

**ITU Forum on Conformance and Interoperability for
the Americas Region
Brasilia, Brazil, 12-15 June 2012**

**Mutual Recognition
Agreement/Arrangement**

**Presented by
Andrew Kwan
ITU Consultant**



¹
Brasilia, Brazil, 12-15 June 2012

PRESENTATION OVERVIEW

- **Conformity Assessment**
- **General**
- **Aim of MRAs**
- **Benefits of MRAs**
- **Types of MRAs**
- **MRA for conformity assessment of telecommunications equipment**



Brasilia, Brazil, 12-15 June 2012

2

Conformity Assessment

- Member States mandate technical regulations and specifications for telecommunication equipment
- Conformity assessment such as testing and certification are conducted to demonstrate the equipment meets the technical regulations and specifications



Brasilia, Brazil, 12-15 June 2012

3

Conformity Assessment(cont'd)

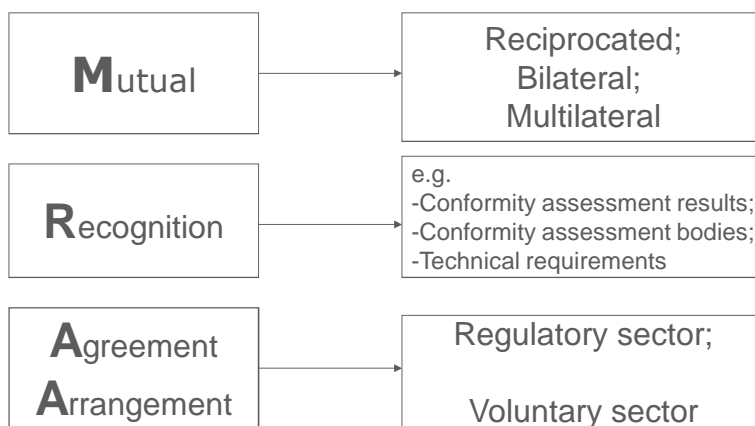
- Member states do not usually recognize conformity assessments not performed in their territories
- Equipment suppliers have to conduct multiple (duplicated) conformity assessments to meet requirements of different member states
- WTO considers these conformity assessments are technical barriers to trade
- MRA has been proven to be an useful and successful tool and process to address this problem



Brasilia, Brazil, 12-15 June 2012

4

General



Brasilia, Brazil, 12-15 June 2012

5

Aim of MRAs

- One Test, One Report, Accepted Everywhere
- One Audit, One Certificate, Accepted Everywhere
- Elimination of redundant and costly activities
- Avoidance of duplication of work in testing and Certification
- Promotion of transparency in market access
- Elimination of predatory practices and roadblocks to market access



Brasilia, Brazil, 12-15 June 2012

6

Benefits of MRAs

- Products may be shipped directly to foreign markets without any further requirements for testing and/or certification, thereby reducing costs and time to market
- Facilitates trade by promoting transparency in market access and competition
- Reduces and minimizes non-tariff trade barriers
- Shortens the time for manufacturers to introduce their products into the importing countries



Brasilia, Brazil, 12-15 June 2012

7

Types of MRAs

- Voluntary sector
 - MRA between individual conformity assessment bodies
 - MRA between accreditation bodies
 - International Laboratories Accreditation Cooperation (ILAC), Mutual Recognition Arrangement (MRA)
 - International Accreditation Forum (IAF), Multilateral Recognition Arrangement (MLA)
- Regulatory sector
 - MRA between governments



Brasilia, Brazil, 12-15 June 2012

8

Types of MRAs

MRA between accreditation bodies

- The International Laboratory Accreditation Cooperation (ILAC)
 - promotes the acceptance of accredited test and calibration results by establishing a network of mutual recognition agreements among accreditation bodies



Brasilia, Brazil, 12-15 June 2012

9

Types of MRAs

MRA between accreditation bodies

- The International Laboratory Accreditation Cooperation (ILAC)
 - The accreditation bodies which are signatories to the ILAC MRA have been peer-reviewed and shown to meet ILAC's criteria for competence.



Brasilia, Brazil, 12-15 June 2012

10

Types of MRAs

MRA between accreditation bodies

- The International Laboratory Accreditation Cooperation (ILAC)
 - Tests results prepared by testing laboratories of one signatory are accepted by testing laboratories of all other signatories



Brasilia, Brazil, 12-15 June 2012

11

Types of MRAs

MRA between accreditation bodies

- The International Laboratory Accreditation Cooperation (ILAC)
 - ILAC recognizes the following Regional Cooperation Bodies which have their own MRAs:
 - The European cooperation for Accreditation (EA)
 - The Asia Pacific Laboratory Accreditation Cooperation (APLAC)
 - The Inter-American Accreditation Cooperation (IAAC)



Brasilia, Brazil, 12-15 June 2012

12

Types of MRAs

MRA between accreditation bodies

- International Accreditation Forum (IAF)
 - The primary purposes of IAF are:
 - to ensure that its accreditation body members only accredit bodies that are competent to do the work they undertake
 - to establish mutual recognition arrangements, known as Multilateral Recognition Arrangements (MLA), between its accreditation body members



Brasilia, Brazil, 12-15 June 2012

13

Types of MRAs

MRA between accreditation bodies

- International Accreditation Forum (IAF)
 - Accreditation body members of IAF are admitted to the IAF MLA only after a evaluation of their operations by a peer evaluation team which is charged to ensure that the applicant member complies fully with both the international standards and IAF requirements



Brasilia, Brazil, 12-15 June 2012

14

Types of MRAs

MRA between accreditation bodies

- International Accreditation Forum (IAF)
 - Once an accreditation body is a signatory of the IAF MLA it is required to recognize the certificates issued by conformity assessment bodies accredited by all other signatories of the IAF MLA, with the appropriate scope.



Brasilia, Brazil, 12-15 June 2012

15

Types of MRAs

MRA between accreditation bodies

- International Accreditation Forum (IAF)
 - IAF MLA recognizes the MRAs of 3 Regional Accreditation Groups:
 - The European co-operation for Accreditation (EA)
 - The Pacific Accreditation Cooperation (PAC)
 - The InterAmerican Accreditation Cooperation (IAAC)



Brasilia, Brazil, 12-15 June 2012

16

Types of MRAs

MRA between governments

MRA Types:

- Binding / Non-Binding
- Single Sector / Multi-Sector
- Bilateral / Multilateral



Brasilia, Brazil, 12-15 June 2012

17

Types of MRAs

MRA between governments

MRA Types, examples:

- Binding:
 - Canada/European Union MRA
 - USA/European Union MRA
- Non-Binding:
 - Asia Pacific Economic Cooperation (APEC) MRA
 - InterAmerican (CITEL) MRA



Brasilia, Brazil, 12-15 June 2012

18

Types of MRAs

MRA between governments

MRA Types, examples:

- Single Sector:
 - Asia Pacific Economic Cooperation (APEC) MRA; telecommunications
- Multi-Sector:
 - Canada/European Union MRA; six sectors including EMC and telecommunications



Brasilia, Brazil, 12-15 June 2012

19

Types of MRAs

MRA between governments

MRA Types, examples:

- Bilateral:
 - Canada/European MRA
- Multilateral:
 - Asia Pacific Economic Cooperation (APEC) MRA; telecommunications



Brasilia, Brazil, 12-15 June 2012

20

MRA for Conformity Assessment of Telecommunications Equipment

MRA between governments

An Example

- Framework and contents of a Mutual Recognition Arrangement for Conformity assessment of Telecommunications Equipment



Brasilia, Brazil, 12-15 June 2012

21

MRA for Conformity Assessment of Telecommunications Equipment

Framework

- **Scope:**
 - Equipment subject to mandatory telecommunication requirements
- **Coverage:**
 - Telecom, EMC and Electrical Safety
- **Phases:**
 - Phase I - acceptance of test results
 - Phase II - acceptance of equipment certification



Brasilia, Brazil, 12-15 June 2012

22

MRA for Conformity Assessment of Telecommunications Equipment

Framework (cont'd)

- **Conformity Assessment Bodies (CABs):**
 - Testing laboratories
 - Certification bodies
- **Competence of CABs:**
 - Determined using ISO/IEC Standards 17011, 17025, Guide 65 plus appropriate technical regulations



Brasilia, Brazil, 12-15 June 2012

23

MRA for Conformity Assessment of Telecommunications Equipment

Contents

- Preamble
- Purpose of the agreement
- General Provisions
- Definitions and Interpretations
- Scope
- Designating Authorities
- Designation of CABs and Appointment of Accreditation Bodies (ABs)
- Recognition of CABs and Mutual Acceptance of the Results of Conformity Assessment (CA) Procedures



Brasilia, Brazil, 12-15 June 2012

24

MRA for Conformity Assessment of Telecommunications Equipment

Contents (cont'd)

- Verification of CABs
- Commencing the Agreement and Initiating Participation in Phase I or Phase II Procedures
- Information Exchange
- Joint Committee
- Additional Provisions
- Confidentiality
- Preservation of Regulatory Authority
- Fees
- Amendment and Termination of Agreement
- Final Provisions



Brasilia, Brazil, 12-15 June 2012

25

MRA for Conformity Assessment of Telecommunications Equipment

Contents (cont'd)

- I. Appendix A
 - A. Common Requirements
 - B. Designation of Testing Laboratories
 - C. Designation of Certification Bodies
- II. Appendix B – Phase I procedures for mutual recognition of testing laboratories as CABs and mutual acceptance of test results
 - A. Scope
 - B. Designation and Recognition of CABs
 - C. Participation in Phase I Procedures
 - D. Transition Periods
 - E. Mutual Acceptance of Test Reports
 - F. Processing of Applications
 - G. Suspension of Mutual Recognition and Acceptance Obligations



Brasilia, Brazil, 12-15 June 2012

26

MRA for Conformity Assessment of Telecommunications Equipment

Contents (cont'd)

- III. Appendix C – Phase II procedures for mutual recognition of certification bodies as CABs and mutual acceptance of equipment certifications
 - A. A-G Same as above, except change Phase I to Phase II and testing to certification
- IV. Annexes I – Annexes IV
 - [Annex I](#) – List of the Technical Regulations for Each Participating Country
 - [Annex II](#) – List of Name and Address of Each Designating Authority and Accreditation Body for Each Participating Country
 - [Annex III](#) – List of Name and Address of Each CAB Designated by Each Participating Country
 - [Annex IV](#) – List of Name and Address of Each CAB or MRAs by AB Recognized by Each Participating Economy



Brasilia, Brazil, 12-15 June 2012

27

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Preamble

- Trade facilitation measure in support of the WTO Agreement on Technical Barriers to Trade (TBT) obligations.
- The agreement is not legally binding; however, it does infer certain rights and responsibilities for participating countries.
- Parties may exchange letters if useful.

1. Purpose of Agreement

- To provide for the mutual acceptance of other parties' CA results for a wide range of telecommunications equipment subject to mandatory requirements

2. General Provisions

- Introduces and brings into the agreement the designating and monitoring procedures in Appendices A, B and C



Brasilia, Brazil, 12-15 June 2012

28

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

3. Definitions and Interpretations

- Introduces ISO/IEC Guide definitions and key definitions
- Technical regulations - means mandatory requirements

4. Scope

- agreement applies to the Technical Regulations listed by each participating party in ANNEX I – applies to network terminal attachment and other telecommunication equipment. Coverage includes Telecom equipment, EMC and Electrical Safety.



Brasilia, Brazil, 12-15 June 2012

29

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

5. Designating Authority (DA)

- A government entity that designates, lists, verifies competence of, limits and withdraws designation of Conformity Assessment Bodies (CABs) within its jurisdiction.
- An independent accreditation body may be appointed to determine competence of CABs. The DAs and ABs will be listed in ANNEX II by each party.

6. Designation of CABs and Appointment of ABs

- Each DA (listed in ANNEX II) may designate CABs to perform conformity assessment activities to the other party's requirements.
- Designations must follow the procedures in Appendix A
- Mutual recognition agreements between accrediting bodies may be used, provided they follow Appendix A



Brasilia, Brazil, 12-15 June 2012

30

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

7. Recognition of CABs and Mutual Acceptance of the Results of Conformity Assessment Procedures

- Under the procedures specified for Phase I and Phase II, a party (Regulatory Authority) will recognize CABs and accept the results performed by those CABs.

8. Verification of CABs

- Parties have the right to contest a CABs technical competence following due process procedures.
- The Joint Committee may become involved to assist in resolving the differences.



Brasilia, Brazil, 12-15 June 2012

31

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

9. Commencing the Agreement and Initiating Participation in Phase I or Phase II Procedures

- Commencement date
- Each party must provide the other parties with certain information (Some countries may accomplishing this through an exchange of letters.)

10. Information Exchange

- Technical regulations are listed in Annex I for each party. Changes to regulations must be publicly available.
- DA and AB (Annex II), designated CABs (Annex III), recognized CABs (Annex IV) must be kept current



Brasilia, Brazil, 12-15 June 2012

32

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

11. Joint Committee

- Joint party established consisting of representatives from each party

12. Additional Provisions

- Each party will endeavor to use international standards as a basis for its technical regulations

13. Confidentiality

- A party, in accordance with applicable laws, will protect proprietary information.

14. Preservation of Regulatory Authority

- Each party retains all authority under its laws to interpret and enforce its technical regulations governing equipment covered by this Agreement.



Brasilia, Brazil, 12-15 June 2012

33

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

15. Fees

- The parties will ensure that any fees charged will be non-discriminatory, transparent, and reasonable

16. Amendment and Termination of Agreement

- May be amended by mutual written consent of the participating parties
- A party may terminate its participation by giving 6 months notice

17. Final Provisions

- Agreement is inclusion of Appendices A-C and Annexes I-IV, with appendices taking precedence in cases of inconsistencies



Brasilia, Brazil, 12-15 June 2012

34

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix A - Designation and Monitoring Requirements for CABs

- Specifies designation and monitoring rules for testing labs and certification bodies

A. Common Requirements

- DA may appoint Accreditation Bodies (AB) provided certain conditions are met, which includes the use of the relevant international standards/guides; i.e. ISO/IEC 17011, 17025 & Guide 65
- DAs encouraged to harmonize designation procedures
- ABs encouraged to participate in agreements between accreditation bodies



Brasilia, Brazil, 12-15 June 2012

35

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix A - (continued)

B. Designation of Testing Laboratories (TL)

- A party may use one or more Designating Authorities or Accrediting Bodies to determine the competence of a laboratory to test equipment to the other party's technical regulations
- The DA or AB must be capable of meeting of ISO/IEC 17011
- The TL must be accredited to ISO/IEC 17025 to the appropriate scope and technical regulations
- The DA may require the TL to demonstrate competence through: Regional AB MRA, peer evaluations, proficiency testing or comparison between testing laboratories
- Each TL will have a 6 character identifier



Brasilia, Brazil, 12-15 June 2012

36

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix A - (continued)

C. Designation of Certification Bodies (CB)

- A party may use one or more Designating Authorities or Accrediting Bodies to determine the competence of a body to certify equipment to the other party's technical regulations
- The DA or AB must be capable of meeting of ISO/IEC 17011
- The CB must be accredited to ISO/IEC Guide 65 to the appropriate scope and technical regulations using a team of technical experts to determine competence for each type of equipment and discipline.
- The CB must also be accredited to ISO/IEC 17025 and be capable of testing equipment for which it approves
- Sub-contracting per Guide 65 permitted
- CB must establish an acceptable market surveillance program in accordance with Guide 65
- Each CB will have a 6 character identifier established by the DA



Brasilia, Brazil, 12-15 June 2012

37

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix B - Phase I Procedures for Mutual Recognition of Test Labs and Mutual Acceptance of Test Reports

1. Scope

- Specifies the procedure for mutual recognition of TLs and the acceptance of test reports relating to the technical regulations identified in ANNEX I for Phase I for each party

2. Designation and Recognition of CAB

- The DA of the exporting party accredits and designates CABs as being competent to test equipment subject to the technical requirements of the importing party listed in ANNEX I.
- The importing party (RA) upon receipt of the exporting parties designation will evaluate and recognize CABs in a fair and transparent manner. The Joint Committee may be used for the review process in cases of dispute.



Brasilia, Brazil, 12-15 June 2012

38

**MRA for Conformity Assessment of
Telecommunications Equipment**
Contents (by paragraph)

Appendix B - (continued)

3. Participation in Phase I Procedures

- Details the appropriate ANNEXES that each party needs to complete

4. Transition Periods

- Establishes a procedure to build confidence with the aid of familiarization and training among participating parties



Brasilia, Brazil, 12-15 June 2012

39

**MRA for Conformity Assessment of
Telecommunications Equipment**
Contents (by paragraph)

Appendix B - (continued)

5. Mutual Acceptance of Test Reports

- Establishes a procedure for the fair and transparent handling of test reports by recognized CABs.

6. Processing of Applications

- Establishes timetable for processing applications

7. Suspension of Mutual Recognition and Acceptance Obligations

- Establishes procedure for suspension of MRA



Brasilia, Brazil, 12-15 June 2012

40

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix C - Phase II Procedures for Mutual Recognition of CBs and Mutual Acceptance of Equipment Certifications

1. Scope

- Specifies the procedure for mutual recognition of CBs and the acceptance of approval of equipment meeting the technical regulations identified in ANNEX I for Phase I for each party

2. Designation and Recognition of CABs

- The DA of the exporting party accredits and designates CBs as being competent to approve equipment subject to the technical requirements of the importing party listed in ANNEX I. Consistent with paragraph 5.3 of the MRA, the DA may appoint an AB to accredit the CB for the procedures in Appendix A.



Brasilia, Brazil, 12-15 June 2012

41

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix C - Phase II Procedures for Mutual Recognition of CBs and Mutual Acceptance of Equipment Certifications

2. Designation and Recognition of CABs(cont'd)

- The importing party (RA) upon receipt of the exporting parties designation will evaluate and recognize the CB in a fair and transparent manner. The Joint Committee may be used for the review process in cases of dispute.

3. Participation in Phase II procedures

- Details the appropriate ANNEXES that each party needs to complete

4. Transition Periods

- Establishes a procedure to build confidence with the aid of familiarization and training among participating parties



Brasilia, Brazil, 12-15 June 2012

42

MRA for Conformity Assessment of Telecommunications Equipment

Contents (by paragraph)

Appendix C - (continued)

5. Mutual Acceptance of Equipment Certifications

- Establishes a procedure for the fair and transparent handling of equipment certification produced by a recognized CBs.

6. Suspension of Mutual Recognition and Acceptance Obligations

- Establishes procedure for suspension of MRA



Brasilia, Brazil, 12-15 June 2012

43

Mutual Recognition Agreement/Arrangement

Thank you

Andrew Kwan
kwanz@telus.net



Brasilia, Brazil, 12-15 June 2012

44