

THE GOVERNMENT OF THE REPUBLIC OF TAJIKISTAN

**THE DECREE ON THE ADOPTION OF THE STRATEGY OF DEVELOPMENT OF
THE NATIONAL QUALITY INFRASTRUCTURE OF THE REPUBLIC OF
TAJIKISTAN FOR THE PERIOD OF 2010-2012 AND THE ACTION PLAN ON THE
REFORM OF THE SYSTEM OF TECHNICAL REGULATION
IN THE REPUBLIC OF TAJIKISTAN**

2. ARGUMENTS FOR THE NECESSITY OF DEVELOPMENT OF THE STRATEGY OF THE NATIONAL QUALITY INFRASTRUCTURE

The dynamics of the world economy evolution as well as the importance of the globalization process will inevitably lead to the necessity of harmonization of the system of response and appropriate infrastructure for the purpose of promotion of manufacturing and trade in the world market. Thus, Tajikistan's adherence to a number of countries that pledged to implement and observe the WTO rules in international trade prompts the review the System of National Quality Infrastructure itself, which is one of fundamentals for the functionality of trade relations. The principle of free movement of goods requires the logical development of legislative – normative basis that will ensure the elimination of restrictive barriers to trade, not only related to the tariffs and quantitative restrictions but also related to all measures having similar results, in particular the results related to the quality infrastructure through the establishment of competitive and effective quality assessment system, which inspires confidence and takes as a basis the reliable determination of fundamental principles. The creation of a positive environment for the establishment of preconditions for achieving the superiority of quality of goods inevitably leads, in this respect, to the promotion and advanced culture in this sphere.

Optimization of the technical regulation mostly depends on the quality infrastructure the key elements of which are the following: technical regulations; standardization (related to rules); inspection and accreditation (related to monitoring); certification (related to the conformity and non-conformity assessment); testing (related to the characteristics monitoring under the laboratory conditions); and metrology (for the purpose of ensuring the uniformity and precision of measurement). The system being in conformity with the all these elements is named The National Quality Infrastructure (NQI).

The advanced measuring systems are one of the driving forces for the development of industry in most of the countries. Meanwhile many possibilities are used to manufacture a new product. Active system of the National Quality Infrastructure also facilitates the progress of sector of manufacturing of the measuring equipment.

For the purpose of creation of a positive environment where the entrepreneurship and public administration will have a desire to achieve superior quality of goods for the benefit of the entire community, there is a necessity to promote the advanced international culture through the development of technical methods, labor resources and industry, (scientific, y, y, TDnit8-.00

All state authorized agencies, having powers to set mandatory norms, carry out, at the same time, the supervising functions over the implementation of these standards, and also, independently or through its organization departments, assess the activity of entrepreneurs for conformity with these indicators, which is obviously in conflict with the international standards and rules. It seems to be the conflict of interests. There is a need to carry out the institutional reform of the National Quality Infrastructure

4. THE PRIORITY DIRECTIONS OF DEVELOPMENT AND OBJECTIVES

The Strategy of Development of National Quality Infrastructure is itself the priority and interrelated activity in the system of technical regulation and is directed to the elimination of technical barriers to mutual trade with other countries and contributes to the following:

- Reduction of unreasonable expenses of manufacturers and increase of volume of exported goods;
- Creation of clear and transparent rules of the game in the sphere of technical regulation and attraction of foreign investments;
- Provision of the effective and reliable safety of products and processes of their production for the life and health of consumers, protection of flora, fauna and the environment.

5. PRIORITY DIRECTIONS OF THE INFRASTRUCTURE DEVELOPMENT

1) In the legislative sphere:

- Development of the laws in the sphere of standardization, metrology, conformity assessment and accreditation (Law Standardization, Law on Conformity Assessment) in accordance with the established international practice;
- Harmonization of the existing normative-legal acts in the sphere of technical regulation in accordance with the requirements of the Law of the Republic of Tajikistan on Technical Regulating, and in accordance with the requirements of the international practice and the WTO;
- Review of all previous adopted and current departmental normative acts in the sphere of technical regulation;
- The implementation of the institutional reform of public authorities (ministries, agencies) in the sphere of technical regulation (accreditation, certification, supervision).

2) In the sphere of technical regulation and standardization shall include the following:

- Improvement of the legislation to ensure the harmonization of technical regulations of the Republic of Tajikistan with the international and regional technical requirements;
- Implementation of a thorough inventory of normative legal acts establishing mandatory requirements for the objects of technical regulating;
- Preparation and conclusion of international agreements on technical harmonization and standardization for direct implementation of international normative documents in the territory of the country;
- Preparation of normative-legal acts related to the inclusion of separate progressive provisions of technical regulations of other states into the technical regulations of the Republic of Tajikistan as the indicative references;
- Development and promotion of single technical regulations in the regional political and economic unions (CIS, EurAsEC, SCO).

3) Development of national standardization system in accordance with a progressive international practice:

- Adoption and application of international standards and national standards of other states that are major trading partners of the Republic of Tajikistan as national standards;
- Introduction of international practices in the area of harmonization of standards that providing presumption of compliance with the requirements of technical regulations and those compliant with the provisions of EU directives;
- Establishment of voluntary application of standards;
- Promotion of the national standards and samples for certain types of exported goods as the regional ones, primarily at the inter-state level;
- Enabling enforcement of the provisions of the WTO Agreement on Technical Barriers to Trade including the Code of Good Practice on the development, approval and application of standards (the Uruguay Round of multilateral trade negotiations of the GATT 1994 - General Agreement on Tariffs and Trade);
- Establishment of the National Agency on Standardization without having the powers of the standardization authority and the certification authority combined in one organization;
- Establishment of an integrated data system in the area of technical regulation with the application of advanced computer technologies (website, portal, etc.), creating and updating the National Data Collection of standards and technical regulations;
- Promoting and enhancing the technical and personnel capabilities of technical committees on standardization;
- Involvement of all interested parties (manufacturers, government agencies, NGOs and others) in the process of national standards developing and their adoption on the basis of consensus;
- Active participation of the National Agency on Standardization in the activities of relevant international and regional organizations;

4) In the sphere of ensuring the unity of measurements:

- Developing the national system on ensuring the unity of measurements in accordance with the international practice;
- Establishing the National Metrology Agency;
- Rise of scientific and technical level of national base of standard measure units of the Republic of Tajikistan, secondary and working standard measure units in accordance with the needs of the economy;
- Ensuring the traceability and metrological equivalence of national and reference standard measure units of the Republic of Tajikistan to the international and national standard measure units of developed countries;
- Increasing the participation of metrological laboratories in the programs of international and regional inter-laboratory verifications;
- Achieving mutual recognition of national standard measure units, calibration and

5) In the sphere of conformity assessment:

a) Accreditation of conformity assessment agencies

Improving the national system of accreditation:

- Introduction of the principles of voluntariness, competence and independence of the agencies responsible for accreditation and ensuring the equal conditions for all persons applying to obtain accreditation;
- Improving the national system of accreditation in line with the economic and trade policies of the country.

b) The National Accreditation Agency and improvement of its recognition at the international, regional and national levels

- Establishment of a single national accreditation agency, and conformity with the international standard (ISO 17011), setting the requirements related to the accreditation agencies;
- Avoidance of having the powers of the accreditation agency and certification agency in one organization;
- Involvement of all interested parties (manufacturers, consumers, government agencies, public organizations, insurers and others) in the promotion of the accreditation process;
- Establishment of the register of independent auditors and experts on accreditation;
- Achievement of full membership in the international accreditation organizations;
- Activation of provision of accreditation services to the conformity assessment agencies from other countries;
- Promotion of the establishment of a regional accreditation organization on within the Central Asian region.

6) In the sphere of conformity assessment:

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- Introduction of the system of appointment (authorization) of government agencies responsible for the state control over the compliance with requirements of technical regulations and conformity assessment agencies;
- Creation of normative-legal and institutional prerequisites and conditions in order to enable activities of supervision agencies in accordance with the requirements of relevant international standards;
- Ensuring the funding of the authorized agency responsible for state control over the compliance with the technical regulations exclusively by the national budget.

8) In the sphere of implementation of the systems of quality management:

- Promoting the introduction of the series of international standards on Quality Management System ISO 9000, Environmental Management System - ISO 14000, Food Safety Management System - ISO 22000, in enterprises and organizations;
- Development of the Draft Concept of Development of Quality Management Systems in the Republic of Tajikistan;
- Supporting business entities for implementation of international quality management standards through the provision of grant support, including from the state funds;
- Inclusion into tender conditions on public procurement the condition for the participants to have conformity certificates for international standards ISO 9000.

9) In the sphere of personnel capacity building:

- Capacity building of specialists in the sphere of technical regulation and metrology;
- Carrying out the specialized training of experts and specialists of the public and private sector in the area of technical regulation and metrology;
- Permanent professional development of specialists and experts of public and private sector;
- Attracting the international assistance and experience in training and professional development of existing specialists;
- On-line access to the international and national data systems in the area of technical regulation and metrology.

6. PROPOSED STRUCTURE OF THE NATIONAL QUALITY INFRASTRUCTURE

1) In accordance with the analysis made, the following variant of the National Quality Infrastructure is considered as preferable:

- The Government of the Republic of Tajikistan
- Technical Regulation Agency
 - a) The National Standardization Agency
 - b) The National Metrology Agency
 - c) The National Accreditation Agency
 - d) Testing and Certification Center

2) The Government of the Republic of Tajikistan implements a single state policy in the area of technical regulating and ensures the establishment and functioning of the system of technical regulation.

3) The Technical Regulation Agency carries out the implementation of a single policy in the area of technical regulating and coordinate the activities of the members of the National Quality Infrastructure System, ensures the transparency and consistency of activities on preparation,

enforcement and revision of technical regulations, makes rules for the functioning of the uniform system of measurement and rules of carrying out activities in this area.

- a) The National Standardization Agency implements the state policy in the area of standardization and establishes the general rules for carrying out the activity on standardization, forms and methods of interaction between members of national standardization system.
- b) The National Metrology Agency implements the single policy in the area of metrology, establishes the rules on creation, approval, keeping and application of standard measurement units, carries out the state metrological control over measuring devices and maintains a register of approved measuring devices.
- c) The National Accreditation Agency of the Republic of Tajikistan provides development and improvement of regulations, accreditation procedures based on international standards and ensures the organization and maintenance of the accreditation of agencies responsible for certification and laboratories.
- d) Testing and certification centers carry out product testing and mandatory product certification in accordance with the List of Products and Services Subject to Mandatory Certification approved by the Government of the Republic of Tajikistan, and in accordance with a List of the Provisional Technical Regulations.

7. IN THE FIELD OF INSTITUTIONAL REFORM OF OTHER STATE AUTHORITIES IN THE SPHERE OF TECHNICAL REGULATING

- Orientation of necessary sectors of the National Quality Infrastructure to the priority directions of domestic business having an export potential and having intentions for its

- Recognition of conformity assessment results;
- Increase of competitiveness and improvement of the quality of products;
- Access to information on current international and national requirements for products;
- Additional incentives for the protection of investments;
- Reduction of business risks.

9. EXPECTED RESULTS

- In the short term, until 2013, the transition and harmonization of the current system of technical regulation with the systems applicable within the European Union, the CIS and international organizations;
- Removal of technical barriers to trade;
- Creation of conditions for free movement of quality goods, works and services and recognition of national certificates by other countries;
- Creation of conditions for the formation and development of market relations, including those in the international market, ensuring the equal legal and economic functioning conditions of business entities within the state;
- Increase the competitiveness of manufactured products in the domestic and foreign markets;
- Development of export potential and favorable investment climate;
- Organization of agencies and organizations of the National Quality Infrastructure based on the market economy model and create conditions for the second stage of implementation of the institutional reform (2013-2019) for the purpose of achieving the absence of conflict of interests;
- Compliance with the requirements in the area of standardization and technical regulating for the purpose of the accession Republic of Tajikistan to the WTO.