



UNITED NATIONS
INDUSTRIAL DEVELOPMENT ORGANIZATION



MINISTRY OF
ECONOMY
OF UKRAINE



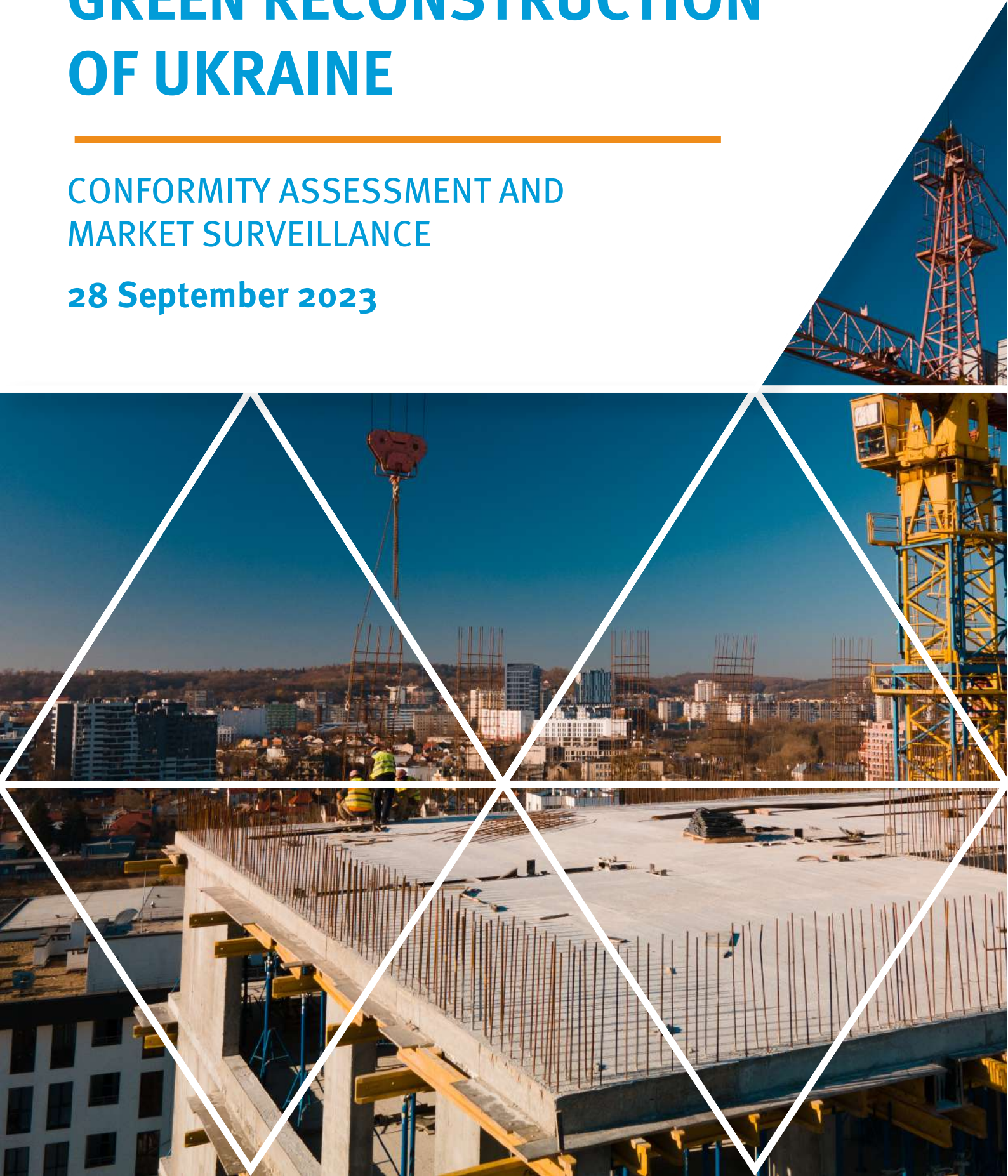
CENELEC



GREEN RECONSTRUCTION OF UKRAINE

CONFORMITY ASSESSMENT AND
MARKET SURVEILLANCE

28 September 2023



INTRODUCTION

Even before the outbreak of the armed conflict in 2022, Ukraine was facing various challenges, including outdated infrastructure, energy inefficiency, and environmental degradation. Now, the country has put forward a Recovery Vision that aims to capitalize on the reconstruction efforts and make sure that these are guided by and serve as a springboard for sustainability. So-called “Green reconstruction” presents an opportunity to enable a transition towards sustainable and inclusive growth in the post-conflict era. To achieve this, the adoption and effective implementation of appropriate standards is crucial.

UNIDO has joined forces with the Ministry of Economy of Ukraine, the National Standards Body (UAS) and international partners like CEN and CENELEC to conceptualize and develop a National Guiding Framework to lay the foundation for green reconstruction. As part of these efforts, a series of workshops have been organized to help exploring how standards and conformity assessment can support the reconstruction of essential infrastructure, facilities, services and their management, through green lenses, particularly applying the principles of circular economy, climate neutrality and decarbonization, inter alia.

This series of workshops provides a platform for exchanging experiences and best practices and discussing the role of sustainability standards and technical regulations in support of green reconstruction. They bring together experts from relevant international, European and national partners and stakeholders from the public and private sectors to discuss the importance of integrating sustainability issues into Ukrainian public policies (including technical regulations) prior to the post-conflict reconstruction process.

This workshop represents the fourth out of the series of events on this topic, as per the below plan:

- Role of standards in promoting and facilitating green reconstruction **(13 June 2023)**
- Role of public procurement in promoting sustainability **(25 July 2023)**
- Specific standards for green reconstruction **(8 September 2023)**
- Implications for the national Conformity Assessment system **(28 September 2023)**

*With the participation
of over 125 national and
international experts, from
governments, international
organizations, Quality
Infrastructure institutions,
associations, and the
private sector.*

SPEAKERS

OPENING

Ms. Dorina Nati

**Industrial Development Expert
UNIDO**

Ms. Anne Bercio

**Trade Officer
EU Delegation to Ukraine**

Mr. Lennart Grundberg

**Policy Officer, European Commission
DG GROW**

Mr. Oleksandr Pankov

**Director, Department of Technical Regulations
Ministry of Economy, Ukraine**

Moderator:

Ms. Rita Bratash

**Head of the communication division
UAS**



PANEL

Mr. Nigel Croft

International Expert, UNIDO

The important role of conformity assessment and market surveillance as part of the Quality Infrastructure System



Ms. Cristina Draghici

Director of Conformity Assessment, ISO Committee for Conformity Assessment (CASCO)

The “CASCO Toolkit” of conformity assessment standards



Ms. Hanane Taidi

Director General, TIC-Council

How the independent testing, inspection and certification industry can provide confidence for the Green Reconstruction of Ukraine



Ms. Melanie Manton

Global Business Development Manager, BRE

The BREEAM validation and certification systems for sustainable built environment



Mr. Domenico Tinto

Expert, European Commission (DG GROW-H.1)

Environmental sustainability: assessment of the performance and market surveillance of construction products in the context of Reg. (EU) 305/2011



Ms. Nataliia Diuzhylova

Deputy Head, State Inspection of Architecture and Urban Planning of Ukraine

The Role of Market Supervision of Construction Products in the Future Reconstruction of Ukraine



INSIGHTS FROM THE SPEAKERS

OPENING REMARKS

Ms. Dorina Nati

**Industrial Development Expert
UNIDO**

- Ukraine has a recovery vision to re-build sustainably in the future, and conformity assessment is critical to assure that this is in fact the case. In the post-conflict reconstruction process, conformity assessment will play a significant role to prove that buildings are safe, but also that they are build and maintained in a sustainable manner, that does not harm the environment.
- Market surveillance will play a crucial role in safeguarding the common interests, and maintaining the integrity of the effort. A well-functioning market surveillance system helps strike a balance between protecting consumers and supporting business growth, ultimately benefiting the overall welfare of a nation.
- This workshop will help to explore how conformity assessment and market surveillance can support the green recovery of Ukraine and how international partners can join in making this vision reality.

“This series of workshops is a way to shape together the development of a National Guiding Framework for Standards and Technical Regulations for Ukraine, which UNIDO is designing jointly with Ministry of Economy of Ukraine and the National Standards Body.”

Ms. Anne Bercio

**Trade Officer
EU Delegation to Ukraine**

- In July 2023, the EU undertook preliminary mission to assess Ukraine conformity assessment and market surveillance, functional to identify the Country readiness level for the ACAA Agreement, whose results demonstrated being positive.
- In relation to conformity assessment, improvements opportunities would include the level of details certification reviews. With respect to market surveillance, two major matters would be (i) the need for full alignments with the revised EU regulation 2019/1020 on Market Surveillance and Compliance of Products, an already ongoing effort at Ministry level, which will continue, and (ii) the need to revoke the suspension of all controlling inspections following Resolution No. 303 (dated 13 March 2022) on the termination of measures of state supervision and state market supervision under martial law.

“The topic of conformity assessments and market surveillance in the context of Ukraine is very timely and important, as it will play a role in the Country recovery process.”

Mr. Lennart Grundberg

**Policy Officer, European Commission
(DG GROW)**

- Among DG GROW objectives, is the help companies to know which rules to apply when it comes to selling a product in a certain member state. This contributes to facilitate exchanges.
- There is a need for more effective controls at the borders and cooperation. Cooperation between market surveillance authorities and custom authorities is very important, as they don't "speak the same language" even in the same member state, they have different information systems. Exchange of information on the ongoing work is the way to make that process easier by making customs authorities aware of the products that are at risk so they can be stopped at a border when they enter into the EU.

"Ukraine, as an observatory, is a member of that market surveillance network which have joint actions, ways of learning from each other, exchanging information about cases, but also about structures, about how you can organize your work and that's a very important part of the EU market surveillance."

Mr. Oleksandr Pankov

**Director of Department of Technical
Regulations, Ministry of Economy**

- A functional quality infrastructure system can allow a country to use reconstruction efforts as a springboard for sustainable development. Reconstruction should be seen as an opportunity to overcome many challenges by reducing potential climate impacts and increasing energy and resource efficiency. Conformity assessment, accreditation and market surveillance are topics of great interest, in particular in the process of preparing for the conclusion of the ACAA Agreement.
- In July 2023, the European Union completed a preliminary mission to assess the readiness of Ukraine's quality infrastructure for the ACAA agreement. The European experts assessed the conformity assessment and market surveillance system of Ukraine, and determined the progress in approximation of the legislation of Ukraine on the national quality structure and legislation on industrial products to the basic provisions of the European Union.
- The accreditation provided by the national agencies of Ukraine in various fields is equivalent to the accreditation provided by national bodies in more than 80 countries that are members of the relevant European and international accreditation organizations. Thus, the accreditation system of Ukraine is internationally recognized according to the results of the market surveillance system assessment.

"The Ministry of Economy is interested in the success and unification with all European and international stakeholders in achieving the goals and objectives, in particular, regarding the conclusion of the ACAA agreement and the green reconstruction of Ukraine."

PANEL DISCUSSION

Mr. Nigel Croft

International Expert, UNIDO

The important role of conformity assessment and market surveillance as part of the Quality Infrastructure System

- After the beginning of the conflict UNIDO Project diverted attention to the more general look at green reconstruction and the guiding framework of standards and technical regulations that would prepare Ukraine to undertake this massive work in the future.
- Conformity assessment provides confidence not only in all traditional aspects like product process or services but also environmental performance, that is very relevant to our situation, energy efficiency and other sustainable development goal related issues. Conformity assessment also ensures that they meet requirements of industry, importers, government regulators and all of those additional interested parties.
- Regulators / market surveillance authorities become involved in the investigation of incidents that are notified to them, including follow-up of any corrective actions related to nonconforming products.

This feeds back into risk assessments:

- Duty to keep the public informed of dangers as they arise.
- Communication of identified risks, product recalls.

“Conformity assessment provides confidence that requirements are being met, thereby mitigating risk. Conformity assessment applies to products, processes, services, people, management systems and others. Early identification of problems (or potential problems) helps to mitigate risk for everyone!”



Ms. Cristina Draghici

Director of Conformity Assessment, ISO Committee for Conformity Assessment (CASCO)

The “CASCO Toolkit” of conformity assessment standards

- ISO is a global network of national standards body, and Ukraine national standard body is part of this international network. ISO have one member per country. It develops international standards through a multitude of the technical committees composed by experts nominated by members and partner organizations.
- CASCO, is the eyes of policy committees on conformity assessment: its main role is to ensure a consistent approach to conformity assessment. Standardization, conformity assessment and accreditation play an important role in building trust, which ultimately contributes in supporting a green reconstruction as well as health and safety and economic prosperity.
- Laboratories, inspection bodies, certification bodies, verification and validation bodies are all involved in conformity assessment. There are also bodies that actually develop the standards for performing assessments, one of them is ISO CASCO.

“Standards development and the conformity assessment activities are like two sides of a coin: they have enhanced value only when they are used together.”

Ms. Hanane Taidi

Director General, TIC-Council

How the independent testing, inspection and certification industry can provide confidence for the Green Reconstruction of Ukraine

- Only a strong and robust quality infrastructure ecosystem (composed of globally harmonized standards, accreditation, and independent verification and validation) will ensure the quality, safety, and compliance of products, services, and overall reconstruction processes.
- Conformity assessment is a crucial tool for validating environmental claims and ensuring compliance with standards in reconstruction efforts, promoting resilience, safety, and environmental sustainability while fostering transparency and trust in the process.
- The Testing, Inspection, and Certification (TIC) sector plays a multifaceted role in reconstruction efforts by offering services such as diagnosing damage, design reviews, environmental impact studies, safety control, and project management assistance.

“The TIC sector has the necessary expertise to ensure that the reconstruction process is carried out with the utmost respect for our planet and its people.”

Ms. Melanie Manton

Global Business Development Manager, BRE
The BREEAM validation and certification systems for sustainable built environment

- BREEAM's Versatility for Sustainable Reconstruction: BREEAM is not just a certification but a comprehensive framework that can adapt to diverse sectors and scales. BREEAM Family of standards offers the versatility, range and dexterity required for a full sustainable reconstruction on all scales.
- Investment & Collaboration for Green Growth: The integration of BREEAM in reconstruction efforts can unlock capital through green finance and bonds, fostering a cycle of sustainable investment. Additionally, partnerships with organizations like the Environment Agency and aligning with national frameworks can help accelerate the adoption of sustainable practices.
- Opportunity for Innovative Green Reconstruction: The unfortunate devastation in Ukraine provides an unprecedented opportunity for the country to rebuild in a way that embodies global best practices in sustainability. Leveraging BREEAM's scalability, Ukraine can build back better, establishing a model for how nations can turn adversity into a catalyst for positive change.

“Whether it's a single building or an entire community, BREEAM's robust set of assessments can guide Ukraine's infrastructure reconstruction efforts towards long-term sustainability.”



Mr. Domenico Tinto

Expert, European Commission (DG GROW-H.1)

Environmental sustainability: assessment of the performance and market surveillance of construction products in the context of Reg. (EU) 305/2011

- Standardization under the Construction Products Regulation (CPR) is peculiar. Harmonised standards provide assessment methods and criteria to express the performance of the products. The performance relates to the essential characteristics of the products that are relevant for the construction works. The key document is the Declaration of Performance (DoP), and harmonized standards are mandatory.
- The Assessment and Verification of Constancy of the Performance (AVCP) is also a CPR uniqueness. AVCP safeguards the reliability and accuracy of the DoP. Based on the relevance of a construction product to health, safety and environment the European Commission establishes the AVCP system to apply. There are 5 types of AVCP systems, corresponding to different levels of strictness on manufacturers' and notified bodies' tasks. An AVCP system can apply to a given product or to a family, or to a given essential characteristic.

- Market surveillance authorities have additional empowerments when dealing with construction products non-compliant.
- The AVCP of environmental sustainability is not yet possible under the CPR. The European Commission is working on a new AVCP system to address the essential characteristics related to environmental sustainability. This new horizontal system will be an additional one to the existing 5 types of AVCP systems, and will enter into force in 2024.

“Implementing environmental sustainability in construction products will be fully possible as from 2024. Therefore, from a construction products regulation perspective, Ukraine has no gap to recover compared to those countries that are already member of the EU.”



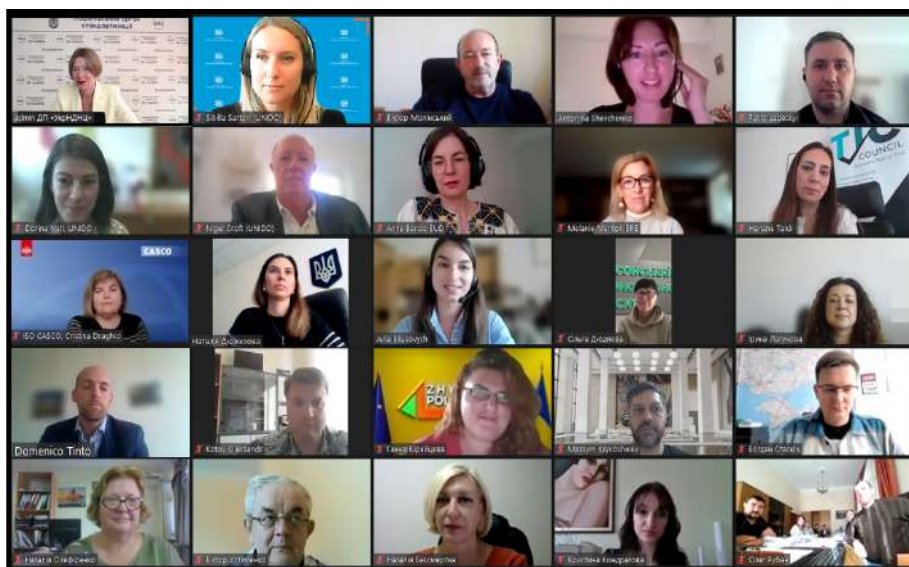
Ms. Nataliia Diuzhylova

Deputy Head, State Inspection of Architecture and Urban Planning

The Role of Market Supervision of Construction Products in the Future Reconstruction of Ukraine

- The Law of Ukraine No. 2698 of 02.09.2020 on the provision of construction products on the market establishes the same rules and procedures in Ukraine as the construction products industry throughout Europe. This will help Ukraine to sign an important agreement on conformity assessment and acceptance of industrial products, the so-called ACAA agreement, which allows Ukrainian manufacturers to supply products to EU that manufactured in accordance with European standards.
- Also, Ukraine has adopted a list of national standards approved by our ministry, which are identical to the standards in force in the European Union. The ministry – through its technical committees – is in the process to translate them into Ukrainian language.
- At present, the quality process in the construction-materials market is the same as in the European Union: the manufacturers indicate in the declaration the characteristics of its product, declares that it is manufactured in accordance with a certain regulatory document and bear responsibility for the quality of such product. The declarations are made through an innovative unified state electronic system in the field of construction.
- With the objective to fight corruption in Ukraine, the direction of digitalization is also currently working in a system of market surveillance of construction products. Through an on-line office, manufacturers of construction products can identify themselves, make a declaration in electronic form and pull up data on research of such products, and issue a certificate certifying that it is safe and sound. Open access to this system makes it possible for anyone to familiarize themselves with this declaration and certificate and evaluate its characteristics.

“We are striving to adopt absolutely all the rules by which the European Union market operates.”



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United Nations Industrial Development Organization

Vienna International Centre

P.O. Box 300, 1400 Vienna, Austria

Telephone +43 1 260260

www.unido.org