practice, including:

- Use of international standards can promote trade as well as international efficiency, including e.g. energy efficiency.
- Transparency and procedural simplicity need to be ensured, as through self-assessments.
- Procedural harmonisation to help reduce hardships and costs for traders posed by competing procedural systems;
- Multi-stakeholder involvement, with input from the variety of different actors with strong interest (industry, consumers, regulators, NGOs, etc.). One aspect of this is strengthened coordination among government ministries and agencies; another aspect is the role that can be played by regional cooperation, which can provide economies of scale and scope;
- CABs should be independent and avoid conflicts of interest;
- Cross-border – in particular regional –collaboration can bring economies of scale and scope and strengthen compliance. International collaboration can improve effectiveness and efficiency of market surveillance, which is necessary to implement simplified conformity assessment procedures
- Public-private partnerships can be effective tools for implementation.
- Improving the efficiency of domestic regulation through regular review, e.g. through cost-benefit analysis as in Canada and Germany. In such analysis efforts should be made to take account of the trade dimension.

The workshop aimed to examine GRP particularly in terms of how it could make conformity assessment less of an obstacle to trade than it is sometimes perceived. This issue was discussed in background papers as well as in presentations and debates at the workshop. In considering experience with the simplification of conformity assessment procedures, mention was made of the EU's New Approach and of the implementation tools developed by ISO/CASCO. There is some evidence that these have had some success in achieving wider acceptance of certificates and of CABs, but this has brought to the fore the importance of market surveillance in order to maintain confidence.

During the workshop the following themes were identified as deserving further attention through analysis and discussion:

- How most effectively to foster international recognition of conformity assessment and thus facilitate trade. Taking account of national experiences and tools developed internationally, as through ISO/CASCO, it would be useful to collect more evidence about CA practices in order to understand the factors that may be hindering acceptance.
- How to encourage governments to support the development and use of standards for assessment of costs and benefits of measures so as to inform the regulatory process and serve as a basis for international dialogue.
- Identification and promotion of GRP, including by drawing on experiences in other fields.
- Fuller implementation of the TBT Agreement.
- The role of standards and conformity assessment in regulation in the new fields of climate change, environmental sustainability and green growth.