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RUSSIA'S NATIONAL STANDARDS STRATEGY

RF Ministry of Industry Energy Federal Agency for Technical Regulation Metrology Concept Developments of The RF National Standards System (Draft) Moscow, 2005

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Introduction

The state administration of standardization in Russia begins its history since 1925 and its 80th anniversary is celebrated in 2005.

The Russian standards system, at the stage of its formation and development, has been exclusively serving the state's interests and financed exclusively by the state.

The changes, occurring at present on the world arena, influence, in the first place, the standardization as well, because it is called to ensure, in this stage of globalization of commercial relations, a passage from priority reflection in standards of state interests to ensuring in standards a balance of interests of state administrative bodies, subjects of management, public organizations and consumers.

Development and improvement of the Russian national standards system is stipulated by a need of creating conditions for exporting domestic products on foreign markets and retaining, within the framework of the Commonwealth of Independent States (CIS), priority commercial and economic, scientific-and-technical and technological partnership, ensuring compliance of the level of industrial development with the scientific-and-technical progress in conditions of abridging the sphere of government control over the economy and expanding the independence of subjects of management.

The coming into force of the Federal Law, *On Technical Regulation*, transferred RF state standards, which have fulfilled the functions of the basic tool of government regulation, into national standards intended to ensure, on the voluntary basis, an increase in a competitive ability and safety of products, works and services and evidence at observing mandatory requirements of technical regulations.

Standardization, as one of the elements of technical regulation, can ensure a worthy contribution to the economic development of the country, but, in this case, the role and principles of standardization, under the conditions of reforming the Russian economy, shall be adequate to the current changes and meet an international practice.

The present concept describes a strategy of actions and presents a system of views under the basic trends in development of the national standards system, which are called to create a Russian national standards system functioning effectively, acknowledged at the international level, required both by the industry and consumers, harmonized with an established international practice.

1. Strategic objectives of standardization

In the contemporary world, the standards exist in a dynamic and changing environment. The globalization of markets, the appearance of new sectors of business, the more rapid product development and reduction of product life cycles, as well as the increase of interpenetration of technologies, lead to the fact that national and international standardizations are facing a set of new and more sharply confronting problems. The determination of a national standards strategy is the necessary answer to the changing situation and the new demands of the domestic economy and the globalized world. For many countries, strategic objectives of standardization have a uniform foundation; however, the stages of their realization are determined by the national economy. In the Russian Federation, it is possible to specify the following basic objectives of standardization:

- To assist the Russian Federation in reaching a position of one of the economically-leading countries;
- To provide national, ecological, technical and technological safety in the Russian Federation;
- To improve a quality and competitive ability of products, works and services, including that on the international market;
- To reduce a load on the RF legislation by the way of maximum use, by the state, of a competence of the private sector and the business-community realized in the national standards;
- To assist the globalization of commercial relations and the elimination of technical barriers to trade;
- To help preserving the priority markets for Russia's industrial enterprises, for the trade-and-economic, scientific-and-technical and technological partnership with CIS countries;
- To assist, through standards, to interpenetration of technologies, knowledge and experiences accumulated in the economy's various branches.

2. Contemporary condition of the standards system

2.1. Legislative and normative bases of standardization

Until July 1, 2003, the relations related to the activity in standardization and the applications of its results were regulated by the RF Law, *On Standardization*. Standards bore required nature and nonobservance of their requirements it was pursued according to the law.

The Federal Law, *On Technical Regulation*, was commissioned from July 1, 2003; it has determined participants of standardization activity, rules of standards, their voluntary status, and interrelation with technical regulations.

The documents, on the basis of which is constructed the national standards system, include as well:

- Basic standards of the national standards system;
- Documents of international standards organizations;
- The WTO TBT Code of Good Practice for standards preparation, adoption and application.

In the totality, they compose the legislative and normative base of standardization activity.

2.2. Organizational and functional structure

The organizational and functional structure of the standards system preserved in itself the features of the former state standards system, but, in this case, its resource capabilities decreased seriously.

At present, the subjects of standardization activity are:

- National standards body;
- Technical committees on standardization;
- Developers of standards.

The Federal Agency for Technical Regulation and Metrology fulfills the functions of the national standards body assigned to it by a RF Government Decree in the volume, established by article 14 of the Federal law, *On Technical Regulation*.

Technical committees on standardization (TC), the system's basic elements, take part in formation of standardization plans, in development of standards and their examination. In 95% of cases, they are formed on the base of the leading institutes of the branches of industry. The compositions of technical committees include, on parity principles and a voluntary basis, representatives of federal bodies of executive power, research organizations, self-regulatory organizations, public unions of entrepreneurs and consumers. Federal bodies of executive power are able to accomplish their participation in the development of standards within the TC directly, through their branch research institutes or other organizations.

At present, there are registered 352 technical committees on standardization; however, only 217 committees work actively in the field of standardization, which is caused by the industry's state and weak interest in development of standards, by cardinal reorganization of management and by reorganization of branch research institutes.

В целом организационная структура системы стандартизации во многом основана на международной практике.

As a whole, the organizational structure of the standards system is based, in many respects, on the international practice.

2.3. International and regional standardization

At present, the industrially developed countries successfully defend their interests on the global market through the active participation in the International Organization for

Standardization (ISO), the International Electrotechnical Commission (IEC) and the International Telecommunications Union (ITU). Russia is the member of these international organizations for standardization.

Russia participates also in the activity of such regional standards organizations as Eurasian Interstate Council for Standardization, Metrology and Certification of CIS countries (MGS), the United Nations Economic Commission for Europe (UNECE), the Pacific Area Standards Congress (PASC). The Russian National Standards Body represents Russia in ISO, IES and MGS.

At present Russia conducts 11 subcommittees and 9 working groups within the framework of ISO technical committees. Under the contemporary conditions, it is clearly insufficient realizing national interests and strengthening Russia's position on the global market.

An important direction of international activity in the field of standardization is bilateral cooperation with the national standards bodies of industrially developed countries, as well as with CIS countries.

2.4. Structure and composition of the national standards system's documents

At present, the fund for the national standards system's documents includes standards and standards of organizations, rules of standardization, norms and recommendations on standardization, all-Russian classifiers of technical-and-economic and social information. The fund for national standards contains more than 25,000 documents, among which about 1,500 national standards are the limited-access documents directed toward the increase in the country's defense capability and protection of state secret. This fund is a component part of the federal information fund for technical regulations and standards.

Over many years fund for Russian state standards in essence met, according to the quantitative indices and distribution along the basic industrial sectors, both the funds for international standards and standards of industrially developed countries of Europe and the U.S. and the problems for solution of which it has been created within the framework of the state's standards system. During disintegration of the former USSR, the large part of the fund for state standards (more than 20,000 standards) was transferred into the category of interstate standards of CIS countries, which still are the basic normative documents for the maintenance of commercial relations between the countries.

At present, the rates of renovation and updating of the fund for the national standards system's documents are substantially reduced; in result, it is observed a gradual decrease in the level of harmonization of national standards with the international, which indicates an insufficient participation of industry in the works on harmonization of national standards with the international ones.

2.5. Economic bases of standardization

Development and examination of national standards is carried out due to the means of the federal budget and means of the developers of standards.

At present, the federal budget finances 39% of positions of the plan of national standardization; 61% is financed due to the means of developers; however, a total number of produced standards does not ensure the necessary dynamics of renovation of the fund for standards.

Due to the means of the federal budget there are financed as well:

- Maintenance cost of the apparatus of the national standards body;
- Creation and conducting the federal information fund for technical regulations and standards;
- Development of all-Russian classifiers;
- Payment of fees to international organizations for standardization.

3. Prerequisites for reforming the standards system

3.1. New social and economic conditions

The basic prerequisites of the reformation of the national standards system are the change in the structure of the Russian economy, which is manifested in the change in the kinds of property of the majority of enterprises, the appearance of the open markets for goods and services, the introduction of the new elements of market regulation in the production sphere, the considerable acceleration of the processes of renovation and creation of new products, the need in participation of enterprises in the international division of labor.

The current national standards system does not entirely ensure the necessary rates in the industrial increase, the required level of the involvement of the results of the scientific-and-technical progress into the economy and the industry and the fulfillment of the commission of the RF President to increase 2 times the RF GDP.

3.2. Changes in the administrative system

The reformation of relations in the region of technical regulation, and first of all, standardization are imperatively required by the current reformation of the structure and relations between the federal bodies of executive power, the need for transferring a part of the functions of public bodies to the non-government and self-regulatory organizations, the expansion of the dialogue between the state and society, the improvement in the quality of state services, the involvement of society in the state management and the increase in the

transparency of the activity of the bodies of state power.

This cannot be realized without the radical change of both the organizational-and-legal modes in the activity of standards organizations and the economic mechanisms supporting and stimulating the development and use of national standards.

3.3. Integration of Russia into the global economic space

The existing in Russia practice of national standardization in a considerable degree complies with international standards and rules; however, the contemporary level of national standardization does not make it possible to entirely take into account the national interests in international organizations for standardization.

The basic prerequisites for the further reformation of the national standards system are also the globalization of commercial relations in the international arena and connected with this expansion of countries participation in the economic and customs unions, in particular the forthcoming Russia's admission into the WTO, the Organization for Economic Cooperation and Development (OECD) and other international organizations, the expansion of the European economic space and the creation of the global economic space.

First of all this is connected with Russia's recognition of the WTO TBT Code of Good Practice for standards preparation, adoption and application and with the adoption of the basic documents of international organizations for standardization aimed at the maximum harmonization of the legislative and normative bases of standardization in Russia with the international practice.

3.4. Reform of technical regulation in the field of standardization

3.4.1. Change in the status of standards

The most essential difference between the domestic and international practice of standardization was the status of standards. In the majority of developed countries the standards are used on the voluntary basis, whereas in Russia the requirements of a number of state standards were mandatory. This difference was removed with the coming into force of the Federal Law, *On Technical Regulation* - the use of standards has become voluntary.

The change in the status of standards requires revising the basic standards of the national standards system.

3.4.2. Exclusion of industry standards from the composition of documents on standardization

The Federal Law, *On Technical Regulation*, has excluded industry standards from the

composition of documents on the standardization. At the same time, the number and value of industry standards remain very essential for the producers. It is necessary to preserve the provisions and requirements of a number of industry standards used for developing and functioning the separate sectors of industry. It shall be decided in what form they can continue their existence - as national standards or standards of organizations. The federal bodies of executive power along with the associations (unions) of producers shall make a concerted decision under this issue and organize a work. Further development of the system of standards of organizations under the new conditions will create a basis for the development of the national standards system, since the approved in practice standards of organizations, which track the rapidly changing market requirements, can be adopted, if necessary, as national standards.

3.4.3. National standards as an evidentiary base of technical regulations

The Federal Law, *On Technical Regulation*, has established the interrelation of technical regulations and national standards. Taking into account that standardization is carried out also for the purposes of raising the safety level of human life and health, environmental safety and for the assistance of the requirements of technical regulations, it is necessary to maximally use national standards as an evidentiary base of technical regulations.

The new function of national standards shall be realized in the national standards system.

Furthermore, in the process of applying technical regulations it is necessary to use, first of all, standardized methods of studies (tests) and measurements, as well as rules of sampling for conducting studies (tests) and measurements, including the documents of the state of measurement system, since with the presence of national standards for testing methods, harmonized with international standards, the development of different testing methods will lead to the appearance of new technical barriers to trade.

3.5. Problems of the current standards system

In many respects the existing problems of standardization are caused by the transitive period of reformation in the field of technical regulation and they are a deterrent factor in achieving the strategic goals of standardization.

First of all, this relates to a low effectiveness of standards, since they reflect not in a proper measure the results of scientific-and-technical progress; their level of harmonization with international standards is insufficient; national standards contribute not in a proper measure to the removal of technical barriers to trade.

It is observed also a steady tendency in reducing a quality of national standards as a result in a decrease in the level of the scientific basis of works for standards development.

A low activity of industry and public circles in the national and international standardization,

a low controllability of the secretariats of technical committees have resulted that the standards are not always the documents of the required level of consensus.

As a result, the national standards as a tool of technical regulation did not obtain a proper evaluation at the development of strategies of the RF economic development, at the formation and realization of federal targeted programs, at organizing the purchases for the state needs, at the implementation of the programs of state crediting and mandatory insurance.

The reduction of Russia's participation in the development of international standards led to the fact that in them there were not reflected in a proper measure the interests of Russia which hampers the movement of domestic technologies and hi-tech products to the global markets.

A low level of renewability of the fund for national standards is explained, first of all, by the absence of the copyright to the standards and their propagation, as well as the efficient economic mechanism of developing and stimulating the development of standards, as a result of which the cost of standards is determined exclusively by the prime cost of their publication and propagation and does not take into account the expenditures for their development that practically does not permit the development of standards due to the means obtained from their propagation.

The fact that about 80% of standards, in force today in Russia, are actually the interstate standards, the periods of renovation of which substantially exceed the periods of development and renovation of national Russian standards, and that only 20% of the fund are Russian national standards adopted unilaterally by Russia for assuring its national interests, indicates that the fund for Russian standards meets not in a proper measure the demand of industry.

The obsolete system of propagation of national standards does not make it possible to ensure their prompt delivery to interested parties and to organize the account of demands on national standards.

4. Basic tasks for reforming the standards system

For an effective reform of the national standards system with the aim of realizing its strategic tasks, it is necessary to solve the following problems:

1. To ensure an effective application of standardization methods and means for the assistance to a successful development of the economy's sectors with a high potential of development and increase, to increase a competitiveness and quality of domestic products, works and services.

2. To position a national standard as the "public good" adopted on the basis of consensus

and reflecting the balance of interests of the bodies of state power, subjects of management, public organizations and users.

3. To ensure the creation of the national standards system adaptive to requirements and demands of the changing world and market.
4. To maintain the priority use of national standards for ensuring Russia's national interests, fulfilling international obligations and supporting a social-and-economic state policy.
5. To create a mechanism of the priority development of national standards, used as evidence for technical regulations, as well as directed toward increasing the level of safety, taking into account the risk of natural and technological emergencies, the possibility of terrorist acts, as well as labor safety, ecology, information and technical compatibility.
6. At developing standards, to ensure the application of target-programming methods, the account of interpenetrating requirements and methods of various branches of knowledge and types of technology with the aim of reaching consensus and removing technical barriers on the market.
7. To optimize the rules and procedures of development and adoption of national standards, the structure of the national standards system and functions of its participants with the use of an international experience. To increase the level of national and international standards harmonization. To strengthen Russia's role and authority in international (regional) standards activities.
8. To ensure the transparency and attractiveness of standardization for society as the means which makes it possible to reach an essential social-and-economic effect and ensuring the balance of interests of all interested parties.
9. To ensure the creation of the economic model of the national standards system adequate to new economic conditions and ensuring the attraction of all interested parties to the works on standardization and their financing.

5. Directions for reforming the standards system

5.1. Functional and structural transformations of the system^{*}

The appearance of new objectives and functions of standardization, a change in the status of national standards lead to the need of conducting the structural changes in the national standards system, as well as changes in the functions of its participants.

With the aim of increasing the effectiveness in the works on standardization and taking into account the need of achieving consensus between the interested parties as a result of reform, it is necessary to create the standards body as a non-government organization. As the founders of the non-government, noncommercial organization shall be research and self-

regulatory organizations, public unions of entrepreneurs and consumers. The large enterprises (association), interested in the development of standards, shall be participants in the noncommercial organization.

A degree of confidence to the non-government organization from the side of the state and other interested parties is one of the basic conditions for its transformation.

Taking into account that the state has fundamental interests in development of standardization, it is necessary to conclude an agreement between the RF government and the national standards body about the mutual commitments to the national interests in the field of national standardization.

With the aim of maintaining the balance of interests in defining priorities and objectives of standardization, for controlling over the activity of the national standards body, it is necessary to create a supervisory council on standardization comprising representatives of founders and federal bodies of executive power.

The development of standards and the processes of their propagation shall be reviewed to ensure the maximum use of electronic means allowing the possibility of accelerating the works with reducing expenditures and making access to the information on standards more convenient and more reliable. The national standards body and the developers of standards shall use new information systems and forms of information publications in the field of standardization meeting the needs of contemporary users.

The structure of the national standards system shall provide the economically effective model of planning, developing, adopting and propagating the national standards.

5.2. Development of legislative bases of standardization

The systemic issues of standardization are not completely reflected in the Federal Law, *On Technical Regulation*, whose provisions replaced the previously acted Law, *On Standardization*. For example, it defines narrowly the term of the very standards system as the system represented by itself only a totality of documents on standardization, without taking into account the participants and rules of its functioning.

The reform of the system's organizational and functional bases with the national body into the non-government structure can also require the introduction of amendments to the legislation.

It is necessary to legislatively solve a problem on protection of property rights on the national standards, in order to build an effective system of standards propagation and to increase responsibility for their propagation, as well as to form a basis for recurrent financing the process of developing national standards.

In accordance with the international practice, it is necessary to ensure, in the legislative acts, the priority application of national standards as the "public document," adopted on the

basis of the consensus of all interested parties at the development and application of technical regulations.

5.3. Reform of economic bases of standardization

The bases of economic activity in standardization are the Budgetary and non-budgetary sources.

Budgetary funds, allocated to standardization, are directed for fulfilling the state's tasks which can be solved by the methods of standardization. The world experience shows that the budgetary financing of works conducted by a national standards body comprises in average 20% to 40%.

Non-budgetary resources comprise in average 60% and, as a rule, are formed due to the means obtained by a national standards body from the realization of standards and other products in this sphere of activity.

Taking into account that a national standards body, as a rule, has the status of a noncommercial organization, it gathers some means in the form of membership payments.

Besides, interested parties allocate some means for the development of standards by the way of the payment for the work of their specialists who participate in the work of technical committees on standardization.

A national standards body can obtain some additional resources due to education and training specialists, publishing activities, certifications and other services rendered by it to the market.

A gradual passage to the contemporary economic model of standardization revealed a direction which shall be taken into account at planning the standardization activity. The prognostication of the market of standards and the analysis of a demand on them can soon become the extremely claimed components of standardization activity. Without a real picture and volumes of selling national standards it cannot be accomplished the passage from the state system of national standardization to the market conditions of its functioning.

For the aim of reducing the time and expenditures at developing standards, it is necessary to develop and implement a special mechanism for adoption of standards of enterprises, approved in practice, as the national standards.

For the aim of reducing expenditures, it is necessary as well to use a mechanism of international (regional) cooperation at development of national standards based on the international standards.

5.4. Strengthening the role of national standardization in solving state problems and the state's role in development of standardization

Standardization is a key factor in supporting a number of the state policy directions and rendering state services. Standardization contributes to development of fair competition and to improvement in a quality of innovations in state regulated spheres, to reduction of unjustified technical barriers to trade and to the increase of the level of protection of consumer interests and an environment.

Standardization, for the state, is the most important element of technical regulation. National and international standards shall be used as the basis for developing technical regulations and evidence for confirming their requirements. National standards contain measurement and test techniques which can be used during the assessment of conformity to the requirements of technical regulations. Therefore, the state shall contribute to establishing connections between technical regulations and national standards, to supporting and ensuring the improvement of works in the field of national standardization.

The use of national standards in competitions for state-need purchases increases the effectiveness in the state deliveries of products, works and services.

It is expedient to use national standards during setting RF government and federal bodies of executive power norms and carrying out the policy directed toward the expansion of application of voluntary standards, developed on the basis of consensus, through the existing partnership of state and private sectors, especially in the field of safety, protection of life and an environment.

Federal bodies of executive power and their subordinate organizations shall participate in the standards development process to have capability in setting the technical requirements which satisfy the public purposes and the interests of the national economy.

The government shall undertake significant actions for supporting the national standards system under conditions of voluntary application of national standards.

The RF Government shall charge the national standards body with controlling and coordinating function in the field of standardization and participate in creating necessary conditions for the development and application of national standards in satisfying Russia's national interests, fulfilling international obligations, ensuring the activity of state bodies of power.

The national standards body shall develop a mechanism of interested parties' participation in forming a general policy in field of standardization and conduct an active coordination of activity among the developers of Russian standards for ensuring the observance of the principles of openness, equal participation, proper procedures and consensus.

The state shall finance the development of those standards which, first of all, are used for fulfilling state functions and rendering state services.

The leaders of private enterprises (organizations) should recognize the importance both of national and international standardization, as well as ensure accordingly the financing works on standardization.

5.5. Expansion of industry and participation of society in international and national standardization processes

For realization of the potential social-and-economic advantages of standardization, including assistance to the small and mid-sized business and support of the interests of manufacturers and consumers, the national standards body shall elaborate mechanisms of more active attraction to standards development processes of representatives of state bodies, research organizations, public unions of entrepreneurs and consumers. They may participate in the development of national standards or order the national standards necessary for them, including financing this work, as well as submit their proposals and comments on draft standards in the part of protection of their interests and protection of consumer rights. Their representatives may enter into the composition of corresponding technical committees on standardization.

The process of collaboration among the industry, bodies of executive power and consumers shall ensure concerted uniform views and positions of Russia at the international level.

The national standards body and developers of standards shall analyze a degree of industry and consumers participation in the appropriate technical committees, determine whether they are represented at them, and develop mechanisms of enhancing the effectiveness of their participation.

Product manufacturers, suppliers and consumers can reduce their expenditures due to the reduction of expenditures for developing technical documentation, decreasing the nomenclature of products, materials and used means of technological equipment, control rigging and testing devices, obtaining competitive advantages from the use in, the standards, of product quality achieved by them, as well as for ensuring product attestation and certification without additional examination of technical documentation etc.

The bodies of state supervision over the observance of technical regulatory requirements shall participate in the development of national standards by the way of directing their proposals and comments to draft standards in the part of the correctness of technical regulatory requirements in the draft standards.

Certification bodies and testing laboratories (centers) shall participate in the development of national standards by the way of directing their proposals and comments to draft standards in the part of setting requirements for the objects of technical regulation, as well as the product testing methods for the aim of product attestation.

5.6. Development of the federal fund of standards

For increasing the effectiveness of national standardization it is necessary to ensure the dynamics of the renovation of the fund of national standards not lower than 10% of the total number of national standards per year, which will make it possible to approach the level of the renovation of international standards and standards of industrially developed countries.

Priorities in development of national standards shall meet Russia's national interests and its commercial relations on the international arena. For this end, the priorities of national standardization shall take into account strategic objectives of international and regional standards organizations, including at the level of UNECE. To the number of priorities it also shall be referred the application, as national standards, of international and regional standards, influencing to the greatest degree the development of commercial relations between Russia and its basic commercial partners.

It is necessary to enhance the effectiveness of planning the development of standards and maintenance of the fund of national standards in the updated state.

For this end, the national standards body and developers of standards shall revise the current fund of standards with the aim of canceling the obsolete and ineffective standards.

The fund of national standards shall, from one side, ensure an increase in protection of life and health, an environment and contribute to an increase in competitiveness of domestic products. From the other side, the fund shall ensure the harmonized basis for developing technical regulations and evidence for confirmation of their requirements.

A special attention should be given to an increase in the rates of renovating the fund of interstate standards by the way of a direct use of international standards.

To national standards body shall also prepare mechanisms of development and application of new forms of documents on the standardization including recommendations, guides, best practices, as well as the technical requirements and reports used in the international practice.

5.7. Development of the system of information assurance in the field of standardization

For the successful accomplishment of the mission of standardization, the information assurance of the national standards system shall be carried out in accordance with the following principles:

- Accessibility of information for all interested parties;
- Promptness of information delivery;
- Uniformity of utilized tools and systems based on the use of contemporary technologies;

- Continuity in the information accompanying of normative documents during their entire life cycles;
- Delivery of information services at right addresses;
- Expansion of a nomenclature of rendered information services.

The information assurance system of the national standards system shall be developed within the framework of a uniform information system on technical regulation, including, as a component, the federal information fund of technical regulations and standards and being its technological basis.

The RF government shall develop mechanisms for a timely exchange of information about the needs and activities in the field of standardization, so that the information technologies would ensure the best support at developing standards.

For increasing the effectiveness in publication and propagation of standards and information about standards, the national standards body shall enlarge the nomenclature and forms of information issues and make them accessible for all interested users with the aid of the contemporary methods and means for propagation of information.

The national standards body and developers of standards should enhance the use of information technologies for the aim of improving standards development procedures, make these procedures more accessible for all participants, and carry out a constant work directed on the application of compatible information technologies.

5.8. Strengthening the interaction with international and regional standards organizations

It is necessary for Russia to stimulate its work in the leading bodies of international standards organizations. Among the basic tasks is enhancing Russia's participation in the activity of the management bodies of ISO and IEC. This is impossible without the expansion of participation of Russian experts in the activity of ISO and IEC technical committees, subcommittees and working groups.

It is necessary to more persistently promote domestic standards as international ones, to initiate creation, under Russia's governance, of new international technical committees on standardization within the framework of these international organizations.

It is necessary also enhance Russia's participation in the standards activity within the framework of such regional organizations as UNECE, APEC, PASC, as well as European standards organizations.

Stages of reforming the standards system

The reform of the national standards system shall be carried out step by step. The sequence and interrelation of these stages are extremely important.

During the first stage, the national standards body along with the federal bodies of executive power shall develop the legislative bases of standardization directed toward refining and completing the normative-legal acts regarding systemic issues of standardization, use of standards for the state needs and copyright matters.

There shall be prepared proposals on interaction between the state and the national standards system under the market conditions of its existence.

The country's industry and public organizations shall be involved in the processes of national and international standardization.

The business-community, regional bodies of state power, public and political organizations should be explained a role and effectiveness of voluntary national standards in the economy, social affairs, consumer protection.

The structures of technical committees, of research institutes for standardization shall be transformed.

There shall be determined trends in the development and updating of the standards fund with the aim of enhancing the increase in the domestic economy in its most competitive sectors.

The information assurance system shall be developed and put in good order.

Only after this it will be possible to proceed creating a new economic model of the system and its transfer into the market working conditions which will affect the interests of all participants in standards development and application.

The reform of the system is expedient to carry out gradually, accomplishing practical approbation of the made decisions under the actual conditions of its functioning. An essential moment will be reaction of industry to the intermediate stages of the conducted reform.

The evaluation of obtained results and the introduction of necessary corrections under results of experimental approbation will make it possible to determine the date of completion of the first part of the reform.

The first part of the reform completes by transferring the functions of the national standards body to a non-government, noncommercial organization which shall earn confidence of participants in the market on the basis of agreement with the Government of the Russian Federation.

In the second stage, the national standards body shall ensure an effective functioning of the

national standards system and its compliance with requirements of the national economy and the global market.

Annex 1

Structure of the fund of national standards

STRUCTURE OF THE NATIONAL STANDARDS FUND (25,000+ STANDARDS)

| | |
|--------------------------|-----|
| BASIC | 18% |
| MECHANICAL ENGINEERING | 11% |
| METROLOGY | 5% |
| TEST AND CONTROL METHODS | 24% |
| CHEMISTRY | 10% |
| METALLURGY | 10% |
| FOOD INDUSTRY | 12% |
| CONSTRUCTION | 5% |
| AGRICULTURE | 5% |

Annex 2

International Experience

The modern approach to standardization on the part of the basic subjects of this activity – the state bodies and manufacturers of products and services – is defined by a fact that standardization today is a key part of a policy in the field of global trade relations, a stabilizing factor in the functioning of a social-and-economic sphere of society, and, at last, a set of tools to increasing competitiveness of national economies. The essence of this approach consists in division of responsibility between the state and the manufacturer. The state bears responsibility for such global categories, as product safety, protection of human health and life, an environment, a habitat and property. The manufacturer, in turn, takes

responsibility for manufacture of competitive products.

At the national level, the foreign practice of legal regulation over the activity on standardization deals with the following kinds of statutory acts:

- Laws on standardization (Austria, Belgium, Brazil, Hungary, Israel, China, Republic of Korea, Mexico, New Zealand, Japan, etc.);
- Laws on creation and legal status of a national standards body (the Great Britain, Italy, Canada, etc.);
- Arrangements (memorandums of mutual understanding) between a government and a national standards organization (the Great Britain, Germany, France);
- Laws regulating such social and economic spheres, as public health care, technical safety, environmental control and protection, protection of consumer interests and rights and national standards needed for a concrete definition of the specifications (in all developed countries).

It is necessary to note that such a category of legal acts as arrangements on cooperation has arisen at the last third of the 20th century. So, in 1975 the German Government concluded an arrangement on cooperation with the German Institute for Standardization (DIN) under which DIN was recognized as the nation's standards organization with authorities over the territory of Germany and the West Berlin and with the right to represent interests of Germany in the nongovernmental international organizations on standardization.

From the second half of 1990, as a result of reunion of Germany and on the basis of a special agreement between DIN and the former GDR' Directorate for Standardization, Metrology and Product Inspection, the authorities of DIN have been distributed on the whole territory of Germany.

According to the 1975 agreement, DIN has kept its legal status of the private registered association. DIN, in turn, has undertaken to operate in the interests of all society and to contribute to elimination of technical barriers to trade. There has been emphasized a special role of national standards for protection of consumer rights, in labor safety, traumatism prevention and environmental protection.

The country's national standards were endowed with the status of normative-and-technical recommendations. Any legal entity has the right either to use or not DIN standards. Thus, the national standards are not the rules of law, but the so-called "recognized technical rules." However, anybody is not exempted of responsibility for the consequences of this or that action in the industrial-economic sphere, even in the case of application of DIN standards.

In the certain, strictly limited by legislation cases, German national standards get a binding character. The legal status of national standards is raised if they operate in the sphere

covered by the federal laws. Among them, for example, are the laws on technical devices safety, on environmental protection, on foodstuff and consumer goods, a decree on medical devices safety, etc.

Under the arrangement, the German Government has expressed its readiness to support the standardization activity from the federal budgetary means. DIN has agreed to allocate, to the government, places in its management bodies. DIN should prefer governmental applications for the standardization works representing the state interest.

If the Government of Germany issues a decree, DIN undertakes to harmonize with it its certain standards or to cancel them.

The Government and DIN mutually inform each other on all the problems and works connected to standardization and conformity assessment if they have a state value.

DIN undertakes to promote the implementation of all international and bilateral agreements signed by the Government of Germany and relating to international trade, standardization and conformity assessment.

The German Government uses DIN standards in the sphere of management and procurement, as well as influences other official partners to act similarly.

In 1972, the UK Government and the British Standards Organization (BSI) signed the Memorandum of Mutual Understanding which confirmed the status of BSI as an independent body responsible for development of national standardization and working according to legislation. In 1995, it was signed a new edition of the Memorandum which was replaced, in June 2002, with a next version reflecting quickly changing global realities. In the document, the UK Government and BSI declare identity of their positions under the following issues:

- Standardization is a key factor in supporting some directions of a state policy, such as competition, innovations, removal of trade barriers, trade expansion, protection of consumer interests, protection of an environment, state procurement services, etc.
- Standardization has an extremely great value for globalization of trade and conversion of technologies for international trade within the framework of the WTO TBT Agreement, the European normative acts used at selling products in the EU member countries.
- Standardization, combined with legislation, promotes more effective technical regulation at the state level.
- As far as standards possess some characteristics of "a public good," the orientation only on the market's need cannot provide all advantages from application of standardization. For example, the innovative companies are inclined to evade from national standardization, encouraging the development of their own corporate specifications aimed, in particular, at eliminating competition by formation of cartels. Therefore, it is necessary to conduct a rigid

enough state policy for eliminating the problems connected to the market.

- The Government and BSI agree that development and distribution of national standards (BS) has a state value as far as the other normative documents on standardization meet the interests of all parties, in particular, consumers, in such a degree.
- The Government and BSI emphasize importance of international standardization. BSI should play an effective role in ISO, IEC and other international standards organizations influencing the development of standards in UK interests, promoting an increase of efficiency of standardization processes and rationalization of its organizational infrastructure. The Government, in turn, will operate through intergovernmental forums, such as the WTO, promoting creation of an organizational infrastructure of international standardization and an effective utilization of standardization for support of a state policy.
- The Government and BSI recognize an importance of European standardization within the framework of the EU. The Government should play an active role in development of European standardization along with the other European governments and the organizations both for supporting the European acts and gaining social-and-economic benefits from standardization activity. The Government should inform and advise BSI on all the issues concerning its field of activity. BSI will use all opportunities for influencing European standardization through the European standards organizations with the aim of assuring interests of the British users of standards. BSI and the Government should support European standardization internationally, strengthening the European approach to standardization and its influence in the world.

The global practice has accumulated a significant experience of administrative-legal maintenance of standardization in the sphere of protection of consumer interests and rights, in particular, of such aspects, as health and safety, including ecological safety.

The set of means for protection of consumer interests and rights at the state level consists, as a rule, of two basic parts:

- Corresponding statutory acts (national laws, local self-government decrees and orders), and
- State bodies, developing a general political line, fulfilling coordination functions, carrying out supervision over the application of rules of law, conducting product quality control, resolving arising conflicts, engaging in an information-educational activity among consumers.

In the U.S., the governmental activity in the field of legal regulation of consumer product quality became more active noticeably in the middle of the 1960s when the U.S. Congress has passed a number of laws directed on protection of consumer interests.

In the sphere of Japanese consumer rights, there operate more than 50 national laws, passed by parliament, tens decrees and orders adopted by bodies of local self-government at

a level of prefectures, districts, cities, settlements and villages. Among them there are a 1968 basic law on protection of consumer interests, the Law on a feed, the Law on standardization and marks of agricultural production, a law on nutrition, on marking household appliances, etc.

In Austria, there have been passed about 200 laws protecting consumer rights, and one of the laws - a law on product quality of July 1, 1988 – emphasizes a value of standardization and standards.

National standards organizations of foreign countries have chosen a way of complex solving a problem of safety, allowing taking into account all its aspects, including safety requirements at designing, at working conditions, at industrial manufacture of mass demand goods for various categories of consumers. Many safety standards are developed with a direct participation of the state bodies administering safety issues.

In the U.S., such bodies are the U.S. Department of Labor Occupational Safety and Health Administration, the U.S. Environmental Protection Agency, the U.S. Department of Health and Human Services Food and Drug Administration, the U.S. Consumer Safety Commission. These governmental organizations carry out their activity in the field of standardization in a close contact with the American National Standards Institute (ANSI) and the National Fire Protection Association.

Besides national safety standards, numerous recommendations and decisions at the federal, state and local levels are mandatory.

In Germany, a law on machinery safety operates over 30 years.

According to the Law, personal safety shall be provided with appropriate protective actions which should be stated in technical rules or instructions on accident prevention.

Technical rules can consist of separate provisions (instructions, paragraphs), but, according to the Law, mandatory are only the provisions relating to personal safety.

The certain responsibility is assigned also to the composer of the engineering specification, if the discrepancies in it were the reason of the damage inflicted to health or property while in a service or maintenance service of the device.

In January 1985, Germany passed a decree on the safety of devices used at a check-up (including laboratory devices and installations) and treatment of people. With its publication, the medical devices have been excluded from the area of distribution of the law on machinery safety.

The special administrative acts, covering the industrial products not falling under the law on safety action, for example a decree on manufacture and operation of hoisting-and-transport mechanisms, refer to "conventional engineering rules" (standards). Simultaneously, they contain a general clause with regard to a restrictive condition on the use of these rules. At

the same time, the decree on hoisting-and-transport mechanisms states that the use of safety methods and means, which are distinct from those in standards, is allowed only with the consent of competent bodies at the Lands.

In Japan, there is a list of products being potentially dangerous for consumers. All this products fall under the action of legislation. As an example it is possible to reference such acts, as a law on mining industry safety, a law on control of electric equipment and materials, a law on development and manufacture of chemical substances and their influence on an environment, etc.

Now the world's leading countries have formed a uniform approach to standardization as to the most effective tool of a state policy in the field of ecology, energy saving and rational use of natural resources. Being based on the main principles incorporated by national nature protection acts, standardization renders both direct and indirect influence on formation of characteristics of technological processes and ecological parameters.

Germany, where the state environmental policy is based on the 1971 program, leads the field of environmental regulations.

A department on standardization at a national and international level in view of environmental aspects operates in the Federal Ministry on Environmental Issues of Germany since 1990.

It is necessary to emphasize that the U.S. laws and programs underline in detail all the complex of necessary actions (legal, financial, research and development, monitoring), in particular, administrative measures - introduction of standards, combination of regulation at national, regular and local levels, terms of achievement and control.

Normative and legal mechanisms, used in advanced countries, assume application of such levers, as normalization of requirements to separate parameters of product or an environment quality set up in standards, as well as the numerous and various restrictions and norms connected to industrial activity.

Simultaneously, a foreign experience in normative and legal assurance shows that the less regulatory measures are connected to technical parameters, the more likely they will stimulate innovative processes.

In the last years in connection with an aggravation of competition and trade-political contradictions between two centers of economic - the U.S. and the European Union - each of the parties formulates its purposes in the field of standardization fixing them in the documents establishing some kind of norms - principles.

In March 1998, the National Institute of Standards and Technology (NIST), proposed a development of national standards strategy. In September 1998, NIST and ANSI, a coordinator of the U.S. voluntary standardization system, have organized a meeting of 300 experts representing interests of industry, government and other organizations. Within the

next two years the document "National Standards Strategy" was unanimously approved by a Board of ANSI on August 31, 2000, and already on September 31, 2000, it was a subject of hearings in a subcommittee on technology, Science Committee, of the U.S. House of Representatives.

The new strategy improves a legal foundation in managing standards development in the U. S. and protecting the country's technology interests globally. The key moment is a flexible approach allowing satisfying various individual needs within the framework of the general strategy. The document emphasizes importance in observing the basic principles during development of standards: consensus, openness and transparency. Besides, the strategy includes 12 tactical initiatives - from an expansion of use, by the government, of voluntary standards to an active work with U.S. trade partners aimed at satisfaction of their mutual technical and political interests.

The strategy emphasizes that the National Technology Transfer and Advancement Act of 1995 is a corner stone for application of voluntary standards.

A number of U.S. laws operate similarly. For example, the Health Insurance Reform Act of 1995 prescribes the use, as far as possible, only the standards developed by ANSI accredited bodies; the Telecommunications Act of 1996 contains some provisions ordering the Federal Communications Commission to participate in the ANSI activity on development of voluntary standards in the field of telecommunications; the FDA Modernization Act of 1997 contains some provisions allowing the FDA to accept, in some cases, declarations of conformity to standards on electric medical devices during a pre-market assessment. It is supposed that such a procedure leads to the essential time reduction in approving some medical devices with the observance of a safety level.

As to the U.S. military sphere, in 1994 the defense secretary declared that one of priority directions of the department's activity is transition from military standards and specifications to voluntary normative documents.

One of thematic blocks of the Canadian National Standards Strategy considers standardization as a component of the state's policy. The document states that one of primary goals of the national standards organization – Standards Council of Canada (SCC) - is to inform all interested parties, including representatives of state bodies, about opportunities in the use of standardization in the sphere of the state's policy.

The national standards organization of Japan – Japanese Industrial Standards Committee (JISC) – has developed a standards strategy in the country in view of basic factors, including wide use of voluntary standards in regulated spheres of activities (safety, environmental protection, etc.)

The Japanese strategy of participation in international standardization takes into account, in particular, a necessity of a governmental support:

- In developing international standards for strategically important sectors;
- Of the industry's initiatives to expand participation of Japanese representatives in the activity of ISO and IEC technical committees.

As it was mentioned above, the state bodies of leading foreign countries pay a paramount attention to legislative and technical regulation of some priority spheres that does not exclude an occurrence of new potential directions of activity on standardization in which the governments are interested and which they initiate. It relates, for example, to a service sphere.

According to the World Trade Organization, a share of services in a world total social product makes more than 60%. The EC has informed that in 1996 a corresponding share of services in EU countries was up to 62%. Simultaneously, the data show a significant backlog from these parameters of a share of services in the global trade – about 20%. This deficiency could be explained, on the one hand, by a presence of a various sort of barriers, including legal restrictions, interfering the access of services on the market, on the other hand, by a shortage or a low level of corresponding standards which would provide, as it takes place in the case of material products, the export of services and trade in them.

Given the above-stated factors, the German Federal Ministry on Education and Science has offered a project on service standards for the global market which it has undertaken to finance.

DIN, the German Institute for Standardization, has been assigned as the project's main coordinator and the party responsible for realization and integration of its results. A number of higher educational and research institutes take part together with DIN in realization of the project.

In the field of financing the activities of national standards organizations, there is a general rule abroad: the state grants should not exceed a threshold above which the state can influence, to a great extent, the independent status of the national organization. So, in Germany, the state grants cover 15% of financial DIN needs.

In 2000-2001, ANSI got an annual governmental grant of \$500 thousand to support global trade, security, public health care, and environmental protection.

In 2001, various Austrian state bodies supported the Austrian Institute for Standardization (ON) at a rate of €1.090 million that has made 8% of the ON cumulative revenue.

It is typical, that the Swedish Institute for Standardization (SIS) is financed (at a rate of 10% of SIS incomes), not by the Ministry of Economics, but by the Ministry for Foreign Affairs (export orientation). The state carries out also an indirect financing of the SIS by ordering some concrete works, or directing experts of Swedish governmental agencies for participation in the works on standardization.

At the same time, the financial analysis of ISO member states ISO (now – 146 countries) shows that the governmental grants are the basic share in the budgets of the national standards bodies: for the 57% of bodies - from 50% to 100% of their budgets; and for 30% of bodies – from 1% to 49% of the budgets. Only 13% of the national standards bodies do not receive grants from the government. In turn, 28% of bodies receive all their budgets from the government.

Principal features, including financial aspects, characterize the standardization systems of the East European countries which have made a turn to a principle of voluntary standardization and joined in the international community of standardization officers.

So, in the Czech Republic the methods and purposes of standardization, during that period, have depended on fundamental decisions at the governmental level establishing a direction of development of the country's society and economy simultaneously. As far as the nation has chosen its way to construct a democratic society and market economy with a prospect of the introduction into the EU, the transformation of standardization should go in a leg with these decisions.

For a successful reorganization of standards system the first important condition was reform of its legislative base, and the second – financial support of this reorganization. The state budget has undertaken the basic load of financing standardization because during radical changes at an economic system with a following intensive process of privatization, only the financial help of the state can provide a financial stability of the system. It was impossible to cancel at once the state financing which existed within many decades; on the other hand, the process of financing standardization should be changed. And it has depended on the legislation, on the successes of the economy, on the users of standards involvement into the process of standardization and on the obligations under international agreements. The basic part of the national standards system – the Czech Institute for Standardization (ČSNI) – was founded on January 1, 1993 under a decree of the Czech Republic Ministry of Trade and Industry.

The voluntary (basically) character of standardization in the developed foreign countries does not exclude a direct participation of government officials and state bodies in a management of national standards systems, and the last decade of the 20th century has confirmed this tendency (for example, in the U.S.).

In the U.S. earlier, the ethics of state employees did not allow them to hold any position in the private sector organizations, in particular, in ANSI. But, according to the NTTAA Act, that does not cover the activity on development of standards within the framework of ANSI. In 1998, it was confirmed by the U.S. Department of Justice. Now over 35 U.S. governmental bodies are ANSI members.

In Germany, 8 representatives of governmental bodies, delegated by the ministries of economics and labor, education and science affairs, transport, construction and housing-and-communal services, internal affairs, an environment, protection of the nature and maintenance of nuclear reactors and others, are a part of the Presidium of the German Institute for Standardization (DIN) (as of January 1, 2003).

The president of the Bureau of Indian Standards (BIS) is a minister of the central government responsible for civil supply and protection of consumer rights issues, and vice-president – a state minister. The structure of BIS members includes also representatives of central ministries and members of parliament.

In 1991 the French management system of national standardization was transformed due to a necessity of adaptation to changes in the sphere of the international and West-European standardization.

Reform of the French standardization has been started under the initiative of the ministry of industry. By its inquiry, in 1989 it was prepared a report on a condition of the French standardization in view of transition to the uniform European market.

Within the framework of reform, there have been abolished the supreme council on standardizations and a post of the commissioner on standardization. It has been simultaneously created an interagency group on standardization and appointed an interagency representative on standardization that reflects an amplified interest of state bodies in participation in standardization covering practically all the spheres of economic activities. One of the group's functions is, for example, control over the use of standards within the framework of a corresponding ministry. Thus, the reorganization should not be understood as an amplification of state pressure and control that would contradict basically to the purposes and tasks of the undertaken reform. The issue is a development of relations of mutual understanding and cooperation between the state and standards bodies.

Even more is a degree of the state participation in the Japanese standardization. The system of national standardization in the country has been created on the basis of a law on industrial standardization. In conformity with this law, in 1949 it was founded the Japanese Industrial Standards Committee (JISC) as advisory body at the Ministry of Foreign Trade and Industry (MVTP). The JISC is the body charged with standardization issues at a national level. It is subordinated to the MVTP Directorate for Science and Technology which plans and coordinates work in the field of industrial standardization in the country and administers researches in the field of industrial technology. The department of standards of this directorate is the JISC Secretariat.

The JISC includes a Standards Council which is carried out the General Conferences of the Committee's members, makes plans of work and watches their performance, conducts councils of branches in sectors and technical committees developing standards. Members of the Standards Council, councils of branches and technical committees are appointed by the MVTP from representatives of organizations of consumers and manufacturers, scientific and business circles, experts, etc.

Japanese industrial standards are approved by the ministers of corresponding branches, but – and it should be emphasized – they are voluntary.

The foreign multidimensional experience of legal and technical rulemaking in the social and economic spheres crucial for a modern society, allows to draw a conclusion that the state

bodies of advanced foreign countries conduct, within last decades, an intensive legislative activity in the field of protection of consumer interests and rights, population security, habitat protection, increase of competitiveness of national economies.

In these conditions an important role is given to standardization and conformity assessment which are getting a more increasing support of the state on behalf of its legislative and administrative bodies.

In foreign countries, a regulating function of the state in the field of standardization is realized by various ways.

It is widely known a principle of "the new approach," used in the EU countries since 1985, and establishing a presumption of conformity to requirements of the European directives (technical regulations) under the condition of conformity to standards harmonized with them. The state, as the legislator, issues statutory acts in the spheres which have got national character over last years: protection of human life and health, product safety, habitat protection.

In a Directive there are specified only essential (minimally necessary) requirements. Concrete requirements and test methods are established in the national standards directed to attestation with the Directive. Standards are adopted under a consensus of all interested parties within the framework of a conciliatory meeting of representatives of ministries and departments, enterprises-manufacturers, self-regulatory organizations, research institutes – technical committees on standardization. It is a sole organizational tool approved in practice on developing and adopting the standards. In the daily practice, technical personnel are accustomed to use standards instead of laws. Besides, it is much easier to amend (add) a standard at occurrence of new technical decisions, than modify a law. The list of the standards providing conformity compliance with Directives is published in the EC official publication. In case of absence of such standards, their development is entrusted to national standards bodies in view of essential requirements of statutory acts – technical regulations. For only 22 European Directives of "the new approach," the EC official journal has published a list of 2233 European standards which are meeting the requirements of these Directives. The given kind of references to standards is "indirect" and can quite be applied in developing technical regulations in Russia.

The National Institute of Standards and Technology (NIST) identified more than 10000 references to standards included into the Code of Federal Regulations (CFR). In Germany there are more than 5600 references of legislative acts on standards; in Australia – more than 2400.

Thus, the method of the reference to standards represents a sole output from a situation when there is a necessity of annual repeated modification to acts; in fact this procedure is very time consuming and expensive, constraining an introduction of innovations in manufacture.

Government influence on standardization is carried out also by means of participation of government officials in a work of supervising and working bodies (technical committees, subcommittees and working groups) of the national standards organizations, as well as

through financing the projects which the state bodies are interested in.

With the aim of satisfying the growing inquiries of the market and society, as well as for taking into account the interests of all interested parties participating in standardization, many leading national standards bodies develop standards strategies (concepts) of national standards systems. Thus, there are used the strategic plans for developing the ISO and IEC international systems of standardization, and WTO/TBT provisions. The draft concepts pass wide discussion with participation of governmental structures, representatives of industry and science, consumer societies. Among current strategies (concepts) it is possible to note the following:

- German Standards Strategy (2004);
- National Standards Strategy for the United States (2000);
- French Standards Strategy for 2002-2005;
- National Standards Strategy for the U.K. (2003).

All these documents are directed on an increase of a role and status of standards in a society and state, as well as they provide basic directions in the development of standardization which should meet the requirements and inquiries of the changing world and the market.

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^{*}) Editor's note: In strict sequence according to the Russian text.

