

# Ethiopian National Accreditation Office

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**Accreditation and WTO requirements**

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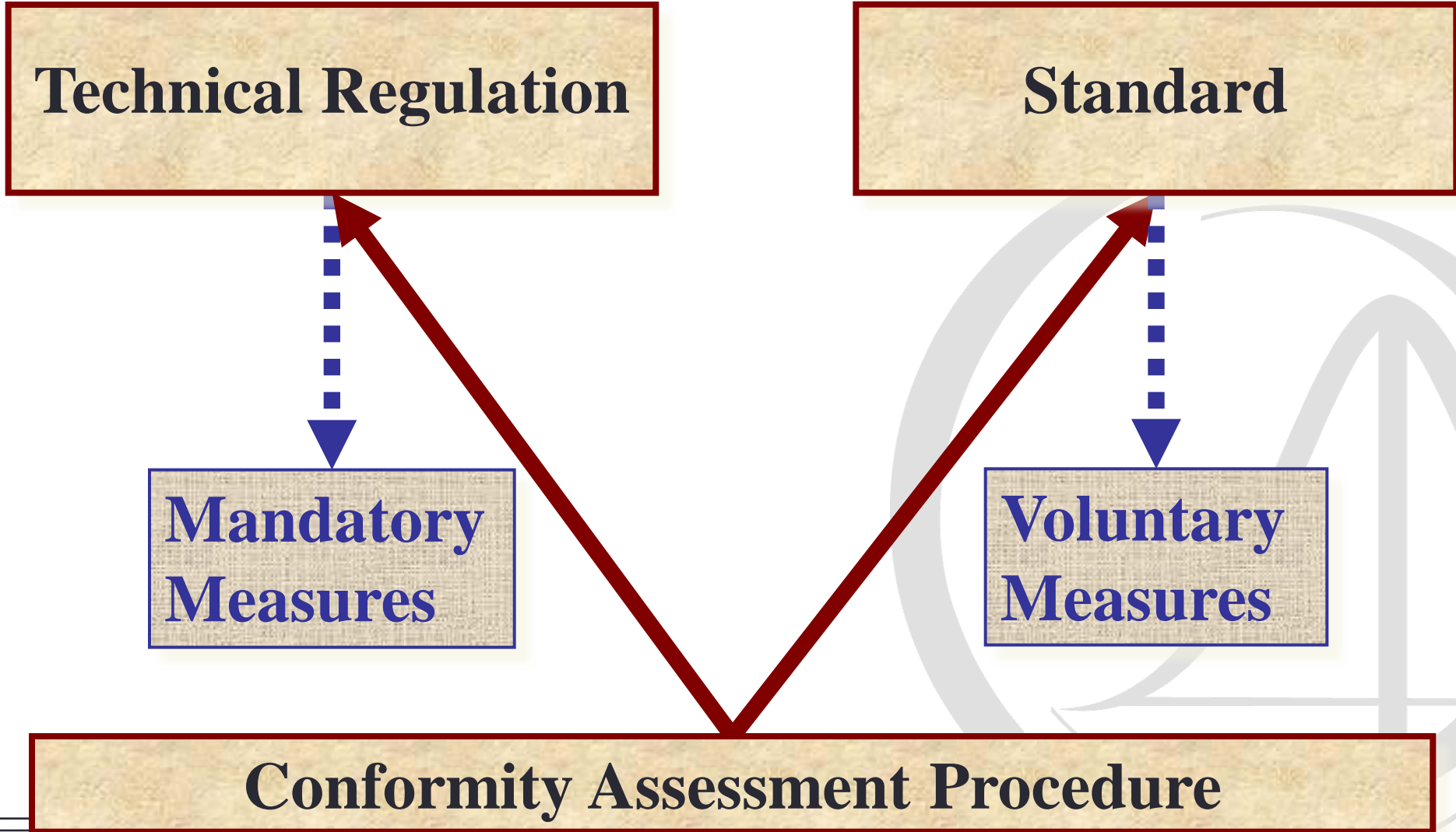
# Technical Barriers to Trade (TBT)

- TBT: Barriers to trade created by technical regulations, standards and conformity assessment procedures when they are established for national trade protection reasons.
- TBT became a prominent means of trade protection when the WTO concentrated on reducing tariff and quantitative restrictions to trade.
- Tariff and quantitative restrictions on imports were replaced with a multitude of national standards and regulations which had the primary intent of:
  - Creating barriers to market entry for foreign producers; and
  - restricting market access to domestic producers

# WTO TBT Agreement

- Established with the main objective of ensuring that
  - technical regulations;
  - Standards; and
  - Conformity assessment procedures,
- do not create unnecessary obstacles to international trade.
- WTO members are required to comply with the agreement and all of its requirements.

# Scope of the TBT



# A few definitions

**Standards:** Document approved by a recognized body that provides for Common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, ***with which compliance is not mandatory.***

■ **Technical Regulation:** Document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, ***with which compliance is mandatory.***

■ **Conformity Assessment Procedure:** Any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled. Non-transparent and discriminatory conformity assessment procedures can become effective protectionist tools.

# Technical Regulations Why Mandatory?

- Recognized that no country should be prevented from taking **legitimate** measures necessary to ensure the following:
  - Human or animal health and safety
  - Environmental protection;
  - National security;
  
- Regulatory measures are permitted as long as they do not constitute a “**means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail**” or where they represent a “disguised restriction to international trade”.

# What are the principles of WTO agreements?

TBT Principles	Technical regulations	Conformity assessment procedures	Standards
Non-discrimination	✓	✓	✓
Avoidance of unnecessary obstacles to trade	✓	✓	✓
Harmonization	✓	✓	✓



## 1) Non-discrimination:

- **Technical Regulations:** Members shall treat other WTO members' products in the same way as *like products* of national origin.
- **Conformity Assessment procedures:** Members shall grant equal access to conformity assessment procedures for suppliers of *like products* from other WTO members as would be supplied to producers of like products of national origin.
- **Standards:** Standardizing bodies shall provide for treatment of other WTO members' products no less favorably than *like products* of national origin.

# So what are the Principles of the TBT agreement?

## 2) Avoidance of unnecessary obstacles to international Trade:

- **Technical Regulations:** Members shall ensure that technical regulations are not prepared, adopted applied with a view to or with the effect of creating unnecessary obstacles to international trade. Technical regulations shall not be more trade-restrictive than necessary to fulfill a *legitimate* objective which would be:
  - Human or animal health and safety
  - Environmental protection;
  - National security;

# So what are the Principles of the TBT agreement?

## 2) Avoidance of unnecessary obstacles to international Trade (continued):

**Conformity Assessment procedures:** CAP are not to be more strict or to be applied more strictly than is necessary to provide adequate confidence of compliance to the TR or Standard

**Standards:** Standardizing bodies shall ensure that standards are not prepared or applied with a view to, or with the effect of, creating unnecessary obstacles to trade.(performance vs design).

# So what are the Principles of the TBT agreement?

## 3) Harmonization:

**Technical regulations:** a) Members shall use international standards as a basis for their technical regulations; b) Members shall participate in the preparation of international standards by international standards bodies.

**Conformity Assessment procedures:** a) Members shall use relevant international guides or recommendations as a basis for their national CA procedures; b) Members shall participate in international standardizing bodies.

**Standards:** a) Standardizing bodies shall use international standards as a basis for the standards they develop; b) Standardizing bodies shall participate in the work of international bodies; c) Standardizing body shall avoid duplication or overlap with the work of other SBs, including regional and international SBs

## Equalized playing field?

Standards, Technical regulations, and Conformity assessment procedures have been harmonized or deemed to be equivalent but now what about ACCEPTANCE OF CONFORMITY ASSESSMENT RESULTS?

Members shall ensure, *“that results of conformity assessment procedures of other Members are accepted, even when those procedures differ from their own, provided they are satisfied that those procedures offer assurance of conformity with technical regulations or standards equivalent to their own procedures”*

# Accreditation – Tool for mutual recognition

It is recognized that prior consultations may be necessary in order to arrive at a mutually satisfactory understanding between Members regarding “adequate and enduring **technical competence** of the relevant conformity assessment bodies in the exporting Member,

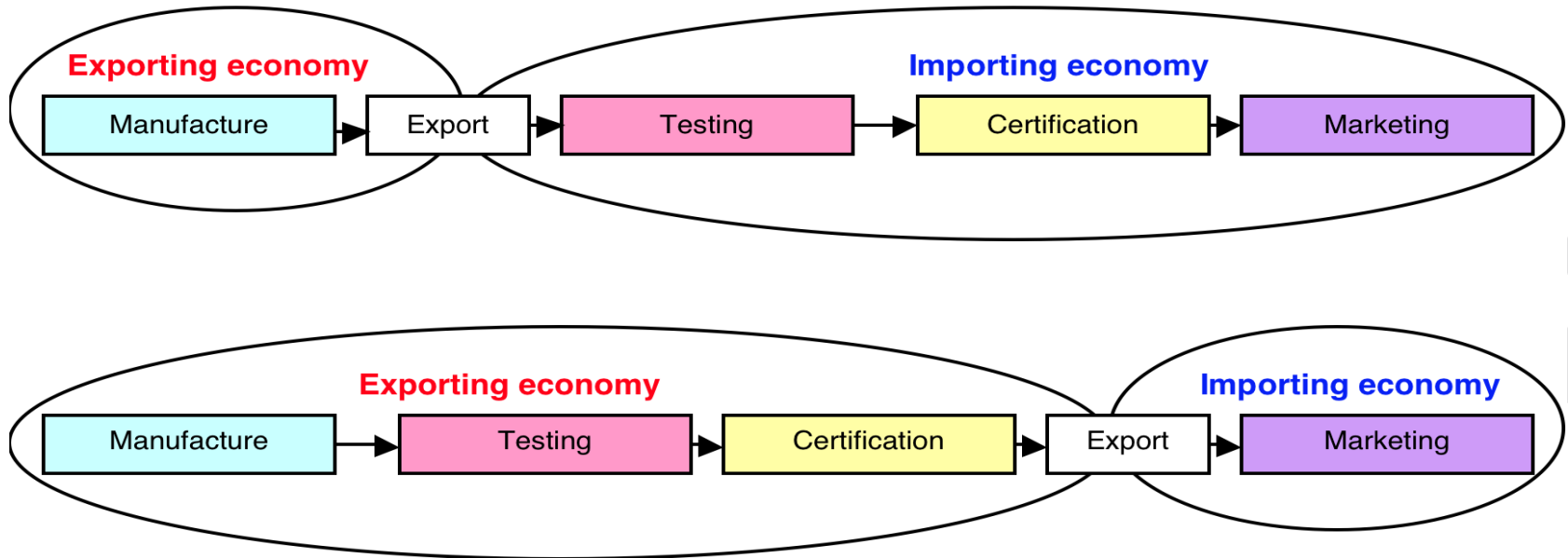
*verified compliance, for instance through **accreditation**, with relevant guides or recommendations issued by international standardizing bodies shall be taken into account as an indication of adequate technical competence”*

# Formalizing recognition

- Government to government Recognition by Mutual Recognition **Agreements** relate to regulated products;
- Technical MLA/MRAs (**Arrangements**) via International Laboratory Accreditation Co-operation (ILAC) or International Accreditation Forum (IAF)
- Bilateral technical Arrangements between Accreditation authorities

ULTIMATE GOAL – TO PREVENT REPETITIVE CONFORMITY ASSESSMENT PROCEDURES

# Results of agreements/Arrangements



ILAC: “Tested once, accepted everywhere”

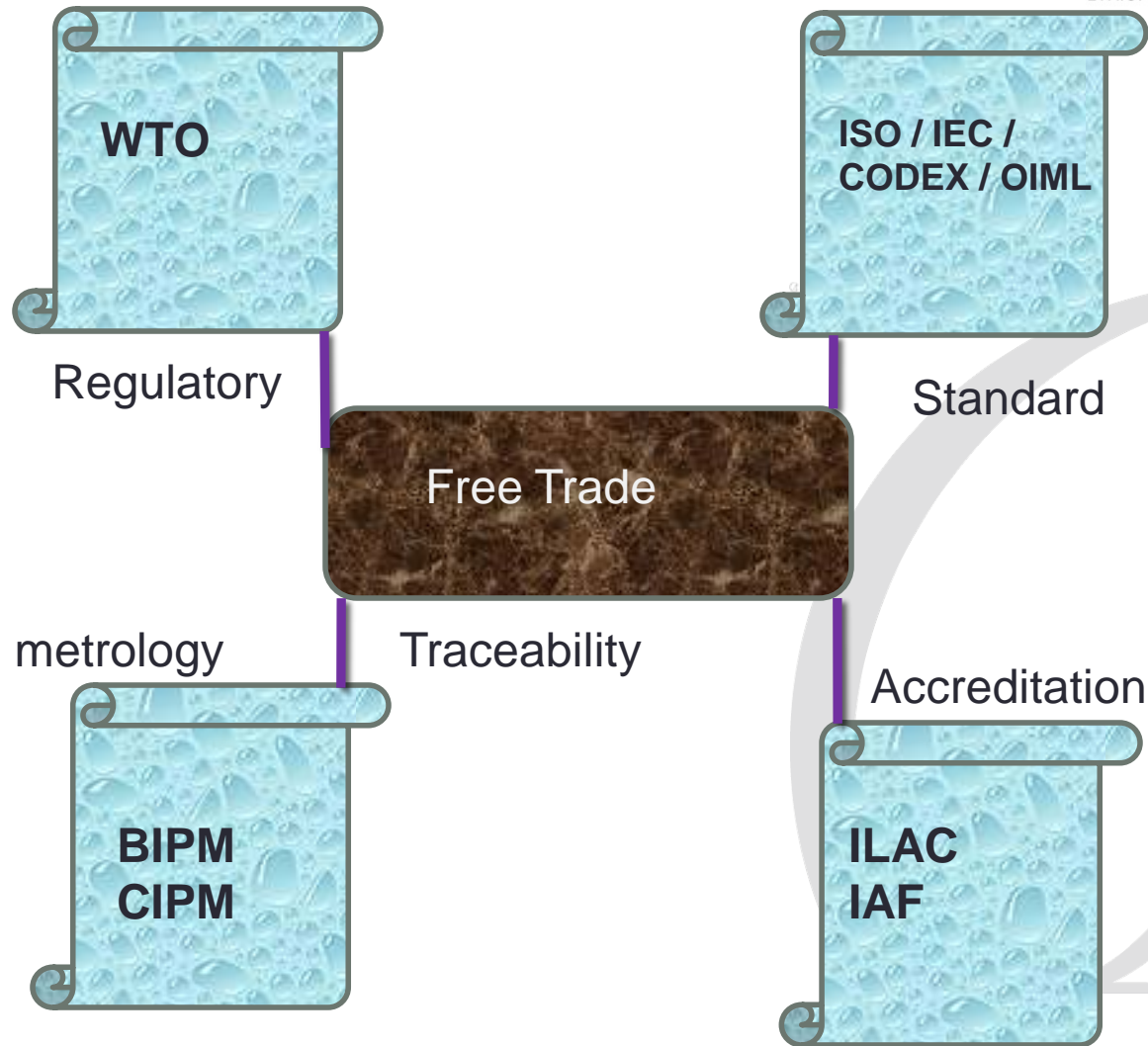
IAF: “Certified once accepted everywhere”



# Connection between Accreditation and international trade

- Forms the basis for mutual recognition of conformity assessment results worldwide and negates multiple conformity assessment procedures on export of products.
  
- Accreditation results in:
  - assurance of the credibility of CA results;
  - cost efficiency in terms of single point conformity assessment;
  - reduced acceptance delays;
  - reduced rejection of consignments by conformity assessment bodies in country of import; and
  - acceptance by regulators.

# Elements of Free Trade



# Conclusion

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Recognition of ENAO by ILAC/IAF is a fundamental support mechanism for the economy in terms of national and international trade.



End

**THANK YOU**

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