Quality Infrastructure Training

**Kick-off on QI transition and legal alignment**

Kyiv, 16 – 17 December 2015
**Venue:**

National Agency of Ukraine on Civil Service  
15, Prorizna street, Kyiv, 01601

**Responsible:**

GIZ - Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH  
Reform Advisory Fund  
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**Implementing Partner:**

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**Trainer:**

Mr Mićo DRLJO, Head of Department, Market Surveillance Agency of Bosnia and Herzegovina, Sarajevo  
Mr Mykhailo RUDENKO, Head of Unit EU-Ukraine Bilateral Bodies, Government office for European Integration, Kyiv  
Ms Anne BERCIO, Senior Project Manager, Institut für Europäische Politik, Berlin
<table>
<thead>
<tr>
<th>Time</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>09.30 hrs</td>
<td>Welcome and registration, opening of the workshop</td>
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<tr>
<td></td>
<td>Mr Maksym NEFIODOV, Deputy Minister of Economic Development and Trade of Ukraine</td>
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<td></td>
<td>Mr Thomas PIESCH, First Secretary, Referent on Economy Cooperation and Development, Deutshe Botschaft in Ukraine</td>
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<td></td>
<td>Ms Anne BERCIO, Senior Project Manager, Institut für Europäische Politik, Berlin</td>
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<tr>
<td>10.00 hrs</td>
<td>Training Schedule Quality Infrastructure</td>
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<td></td>
<td>Ms Anne BERCIO, Senior Project Manager, Institut für Europäische Politik, Berlin</td>
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<tr>
<td></td>
<td><em>Introduction, aim and objectives, content of this workshop series, introduction to the subject and methodology, housekeeping</em></td>
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<tr>
<td>11.00 hrs</td>
<td>Coffee break</td>
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<tr>
<td>11.15 hrs</td>
<td>Chapter 3 DCFTA – terminology</td>
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<td></td>
<td>Ms Anne BERCIO, Institut für Europäische Politik (IEP)</td>
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<td></td>
<td><em>Reading comprehension chapter on “Technical Barriers to Trade”, terminology Quality Infrastructure institutional transition and legal alignment in the EU (AA/DCFTA) context</em></td>
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<tr>
<td>13.00 hrs</td>
<td>Lunch break</td>
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<tr>
<td>13.45 hrs</td>
<td>Chapter 3 DCFTA – transition timeline</td>
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<td></td>
<td>Mr Miço DRLJO, Head of Department, Market Surveillance Agency of Bosnia and Herzegovina, Sarajevo</td>
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<td></td>
<td>Ms Anne BERCIO, Institut für Europäische Politik (IEP)</td>
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<td></td>
<td><em>Institutional transition, overview on obligations for Quality Infrastructure stemming from EU Association; international cooperation in the field of QI, Transition experience: example Market surveillance in Bosnia and Herzegovina,</em></td>
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<tr>
<td>15.00 hrs</td>
<td>Coffee break</td>
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<tr>
<td>15.15 hrs</td>
<td>Chapter 3 DCFTA – transition in the field of Market Surveillance</td>
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<td></td>
<td>Mr Miço DRLJO, Head of Department, Market Surveillance Agency of Bosnia and Herzegovina, Sarajevo</td>
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<td></td>
<td><em>Overview on relevant Acquis, working example EC Regulation No. 765/2008 setting out the requirements for accreditation and market surveillance, conformity of products and CE marking; coordination with other QI institutions, cooperation for EU committee and sub-committee meetings, reporting on progress of implementing the SAA</em></td>
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<td>16.30 hrs</td>
<td>End of working day</td>
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### Thursday, 17 December 2015

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<thead>
<tr>
<th>Time</th>
<th>Session</th>
<th>Details</th>
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<tr>
<td>09.30 hrs</td>
<td><strong>Introduction to the workshop day and warm-up</strong></td>
<td>Ms Anne BERCIO, Institut für Europäische Politik (IEP)</td>
</tr>
</tbody>
</table>
| 09.40 hrs| **Legal harmonisation for quality infrastructure**                   | All participants<br>Ms Anne BERCIO, Institut für Europäische Politik (IEP)<br>*Why? What? Alignment exercise instruments and procedure for selected EU legal acts:*
| 11.00 hrs| Coffee break                                                          |                                                                         |
| 11.15 hrs| **EU reporting introduction**                                        | All participants<br>Ms Anne BERCIO, Institut für Europäische Politik (IEP)<br>*Pre-requisites for sound EU reporting, language and style* |
| 12.30 hrs| Lunch break                                                           |                                                                         |
| 13.15 hrs| **State of play in Ukraine’s Quality Infrastructure**                | All participants<br>*Standardisation, accreditation, metrology, conformity assessment, market surveillance – short reports and training expectations/ delivery exercise* |
| 14.00 hrs| **Excursus: EU coordination for sound AA implementation**            | Mr Mykhailo RUDENKO, Government office for European Integration<br>Prerequisites for sound EU coordination, system of EUI coordination in Ukraine public administration, challenges, action plan |
| 15.00 hrs| **Evaluation and outlook WS2**                                        | Ms Anne BERCIO, Senior Project Manager, Institut für Europäische Politik, Berlin<br>*Oral and written evaluation, outlook next workshops on participation in international activities; standardization, timeline trainings* |
| 15.15 hrs| **End of workshop**                                                  |                                                                         |
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<th>Title</th>
<th>Date (tbc)</th>
<th>Key learning points</th>
<th>Trainers (tbc)</th>
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</thead>
</table>
| **WS 1**: Kick-off, QI terminology, transition path and basics legal alignment | 16-17. December 2015 | • Presentation of training programme and topics  
• Expectation participants, group consolidation  
• QI terminology context chapter 3 DCFTA  
• Institutional transition path, best practice associated countries  
Mr Mićo DRLJO, Head of Department, Market Surveillance Agency of Bosnia and Herzegovina, Sarajevo  
Mr Mykhailo RUDENKO, Head of Unit EU-Ukraine Bilateral Bodies, Government office for European Integration, Kyiv |
| **WS 2**: Support of NAAU’s participation in international activities + EU reporting on QI | Early February 2016 | • Separate seminar: Experience of European countries towards implementation of Article 9 of Regulation (EU) 765/2008 on monitoring compliance of national accreditation body with established requirements  
• EU reporting with examples on Quality Infrastructure | Mr Helmut Mairhofer, GIZ ACCESS - Program for Private Sector Development in Serbia (tbc)  
Ms Amina Sisić, British Council, independent Advisor on EU reporting |
| **WS 3**: QI transition and alignment of technical legislation | Early March 2016 | • Relevant NAD and Global Approach Directives;  
• Best practice exchange for transition to the new system of technical regulation  
• EU Acquis on chapter 3 EU-UA DCFTA TBT and Quality Infrastructure: timeline, transition needs, outcome  
• Legal harmonization and transposition of EU |
<table>
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<tr>
<th>WS 4: Standardisation 1+2</th>
<th>Early April 2016</th>
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<tbody>
<tr>
<td>Adoption of pure national standards (fields not covered by the European standards), as well as the development of national annexes Eurocodes to the European standards</td>
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<tr>
<td>Continuing the revision of existing Ukrainian standards, removing the mandatory elements and</td>
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</table>

provisions to the national system (legal and institutional) regarding QI

- Horizontal technical legislation with Excurses: Insight and applicability into the relevant Acquis e.g. Directives 92/42 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels, 2010/35 on transportable pressure equipment, 2009/142 relating to appliances burning gaseous fuels, 2009/48 on the safety of toys, 94/62 on packaging and packaging waste, 2008/57 on the interoperability of the rail system.

- Experience of European countries on implementation of European Directives of New and Global Approach: allocation of functional responsibilities among authorities, their structure, coordination, training of staff.

- Review of the EU legislative acts covering products which are subject of technical regulations covered by Annex III, and which are necessary for the development and application of technical regulations;

- Experience of European countries on further adoption of sectoral legislation (technical regulations for industrial products sectors not covered by Annex III): prospects, order of determining industrial products sectors, priority.
<table>
<thead>
<tr>
<th>Harmonizing them with international and European standards</th>
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<tbody>
<tr>
<td>- Participation in European standardization (CEN, CENELEC, ETSI)</td>
</tr>
<tr>
<td>- Law on standardization</td>
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<tr>
<td>- Decision No 768/2008 EC, Regulation 765/2008/EC and Regulation 764/2008/EC (new goods package)</td>
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<tr>
<td>- References to standards in legislative acts of the EU Member States;</td>
</tr>
<tr>
<td>- Translation of European standards into national languages of the EU Member States (including usage of computer-assisted translation tools), e.g. in the Czech Republic and Croatia;</td>
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<thead>
<tr>
<th>Publication and distribution of country's national standards and distribution (selling) of publications of international and European organizations for standardization, development and maintenance of standards databases;</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Organization of activity of national secretariats of international and European organizations for standardization (to item 3);</td>
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<tr>
<td>- Participation of national technical committees in meetings of international and European mirror technical bodies (to item 3);</td>
</tr>
<tr>
<td>- Coordination of activity and organization of maintenance of national technical committees secretariats;</td>
</tr>
<tr>
<td>- Operation of the country's National Standardization Body as the National Information Centre of International Information Network (ISONET);</td>
</tr>
<tr>
<td>- Implementation of procedures of sending messages (notifications)</td>
</tr>
</tbody>
</table>
| WS 5: Market Surveillance | Early of May 2016 | • Simplifying procedures to avoid compulsory certification of non-risk products and multiple testing of products.  
• Developing market surveillance capacities based on best practice of EU Member States.  
• Functioning of Market Surveillance – from pre- to post-market Control  
• Effectiveness of market surveillance within different levels of surveillance, how to find the balance between checking documents and examining products  
• Core legislative acts: Decision No 768/2008 on a common framework for marketing of products; Regulation 765/2008/EC |
| WS 6: Conformity Assessment | End of May 2016 | • Conformity Assessment, Testing, Inspection, Certification  
• CAB analysis - Lab selection  
• Best practice exchange: what strategy available; Data on equipment; Data for later use of ENI funds;  
• Basis for technical support identification  
• Basis for training identification  
• Experience of the EU Member States on monitoring of designated conformity assessment bodies;  
• Experience of the EU Member States on designating and notification of such bodies |
| WS 7: Metrology | Early June 2016 | • Development of strategic document in the field of metrology (effective national metrology structure, strategic analysis and plans, legal metrology)  
• Strengthening of metrology supervision |
<table>
<thead>
<tr>
<th>Study visit to Berlin QI institutions</th>
<th>End of June 2016</th>
<th>• Programme tbd</th>
</tr>
</thead>
</table>

- Organization of metrology supervision, procedures/legal metrology, practical examples, exercises, risk analysis
  - Implementation of directives MID, NAWI and pre-packages
<table>
<thead>
<tr>
<th>No</th>
<th>Title</th>
<th>Name</th>
<th>First name</th>
<th>ORGANISATION</th>
<th>POSITION</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr</td>
<td>VITKIN</td>
<td>Leonid</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Director of Technical Regulations Unit of Technical Regulation</td>
</tr>
<tr>
<td>2.</td>
<td>Ms</td>
<td>CHERNYAVSKA</td>
<td>Kateryna</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Deputy Head of Conformity Assessment and Technical Regulations Division – Head of Technical Regulations Unit of Technical Regulation</td>
</tr>
<tr>
<td>3.</td>
<td>Mr</td>
<td>POCHTARENKO</td>
<td>Oleksandr</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Head of Conformity Assessment Unit of Conformity Assessment and Technical Regulations Division of Technical Regulation</td>
</tr>
<tr>
<td>4.</td>
<td>Ms</td>
<td>ATAMANENKO</td>
<td>Vira</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Deputy Head of Conformity Assessment Unit of Conformity Assessment and Technical Regulations Division of Technical Regulation</td>
</tr>
<tr>
<td>5.</td>
<td>Ms</td>
<td>GUBAREVA</td>
<td>Viktoria</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Chief Specialist of Conformity Assessment Unit of Conformity Assessment and Technical Regulations Division of Technical Regulation</td>
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<tr>
<td>6.</td>
<td>Ms</td>
<td>IUKHYMENKO</td>
<td>Nataliia</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Chief Specialist of Conformity Assessment Unit of Conformity Assessment and Technical Regulations Division of Technical Regulation</td>
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<tr>
<td>7.</td>
<td>Mr</td>
<td>SOLARIOV</td>
<td>Andrii</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Chief Specialist of Conformity Assessment Unit of Conformity Assessment and Technical Regulations Division of Technical Regulation</td>
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<tr>
<td>8.</td>
<td>Ms</td>
<td>MELNYCHENKO</td>
<td>Tetiana</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Head of International Cooperation and Quality Unit of Standardization and International Cooperation Division of Technical Regulation</td>
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<td></td>
<td>Ms</td>
<td>KATANA</td>
<td>Nataliia</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Chief Specialist of International Cooperation and Quality Unit of Standardization and International Cooperation Division of Technical Regulation</td>
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<td>10.</td>
<td>Ms</td>
<td>DATSENKO</td>
<td>Alla</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Chief Specialist of International Cooperation and Quality Unit of Standardization and International Cooperation Division of Technical Regulation</td>
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<tr>
<td>11.</td>
<td>Ms</td>
<td>SMOLKA</td>
<td>Tetiana</td>
<td>Department of the Ministry of Economic Development and Trade of Ukraine</td>
<td>Deputy Head of State Control System Reformation and Consumers’ Rights Protection Division – Head of Unit of State Surveillance (Control) in the Field of Economic Activity and State Market Surveillance of Entrepreneurial Development and Regulatory Policy</td>
</tr>
<tr>
<td>12.</td>
<td>Ms</td>
<td>TERESHCHENKO</td>
<td>Nataliia</td>
<td>State Enterprise “Ukrmetteststandart”</td>
<td>Head of Scientific and Technical Unit of Certification</td>
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<td>13.</td>
<td>Ms</td>
<td>KUZMENKO</td>
<td>Liudmyla</td>
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<td>Head of Consumer Product Testing Unit</td>
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<td>14.</td>
<td>Mr</td>
<td>HLUSHCHENKO</td>
<td>Vitalii</td>
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<td>Head of Scientific and Organizational Unit of Quality Management</td>
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<td>15.</td>
<td>Mr</td>
<td>CHYZHYK</td>
<td>Ivan</td>
<td>State Enterprise “Ukrmetteststandart”</td>
<td>Head of Scientific and Technical Unit of Ensuring Unity of Measurements in the Field of State Metrological Control</td>
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<td>16.</td>
<td>Mr</td>
<td>POTOTSKYY</td>
<td>Ihor</td>
<td>State Enterprise “Ukrmetteststandart”</td>
<td>Deputy Head of Scientific and Technical Unit of General and Legal Metrology</td>
</tr>
<tr>
<td>17.</td>
<td>Mr</td>
<td>CHEKALIN</td>
<td>Andrii</td>
<td>National Accreditation Agency of Ukraine</td>
<td>Deputy Head on Accreditation – Head of Division of Accreditation of Conformity Assessment Bodies</td>
</tr>
<tr>
<td>18.</td>
<td>Mr</td>
<td>KRYLOV</td>
<td>Oleksii</td>
<td>Certification Bodies and Inspection Bodies Accreditation</td>
<td>Head of Unit</td>
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<td>19.</td>
<td>Mr. HLUSHCHENKO Serhii</td>
<td>State Service of Ukraine on Food Products Safety and Consumers’ Protection Head</td>
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<td>20.</td>
<td>Mr. SHEVTSOV Sergii</td>
<td>State Enterprise “UkrNDNC” Acting General Director</td>
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<td>21.</td>
<td>Ms. MAKARENKO Kateryna</td>
<td>State Enterprise “UkrNDNC” Acting Deputy General Director</td>
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<td>22.</td>
<td>Ms. SAK Oksana</td>
<td>State Enterprise “UkrNDNC” Head of Conformity Assessment Division</td>
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<td>23.</td>
<td>Mr. BOHOM’IA Volodymyr</td>
<td>State Enterprise “UkrNDNC” Rector of Institute of Specialist Training in the Field of Quality Management, Standardization, Conformity Assessment and Metrology</td>
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<td>24.</td>
<td>Mr. IAHODZINSKYY Viktor</td>
<td>State Enterprise “UkrNDNC” Head of Quality Management Department</td>
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<td>25.</td>
<td>Ms. CHERNEHA Iryna</td>
<td>State Enterprise “UkrNDNC” Head of Standardization and Coordination Division</td>
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<tr>
<td>26.</td>
<td>Ms. PAZERSKA Tetiana</td>
<td>State Enterprise “Ukrainian Pharmaceutical Quality Institute” Deputy Director of Branch Office “Medical Centre on Conformity Assessment”</td>
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<tr>
<td>27.</td>
<td>Mr. VISTOROBSKYY Vitalii</td>
<td>State Enterprise “Kuivoblistandartmetrologia” Deputy General Director</td>
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<tr>
<td>28.</td>
<td>Mr. KONONENKO Oleh</td>
<td>State Enterprise “Kuivoblistandartmetrologia” Head of Unit of State Metrological Control of Measuring Instruments of Mechanical, Geometrical, Electrical and Thermotechnical Values</td>
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<tr>
<td>29.</td>
<td>Mr. RUDENKO Mykhailo</td>
<td>Government Office for European Integration Head of the EU-Ukraine Bilateral Bodies Unit</td>
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<td>30.</td>
<td>Ms. BERCIO Anne</td>
<td>Institut für Europäische Politik, Berlin (IEP) Senior Project Manager</td>
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<td>31.</td>
<td>Mr. DRLJO Miço</td>
<td>Market Surveillance Agency of Bosnia and Herzegovina, Sarajevo Head of Department</td>
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## Definitions - Implementing AA/ DCFTA in Ukraine

<table>
<thead>
<tr>
<th>EU term/ DCFTA chapter 3</th>
<th>Definition</th>
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<tr>
<td>EU Acquis Art. 56, 58</td>
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<td>Gradual conformity Art. 56</td>
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<tr>
<td>Legal approximation/ alignment DCFTA reading guide/</td>
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<tr>
<td>Transposition</td>
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<tr>
<td>Harmonisation of technical standards Art. 56</td>
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<tr>
<td>Mutual recognition principle DCFTA reading guide</td>
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</table>
Case Study: QI Transition Serbia

Example: Governmental Development Strategy for Quality Infrastructure

Conclusion

After the project .... framework conditions for enhanced competitiveness of SMEs on regional and EU-markets have improved.
objectives:

In selected sectors QI is aligned with international practice and offers demand-oriented services to the industry!

Strategy for National Quality Infrastructure ready for approval

time frame: 2011-2016 in two phases
Analysis of industry needs with regard to conformity assessment

--> demand side

Analysis of CABs capacity in implementation of the new technical legislation

--> provider side
Assessment of and support to QI institutions

--> Accreditation Body
--> Metrology Institute
--> Standard Institute
--> selected CABs
--> Market Surveillance Body

• Benchmarking of QI Institutions with EU countries
• "Quality Platform"
• Awareness activities, publications
• Transposition of MID, NAWI and Pre-Packaging Directive
• Preparation of ACAA negotiation
Conclusion

After the project ..., framework conditions for enhanced competitiveness of SMEs on regional and EU-markets have improved.
DCFTA Chapter 3
TITLE IV

TRADE AND TRADE-RELATED MATTERS

CHAPTER 1

NATIONAL TREATMENT AND MARKET ACCESS FOR GOODS

SECTION 1

COMMON PROVISIONS

ARTICLE 25

Objective

The Parties shall progressively establish a free trade area over a transitional period of a maximum of 10 years starting from the entry into force of this Agreement, in accordance with the provisions of this Agreement and in conformity with Article XXIV of the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as "GATT 1994").

EU/UA/en 32

1 Unless otherwise provided in Annexes I and II to this Agreement.
CHAPTER 3

TECHNICAL BARRIERS TO TRADE

ARTICLE 53

Scope and definitions

- This Chapter applies to the preparation, adoption and application of technical regulations, standards, and conformity assessment procedures as defined in the Agreement on Technical Barriers to Trade, contained in Annex 1A to the WTO Agreement (hereinafter referred to as the "TBT Agreement") that may affect trade in goods between the Parties.

- Notwithstanding paragraph 1 of this Article, this Chapter does not apply to sanitary and phytosanitary measures as defined in Annex A of the Agreement on the Application of Sanitary and Phytosanitary Measures, contained in Annex 1A to the WTO Agreement (hereinafter referred to as the "SPS Agreement"), nor to purchasing specifications prepared by public authorities for their own production or consumption requirements.

- For the purposes of this Chapter, the definitions of Annex I to the TBT Agreement shall apply.
ARTICLE 54

Affirmation of the TBT Agreement

The Parties affirm their existing rights and obligations with respect to each other under the TBT Agreement, which is hereby incorporated into, and made part of, this Agreement.

ARTICLE 55

Technical cooperation

- The Parties shall strengthen their cooperation in the field of technical regulations, standards, metrology, market surveillance, accreditation and conformity assessment procedures with a view to increasing mutual understanding of their respective systems and facilitating access to their respective markets. To this end, they may establish regulatory dialogues at both horizontal and sectoral levels.

- In their cooperation, the Parties shall seek to identify, develop and promote trade-facilitating initiatives which may include, but are not limited to:

  (a) reinforcing regulatory cooperation through the exchange of information, experience and data; scientific and technical cooperation, with a view to improving the quality of their technical regulations, standards, testing, market surveillance, certification, and accreditation, and making efficient use of regulatory resources;
(b) promoting and encouraging cooperation between their respective organisations, public or private, responsible for metrology, standardisation, testing, market surveillance, certification and accreditation;

(c) fostering the development of the quality infrastructure for standardisation, metrology, accreditation, conformity assessment and the market surveillance system in Ukraine;

(d) promoting Ukrainian participation in the work of related European organisations;

(e) seeking solutions to trade barriers that may arise;

(f) coordinating their positions in international trade and regulatory organisations such as the WTO and the United Nations Economic Commission for Europe (hereinafter referred to as "UN-ECE").
ARTICLE 56

Approximation of technical regulations, standards, and conformity assessment

1. Ukraine shall take the necessary measures in order to gradually achieve conformity with EU technical regulations and EU standardisation, metrology, accreditation, conformity assessment procedures and the market surveillance system, and undertakes to follow the principles and practices laid down in relevant EU Decisions and Regulations.\(^1\)

2. With a view to reaching the objectives set out in paragraph 1, Ukraine shall, in line with the timetable in Annex III to this Agreement:

(i) incorporate the relevant EU acquis into its legislation;

(ii) make the administrative and institutional reforms that are necessary to implement this Agreement and the Agreement on Conformity Assessment and Acceptance of Industrial Products (hereinafter referred to as the “ACAA”) referred to in Article 57 of this Agreement; and

(iii) provide the effective and transparent administrative system required for the implementation of this Chapter.

3. The timetable in Annex III to this Agreement shall be agreed and maintained by the Parties.

4. After this Agreement enters into force, Ukraine shall provide the EU Party once a year with reports on the measures taken in accordance with this Article. Where actions listed in the timetable in Annex III to this Agreement have not been implemented within the applicable time frame, Ukraine shall indicate a new timetable for the completion of such action.

5. Ukraine shall refrain from amending its horizontal and sectoral legislation listed in Annex III to this Agreement, except in order to align such legislation progressively with the corresponding EU acquis, and to maintain such alignment.

6. Ukraine shall notify the EU Party of any such changes in its national legislation.

7. Ukraine shall ensure that its relevant national bodies participate fully in the European and international organisations for standardisation, legal and fundamental metrology, and conformity assessment including accreditation in accordance with its area of activity and the membership status available to it.

8. Ukraine shall progressively transpose the corpus of European standards (EN) as national standards, including the harmonised European standards, the voluntary use of which shall be presumed to be in conformity with legislation listed in Annex III to this Agreement. Simultaneously with such transposition, Ukraine shall withdraw conflicting national standards, including its application of interstate standards (GOST/ГОСТ), developed before 1992. In addition, Ukraine shall progressively fulfil the other conditions for membership, in line with the requirements applicable to full members of the European Standardisation Organisations.

EU/UA/en 69
ARTICLE 57

Agreement on Conformity Assessment and Acceptance of Industrial Products

1. The Parties agree to add an ACAA as a Protocol to this Agreement, covering one or more sectors listed in Annex III to this Agreement once they have agreed that the relevant Ukrainian sectoral and horizontal legislation, institutions and standards have been fully aligned with those of the EU.

2. The ACAA will provide that trade between the Parties in goods in the sectors that it covers shall take place under the same conditions as those applying to trade in such goods between the Member States of the European Union.

3. Following a check by the EU Party and agreement on the state of alignment of relevant Ukrainian technical legislation, standards and infrastructure, the ACAA shall be added as a Protocol to this Agreement by agreement between the Parties according to the procedure for amending this Agreement, covering such sectors from the list in Annex III to this Agreement as are considered to be aligned. It is intended that the ACAA will ultimately be extended to cover all the sectors listed in Annex III to this Agreement, in accordance with the aforementioned procedure.

4. Once the sectors on the list have been covered by the ACAA, the Parties, by mutual agreement and in accordance with the procedure for amending this Agreement, undertake to consider extending its scope to cover other industrial sectors.

5. Until a product is covered under the ACAA, the relevant existing legislation of the Parties shall apply to it, taking into account the provisions of the TBT Agreement.
ARTICLE 58

Marking and labelling

1. Without prejudice to Articles 56 and 57 of this Agreement, with respect to technical regulations relating to labelling or marking requirements, the Parties reaffirm the principles of Article 2.2 of the TBT Agreement whereby such requirements are not prepared, adopted or applied with a view to, or with the effect of, creating unnecessary obstacles to international trade. For this purpose, such labelling or marking requirements shall not be more trade-restrictive than necessary to fulfil a legitimate objective, taking account of the risks that non-fulfilment would create.

2. In particular, regarding mandatory marking or labelling, the Parties agree that:

(a) they will endeavour to minimise their requirements for marking or labelling, except as required for the adoption of the EU acquis in this area and for marking and labelling for the protection of health, safety, or the environment, or for other reasonable public policy purposes;

(b) a Party may determine the form of labelling or marking, but shall not require the approval, registration or certification of labels; and

(c) the Parties retain the right to require the information on a label or marks to be in a specific language.
What is Quality Infrastructure?

Quality Infrastructure refers to all aspects of:

- Standardisation
- Accreditation
- Conformity assessment (testing, inspection, certification)
- Metrology (scientific, legal, industrial)
- Market Surveillance

This system encompasses public and private institutions and the regulatory framework within which they operate.
Key objectives of the Quality infrastructure

- free movement of goods and removal of technical barriers to trade,
- marketing of safe products,
- consumer protection (health, safety and protection of other public interest),
- competitiveness of national industry

Cooperation in the Quality Infrastructure

Diagram showing the cooperation process in the Quality Infrastructure.
The EU horizontal legislative framework related to Quality Infrastructure (1)


The EU horizontal legislative framework related to Quality Infrastructure (2)

- Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC

- Regulation No 1025/2012 of the European Parliament and of the Council on European standardisation

General principles

- a single national accreditation body per EU country
- accreditation is a public sector activity and a not-for-profit activity
- national accreditation bodies should not compete among themselves
- national accreditation body shall not offer or provide any activities or services that conformity assessment bodies provide
- national accreditation bodies can operate across national borders
- national accreditation bodies shall subject themselves to peer evaluation
- national accreditation body shall be a member of the EA

Accreditation – international cooperation

- EA (European co-operation for Accreditation)
- ILAC (International Laboratory Accreditation Cooperation)
- IAF (International Accreditation Forum)
Conformity assessment procedures - Decision (EC) No 768/2008

CE Marking – conformity marking

**Regulation (EC) No 765/2008**
General principles for CE marking

- CE marking is affixed by manufacturer or his authorised representative
- CE marking is affixed only to products to which its affixing is provided for by specific Community harmonisation legislation
- By affixing CE mark manufacturer indicates that he takes responsibility for conformity of product with all applicable requirements
- Affixing to a product of markings, signs or inscriptions which are likely to mislead third parties regarding the meaning or form of the CE marking is prohibited.

**Decision (EC) No 768/2008**
Rules and conditions for affixing CE marking

- CE marking is affixed before the product is placed on the market
- CE marking is affixed visibly, legibly and indelibly to product or its plate
- CE marking is followed by identification number of notified body, if the body is involved in production control phase.
- Member States should ensure correct application of regime governing the CE marking and appropriate action to be taken in case of improper use of the marking.
Standardisation - Regulation (EU) No 1025/2012

- Regulation (EU) No 1025/2012 on European standardisation
- CEN/CENELEC Guide 20 - Guide on membership criteria of CEN and CENELEC.
  - Basic six criteria for a membership to CEN/CENELEC:
    - transparency,
    - openness and development dimension,
    - impartiality and consensus,
    - effectiveness and relevance,
    - coherence and
    - viability and stability
  - Three additional criteria for a membership (A,B,C)

Standardisation – international cooperation

- ISO (International standardisation organisation)
- IEC (International Electrotechnical Commission)
- CEN (European Committee for Standardisation)
- CENELEC (European Committee for Electrotechnical Standardisation)
- ETSI (European Telecommunications Standards Institute)
Metrology – main legislation

- Directive 2014/32/EU on Measuring Instruments (MID)
- Directive 2014/31/EU on Non-Automatic Weighing Instruments (NAWI)
- Directive No 2009/34/EC – relating to common provisions for both measuring instruments and methods of metrological control
- Directive 2011/17/EU – repeals eight “old approach” directives
- Directive 2007/45/EC, rules on nominal quantities for prepacked products,
- Directive 76/211/EEC relating to the making-up by weight or by volume of certain pre-packaged products
- Directive No 75/107/EEC relating to bottles used as measuring containers

Metrology - international cooperation

- OIML (International Organization of Legal Metrology)
- BIMP (International Bureau for Weights and Measures)
- EURAMET (European Association of National Metrology Institutes)
- WELMEC (European cooperation in legal metrology)
- COOMET (Euro-Asian Cooperation of National Metrological Institutions)
- EMRP (European Metrology Research Program)
Experience from Bosnia and Herzegovina in the area of Quality Infrastructure

Administrative structure of Bosnia and Herzegovina

Area: 51,209 km²

Population: 3,791,622
(source: Agency for Statistics of BiH preliminary results of Census, 06.12.2013.)

Administrative structure:
Federation of BiH (consist of 10 cantons)
Republic of Srpska
Brcko District BiH

EU status: Potential candidate country
Key dates in BiH’s path towards the EU

- **June 2003** - BiH along with other Western Balkans countries was identified as a potential candidate for EU membership during the Thessaloniki European Council summit
- **25 November 2005** - Stabilisation and Association Agreement (SAA) negotiations officially opened with BiH
- **16 June 2008** - The SAA and the Interim Agreement on Trade and Trade-related issuee was signed
- **1 July 2008** - Interim Agreement on Trade and Trade-related issues entered into force
- **1 June 2015** - The SAA entered into force

Stabilisation and Association Agreement (SAA) (article 75)

- BiH shall take necessary measures to gradually achieve conformity with EU technical regulations and European standardization, metrology, accreditation and conformity assessment.
- to promote the use of Community technical regulations, European standards and conformity assessment procedures;
- to provide assistance to fostering development of quality infrastructure: standardization, metrology, accreditation and conformity assessment;
- to promote BiH in the work of organizations related to standards, conformity assessment, metrology and similar functions (eg, CEN, CENELEC, ETSI, EA, WELMEC, EURAMET)
- where appropriate, conclude an Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA)
Stabilisation and Association Sub-Committees

- trade, industry, customs, taxation and cooperation with other candidate countries;
- agriculture, food safety and fisheries;
- internal market and competition;
- economic and financial issues and statistics;
- justice and home affairs;
- innovation, technological development and social policy; and
- transport

EU-BiH bodies for the monitoring proper implementation of the SAA

- Stabilisation and Association Parliamentary Committee – a forum of the members of Parliamentary Assembly of BiH and European Parliament;
- Stabilisation and Association Council – comprising members of the Council of the EU and members of the European Commission and representatives of the Council of Ministers of BiH, responsible for supervision of the implementation of the SAA;
- Stabilisation and Association Committee – a technical level body assisting S&A Council in performance of its duties.
Current status of the transposition of EU legislation

- The New Approach Directives transposed in the form of Ordinances:
  - LVD (2006/95/EC),
  - Machinery (98/37/EC)
  - EMC (2004/108/EC),
  - Lifts (95/16/EC),
  - PPE (89/686/EEC),
  - NAWI (2009/23/EC),
  - PED (97/23/EC),
- The General Product Safety Directive No 2001/95/EC was transposed in the form of two Laws.

Horizontal legal framework related to QI in BiH

- Law on technical requirements and conformity assessment (OJ BiH 45/04),
- Law on Standardisation of BiH (OJ BiH 19/01),
- Law on establishment of Institute for Standardization of BiH (OJ BiH 44/04),
- Law on Accreditation of BiH (OJ BiH19/01)
- Law on establishment of Institute for Accreditation of BiH, (OJ BiH 10/02),
- Law on Metrology of BiH (OJ BiH 19/01)
- Law on establishment of the Institute of Metrology of BiH (OJ BiH 43/04)
- Law on Market Surveillance in B&H (OJ BiH 45/04, 44/07, 102/09)
- Decision on the establishment of coordination in the area of Quality Infrastructure (OJ BiH 24/08)
Institutional transition in Quality Infrastructure

- Institute for standardisation, metrology and patents of BiH (1996)
- Institute for standardisation, metrology and intelectual property of BiH (2000)
- Institute for standardsation of BiH (2004)
- Institute for metrology of BiH (2004)
- Institute for accreditation of BiH (2002)
- Republic Bureau for Standardization and Metrology of RS
- Bureau of Metrology of Federation B&H

Accreditation in BiH (1)

- Law on Accreditation of BiH (OJ BiH 19/01)
- Law on establishment of the Institute for Accreditation of BiH (OJ BiH 10/02)
Accreditation in BiH (2)

- Institute (BATA) is directly responsible to Council of Ministers of BiH
  - has 21 full-time employees
  - is a full member of ILAC and associate member of EA
  - became a bilateral signatory to EA MLA with EA in the fields of testing, calibration and inspection area, in November 2012
  - became a signatory to ILAC MRA in the fields of testing, calibration and inspection area, in January 2013
  - has accredited 79 conformity assessment bodies:
    - 56 test laboratories and 9 calibrated laboratories,
    - 13 inspection bodies
    - 1 certification body

Standardisation in BiH (1)

- Law on Standardisation of BiH (OJ BIH19/01),
- Law on the establishment of the Institute for Standardization of BiH (OJ BiH 44/04)
Standardisation in BiH (2)

- Institute for Standardisation of Bosnia and Herzegovina (BAS),
  - BAS is directly responsible to the Council of Ministries of BiH
  - 40 full-time employees
  - full member of ISO and ETSI since 1997
  - associate member of IEC, CEN and CENELEC
  - adopted 17965 European standards (85 %)
  - formed 53 Technical committees (BAS/TC) with 580 members

Metrology in BiH (1)

- Law on Metrology of BiH (OJ BiH 19/01)
- Law on the establishment of the Institute of Metrology of BiH (OJ BiH 43/04)
- The Law on Measurement Units of BiH (OJ BiH 19/01)
Metrology in BiH (2)

- Institute of Metrology of Bosnia and Herzegovina (IMBiH),
  - IMBiH is directly responsible to Council of Ministers of BiH
  - has 52 full-time employees
  - full member of EURAMET since 2009
  - associate member of WELMEC, OIML and COOMET
  - has 16 laboratories

Key findings from the EU Progress Report for Bosnia and Herzegovina (11 November 2015)

- there has been some progress, notably in the area of standardisation, accreditation, metrology and consumer protection
- repeal conflicting legislation within the country
- adopt a country-wide strategy for quality infrastructure
- conflicting ex-Yugoslav mandatory standards were not withdrawn
- the division of responsibilities for aligning with the Old Approach acquis has yet to be clarified
Key findings from the EU Progress Report for Bosnia and Herzegovina (11 November 2015)

- uniform application of conformity assessment procedures in whole territory
- law on accreditation is not fully in line with the *acquis*
- strategy for developing the metrology system should be adopted,
- cooperation and coordination between the institute and the metrology institutes of the Entities requires strengthening
- the market surveillance system is still largely based on mandatory standards and pre-market checks

Thank you for your attention!
Questions?
Group Work 1

- How is the Quality Infrastructure system organised in Ukraine?
- What is the current status in the transposition of the New and Global Approach Directives and New Legislative Framework?
- Was the Quality Infrastructure Strategy adopted?
- What is the situation in terms of application of mandatory national standards?
- What is the level of participation of competent authorities in international cooperation such as ISO, CEN, CENELEC, WELMEC, EURAMET, EA, ILAC?
- Did you have any EU funded projects related to the Quality Infrastructure?
Transition in the field of Market Surveillance – Mićo DRLJO

Quality Infrastructure Training
Kick-off on QI transition and legal alignment
Transition in the field of Market Surveillance

Kyiv, 16 – 17 December 2015
Mr. Mićo Drljo, Head of Department,
Market Surveillance Agency of Bosnia and Herzegovina, Sarajevo

setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93

Date of application of Regulation: 1 January 2010
Scope of the Regulation (EC) No 765/2008

- rules on the organisation and operation of accreditation of conformity assessment
- framework for market surveillance of products
- framework for controls of products from third countries
- general principles of the CE marking

Products covered by the Regulation

- **All products** covered by Community harmonisation legislation
- ‘**product**’ shall mean a substance, preparation or good produced through a manufacturing process
- **Excluded**: food, feed, living plants and animals, products of human origin and products of plants and animals relating directly to their future reproduction.
Obligations of Member States (1)

- to establish coordination between market surveillance authorities
- to entrust MS authorities with powers, resources and knowledge
- to inform public of existence and responsibility of MS authorities
- to withdraw dangerous products from the market

Obligations of Member States (2)

- to establish procedure for follow up of complaints, monitor accidents, follow up scientific and technical knowledge
- to apply principal of proportionality
- to draw up national market surveillance programme
Market surveillance measures (1)

- documentary checks
- physical checks of products
- sampling of products
- laboratory checks of products

Market surveillance measures (2)

- withdrawal and recall of products presenting serious risk
- products presenting serious risk may be destructed
- risk assessment to determine whether product pose serious risk
- alert users about products presenting a risk
Exchange of information — Community Rapid Information System (1)

- Rapid Alert System for dangerous non-food consumer products (RAPEX) existing since 2004 based on GPSD (Directive 2001/95/EC, Art 12)
  - consumer non-food products
  - health and safety of consumers

Exchange of information — Community Rapid Information System (2)

- Regulation (EC) 765/2008, as of 1 January 2010, extends RAPEX to:
  - professional products
  - other risks (i.e environmental risk)

- General information support system for market surveillance activities (ICSMS)
Controls of products entering the Community market

The authorities in charge of external border controls (customs authorities) shall suspend release of product if they find:

- product present serious risk to health and other public interests
- product is not accompanied by the written or electronic documentation or is not marked in accordance with legislation
- the CE marking has been affixed to the product in a false or misleading manner.

The customs authorities immediately notify the market surveillance authorities of any such suspension.

Release of products

Product is released:

- If within three working days, customs have not been notified by MS authorities of any actions, or
- If MS authorities find that the product does not present a serious risk to health and safety or cannot be regarded as being in breach of Community harmonisation legislation.
Suspension of products

Product is suspended if market surveillance authorities:

- find that the product presents a serious risk they shall take measures to prohibit that product from being placed on the market and shall require the customs to include:
  
  **Dangerous product** — release for free circulation not authorised — Regulation (EC) No 765/2008’.

- find that a product does not comply with Community harmonisation legislation, and where the placing of market is prohibited they shall require the customs not to release of products and include:
  
  **Product not in conformity** — release for free circulation not authorised — Regulation (EC) No 765/2008’.

Experience of Bosnia and Herzegovina in the field of market surveillance
Horizontal legislation framework for market surveillance in BiH

- Law on General Product Safety (OJ BiH 102/09)
- Law on Market Surveillance in B&H (OJ BiH 45/04, 44/07, 102/09)
- Law on Technical Requirements for Products and Conformity Assessment (OJ BiH 45/04)

Strategic documents in the field of market surveillance

- Market surveillance strategy for non-food consumer products in Bosnia and Herzegovina (2011 – 2015), as a result of IPA 2007
- Strategic development plan for the period 2014 – 2016
- Mid-term work plan of Market Surveillance Agency of BiH for the period 2016-2018
Coordination of market surveillance activities in the non-food product safety area (1)

- Decision on the establishment of the Market Surveillance Coordination board
- Rulebook on the work of the Coordination board
- Coordination board adopts Market Surveillance Annual Plan

Coordination of market surveillance activities in the non-food product safety area (2)

- Coordination board is composed of five members:
  - MSA BiH (2 members),
  - Inspectorate of FBiH (1 member),
  - Inspectorate of RS (1 member)
  - Inspectorate of BD BiH (1 member)
Market surveillance system in BiH

Market surveillance approach in the non-food product safety area

Market surveillance

Proactive surveillance

Reactive surveillance
Proactive market surveillance

Annual plan
Projects
Inspection control
Laboratory testing
Risk assessment
Adoption of measures

Reactive market surveillance

External information
Product is on market?
NO
Procedure is completed
YES

Inspection control
Laboratory testing
Risk assessment
Adoption of measures
Informing the public about market surveillance activities

Unsafe products found on BiH market in 2014

- Child care articles
- Electrical equipment
- Personal protective equipment
- Furniture
- Toys
- Machinery
- Others

8% 5% 2% 2% 36% 21% 26%
International cooperation in the field of market surveillance

- **PROSAFE** (Product Safety Enforcement Forum in Europe)
- **AdCos** (Administrative Cooperation Groups)
  - AdCo MD
  - AdCo PPE
  - AdCo EMC
  - AdCo PED/SPV
- **OECD** Working Party on Consumer Product Safety

Thank you for your attention!
Questions!
Group Work 2

- How the market surveillance system is organised in Ukraine?
- What is the cooperation between the market surveillance and custom authorities in terms of control of product safety?
- Is the mandatory pre-market control still in place?
- Were the Regulation (EC) 765/2008 and the GPSD 2001/95/EC transposed in the legislation of Ukraine?
- Are the test laboratories accredited to test safety requirements of products sampled from the market?
Legal Harmonisation – Anne BERCIO

Kick-off workshop QI

Methods and Instruments for legal harmonisation I

Kyiv, 16-17 December 2015
Anne Bercio, IEP
Agenda

1. Introduction to legal harmonisation,
2. Concepts and harmonisation approaches,
3. CELEX and EUR-LEX,
4. Introduction to Table of Concordance (ToC)

1. Introduction to legal harmonisation

WHAT?/ WHY?

Regulatory approximation Article 114 UA EU AA

1. The Parties recognise the importance of the approximation of Ukraine's existing legislation to that of the European Union. Ukraine shall ensure that its existing laws and future legislation will be gradually made compatible with the EU *acquis*. 
1. Introduction to legal harmonisation

The main principles of harmonisation

Never start the process of harmonisation by thinking that your legislation is better than legislation of the EU (although sometimes it is).

→ Our obligation is to harmonise our legislation with the acquis communautaire - EU will not adjust to us or our legislation.

Personnel

Ensure participation of adequate personnel:

- Experts in specific area
- Lawyers (national and EU legislation knowledge)
- Interpreters
1. Introduction to legal harmonisation

The obligation to harmonize the national law

- For member states, the obligation is contained in the treaties, e.g.:
  - Member states shall adopt all measures of national law necessary to implement legally binding Union Acts.” 291(1) TFEU
- For aspirant countries, it arises from in association agreements between the EU and the aspirant country Art. 114 AA

Of what?  
- national (domestic) legal order

With what?  
- with EU legal order (acquis)
1. Introduction to legal harmonisation

EU legal order

1. primary EU law
2. secondary EU law
3. supplementary law

Transposition of primary law

negative (mostly):

“Customs duties on imports and exports … shall be prohibited between Member states.” (TFEU Article 30)

positive (rarely):

“each Member State shall ensure that its national legislation including the statues … is compatible with the Treaties …” (TFEU, Art. 131)
1. Introduction to legal harmonisation

Regulations
Purpose: unification of implementation of EU law
1. Generally applicable
2. Binding in its entirety:
   • not just results, also means
   • transposition is forbidden
   • it is automatically part of national legal order
3. Direct effect in all member states:
   • for Member States and for individuals.

Implementation of regulations before the accession ...

• EU regulations and decisions are not directly applicable in the candidate country – they are foreign law (no unification is possible)
• >>They have to be transposed into national legal order – HOW??
1. Introduction to legal harmonisation

by:

• building of necessary institutional, human, financial and technical capacities

• adoption of laws which are equal to the regulations (at least in the effect)

Directives

Purpose: legal alignment of national legislations

1. Binding: results to be achieved

2. Non-binding: forms and methods

3. Not directly applicable: transposition into national law is needed
2. Concepts and harmonisation approaches

NPAA – National plan for the adoption of the Acquis

Policy documents of sectors

Policy and preparatory documents for particular areas
2. Concepts and harmonisation approaches

Policy documents and preparatory documents should answer:
• when to transpose?
• how to transpose?
• which act to use (statute, decree, rules …)?
• timing of transposition
• how to implement the act (institutional, human capacity)?
• financial capacity to implement the act

2. Concepts and harmonisation approaches

Transposition of directives – preparatory steps

Get acquainted with:
• the subject matter of the Directive,
• Policy documents (NPAA),
• the method of legislation
• the legal basis for the adoption of the directive
• the case-law of the European Court of Justice
### 3. CELEX and EUR-LEX

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3. CELEX and EUR-LEX

CELEX Sector Number
- Sector 1 Treaties
- Sector 2 External Agreements
- Sector 3 Legislation
- Sector 4 Internal Agreements
- Sector 5 Proposals + preparatory documents
- Sector 6 Case Law
- Sector 7 National Implementation
- Sector 9 European Parliamentary Questions
- Sector C OJC Documents
- Sector E EFTA Documents

3. CELEX and EUR-LEX

CELEX – Document Type
3. “legislation”
  - R – regulations
  - L – directives
  - D – decisions
  - G – resolutions
  - C – Declarations

6. Court of Justice decisions
7. national implementation measures
3. CELEX and EUR-LEX

Directive 98/6/EC on consumer protection in the indication of prices of products offered to consumers

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Where to find EU law
3. CELEX and EUR-LEX

[Image of CELEX and EUR-LEX interface]

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3. CELEX and EUR-LEX

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4. Introduction to Table of Concordance (ToC)

- Tables of concordance are a tool for:
  - preparation of transposing legislation
  - notification of directives
  - checking the quality of transposition (concordance studies)

- different types of TOCs are used in each of these processes
4. Introduction to Table of Concordance (ToC)

Simple table
- usually used by national governments in the process of notification:

<table>
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<th>National law</th>
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<th>assessment of transposition</th>
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<tr>
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4. Introduction to Table of Concordance (ToC)

Transposition techniques
Depending on the type of Directive’s provisions (goal-oriented, technical, procedural)

• Effective transposition
• Literal transposition (copy – paste)
• Transposition by reference

Organisation is EVERYTHING
• for a country with limited resources, the organisation is of paramount importance:
  • the organisation of institutions
  • the organisation of processes (translation of EU law, transposition, adoption of legal acts, etc.)
Case study
Directive 98/6/EC

Title
Case study Directive 98/6/EC


Type of legal act: Directive

- Institutions that have adopted this legal act: European Parliament and Council
- Date of adoption: 16 February 1998
- Subject-matter: indication of the prices of products offered to consumers
- Number of act: 98/6/EC
Case study Directive 98/6/EC

• Preamble – legal basis, procedure for the adoption, objective of Directive
• Identification of subject-matter and provisions relevant for transposition

Legal basis:

• THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
• Having regard to the Treaty establishing the European Community, and in particular Article 129a (2) thereof,
• Having regard to the proposal from the Commission (1),
• Having regard to the opinion of the Economic and Social Committee (2),
Case study Directive 98/6/EC

Procedure for the adoption

- Acting in accordance with the procedure laid down in Article 189b of the Treaty (3), in the light of the joint text approved by the Conciliation Committee on 9 December 1997
Case study Directive 98/6/EC

Objective

“(1) Whereas transparent operation of the market and correct information is of benefit to consumer protection and healthy competition between enterprises and products;

(2) Whereas consumers must be guaranteed a high level of protection; whereas the Community should contribute thereto by specific action which supports and supplements the policy pursued by the Member States regarding precise, transparent and unambiguous information for consumers on the prices of products offered to them;

(6) Whereas the obligation to indicate the selling price and the unit price contributes substantially to improving consumer information, as this is the easiest way to enable consumers to evaluate and compare the price of products in an optimum manner and hence to make informed choices on the basis of simple comparisons;”...

Case study Directive 98/6/EC

• Scope and purpose (Article 1)
• Definitions (Article 2)
• Measures to be transposed (Article 3 (1), (3) and (4) and Article 4)
• Possible exceptions (Article 3(2), Article 5 and Article 6)
• Application of national provisions (Article 7 and Article 8)
• Reference to other EU legislation (Article 9)
• Minimal harmonisation provision (Article 10)
• Implementation provisions (Article 11)
• Possibility of further harmonisation (Article 12)
• Final provisions (Article 13 and Article 14)
Case study Directive 98/6/EC

<table>
<thead>
<tr>
<th>Binding provisions</th>
<th>Minimal harmonisation provisions</th>
<th>Non-binding provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Article 1</td>
<td>• Article 3 (2)</td>
<td>• Article 7, 8, 9, 10, 11, 12, 13 and 14</td>
</tr>
<tr>
<td>• Article 2</td>
<td>• Article 5</td>
<td></td>
</tr>
<tr>
<td>• Article 3 (1), (3) and (4)</td>
<td>• Article 6</td>
<td></td>
</tr>
</tbody>
</table>
EU Report Writing Skills: Participants’ Needs Analysis
Questionnaire

1. About Course Participant

<table>
<thead>
<tr>
<th>Name/Surname</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Job position</td>
<td></td>
</tr>
<tr>
<td>Department</td>
<td></td>
</tr>
<tr>
<td>Organisation</td>
<td></td>
</tr>
</tbody>
</table>

2. Current Situation Analysis

a) What type of reports do you usually write in English?

b) For what purposes?

c) When writing a report do you find the following areas challenging? Please write yes or no.

<table>
<thead>
<tr>
<th>Writing Skill</th>
<th>Yes/No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Writing the first sentence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Making sentences clear and simple</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organising ideas into paragraphs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linking ideas throughout the report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finding the right word</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Being accurate with grammar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Using appropriate tone consistently</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writing within a word limit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writing the executive summary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writing conclusions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

d) When you are writing a report, how much time do you spend on the following areas? Please give a percentage (%)
- planning
- writing
- revising
3. What do you hope to achieve from doing this course? Please put between one and three objectives.

- 
- 
- 

1.1. **Identifying Strengths and Weaknesses in Your Report Writing**

To identify the strengths or weaknesses in your report writing, spend a few minutes completing the following questionnaire. There are no right or wrong answers. It simply highlights where you need to direct your professional development.

In the following boxes, put: √ “this is true for me”, X “this is not true for me”, ? “I’m not sure”.

<table>
<thead>
<tr>
<th></th>
<th>rating</th>
<th>rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a.</td>
<td>I do not always check the accuracy of what I have written</td>
<td>1b. I always make sure that my facts are correct</td>
</tr>
<tr>
<td>2a.</td>
<td>I do not control the length of what I write</td>
<td>2b. I write as briefly and concisely as the subject will allow</td>
</tr>
<tr>
<td>3a.</td>
<td>My meaning is not always clear</td>
<td>3b. I make sure my reader will understand what I have written</td>
</tr>
<tr>
<td>4a.</td>
<td>I have no clear sense of purpose in writing</td>
<td>4b. I define my purpose clearly before writing</td>
</tr>
<tr>
<td>5a.</td>
<td>I carry out work randomly and do not work to a plan</td>
<td>5b. I prepare and plan my work systematically</td>
</tr>
<tr>
<td>6a.</td>
<td>I am unable to change my style of writing to suit different purposes or materials</td>
<td>6b. I have the flexibility to change my style of writing to suit different purposes and materials</td>
</tr>
<tr>
<td>7a.</td>
<td>I write only when I cannot avoid it</td>
<td>7b. I enjoy writing and have a wide range of writing activities</td>
</tr>
<tr>
<td>8a.</td>
<td>I have a limited vocabulary</td>
<td>8b. I have a wide and constantly developing vocabulary</td>
</tr>
<tr>
<td>9a.</td>
<td>I have difficulty in spelling correctly</td>
<td>9b. I spell correctly</td>
</tr>
</tbody>
</table>
EU Coordination – Mykhailo RUDENKO

EU COORDINATION

From PCA to Association Agreement
Institutional mechanism
Strategic and planning documents
EU-UA Bilateral bodies
Monitoring and evaluation
Next steps

GOEI, Mykailo Rudenko
From PCA to Association Agreement

  - decentralised coordination;
  - formalised Ukrainian parts of bilateral bodies;
  - no public reports;

- EU-Ukraine Association Agreement (2014):
  - new system of coordination;
  - no formalised Ukrainian parts of bilateral bodies - more flexibility;
  - reports are public.
Institutional mechanism

- Government Office for European integration established;
- Deputy Ministers for European Integration appointed;
- mechanism of government authorities' EU coordination approved.
Deputy Ministers for European Integration
Strategic and planning documents

Association Agreement between Ukraine and the EU

The EU-Ukraine Association Agenda


Plans on implementation of the EU legal acts

GoU Action Programme

Action Plan for implementation of the GoU Action Programme and Strategy 2020
Association Agenda

- Political reforms;
- Judiciary reform;
- Electoral reform;
- Fight against corruption;
- Public Administration reform;
- Energy Sector Reform;
- Deregulation;
- Public procurement reform;
- Taxation;
- External audit.
Resolution # 847 + implementation plans

- Resolution #847 - direct references to the articles of the EU-Ukraine AA;

- Implementation Plans by the Ministries (150 plans - 219 EU legislative acts);

- MinEcon - 10 implementation plans for 38 EU legislative acts.
EU-UA Bilateral bodies

- Ukraine-EU Summit
- Association Council
- Civil Society Platform
  - Association Committee in two configurations
  - Association Committee for Trade
    - Subcommittee on sanitary and phytosanitary measures
    - Subcommittee on geographical indicators
    - Subcommittee on trade and sustainable development
  - Additional bilateral talks on relevant issues
  - Subcommittee on freedom security and justice (including human rights)
  - Subcommittee on economy and other sectoral cooperation

TBT
Clusters of the Subcommittee on economy and other sectoral cooperation

- Cluster 1: Macro-economic cooperation; Management of public finances: budget policy, internal control and external audit; Statistics; Accounting and auditing; Anti-fraud and control provisions;

- Cluster 2: Industrial and enterprise policy; Mining and metals; Tourism; Space; Company law and corporate governance; Consumer protection; Taxation;

- Cluster 3: Energy cooperation, including nuclear issues; Environment, including climate change and civil protection; Transport;

- Cluster 4: Cooperation in science and technology; Information society, Audio-Visual policy; Education, training and youth; Culture; Cooperation in the field of sport and physical activity;

- Cluster 5: Agriculture and rural development; Fisheries and maritime policy; Danube river; Cross-border and regional cooperation;

- Cluster 6: Cooperation on employment, social policy and equal opportunities; Public health.
Legislative framework

- Resolution # 700 "On issues of preparing and holding meetings of EU-Ukraine Association Bilateral Bodies", dated 10/12/2014;

- Resolution # 646 "On organisation of the Subcommittees of the Association Committee in the framework of the EU-Ukraine Association Agreement", dated 08/07/2015;

- Resolution # 84 "On publication of decisions and recommendations of the EU-Ukraine Association Council and the EU-Ukraine Association Committee", dated 04/03/2015.
Monitoring and evaluation

- Joint monitoring and evaluation of the AA implementation:
  - Association Council;
  - Association Committee;
  - Subcommittees;

- Internal system of monitoring:
  - Resolution # 847, Association Agenda, Implementation plans - on quarterly basis;
  - bilateral bodies' operational conclusions - on monthly basis;

- Reports:
  - Quarter report on implementation of the Association Agenda and Association Agreement;
  - Monthly digest - most important events and results of the Association Agenda priorities.
Reports and information
Next steps

- Update of the Resolution #847;
- fine-tuning of reporting and monitoring system;
- start of the institutional framework under AA trade provisions;
- at least 15 meetings of EU-Ukraine bilateral bodies in 2016.
Additional Documents

Please Find the Following Documents in the Next Pages:

1) REGULATION (EC) No 765/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

2) Minutes of 4th Sub-Committee Meeting

3) Recommendations of the EU