

**Conformance and Interoperability (C&I) Validation
Workshop for EAC Region
Laico Regency Hotel, Nairobi, Kenya
21st – 23rd October 2015**

**Mutual Recognition
Agreements/Arrangements: Procedures for
definition, implementation and management
of MRAs**

**Presented by
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PRESENTATION OVERVIEW

Procedures for:

- **Definition/Development**
- **Implementation**
- **Management**

of Mutual Recognition Agreements/Arrangements (MRAs)



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Definition/Development

■ Types of MRAs

- Bilateral MRA between two parties
- Framework MRA with more than 2 parties

■ Scope and coverage

- Terminal attachment and radio equipment
- Electro-magnetic compatibility (EMC)
- Electrical safety

■ Parties to the MRA

- Belong to one geographic region
- Common trade and economic interests
- Common telecom standards and conformity assessment procedures



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Definition/Development

■ Obligations of parties

- Recognition of conformity assessment results
- Recognition of conformity assessment bodies
- Maintain confidentiality commitments
- Accept legal and liability responsibilities
- Establish and participate in MRA management procedures



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Definition/Development

■ Examples of MRAs on conformity assessment

- Bilateral MRA
 - United States/Mexico MRA
 - Australia/European Union MRA
- Framework MRA
 - Asia Pacific Economic Cooperation Telecom MRA (APEC TEL MRA, 21 economies)
 - Inter-American MRA (CITEL MRA, 34 member states)

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Definition/Development

■ Duration and Disestablishment of MRAs

- Implementation dates and duration
- MRA can be disestablished in response to technological, regulatory or political changes – conditions to be specified in the MRA.

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Implementation of an MRA

- **Pre-implementation preparation**
 - Review, amend or develop legislation, regulations and procedures. It would take time and political will to make changes
 - Parties should cooperate in above processes to streamline implementation
- **Scope and coverage**
 - Full coverage or limited coverage to gain experience and confidence

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Implementation of an MRA

- **Regulations, standards and specifications**
 - Decision on set of regulations, standards and specifications to be offered to partners, this list can be amended upon mutual consent
 - Agreement on the list and exchange of information

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Implementation of an MRA

■ Accreditation Bodies

- Accreditation bodies should be ISO/IEC 17011 compliant and be signatories of ILAC MRA or IAF MLA
- Parties appoint accreditation bodies within their territories
- Parties can recognize foreign accreditation bodies if there are no accreditation bodies within their territories

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Implementation of an MRA

■ Confidence building period

- Exchange of conformity assessment results without mutual recognition to learn and understand each other's technical requirements and procedures
- Typically 6 to 12 months before formally entering into implementation.

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Implementation of an MRA

■ Implementation Phases

- Phase 1 – Mutual recognition of testing laboratories and mutual acceptance of test reports prepared by the recognized testing laboratories
- Phase 2 - Mutual recognition of certification bodies and mutual acceptance of certifications prepared by the recognized certification bodies



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Implementation of an MRA

■ Implementation Phases (cont'd)

- Phases can be implemented one at a time or both together
- Typically Phase 1 will be implemented first to gain experience and confidence followed by Phase 2 implementation



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Implementation of an MRA

■ Identification of Contacts and MRA Host

- MRA stakeholders include designating authorities, regulatory authorities, accreditation bodies, conformity assessment bodies and equipment manufacturers
- To coordinate and facilitate implementation, each party has to nominate a contact person
- In the regulatory sector, MRA hosts should be identified



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Implementation of an MRA

■ Nomination of regulatory authority

- Typically the regulatory authority is the regulator of the party
- The regulatory authority may delegate this task to a competent body
- One regulator should be nominated unless equipment under coverage is regulated under different regulatory authorities



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Implementation of an MRA

■ **Nomination of designating authority**

- One or more designating authorities can be nominated and it is recommended to nominate only one designating authority
- Regulatory authority can assumed the role of designating authority

■ **Identification of accreditation bodies**

- One or more accreditation bodies appointed within a party's territory
- Recognized accreditation bodies in foreign territories

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Implementation of an MRA

■ **Notification of conformity assessment bodies**

- Party A of an MRA which has designated a conformity assessment body (cab) accredited to conduct conformity assessment meeting requirements of Party B, will notify the regulatory authority of Party B of this designation along with documentation and a request for recognition by Party B of this cab

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Implementation of an MRA

■ Recognition of conformity assessment bodies

- If regulatory authority of Party B is satisfied with designation by Party A, it will notify the designating authority of Party A with its recognition
- Response to recognition requests typically within 3 months
- The recognized cab from Party A will be permitted to send conformity assessment results to regulatory authority of Party B



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Implementation of an MRA

■ Formation of a Joint Committee

- Establish Joint Committee co-chaired by personnel from both parties
- Membership should include all MRA stakeholders
- Meets regularly or at the request of either parties



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Implementation of an MRA

■ Monitor and surveillance programs

- Establish programs to monitor designated conformity assessment bodies to ensure their accreditations are up to date
- Establish programs to audit equipment tested or certified by designated conformity assessment bodies

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Implementation of an MRA

■ Experiences from implementation of MRAs

- Time taken to develop and implement MRA is longer than expected
- It is useful and beneficial to share assessors for accreditation
- It is necessary to establish program to monitor conformity assessment bodies
- Parties report good results and benefits from implementation
- It is expedient and useful to develop a Framework MRA for a region

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Management of an MRA

■ Joint Committee

- Work by consensus
- Facilitate implementation
- Assist in dispute resolution
- Facilitate sharing of information
- Coordinate training and information programs to support implementation
- Sharing of results on the monitoring and surveillance of conformity assessment bodies

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Management of an MRA

■ Update and surveillance by accreditation bodies of conformity assessment bodies

- Surveillance activities
- Reassessment (comprehensive as initial accreditation) visits
- Responds to claims and complaints on accredited conformity assessment bodies
- Extension of scope of accreditation

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Management of an MRA

■ Management of data

- Information gathered prior to implementation, variation to the operation of the MRA and prior to termination of the MRA has to be compiled, organized and stored by each party
- Parties can delegate this task to other organizations or join together to channel the information to one organization



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Management of an MRA

■ Termination and withdrawal from an MRA

- Remedial measures include
 - Contesting competence of a conformity assessment body and
 - Referral of any matter to the joint committee
- Criteria for termination to be determined by both parties during development of the MRA
- Parties which terminates its participation should ensure that after termination it continues to give effect to conformity assessment results accepted prior to termination



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Thank you

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Follow-up considerations Possible way forward 1 of 2

1. Establishment in EAC countries of *in-country* C&I test labs
 - Identify potential locations and scopes of testing and develop an implementation plan
2. Establishment of EAC *regional* C&I test labs
 - Identify potential numbers of labs, locations and testing scopes and develop an implementation plan
3. Establishment of an *MRA framework* for EAC based on existing frameworks in successful operation already in other regions e.g. APEC- TEL MRA and Inter-American (CITEL) MRA

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Follow-up considerations

Possible way forward 2 of 2

- Establishment of a regional EAC Committee to develop the appropriate plans and implementation strategy for test labs and MRA
 - Secure endorsement of the plans by government authorities through the EAC Minister's Council as appropriate
 - Establish a concrete MRA text based on the framework text, with EAC countries becoming signatories, voluntarily when ready to implement
 - Ensure that the regional committee remains active as coordinator and focal point for the test labs and MRA implementation plans

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