



EU - Gulf Cooperation Council (GCC) Dialogue on Economic Diversification

EU – GCC Dialogue on Economic Diversification Gulf Cooperation Council (GCC) countries

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Policy Paper: Study of product standardisation policies, procedures and institutions in the GCC and the provision of recommendations to enhance adoption and/or recognition of common standards to enhance trade with and within GCC countries.

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- List of Abbreviations

AIDMO	Arab Organization for Industrial Development and Mines
APAC	Full member in the Asia Pacific Accreditation Cooperation
ARAC	Full member in the Arab Accreditation Cooperation
BCCI	Bahrain Chamber of Commerce and Industry
BIPM	International Bureau of Weight and Measures
BSMD	Bahrain Standards & Metrology Directorate
CAB	Conformity Assessment Body
CBTL	Certification Body Testing Laboratory
CEN	European Committee for Standardization
CENELEC	European Committee for Electrotechnical Standardization
CoC	Certificate of Conformity
DAC	Dubai Accreditation Center
DGSM	Directorate General for Specifications and Measurements
ECAS	Emirates Conformity Assessment Scheme
ECOSOC	Economic and Social Council
EEE	Electrical and Electronic Equipment
EER	Energy Efficiency Ratio
EESL	Energy Efficiency Standards Labelling
EIAC	Emirates International Accreditation Centre
ENAS	Emirates National Accreditation System
EQM	Emirates Quality Mark
ESMA	Emirates Authority for Standardization and Metrology
EU	European Union
FCM	Food Contact Materials
FWC	Food and Water Control Section
GAC	GCC Accreditation Center
GCC	Gulf Cooperation Council
GCTS	GSO Conformity Tracking System
GMP	Good Manufacturing Practices
GSMO	Standardization and Metrology Organization for the GCC countries
GSO	GCC Standardization Organisation
GSS	Gulf Standard Specifications
IAF	International Accreditation Forum
IEC	International Electronic Commission
IECEE	International Commission on the Rules for the Approval of Electrical Equipment
IHAF	International Halal Forum
ILAC	International Laboratory Accreditation Cooperation
IMS	Industrial Measurement System
ITC	International Trade Centre
KAAS-PAI	(Kuwait) Accreditation Affairs Section/Public Authority for Industry
KOWSMD	Kuwait Standards and Industrial Services Affairs Organization
KUCAS	Kuwait Conformity Assurance Scheme
LVE	Low Voltage Equipment
MAF	Ministry of Agriculture and Fisheries
MCI	Minister of Industry and Commerce
MIC	Ministry of Industry and Commerce
MLA	Multilateral Arrangements
MMAA	Ministry of Municipal Affairs & Agriculture
MOH	Ministry of Health
MRA	Mutual Recognition Arrangements
NCB	National Certification Body
NCSM	National Committee for Standards and Metrology
NEPIC	National Enquiry Point and Information Centre
NSB	National Standards Bodies
OILM	International Organization of Legal Metrology
PAI	Public Authority for Industry



PCoC	Product Certification of Conformity
QGOSM	Qatar General Organization for Standards and Metrology
QS	Qatar General Organization for Standardization
RoHS	Restriction of Hazardous Substances
SAC	Saudi Accreditation Centre
SALEEM	Saudi Product Safety Program
SASO	Saudi Standards, Metrology and Quality Organization
SCoC	Shipment Certificate of Conformity
SDoC	Supplier's Declaration of Conformity
SFDA	Saudi Food and Drug Authority
SIRC	SASO IECEE Recognition Certificate
SMEs	Small and medium-sized enterprises
SMIIC	The Standards and Metrology Institute for Islamic Countries
SPS	Sanitary and Phytosanitary Measures
TBT	Technical Barriers to Trade
TER	Technical Evaluation Report
TIR	Technical Inspection Report
TR	Technical Regulation
UAE	United Arab Emirates
UAF	United Accreditation Foundation
UNECE	United Nations Economic Commission for Europe
UN GTR	United Nations Global Technical Regulations
WTO	World Trade Organization
YSMO	Yemen Standardization, Metrology and Quality Control Organization



- 1. Executive Summary

The purpose of this policy paper is to assist EU businesses in trading with the regional and national markets of the Gulf Cooperation Council (GCC) by proposing the harmonization of the legislative framework as well as the quality infrastructure system. The basis for the preparation of this policy paper has been an overall mapping and analysis of both the regional and the national quality infrastructure systems. The analysis covers standardization, accreditation, conformity assessment systems and technical legislation in Bahrain, Kuwait, Qatar, Oman, Saudi Arabia and the United Arab Emirates (UAE). Furthermore, a mapping of the same activities at the regional level (GCC region) has taken place.

In addition to describing the above 4 areas related to the regional and national quality infrastructure, the paper also seeks to dive deeper into the regulation of 5 specific product areas (electrical products, machinery, food products, cosmetics and motor vehicles) both at regional and national level. This is ambitious and the task cannot be fully carried out with the resources and the immediate information sources that have been available. Therefore, the analysis can of course not have the depth and level of detail that is desired, but a picture emerges, and some observations have been made which can well be used as a basis for a number of recommendations and indeed further follow up work as required.

In the following, a quick overview of area by area is presented as well as the most important observations.

- *Standards and technical regulations*

As described in Chapter 5 (Differentiation between standards and technical regulations), it is important to keep in mind that there is a major difference between standards and technical regulations. Standards are voluntary and an offer to potential users who can choose to use these in different contexts. Technical regulations, on the other hand, are mandatory and must be respected by companies etc. operating on a market. This distinction is important when assessing whether a lack of harmonization has a substantial negative impact on trade conditions.

The review of the GCC Standardization Organisation (GSO) members' portfolio of standards presented in chapter 6 shows that only Bahrain and Oman live up to the common goal that all GSO standards are adopted by the member organizations and thus become common regional standards. The absence of a consistent adoption of GSO standards as national standards has implications for trade. In comparison with the EU, it is obvious that the organizational framework in the GCC is in place as the GSO as a pan GCC standards body exists and the GCC member countries have committed themselves to adopting GSO standards. Thus, the opportunity to have the same smooth trade within the GCC region as in EU exists. In addition, common GCC-wide standards would make accessing the entire GCC market for European businesses particularly small and medium-sized enterprises (SMEs) much easier. In other words, GSO could play the key role in the region that the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC) have played in establishing the single market. Yet, as long as there are differences in standards across the GCC countries, trade is more complicated as the companies are faced with different standards of basically the same scope in the different countries.

In summary, the GCC countries reveal an untapped potential in the field of standardization because standards are not yet harmonized in all the six countries. However, it is worth mentioning that standards are per definition voluntary and between private contractual parties¹, it is always possible to agree on a set of standards which is not necessarily adopted as national standards, as long as the standards are not in conflict with technical regulations or other mandatory obligations. Therefore, a backlog of standards to be adopted does not necessarily result in larger obstacles to businesses. However, since the GCC countries often make standards mandatory by referring to them in technical regulations, there is a potential barrier to European businesses.

- *Accreditation*

In chapter 7 the topic accreditation is presented. Accreditation is a third-party attestation related to a conformity assessment body (such as certification body, inspection body or laboratory) conveying formal

¹ Standards are per se voluntary, but a standard becomes mandatory when a technical regulation refers to the standard.



demonstration of its competence to carry out specific conformity assessment tasks (such as certification, inspection, and testing).

Only Saudi Arabia and the UAE have national accreditation bodies that provide accreditation services to the countries' conformity assessment bodies. For the other GCC countries - Bahrain, Oman, Kuwait and Qatar - accreditation services can be requested from the regional accreditation body GAC. This situation is undoubtedly related to the size of the countries and a modest demand from laboratories, calibration laboratories and inspection bodies in these countries. At the same time, it is a good example of how close cooperation can generate the demand (critical mass) that gives the accreditation body an opportunity to offer a wide range of services in an economically viable way, with a sufficient number of assessors and specialists and the resources necessary to engage in the international accreditation cooperation. In practice, it has no negative consequences for trade in the region. On the contrary, it can be argued that larger and more resource-intensive accreditation bodies such as GAC deliver higher quality and thus greater recognition in the market.

It is concluded that the conformity assessment bodies have access to recognized and professional accreditation services either at the national accreditation bodies or at the regional accreditation body. Accreditation is based on international standards, which leaves little room for variances. In addition, the concept of third party is the same, and this third party must be accredited by an International Laboratory Accreditation Cooperation (ILAC) signatory body.

The only issue that raises concerns is the Saudi Accreditation Centre's (SAC) lack of full membership of ILAC as, the recognition of certificates or test reports issued under SAC accreditation can, in the worst case, be questioned especially outside the national market because SAC is not peer reviewed by other ILAC/IAF members.

Analyzing the situation from a trade facilitation perspective, it can be noted that the region has the accreditation bodies necessary for the conformity assessment bodies to receive internationally recognized accreditations of their services (test, inspection and certification). In this connection, it must be noted that accreditation of an International Accreditation Forum (IAF) or ILAC member (even a signatory member) does not automatically confer mutual recognition. IAF and ILAC ensure that their members work according to the same standards, guidelines, and principles only.

- *Technical regulation systems*

In chapter 8 the technical regulation systems are assessed. A complete presentation and review of the regulation of the five priority product areas both at regional level and in the six GCC states has not been fully possible within the resource framework set for the preparation of this study.

On a regional level, there are both technical regulations developed by GCC and mandatory standards. A standard becomes mandatory when a technical regulation refers to the standard. Hence, mandatory standards are de facto also (part of) technical regulations. Those mandatory standards count in total 1,348 covering nine sectors.

There are regional regulations in all five priority areas, where three areas in particular stand out by having a very comprehensive regional regulation. These are electrical products where a common set of rules requires that all low-voltage products must be certified and applied with a G-mark, motor vehicles, which is an area that is primarily regulated at a regional level, and the food sector, where several products and topics are covered by regional technical regulations.

On national level the picture is a bit more blurred. In general, the technical regulation is closely linked to the use of different national conformity assessment schemes. In Saudi Arabia the Saudi Product Safety Program (SALEEM) is used to ensure the safety of products placed on the national market. In Kuwait, the Kuwait Conformity Assurance Scheme (KUCAS) is used for a wide range of products. In Qatar, a Certificate of Conformity (CoC) is required to ensure compliance with GSO standards, and something similar is seen in Bahrain. The UAE Emirates Conformity Assessment Scheme (ECAS) has been introduced to ensure the safety of products placed on the UAE market. These national technical regulations are not identical with the G-mark requirements, hence they represent additional requirements which has a negative impact on trade.

In other words, there is a high degree of diversity in the regulation of the national markets. Common to all these different systems is an overall desire to ensure the safety of the products in order to protect the citizens of the individual countries. However, different GCC member countries have different ideas on what constitutes product safety and the protection of citizens. In this area, there seems to be both



potential and a need for further harmonization if the GCC member countries want to facilitate economic interaction within and beyond the GCC region.

- *Product Safety regulations*

In chapter 9 an overview of the Product Safety regulations in the different countries is presented.

In chapter 10 the conformity assessment systems are assessed. The burden of proof that is either imposed on the company that wants to export to one or more GCC countries or must be lifted by the local importer² can be crucial for a market to be attractive to penetrate. Costly, bureaucratic, and time-consuming procedures can deter companies from entering a new market, thus preventing increased competition that would lead to lower prices and higher quality products.

The review of the rules and procedures clearly shows that at present there remains a high degree of diversity in the region. This is the case even though the instruments used in the individual countries have many common features. In Saudi Arabia, two certificates are required, Product Certification of Conformity (PCoC) and Shipment Certificate of Conformity (SCoC), where the first one can be reused for one year while the second certificate is issued for each delivery. In Kuwait, a Technical Inspection Report (TIR) and a Technical Evaluation Report (TER) are issued. The TER confirms that the products comply with the relevant Kuwait technical regulations and the approved international / regional / national standards. The TIR confirms that the goods comply with Kuwaiti importation regulations. UAE has introduced the ECAS conformity assessment scheme which is quite comprehensive and also bureaucratic and resource-intensive. Also, Qatar and Bahrain have their own conformity assessment systems which have the same purpose – assurance of safe products on the market – but still are different.

For companies that want to export to these countries, this means in practice that certificates and documentation must be issued for each country. This is costly and the cost will most likely be reflected in the price for the user or consumer and will lead eventually to less diversity in choice of products as smaller and medium-sized producers in particular will be deterred to enter the market.

The six GCC countries have the obvious advantage that they share language, culture, climate and religion and they should have so many requirements in common that harmonization can be implemented with administrative savings and lower prices as a result. In this way, harmonization can lead to efficiency gains for GCC regulators as well as save financial and other resources for private companies that seek to enter several GCC markets. Overall, it seems that this is the area where harmonization will have the greatest positive trade effect.

- *Case examples and vehicle regulations*

Chapter 11 presents two case examples. In addition to the extensive review and analysis based on desk research, a number of companies exporting to the GCC countries have been contacted in order to uncover any technical barriers to trade. The response has been modest and the willingness to share information has been low. However, there are two companies that have shared experiences from the market. In summary, companies would like to see specific niche legislation adjusted. The specific concerns raised by companies related to legislation on shelf time for dairy products and an incorrect interpretation and implementation of legislation taken from the EU system.

In chapter 12 the work of United Nations Economic Commission for Europe' (UNECE) World Forum for Harmonization of Vehicle Regulations (WP.29) is presented. WP.29 is the worldwide regulatory forum in which relevant stakeholders from the world are participating. Three UN Agreements, adopted in 1958, 1997 and 1998, provide a legal framework allowing Contracting Parties to establish internationally harmonized regulatory instruments concerning the certification of motor vehicles. Approval of cars, spareparts and safety systems in the EU is based on the UNECE specifications. In addition, EU member states have the possibility to add specific national requirements. However, this does not happen very often.

Any country member of the United Nations and any regional economic integration organization set up by member countries of the United Nations, may participate, fully or in a consultative capacity, in the activities of WP.29 and become a Contracting Party to the Agreements administered by WP.29.

² If a company chooses to work with a local importer, the local importer is appointed as an agent or a Joint Venture between the international company and the local company being established to comply with the rules on foreign ownership in the GCC.



Currently none of the GCC countries have applied for participation in full or consultative capacity. It means that motor vehicles and other parts covered by the WP.29 Agreements are regulated entirely by the national authorities in the GCC countries.

- Recommendations

The analysis conducted in the context of this policy paper leads to a number of policy recommendations. These are described in Chapter 13 and summarized below:

For the GCC:

- 1- **Adopt GSO standards as national standards in all GCC states.** It is highly recommended that the members of GSO take responsibility for adopting the GSO standards, which will facilitate the intra-GCC trade as well as the trade with partners outside the GCC region.
- 2- **Phase out national conformity assessment schemes, which overlap with the G Mark.** It is strongly recommended that all member states phase out the national conformity schemes, which overlap the G Mark so that the full effect of the harmonization is achieved.
- 3- **Harmonize procedures in connection with control of imported products.** All GCC countries have their own national rules and requirements. It is recommended to develop common – or at least mutually recognized – conformity assessment procedures for the region to facilitate the cross-border trade.
- 4- **Become signatory members of the 3 agreements under UNECE WP.29.** These three UN Agreements provide a legal framework allowing contracting parties to establish internationally harmonized regulatory instruments in the form of standards concerning the certification of motor vehicles. It is recommended that all GCC countries become signatory members of WP.29.
- 5- **Harmonize cosmetic product notification.** In each GCC country cosmetic products must be registered in registers in the individual countries. It is recommended that this registration is combined into one common registration body instead of separate ones for each country.
- 6- **Make reference to standards in technical regulations.** By referring to standards without a date (e.g ISO 1234), technical regulation can be updated without the legislature having to withdraw and replace legislation every time the standard is revised. An alternative to the direct reference is an indirect reference similar to the European one where framework legislation refers to voluntary harmonized standards which ensure presumption of conformity with the legislation
- 7- **Recognise for the purposes of compliance with GCC countries technical regulations certificates issued by EU conformity assessment bodies accredited by members of European Accreditation (EA).** It is recommended to establish a mechanism which facilitates recognition in areas where conformity assessment procedures are similar.
- 8- **Enable continuous consultation through an online platform.** In the context of the rapid changes and updates of the adopted schemes in the Gulf region, GCC is recommended to provide a platform, online gate or website for companies ambitious to enter the GCC market. The platform should list the access tips to reflect the rapid updates for the technical regulation, essential requirements, and CA schemes.
- 9- **Reconsider the necessity of reduced shelf life for long life food products.** The particularly short shelf time in some of the GCC member states is a deviation from international practice. Since transport time must be included when shelf time is calculated from the time of production in Europe or other places, the particularly short shelf life represents a barrier to trade for EU and other exporters. In addition, it leads to increased food waste. Therefore, it should be considered whether the reduced shelf time for long life products is needed. *(Note: This recommendation is an example of how minor legislative deviations from International standards or practices make exports difficult.)*



For the EU:

- 1- **Encourage European third parties notification.** Encourage accredited ISO 17065 notified Product certification bodies to prioritize and swiftly apply for GCC National Standards Bodies (NSBs) and GSO notification system as per the published procedure. The procedure description can be downloaded free of charge from the GSO website. It describes the procedure to issue the needed product conformity certificates and for each individual market intended to be accessed by EU manufacturers.
- 2- **Foster harmonization in collaboration with GSO.** Harmonization should be fostered in form of discussions and agreements to accept the EN standards as reference testing standards for the testing schemes adopted and implemented by third parties in the GCC Member States. Currently, for GSO Conformity Tracking System (GCTS) system, the applicants can only submit test reports with the International Electronic Commission (IEC) and GSO testing methods and reference standards while test reports for the EN standards are rejected.
- 3- **Conduct a more comprehensive study of the quality infrastructure system and the technical regulations in the GCC and as well as their impact on the trade.** With the limited resources that have been the basis for the preparation of this policy paper, it will be risky and insufficiently documented to make very concrete proposals for how a harmonization could be organized or propose concrete measures. Instead, it can strongly be recommended to the EU Commission or EU Delegation to initiate an in-depth study of areas where the potential for creating technical barriers are the biggest. Especially technical regulations and mandatory conformity assessment requirements should be given priority in such a study. Moreover, the present study focuses on existing technical regulations in the GCC. Further research could also look into the process of adopting new technical regulation in the GCC countries and identify whether there is a need for a more systematic approach.



- 2. Introduction

- The GCC Standardization Organization (GSO)

The GCC Standardization Organization (GSO) is a regional standardization organization, which was established by the resolution of the GCC Supreme Council in December 2001 and assumed its operation in May 2004. Its membership at that time consisted of the governments of the United Arab Emirates, the Kingdom of Bahrain, the Kingdom of Saudi Arabia, the Sultanate of Oman and the States of Qatar, and Kuwait. In January 2010, the GSO Council approved the membership of the Republic of Yemen.

The mission of GSO is to assist GCC member states to unify various standardization activities in cooperation and coordination with the national standardization bodies in the member states to develop the manufacturing and service sectors, foster intra-GCC trade, protect consumers, the environment and public health, enhance the GCC economy and its competitiveness and meet the requirements of Gulf Customs Union and Gulf Common Market.

GSO members include the Emirates Authority for Standardization & Metrology (ESMA), Bahrain Standards & Metrology Directorate (BSMD), Saudi Standards, Metrology and Quality Organization (SASO), Directorate General for Specifications and Measurements (Ministry of Commerce, Industry and Investment, Oman), Qatar General Organization for Standardization (QS), Kuwait Standards and Industrial Services Affairs Organization (KOWSMD) and Yemen Standardization, Metrology and Quality Control Organization (YSMO).

GSO works with its members to develop and define GSO Standards in response to specific needs that have been identified by Technical Committees, businesses, and other users of standards. GSO encourages the participation of the parties concerned and interested in the standards in both the public and private sectors through the national standardization bodies of Member States. The stakeholders have the opportunity to participate in the work of technical committees, sub-committees or task groups and to participate in the activities of technical committees of national Member States, corresponding to GSO technical committees. In addition, interested stakeholders can propose draft standards and technical regulations of high priority and urgent need. The stakeholders can contribute to studies and provide input on GSO standards and technical regulations projects during the given period for consultation. The GSO website states: *'each National Standardization Body member of GSO is obliged to adopt each GSO Standard as a national standard and make it available to customers in their country. They also have to withdraw any existing national standard that conflicts with the new GSO Standard. Therefore, one GSO Standard becomes the national standard in all 7 countries'*.

Cooperation between CEN/CENELEC and GSO

The international cooperation activities of CEN and CENELEC aim to fully develop the role of standards in helping European businesses boost their competitiveness on the global stage and in supporting European trade objectives. To achieve this ambition, CEN and CENELEC give priority to the development and adoption of international standards, as the collaboration with ISO and IEC through the Vienna (with ISO) and Frankfurt (with IEC) agreements shows. Moreover, CEN and CENELEC cooperate with other standardization bodies worldwide. Following the CEN and CENELEC's exercise of prioritising foreign partnerships carried out in 2018, 5 priority partners were identified, amongst which GSO, the other CEN and CENELEC priority international partners being ARSO and AFSEC (Africa), SAC (China), BIS (India) and JISC (Japan).

The above-mentioned exercise has, among other things, resulted in the establishment of a dedicated Task Force Gulf with representatives from CEN and CENELEC members, from the European Commission, the European Free Trade Association (EFTA), representatives of the European Industry and GSO. The Task Force has drawn up a number of common strategic objectives, which are planned to be achieved in 2022.

One of the main objectives is to support GSO's relationship with ISO and IEC, corresponding to the cooperation between CEN and ISO, as well as CENELEC and IEC, within the frameworks of the Vienna Agreement and the Frankfurt Agreement, respectively. The main objectives of these agreements are to provide a framework for the optimal use of resources and expertise available for standardization work and a mechanism for information exchange between international and European Standardization Organizations (ESOs) to increase the transparency of ongoing work at international and European levels. In addition, the aim is for a gradual alignment of GCC technical legislation with the legislation in the EU. Another objective is to address specific technical topics and issues, bringing experts together for cooperation. Finally, it is an overall objective to share experiences in selected non-sectoral areas.



This is being done concerning standards for Smart Grids, SMEs, environmental and societal stakeholders, where the GCC countries have great interest in benefitting from the European experience.

Seminars have also been held in selected areas such as toys and electrical appliances, where the representatives of the GCC countries presented how they regulate these product areas, in order to carry out a comparison of the GCC countries' regulations with the EU regulations.

GSO has continuously adopted European standards as regional and subsequent national standards. For the time being, there is a total of around 700 GSO standards that are identical with European standards and adopted directly from CEN and CENELEC. It should be noted that a significant part of the European standards is identical to international standards developed by ISO and IEC. Thus, about 30% of the European standards published by CEN are identical to ISO standards, while the proportion of CENELEC standards that are identical to IEC standards is about 80%. This also means that a substantial amount of GSO standards are also identical to CEN and CENELEC through GSO's adoption of ISO and IEC standards.

As a region of importance to CEN and CENELEC, GSO has gained access to CEN and CENELEC's database with CEN and CENELEC European standards. This access can be used both to review the content of the standards by GSO's technical committees, before a decision is taken to adopt (or not), and also for adoption. As far as the ongoing update is concerned, however, there are some indications that this is not conducted in a systematic way, which means that obsolete European standards may be in force in the GCC region.

Another challenge identified in the collaboration between CEN-CENELEC and GSO is that there is a pronounced shortage of experts who can participate and influence the development of International standards. This is of course a challenge in a region that wants to be actively involved in the ISO and IEC standardization work and not just adopt standards developed by international experts from other regions.

- Challenges faced by European Businesses

Despite the GSO's statement that national members are obliged to adopt each GSO standard as a national standard, businesses in the GCC, particularly those from Europe who establish a market base in a GCC member state to serve all GCC markets, found that different product and safety standards are being applied by GSO member organizations in different GCC countries. For example, at a conference held by the GSO in partnership with the Ministry of Commerce and Industry of Oman in Muscat on 18-20 March 2019, industry participants addressed some of the key challenges faced by the food industry in the implementation of policies and regulations such as the frequency of regulations, the notification and timelines provided and the different application of standards and regulations across the GCC. Indeed, there have been specific EU concerns expressed on the implementation within the UAE of the proposed ECAS (The Emirates Conformity Assessment Scheme) for products of the food sector as they are related to the controls on milk and dairy products (Cabinet Decree no. 29) and on juices and beverages (Cabinet Decree no. 30). It is the view of the EU that these decrees when implemented would have a negative impact on trade for the EU as the additional proposed UAE import conditions under the ECAS scheme are considered overly burdensome and costly without adding any additional food safety assurances to those currently existing. EU food producers must comply with, under EU policy, a high level of food safety rules combined with a stringent system of controls. Currently the EU is deepening discussions with the UAE on this matter seeking to clarify how the EU animal health and food safety system could be considered as already fulfilling the UAE requirements.

Each of the GCC countries has adopted a number of GSO standards and technical regulations. In addition, each country has designed and adopted additional national standards and technical regulations for each sector. The data made available by the national standardization bodies indicate that many GSO standards and technical regulations are adopted from those issued by international standardization bodies.

- Purpose and outline of the policy paper

The purpose of this policy paper is to assist EU businesses trade with the GCC market by proposing the harmonization of intra-GCC standards for the benefit of EU businesses already located in the GCC or trading with multiple GCC member countries.

The paper begins with a short description of the applied methodology, followed by a section that explains the difference between voluntary standards and mandatory technical regulations. Subsequently, the paper describes the process of selecting the five priority sectors for the present assignment. These are (1) Motor Vehicles, (2) Electric/electronic products, (3) Machinery, (4) Food industry and (5) Cosmetics.



The main part of the paper is an analysis of the level of harmonization of standards and technical regulations as well as the accreditation systems across the GCC countries. To provide these insights, the paper includes an overview of how standards and technical regulations in specific sectors are harmonized across the GCC countries and whether mutual recognition agreements exist.

Furthermore, this policy paper presents the conformity assessment systems used in GCC countries for sectors covered by the Supplier's Declaration of Conformity (SDoC) in the EU. Subsequently, the paper presents whether the GCC countries are signatory members of the UNECE World Forum for Harmonization of Vehicle Regulations (WP.29).

The final section of the paper consists of recommendations for achieving further harmonization of standards, technical regulation and conformity assessment processes in the GCC in general as well as specific policy advice towards the European Union. Recommendations to the EU Commission focus on means of achieving the harmonization of technical regulations and a common system of conformity assessment among the GCC countries, in the selected priority sectors.



- 3. Methodology

The methodology applied by the two experts contains a combination of various approaches, including document review, desk/internet research, analysis of trade statistics, interviews of stakeholders, briefings/debriefings with the EU-GCC Dialogue on Economic Diversification Project's Team Leader and Key Expert, data and information analysis, and report drafting. The approach to the assignment included the following four key elements:

1. Collection of data
2. Analysis
3. Drafting of policy paper.
4. Holding a workshop with EU businesses representatives to validate the results and discuss the recommendations to receive an EU private sector perspective on the validity and effectiveness of the recommendations.

The collection of data has been divided into quantitative and qualitative data. Quantitative data was primarily collected from:

- Desk research,
- EU's trade statistics published by the Directorate General for Trade,
- Publicly available data published by the regional standardization body GSO,
- Data published by the national standardization bodies in the 6 GCC member states - Saudi Arabia, Kuwait, the United Arab Emirates, Qatar, Bahrain, and Oman.

Qualitative data has been collected from:

- Interviews with representatives of the regional and national standards bodies,
- Interviews with representatives of EuroCham representatives from the GCC member states,
- Interviews and communication with representatives of European companies exporting to the GCC countries.

The above figures regarding standards that are included in the report are derived in Sept-Oct 2020. The figures will change when new standards are adopted and old are withdrawn.

Based on the ToR and in dialogue with the project team, five sectors have been chosen to be analyzed. These five sectors have been analyzed both on regional and national level.

The analysis of the data has its starting point in ToR section "2.2 Specific topics and issues to be addressed" where a number of questions regarding the GCC regional integration; the individual countries and the harmonization regarding regulation of motor vehicles are listed.

- 4. Selection of priority sectors

In the ToR, it is stated that food industry, machinery, electric/electronic products, vehicles, pharmaceuticals, medical devices, chemicals, textiles, and the cosmetics sector shall be considered for a more detailed analysis.

In dialogue with the EU-GCC Dialogue Project Team, it has been agreed that five sectors should be selected, and these shall cover a wide range of products which are subject to different kinds regulations and standards.

To ensure a transparent and well-founded choice of sectors, the following criteria have been set:

- 5 sectors must be selected, of which at least 3 sectors must represent areas where trade between the EU and the GCC countries is significant
- The 5 sectors must represent areas where standards from a minimum of 3 different standardization organizations are used (See figure 2)
- The 5 sectors must represent areas where it is possible to obtain information on any trade barriers etc. from European companies operating in the markets in the GCC region.



To create an overview of the exports and imports to/from the GCC, EU's trade statistics have been consulted. From the statistics, import and export for most of the sectors are available but for electrical products, medical devices and cosmetics, data is not presented.

Figure 1: Trade flows by SITC product grouping

Trade flows by SITC product grouping 2019								
Source: Eurostat, Comext - Statistical regime 1								
SITC Rev. 3 Product Groups	Imports				Exports			
	Value Mio €	% Total	% Extra-EU	% Growth	Value Mio €	% Total	% Extra-EU	% Growth
Total	43,124	100.0	2.2	-0.5	70,105	100.0	3.7	5.4
Primary products	34,182	79.3	5.7	6.1	12,272	15.7	3.5	4.6
- Agricultural products (Food (incl. Fish) & Raw Materials)	222	0.5	0.1	-1.6	8,340	10.7	4.2	3.2
-- Food	149	0.4	0.1	22.7	7,562	9.7	4.5	2.7
--- of which Fish	21	0.1	0.1	9.8	62	0.1	1.0	8.9
--- Other food products and live animals	129	0.3	0.1	25.1	7,499	9.6	4.6	2.7
-- Raw materials	73	0.2	0.3	-29.9	778	1.0	2.6	8.4
- Fuels and mining products	33,980	78.8	7.8	-6.1	3,933	5.0	2.8	-17.9
-- Ores and other minerals	415	1.0	1.1	10.2	780	1.0	4.5	28.7
-- Fuels	31,751	73.6	8.8	-5.7	2,636	3.4	2.5	-26.9
of which Petroleum and petroleum products	28,543	66.2	10.2	6.4	2,582	3.3	2.7	27.0
-- Non ferrous metals	1,795	4.2	4.8	-16.0	529	0.7	1.8	-8.4
Manufactures	7,989	18.5	0.6	-16.1	60,951	78.0	3.5	4.6
- Iron and steel	149	0.4	0.4	-28.1	1,837	2.1	4.4	11.7
- Chemicals	4,791	11.1	2.0	-9.4	10,904	14.0	2.7	8.8
-- of which Pharmaceuticals	13	0.0	0.0	-19.5	4,430	5.7	2.2	11.3
- Other semi-manufactures	1,359	3.2	1.4	-34.2	5,050	7.5	4.1	-10.0
- Machinery and transport equipment	1,154	2.7	0.2	-25.0	32,289	41.3	3.7	5.0
-- Office and telecommunication equipment	194	0.5	0.1	2.3	5,355	6.9	5.1	32.0
Electronic data processing and office equipment	34	0.1	0.1	11.9	1,949	2.5	5.9	13.7
--- Telecommunications equipment	156	0.4	0.2	10.5	3,215	4.1	7.2	51.6
--- Integrated circuits and electronic components	4	0.0	0.0	-61.8	181	0.2	0.7	-14.2
-- Transport equipment	399	0.9	0.2	-50.1	12,558	16.1	3.8	1.2
--- of which Automotive products	98	0.2	0.1	-10.4	4,832	6.2	2.2	10.0
Other machinery	582	1.3	0.2	1.7	14,305	18.3	3.5	0.7
--- Power generating machinery	188	0.4	0.4	18.8	2,157	2.8	3.7	18.1
--- Non electrical machinery	187	0.4	0.2	-14.7	8,248	10.6	3.3	-2.7
--- Electrical machinery	209	0.5	0.2	8.1	3,901	5.0	3.6	0.9
- Textiles	139	0.3	0.5	8.8	394	0.5	1.8	-3.9
- Clothing	72	0.2	0.1	15.9	1,285	1.7	3.3	1.1
- Other manufactures	325	0.8	0.2	20.2	8,581	11.0	4.0	10.1
-- of which Scientific and controlling instruments	101	0.2	0.2	95.8	2,053	3.7	4.0	13.1
Other products	902	2.1	3.1	-25.5	1,155	1.5	2.5	-17.7
Other	51	0.1	n.a.	n.a.	3,726	4.8	n.a.	n.a.

Source: EU Commission, Directorate General for Trade

For the above mentioned nine sectors, the export from the EU to GCC and the most relevant International standardization bodies can be presented this way:

Table 1: Overview of trade figures and standardization bodies for 9 sectors.

Sector	Export from EU to GCC (Mio EUR)	Standardization bodies and/ or regulation (non-exclusive)
Food industry	7,562	Regulation and Codex Alimentarius
Other Machinery	14,305	Regulation and ISO
Electric/electronic products	(no data available)	Regulation and IEC
Motor vehicles (Transport Equipment)	12,556	Regulation, UNECE and ISO
- of which automotive products	4,832	
Pharmaceuticals	4,430	Regulation
Medical devices	(no data available)	Regulation and ISO
Chemicals (excl. Pharmaceuticals)	6,474	Regulation and ISO
Textiles	394	Regulation and ISO
Cosmetics	(no data available)	Regulation and ISO

Source: Own illustration based in EU Commission, Directorate General for Trade



Based on the above criteria, the following 5 sectors have been chosen for more targeted analysis:

1. Motor Vehicles
2. Electric/electronic products
3. Machinery
4. Food industry
5. Cosmetics

- 5. Differentiation between standards and technical regulations

- 5.1 Standards

A **standard** is a document approved through consensus by a recognized (standardization) body, that provides, for repeated and common use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. It may also include or deal exclusively with terminology, symbols, and packaging, marking or labelling requirements as they apply to a product, process, or production method.

A standard describes features of a product, process, service, interface, or material. Standards are embodied in several forms, such as definition of terms; specification of design and construction; detailing of procedures; or performance criteria against which a product, process, etc. can be measured. Product and process standards can have several specific functions that include:

- Fostering commercial communication
- Diffusing or transferring technology
- Raising productive efficiency
- Ensuring physical and functional compatibility (product quality)
- Improving process management
- Enhancing public welfare
- Interchangeability and interoperability
- Safety, health, and environmental protection
- Variety control
- Usability (fitness for purpose)
- Standardization provides a basis for technical/trade agreements and technical regulations.

- 5.2 Technical regulations

A **technical regulation** is a Government document that lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, and packaging, marking or labelling requirements as they apply to a product, process, or production method. Only simple majority is necessary for establishment of the regulation. Compliance with the requirements of the technical regulation is mandatory.

- 5.3 Standards vs technical regulations

The difference between a standard and a technical regulation lies in compliance. While conformity with standards is voluntary, technical regulations are by nature mandatory.

They have different implications for international trade. If an imported product does not fulfil the requirements of a technical regulation, it will not be allowed to be put on sale. In case of standards, non-complying imported products will be allowed on the market, but then their market share may be affected if consumers prefer products that meet local standards such as quality or color standards for textiles and clothing.

The World Trade Organization's (WTO) Agreement on Technical Barriers to Trade (TBT), inter alia, has provided that technical regulations should not create unnecessary obstacles to international trade, therefore they should not be more trade-restrictive than necessary to fulfil a legitimate objective, taking into account the risks that non-fulfilment would create, as evidenced by available scientific and technical information, processing technology or intended end uses of the products.

Imported products should be given, in respect of technical regulations, no less favorable treatment than that accorded to like products of national origin and to like products from any other country.



International standards should be used as a basis for preparing technical regulations except when they are not appropriate to fulfil legitimate interests, for instance, because of fundamental climatic or geographic factors or fundamental technological problems.

For a government, avoiding unnecessary obstacles to trade means that when it is preparing a technical regulation to achieve a certain policy objective - whether protection of human health, safety, the environment, etc. - the regulation shall not be more trade-restrictive than necessary to fulfil the legitimate objective.

Each WTO Member is required to notify all its proposed technical regulations including labelling requirements which are either not based on the relevant international standards (or where no international standards/guidelines exist) and have significant trade effects (both positive and negative). Such notifications, concerning the preparation, adoption, or application of technical regulations, should be submitted through the WTO Secretariat. Enough time must be allowed for written comments/discussions and these comments should be considered and the results of the discussions communicated to those making comments. Governments are obliged to provide justification for the proposed technical regulations, if so, requested by other members.

According to the TBT Agreement, specifying, whenever appropriate, product regulations in terms of performance rather than design or descriptive characteristics will help in avoiding unnecessary obstacles to international trade. For example, a technical regulation on fire-resistant doors should require that the door passes successfully all the necessary tests on fire resistance. Thus, it could specify that "the door must be fire resistant with a 30-minute burn through time"; it should not specify how the product must be made, e.g. that "the door must be made of steel, one inch thick".

Technical regulations adopted in pursuance of legitimate interests and in accordance with relevant international standards are presumed not to create unnecessary obstacles to international trade.

Avoidance of trade obstacles means also that, if the circumstances that led a country to adopt technical regulations no longer exist or have changed, or the policy objective pursued can be achieved by an alternative less trade-restrictive measure, they should not be maintained.

- 6. Assessment of the standardization system

- 6.1 Regional level

GCC Standardization Organization (GSO) is the Regional Standardization Organization which was established by the resolution of the GCC Supreme Council (22nd Session, Muscat, Oman, 30-31 December 2001) and assumed its operation in May 2004 with membership of the governments of The State of the United Arab Emirates, The Kingdom of Bahrain, The Kingdom of Saudi Arabia, The Sultanate of Oman, The State of Qatar, and The State of Kuwait.

The mission of GSO is to assist the States of the Cooperation Council for the Arab States of the Gulf (GCC) to achieve the objectives set forth in its Charter and in the GCC Economic Agreement by unifying the various standardization activities and following up implementation and compliance with the same in cooperation and coordination with the standardization bodies in the Member States to develop the production and service sectors, foster intra-GCC trade, protect the consumer, environment and the public health, enhance the GCC economy and its competitiveness and meet the requirements of Gulf Customs Union and Gulf Common Market.

In this context it must be emphasized that ISO and IEC are private organizations and their standards are copyright protected. When a regional or national member of ISO/IEC adopts an ISO or IEC standard the regional/national standardization body is obliged to protect the copyright. If standards are given away without payment the copyright protection is undermined. Therefore, standards have a price, also at GSO which mainly adopt International standards. It shall also be stressed that ISO standards cost money to develop, publish and distribute and these costs have to be covered. The current system whereby users are requested to pay for the standards they use, not only sustains the development process but also, very importantly, ensures that the balance of independent vs. government, private vs. public interests can be maintained.

Technical regulations (mandatory) are issued by public organizations/institutions and are (typically) free of charge. If access to mandatory legislation at GSO requires payment it will both be unusual and it may undermine the transparency, especially for the SMEs if the price is high.



A search in the website of GSO shows that 15,460 GSO standards out of in total 23,526 GSO standards are identical with ISO standards and 6,142 GSO standards are identical with IEC standards. It means that 97% (21,602) of the GSO standards are identical with International standards published by ISO or IEC.

In accordance with the rules of ISO/IEC (ISO/IEC Guide 21), an ISO or IEC standard can only keep the ISO or IEC number (e.g. ISO 9001) when it is an identical adoption of the International standard. Since the GSO standards use the ISO numbers (e.g. GSO IEC 60500: 2015), it is apparent that GSO does not modify the standards before adoption, which is in accordance with the recommendations in the WTO TBT agreement and ensures that no technical barriers to trade are created.

On the GSO website, it is stated that “Each National Standardization Body member in GSO is obliged to adopt each GSO Standard as a national standard and make it available to customers in their country. They also must withdraw any existing national standard that conflicts with the new GSO Standard. Therefore, one GSO Standard becomes the national standard in all GCC countries.”

With this commitment to adopt the common regional standards, the GSO has come close to the model applicable to the regional standardization cooperation in the EU, where it is a fundamental principle of CEN and CENELEC that all member organizations adopt all European standards. This obligation is enforced by the CEN Management Center, which regularly publishes statistics showing the ability and willingness of the individual organizations to live up to the obligation.

If the individual GCC countries live up to the above policy for the adoption of common GSO standards as national standards, all national standardization organizations will have adopted at least the 23,526 GSO standards. In addition to this, the member organizations can adopt pure national standards as well as standards from other national, regional, and international standardization organizations.

- 6.2 National level

The individual national standardization organizations are presented below, and an overview is given of the portfolio of standards that the individual countries have adopted.

- 6.2.1 Bahrain - BSMD

Bahrain Standards and Metrology Directorate (BSMD) is the national standardization body of Bahrain established in 1988 under the provision of the Legislative Decree No. 16 of 1985.

It is a member of the Arab Industrial Development and Mining Organization (AIDMO), the Arab Center for Standardization and Metrology and a founder member of the Gulf Standardization Organization (GSO).

BSMD has been a correspondent member of OIML (International Organization of Legal Metrology) since 1984 and an ISO member body since January 2003.

On a national governing level, BSMD revises, amends, and publishes all Bahraini Technical Regulations and National Standards upon approval of the National Committee for Standards & Metrology. BSMD's most active operation is revising and studying the potential adoption of international standards as Gulf Standards. Other activities include: Standards Implementation performing required conformity assessment procedures on controlled goods entering the Kingdom, as well as monitoring goods in the country through market surveillances. The Quality Section provides awareness and updated information on the management systems. The Metrology Section is committed to enforce legal metrology in the country and to provide industrial calibration services. Standards Information Section is responsible of maintaining standards publications and online enquiries.

- Adoption of national standards

In accordance with previous research, BSMD has adopted a total of 39,508 national standards. The standards can be distributed into two groups:

- GSO standards adopted as national standards: 22,260
- Other standards³ adopted as national standards: 17,248

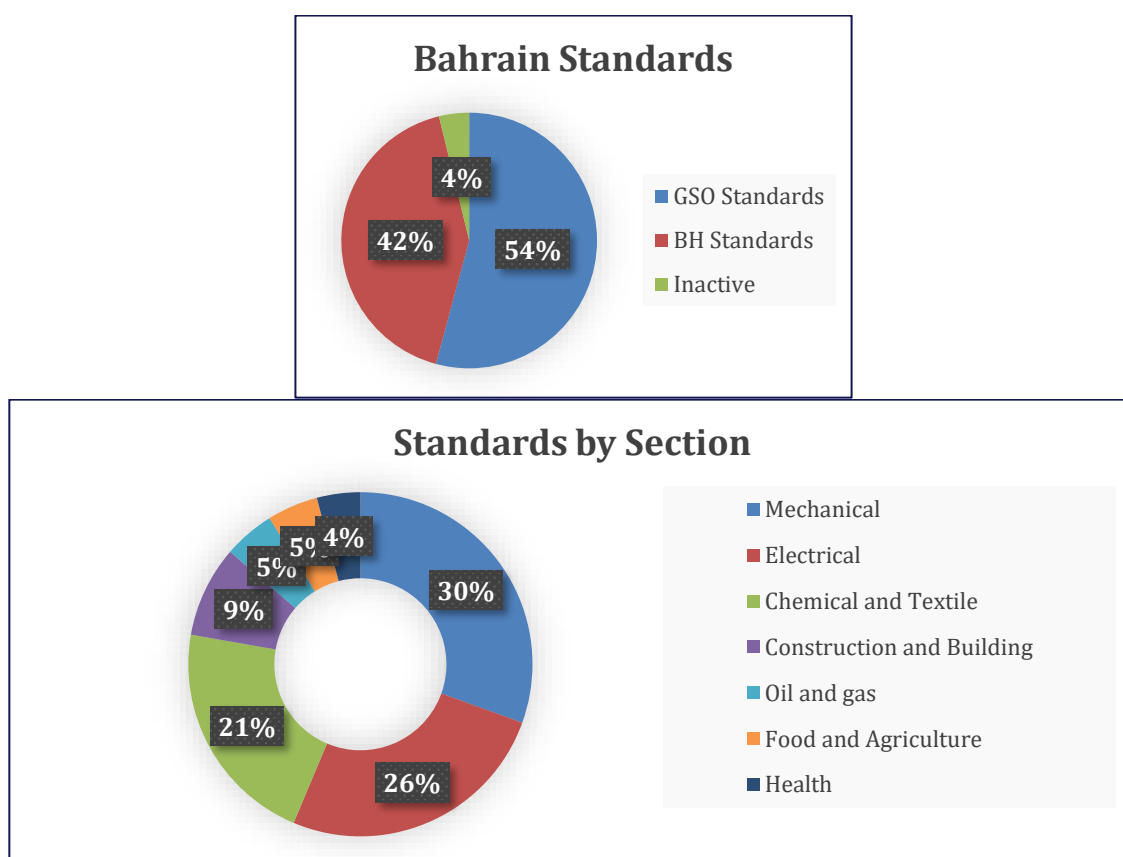
³ This includes both exclusively national standards as well as other regional standards (e.g. EU standards) that have been adopted as national standards.



The total number of GSO standards is 23,526 which is close to the number of GSO standards adopted by BSMD as national standards. The small deviation can be explained by overlapping standards, slow withdrawal of standards or other administrative issues.

Overall, it can be concluded that BSMD lives up to its obligations as a member of GSO and that the portfolio of standards hardly can create any kind of technical barriers to trade.

Figure 2: Bahrain Standards



Source: <https://bsmd.gso.org.sa/store/?lang=en>

- 6.2.2 Kuwait - KOWSMD

The standardization activities in Kuwait began in 1967, within a unit of the Ministry of commerce & Industry which became a Department after the law no. 128 for standardization was issued in 1977. The Department was transferred to the Public Authority for Industry in 1996 and became a sector for Standards and Industrial services, including two Departments, one for standards & Metrology and the other for quality laboratories.

The Sector represents Kuwait in regional and international organizations, such as ISO, International Organization of Legal Metrology (OIML), the Arab Organization for Industrial Development and Mines (AIDMO) and the Standardization and Metrology Organization for the GCC countries (GSMO).

The Sector has the following tasks:



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- Achieve the goals of standardization by issuing and publishing standards and publications related to standardization, as well as developing and approving national standards
- Examining and testing imported products to make sure that they meet Kuwaiti standards
- Issuing certificates for exported goods
- Granting the Quality mark for national products
- Examining and testing samples for the public and private sectors and for individuals

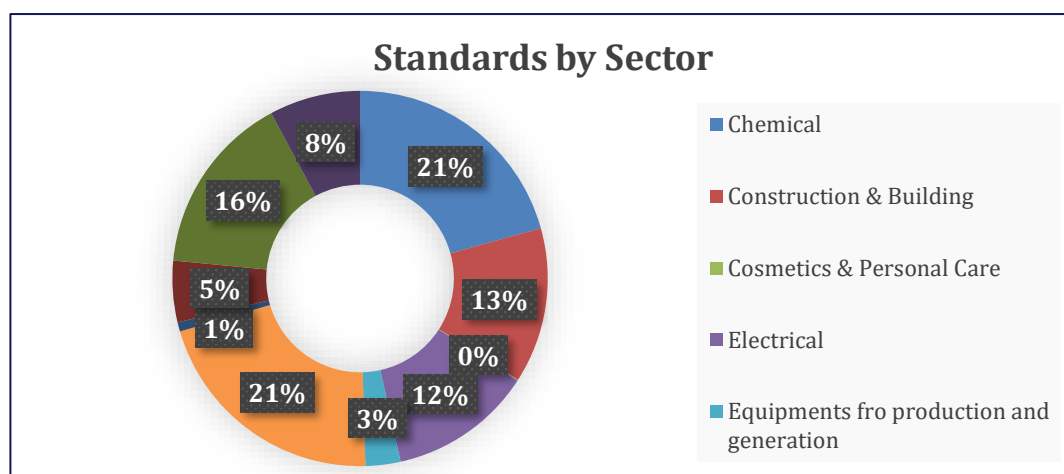
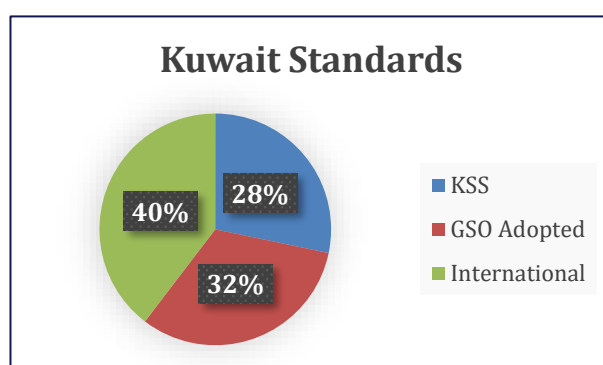
- *Adoption of national standards*

The Public Authority for Industry Standards and Industrial Services Affairs (KOWSMD) has adopted a total of 6,402 national standards. The standards can be distributed into two groups:

- GSO standards adopted as national standards: 4,573
- Other standards adopted as national standards: 1,829

As mentioned earlier, the total number of GSO standards is 23,526 which is five times more than the number of GSO standards adopted by KOWSMD as national standards. It is a considerable difference and it shows that KOWSMD does not adopt GSO standards in accordance with the rules of GSO.

Figure 3: Kuwait Standards



Source: <https://ksm.pai.gov.kw/en/Pages/SearchResults.aspx>

- 6.2.3 Qatar – QS

No data available for list for adopted Qatar standards

- 6.2.4 Oman – DGSM

The Directorate General for Specifications and Measurements (DGSM), within the Ministry of Commerce and Industry, is the National Standards Body in Oman. It was established by Royal Decree No. 39/76 issued on 20 October 1976, and its duties and functions were defined by Royal Decree No. 1/78 issued on 3 January 1978.

DGSM is responsible for the following activities:



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- Liaison and cooperation within standardization and related activities on behalf of Sultanate of Oman, with other Standards Bodies and Organizations at National, AGCC, Regional and International level.
- Assaying of Precious Metals and testing of gem stones.
- Issuing legislations and regulations for the accreditation of laboratories working in Oman in various fields of testing and calibration as well as the certification bodies and Inspection Bodies, Consultants and Consultancy offices for Management Systems.
- Issuing legislations and regulations concerning Quality Control and Quality Assurance in coordination with other concerned bodies.
- Providing testing and analytical services to the Government, public and private sector entrepreneurs.
- Providing services concerning Quality Control and Quality Assurance, Product Certification Mark, Quality System Certification/Registration, Environmental Management System Certification/Registration, Hallmarking of gold jewelry, Conformity Assessment and Accreditation.
- Testing and quality control of domestic and imported products and commodities.
- Verification of Certificate of Conformity to Standard's for consignments of certain products imported into Oman.

In addition, DGSM supervises the work of the National Enquiry Point and Information Centre (NEPIC) which is under the authority of the Undersecretary for Commerce and Industry. NEPIC was established for implementation of the WTO Agreements on Technical Barriers to Trade (TBT) and Application of Sanitary and Phytosanitary Measures (SPS), and also to disseminate information and answer reasonable enquiries on these agreements to interested parties in Oman and in other Member Countries.

- **Adoption of national standards**

DGSM has adopted a total of 23,526 national standards. The standards can be distributed into two groups:

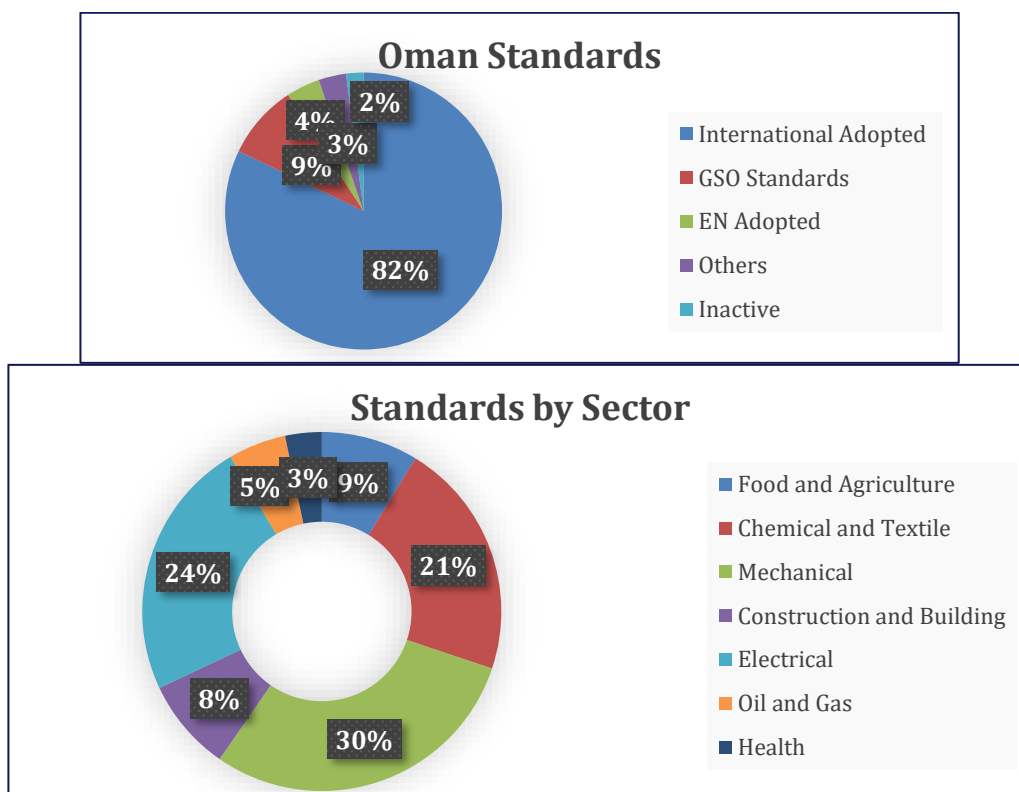
- GSO standards adopted as national standards: 22,260
- Other standards adopted as national standards: 1,265

Oman has 23,525 standards in place, of which 2,051 are based on GCC standards as set by GSO, and 19,343 are international adopted standards, 927 are EN adopted Standards, the rest are standards from other regions. Oman is depending on GSO in terms of Electrical standards, thus they are adopting a very low number of international standards in this sector.

The total number of GSO standards is 22,260 which means that DGSM has adopted all GSO standards as national standards. The minor deviation between the number of GSO standards adopted as national standards and the total number of GSO standards may be because of delays in registration, administrative issues or similar.

Figure 4: Oman Standards





Source: <https://dgsm.gso.org.sa/store/?lang=en>

- 6.2.5 Saudi Arabia - SASO

The Saudi Standards, Metrology and Quality Organization (SASO) was established pursuant to the Royal Decree No. M/10 dated 03/03/1392 H (17/4/1972 G) as a body of judicial personality and of an independent budget and obtained ISO membership the same year. A board of directors, headed by his Excellency the Minister of Commerce and Investment and comprised of representatives of the major sectors concerned with standardization in the Kingdom, outlines the general policy of SASO.

SASO is a competent authority entrusted with all matters related to standardization, metrology, and quality in the Kingdom of Saudi Arabia. It provides the necessary measures for quality control of raw materials and products and set necessary conformity procedures of products based on the verification of quality, legislation, and application of the Quality Mark Scheme. It governs the organizational and executive tasks related to standards, metrology, and quality, including laying down Saudi standards of goods, products and services, measurement, and setting procedures of conformity evaluation and certification. SASO is also hosting the Saudi Accreditation Committee (SAC) responsible for accrediting laboratories and certification bodies. Moreover, SASO sets methods of sampling, testing, and technical inspection and promotes quality management systems.

SASO works closely with the private sector, other government bodies, consumer representatives and other stakeholders, to develop the quality infrastructure in the Kingdom of Saudi Arabia.

SASO is a member of the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the International Organization of Legal Metrology (OILM) and International Bureau of Weight and Measures (BIPM), which provides a direct link to the international arena and creates further standards development efficiencies.

Through SASO, Saudi Arabia has 24,086 standards in place, of which

- 1,003 are based on GCC standards as set by GSO,
- 15,936 are ISO standards adopted as GSO standards
- 6,161 are IEC standards adopted as GSO standards
- 294 EN standards are adopted as national standards
- 692 are pure Saudi national standards

Furthermore 1,277 are compulsory standards (Technical regulations).



Source: <https://wasif.saso.gov.sa/Pages/User/AdvanceSearch.aspx>

Saudi Food and Drug Authority (SFDA)

SFDA undertakes the development of mandatory Standard for food, health bio-products, cosmetics, plants & herbs of medical alleges, laboratory & diagnostic indicators, medical devices and electronic devices affecting people's health and pesticides”.

The tasks of development, issuance, and approval of mandatory and non-mandatory standards of food, feed, pesticides, tobacco & tobacco products, cosmetics, medical devices and test methods are with the SFDA.

Through SFDA, Saudi Arabia adopted 1,184 standards for food and 297 for medical, of which 303 are based on GCC standards for food as set by GSO, and 922 international adopted standards.

Figure 5: International adopted Saudi Standards

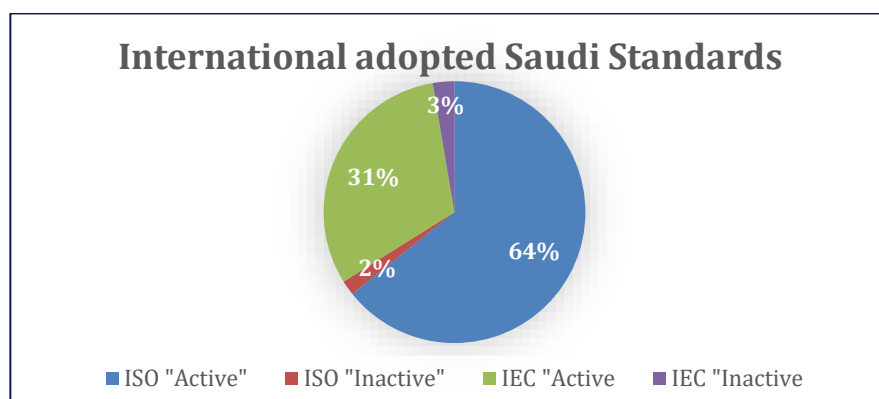


Figure 6: SFDA Standards

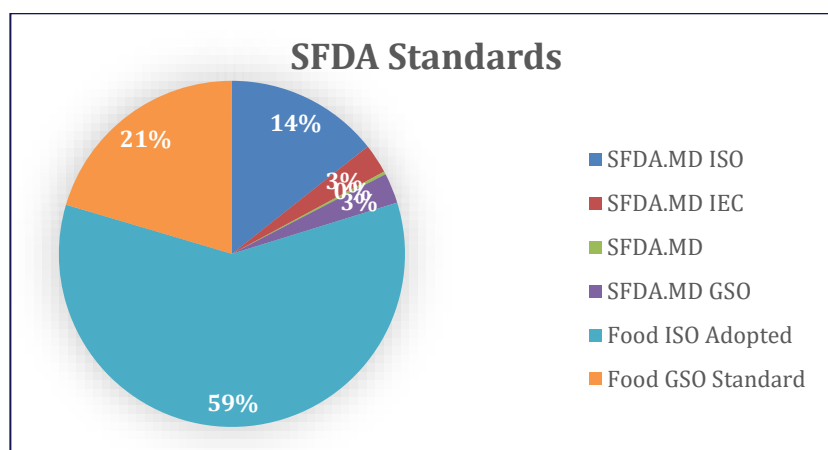


Figure 7: EN adopted Standards

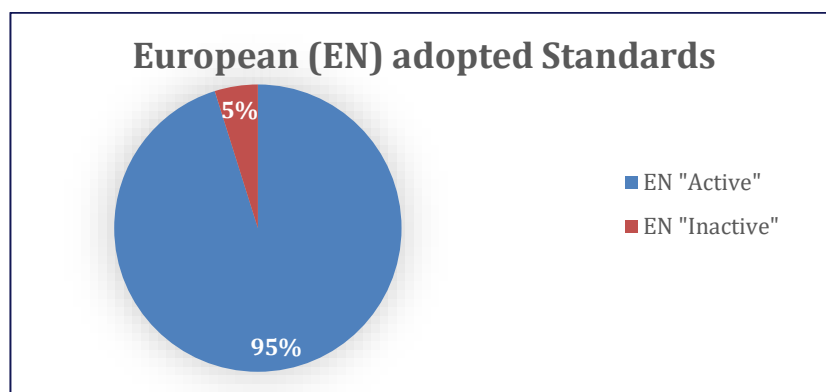
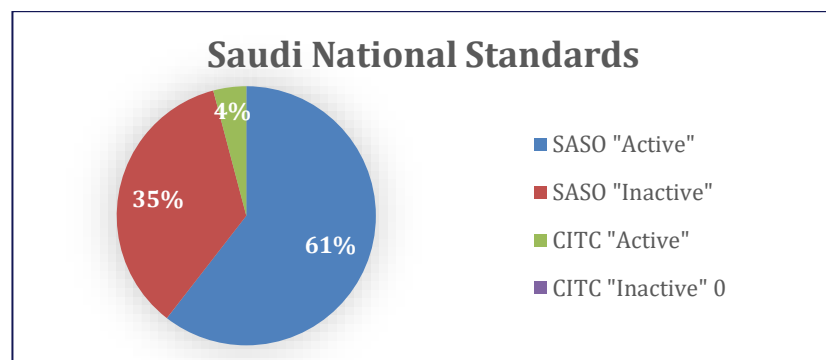
Figure 8: Saudi National Standards⁴

Figure 9: GSO Standards

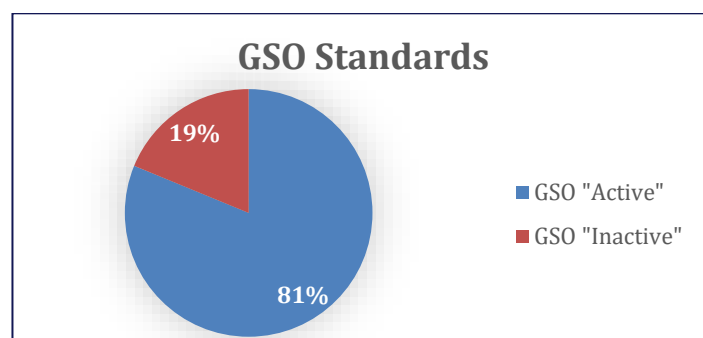
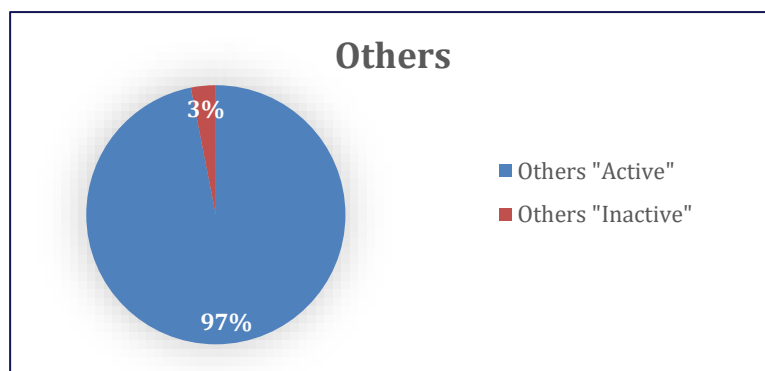


Figure 10: Others



<https://mwasfah.sfda.gov.sa/>

⁴ CITC is the acronym for Communications and Information Technology Commission.

- 6.2.6 United Arab Emirates - ESMA

Emirates Authority for Standardization and Metrology (ESMA) is a Federal UAE Authority, established by UAE Federal Law (28), 2001. As the only reference in the UAE in terms of quality standards, ESMA's strategy aims at supporting the national economy by establishing a new era of excellence and quality.

ESMA has established Technical Committees in the fields of food products, construction and building materials products, electrical and electronic products, chemical and plastic products, mechanical products, petroleum products and lubricants, and metrology and information technology.

- Adoption of national standards

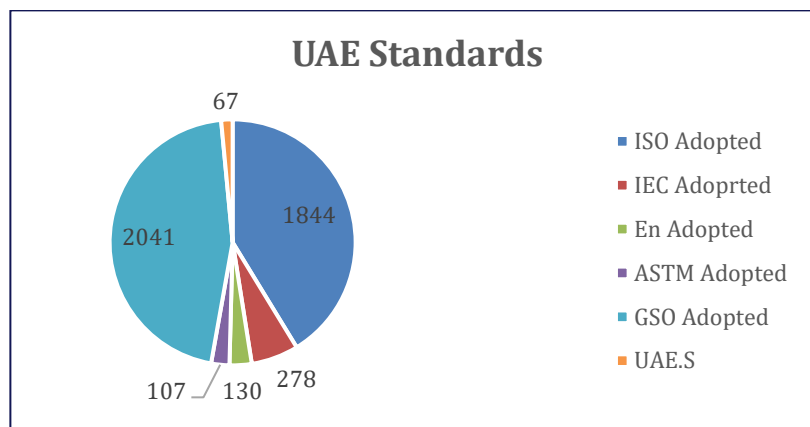
ESMA has adopted a total of 4,467 national standards. The standards can be distributed into two groups:

- GSO standards adopted as national standards: 2108
- Other standards adopted as national standards: 2041

The total number of GSO standards is 23,526 which is more than 10 times more than the number of GSO standards adopted as ESMA standards. To be precise, only 9% of GSO standards have been adopted. This does not contribute to a smooth cross border trade in the region or outside the region.

Figure 11: UAE Standards⁵

<https://eservices.esma.gov.ae/#/page/websitePurchaseStandards>



- 6.3 Conclusion – standards

The review of the GSO members' portfolio of standards clearly shows that only Bahrain and Oman really live up to the common goal that all GSO standards are adopted by the member organizations and thus become common regional standards. What exactly underlies this reluctance to adopt GSO standards as national standards can hardly be unambiguously explained. However, it has some implications for trade that there is no consistent adoption of GSO standards as national standards. In comparison with the EU, it is obvious that the organizational framework is in place and thus the opportunity to have the same smooth trade as in Europe is also present. In other words, GSO could play the key role in the region that CEN and CENELEC have played in establishing the European single market. When there are differences in the standards, trade is more complicated as the companies will be faced with different standards, which basically have the same scope. This results in increased development costs and thus a weaker competitive edge. In some sectors, including the electrical sector, national deviations have been adopted based on national measures according to country infrastructure requirements, as in the case of Saudi Arabia, the UAE and Kuwait. In other sectors, such as food products, the GCC countries have adopted nearly all GSO standards as national standards.

In summary, it can be said that the GCC countries in the field of standardization have an untapped potential in the form of the same standards in all 6 countries. With the current differences, companies will from time to time have to adapt products, processes or conformity assessment procedures to individual countries without thereby achieving any kind of added value.

⁵ American Society for Testing and Materials



- 7. Assessment of Accreditation system

Accreditation is a third-party attestation related to a conformity assessment body (such as certification body, inspection body or laboratory) conveying formal demonstration of its competence to carry out specific conformity assessment tasks (such as certification, inspection, and testing).

The accreditation bodies play a central role in relation to ensuring trust in the conformity assessment bodies which perform tasks for companies that must show that a product or service meets the requirements of a standard or the relevant technical legislation.

The International Accreditation Forum (IAF) and International Laboratory Accreditation Cooperation (ILAC) provide international recognitions to accreditation bodies.

- 7.1 Regional level

The GCC Accreditation Center (GAC) was established by a decision of the governments of the six Member States of the Cooperation Council for the Arab States of the Gulf and the republic of Yemen, formalized through the Agreement and approved by the Board of Directors in 08 May 2013. This Agreement gives the Accreditation Center legal authority to provide accreditation services within the territories of all the Members States in the fields of calibration, measurement, testing, inspection, and certification, known generically as conformity assessment. It is established under the stewardship of the GSO and is governed by a Board of Directors who exercises regular supervision over the affairs of the Center, and regional committees whose members are nominated by all Member states, including stakeholder bodies.

GAC offers the following accreditation services:

- Accreditation of Product Certification Bodies
- Accreditation of Inspection Bodies
- Accreditation of Testing Laboratories
- Accreditation of Calibration Laboratories
- Accreditation of HALAL Certification Bodies
- Accreditation for Persons Certification
- Accreditation of Medical Laboratories
- Technical assessment for notification purposes
- Assessor Qualification
- Assessors registration

GAC has accredited more than 250 institutions and currently (August 2020) around 210 laboratories, certification bodies, inspection bodies and other conformity assessment bodies hold an accreditation certificate issued by GAC. These bodies are distributed among the territory of the six GCC countries.

- 7.2 National level

- 7.2.1 Bahrain

There are no national accreditation bodies in Bahrain. Bahrain is covered by GCC Accreditation Center (GAC) for third party's accreditation. GAC represents Bahrain accreditation in ILAC and IAF.

- 7.2.2 Kuwait

Kuwait has an accreditation department under the PAI umbrella, which is called KAAS-PAI. The department was earlier an affiliate member of ILAC, but it is not operational. Therefore, the market is covered by GAC for third party accreditation.

- 7.2.3 Qatar

There are no national accreditation bodies in Qatar. The demand for third party's accreditation is covered by GAC.

- 7.2.4 Oman

There are no national accreditation bodies in Oman. The demand for third party's accreditation is covered by GAC.



- 7.2.5 Saudi Arabia

- *Saudi Accreditation Committee (SAC)*

SASO hosts the national accreditation body, the Saudi Accreditation Committee (SAC), which is responsible for accreditation of laboratories and certification bodies.

SAC has issued in total 108 accreditations. Most of these are issued to laboratories covering a wide range of technical areas. Nine accreditation certificates are expired or cancelled, so for the time being 99 accreditations are active.

SAC is registered as an ILAC affiliate member. However, this category of membership is no longer available under the revised ILAC Articles of Association registered on 11 November 2019. Instead of affiliate member, SAC shall decide whether it wants to become associate member or signatory member.

Associate members operate accreditation schemes for testing laboratories, calibration laboratories, inspection bodies, and/or other services as decided by the ILAC General Assembly. The accreditation body shall provide evidence that they are operational and committed to comply with:

- The requirements set out in relevant standards established by appropriate international standards writing bodies such as the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) and ILAC application documents
 - The obligations of the ILAC Mutual Recognition Arrangement
- In addition, the accreditation body should provide evidence it is recognized in the economy as offering an accreditation service.

The next step is to become signatory member which requires that the accreditation body meets the requirements for Associates (above) and has also been accepted as signatories to the ILAC Mutual Recognition Arrangement. Each accreditation body that is a signatory to the Arrangement agrees to abide by its terms and conditions and by the ILAC evaluation procedures. To do this, the signatory must:

- Maintain conformance with ISO/IEC 17011, related ILAC guidance documents, and a few, but important, supplementary requirements, and
- Ensure that all its accredited laboratories, inspection bodies and proficiency testing providers comply with ISO/IEC 17025 or ISO 15189 (for medical testing laboratories) or ISO/IEC 17020 or ISO/IEC 17043 and related ILAC documents.

The signatories will, in turn, be peer-reviewed and shown to meet ILAC's criteria for competence.

- 7.2.6 UAE

- *Emirates National Accreditation System (ENAS)*

The National Accreditation Department was established in 2004, based on federal law no. (28) for the year 2001 and the cabinet decision no. (22) for the year 2004 to manage ENAS. Updated Cabinet decision no (35) for the year 2015 regarding the UAE Control System of Conformity Assessment Bodies established that the National Accreditation Department oversees its implementation.

ENAS aims to achieve, maintain, and broaden international recognition, which strengthen business competitiveness and overcome technical barriers to trade. This is achieved by:

- Striving continuously to improve the level of its services and expand the scope of its service to satisfy the needs of its stakeholders and UAE regulators, through innovative solutions.
- Ensuring competence of Conformity Assessment Bodies (CABs) operating in the UAE.
- Operating in the public interest making accreditation a key pillar to guarantee safety, reliability, accuracy, and fair practices in staple areas to the society as a whole such as health, environment, safety and defense.
- Joining the relevant regional and international Mutual Recognition Arrangements (MRA) and Multilateral Arrangements (MLA).
- ENAS holds the following regional and International memberships:
 - o Since 2019 ENAS has been full member of the International Laboratory Accreditation Cooperation (ILAC) for Calibration in accordance with ISO/IEC 1702501 and Testing in accordance with ISO/IEC 17025
 - o Full member in the International Halal Forum (IHAF)
 - o Full member in the Asia Pacific Accreditation Cooperation (APAC)
 - o Full member in the Arab Accreditation Cooperation (ARAC)
 - o Member in the Management Accreditation Council - The Standards and Metrology Institute for Islamic Countries (SMIIC)



- National Accreditation Department has been given the mandate to provide the following services:
 - o Registration of Conformity Assessment Bodies Operating in UAE
 - o Registration of Halal Certification Bodies
 - o Accreditation of Conformity Assessment Bodies through ENAS
 - o Notification of Conformity Assessment Bodies in the mandatory scope and Technical Regulations stated by ESMA

EIAC

Emirates International Accreditation Centre (EIAC) was established pursuant to Law number (27) for the year 2015, issued by the Vice President and Prime Minister of the UAE, to become the governmental accreditation body of the Emirate of Dubai.

The accreditation services include:

- Testing & Calibration Laboratories
- Inspection Bodies
- Certification bodies for persons
- Certification bodies for products, processes and services
- Certification Bodies for Management Systems
- Health care and Medical Laboratories
- PT Providers
- Halal Conformity Assessment Bodies

Dubai Accreditation Center (DAC) became ILAC Mutual Recognition Arrangement (MRA) signatory in the field of testing and calibration in October 2009. In 2012, the accreditation body extended its ILAC MRA scope so that is also included inspection services. At that time, EIAC was not established but later DAC was merged into EIAC, which took over the status as signatory member.

UAF - United Accreditation Foundation

UAF (United Accreditation Foundation) is full member of International Accreditation Forum (IAF). The IAF is the world association of Conformity Assessment Accreditation Bodies and other bodies interested in conformity assessment in the fields of management systems, products, services, personnel, and other similar programs of conformity assessment.

United Accreditation Foundation (UAF) provides accreditation to certification bodies for various management system schemes in accordance with ISO/IEC 17021, personnel certification bodies in accordance with ISO/IEC 17024 and Inspection bodies in accordance with ISO/IEC 17020. Furthermore, UAF provides services in accordance with ISO/IEC 17025, ISO 15189 and ISO/IEC 17065 which covers different areas related to health care.

- 7.3 Conclusion – accreditation

Only Saudi Arabia and the UAE have national accreditation bodies that provide accreditation services to the countries' conformity assessment bodies. For the other GCC countries - Bahrain, Oman, Kuwait and Qatar - accreditation services can be requested from the regional accreditation body GAC. This situation is undoubtedly related to the size of the countries and a modest demand from sector laboratories (medical, food etc.), calibration laboratories and inspection bodies in these countries. It is also a good example of how close cooperation can generate the demand (critical mass) that gives the accreditation body an opportunity to offer a wide range of services in an economically viable way, with a sufficient number of assessors and specialists and the resources necessary to engage in the international accreditation cooperation. In practice, it has no negative consequences for trade in the region. On the contrary, it can be argued that larger and more resource-intensive accreditation bodies such as GAC deliver higher quality and thus greater recognition in the market. The four above-mentioned countries accept test reports issued by an ISO/IEC 17025 accredited third party from ILAC member.

SAC is registered as affiliate member of ILAC, but this category of membership is no longer possible under the revised ILAC Articles of Association registered on 11 November 2019. This means that SAC probably will apply to become associate member of ILAC or ILAC MRA signatory member (full member). It is obvious that from an international point of view, a full membership of ILAC will support the trust in SAC's operations and thereby the trust in reports issued by SAC-accredited laboratories and inspection bodies.



As far as the accreditation bodies in the UAE are concerned, both bodies (Emirates International Accreditation Centre - EIAC and ENAS) are full members of ILAC, which is also the case for the regional GAC.

Based on the above, it can be concluded that the conformity assessment bodies have access to recognized and professional accreditation services either at the national level or at the regional level. There is no variance in accreditation policies in each country since the concept of third party is the same, and the third party must be accredited by an ILAC signatory body.

The only issue that raises concerns is the SAC's lack of full membership of ILAC as the recognition of certificates or test reports issued under SAC accreditation can, in the worst case, be questioned especially outside the national market.

Analyzing the situation from a trade facilitation perspective, it can be noted that the region has the accreditation bodies necessary for the conformity assessment bodies to receive internationally recognized accreditations of their services i.e. test, inspection and certification. It must be noted that accreditation of an IAF or ILAC member (even a signatory member) does not automatically confer mutual recognition. IAF and ILAC ensure only that their members work according to the same standards, guidelines, and principles. Mutual recognition requires much closer cooperation and trust. This trust is increased if an accreditation body is a signatory member and therefore undergoes regular peer evaluation by other members. To this can be added that accreditation plays a minor role compared to, for example, harmonization of legislation or uniform conformity assessment procedures, when creating a smooth cross-border trade. Accredited test reports, on the other hand, play a role when a product arrives to a country. Accredited test reports can also be obtained by accredited institutions abroad. Accompanied by an accredited test report, a product is less likely to be checked at the border. However, it is possible that customs or market surveillance authorities test the goods for compliance with the relevant legislation.

Accreditation of laboratories helps to ensure that testing takes place in a professional and trustworthy manner. When the accreditation bodies are subject to demanding control procedures (full members are subject to more control than associate members), it is ensured that the accredited laboratories are also monitored effectively. The direct effect on trade between the GCC countries is difficult to measure as trust in the test reports issued is not only based on the controls the laboratories are subject to but also the experience that the market surveillance authorities have with the laboratory in question.

- 8. Assessment of the technical regulations system

A complete presentation and review of the regulation of the five priority product areas both at regional level and in the six GCC states will require a more in-depth analysis which is not possible to carry out within the framework set for the preparation of this study. Therefore, the following sections will firstly present an overview of the technical regulations on regional and national level.

In addition to information on the technical regulation and standards, the International Trade Centre (ITC) has developed two websites with useful information about the national markets. The Trade Map (<https://www.trademap.org/>) provides data on monthly, quarterly and yearly trade data. Import & export values, volumes, growth rates, market shares, etc. while the Market Access section (<https://www.macmap.org/en/query/compare-market>) compares tariffs and other market access indicators across different destination markets. In addition, the new Access2Markets portal (<https://trade.ec.europa.eu/access-to-markets/en/content>) provides comprehensive product-by-product information relevant to exporting from the EU and importing into the EU (e.g. tariffs and taxes, customs procedures, rules of origin, trade barriers, product requirements, statistics). The portal covers all EU Member States and more than 120 export markets around the world.

- 8.1 Regional level

On regional level there are both technical regulations developed by GCC and mandatory standards which are also classified as technical regulations. Those standards can be found on GSO's website (<https://www.gso.org.sa/store/standards>). A total of 1,348 TRs covers the following eight sectors:

- Food and Agriculture (586)
- Chemical and Textile (279)
- Mechanical (203)
- Construction and Building (87)



- Metrology (64)
- Electrical (33)
- Oil and Gas (10)
- Motor vehicles (83)
- Information (3)

As regards the five priority product areas these are regulated in different ways:

Electrical and electronic products “G Mark”

According to the Low Voltage Technical Regulation, BD142004-01, it is a mandatory requirement for Low Voltage Electrical products to affix a “G Mark” on all low voltage products being exported to the GCC countries. The G Marking helps ensure product quality and safety including EMC testing for certain low voltage electrical equipment and appliances being sold in the gulf region.

For toys the GCC Technical Regulation for Children’s Toys (BD-131704-01) has been enforced in two phases: January 1st 2014 for non-chemicals and July 15th 2015, it had been fully enforced that all children toys products manufactured in and/or imported to the Gulf States shall have the G Marking and fulfill the applicable requirements listed under the technical regulation (BD-131704-01).

Each regulation of the above is supported with an implementation guide showing how to fulfill the technical requirements.

The Gulf Conformity Marking is intended to replace all current national compliance systems to reduce technical barriers to trade, facilitate and encourage free movement of goods within those countries, and strengthen regional economic strategy policies.

- Machinery

The machinery sector covers a wide range of products and the standards focus on safety issues for the users. Several of these standards are made mandatory on GCC level and importers’ or producers’ products must comply with the requirements in these standards before they can be placed on the market. The standards are typically adoptions of international standards.

- Food

For Food and cosmetics, the GSO 2055-2 is mandatory standard/scheme for Halal certification and it applies to the following categories:

Table 2: Category scheme for Halal certification

Category Code	Category	Scope
A	Farming 1	Animals, fish, egg production, milk production, fishing, hunting
B	Farming 2	Raw Fruit & Vegetables, Spices, cereals, grains
C	Processing 1 (perishable animal products)	Red Meat Slaughter, boning, Red Meat & Poultry processing, eggs, dairy, fish
D	Processing 2 (perishable vegetable products)	Fresh fruit & Veg, juices, preserved
E	Processing 3 (Products with long shelf life at room temperature)	Canned products, biscuits, bakery products, confectionary, chocolate, snacks, oil and fats, drinking water, beverages, pasta, flour, sugar and salt
L	Chemical & Biochemical	Food additives, dietary Supplements, Flavours, Fragrances, Cleaning agents, processing aids, micro-organisms

The GCC countries import most of their food products from outside the GCC States. Therefore, the Ministerial Committee for Food Safety of the GCC countries proposed in 2007 to develop a GCC Guide for control of imported food. The Guide has become a part of the efforts of the GCC States to standardize and facilitate the import procedures and to complete the inspection of imported food consignments based on the degree of health risk without prejudice to the obligations of Member States towards the WTO Agreements and compatible with the best international practices in this area.

In practice the competent authorities of the GCC countries have the responsibility of ensuring that all food arriving in the GCC countries complies with the relevant GCC requirements. All imported food will be subjected to health control at the point of entry to ensure that the food complies with the GCC technical regulations and requirements.

The national authorities ensure that the imported products comply with the GCC requirements. If the issuance of ECAS certificate requires compliance with further requirements then it is the sovereign right of UAE to control that such requirements are fulfilled. It is not a conflict but the importer has to ensure that all requirements are fulfilled, not only the GCC requirements.

- *Cosmetics*

The Gulf Cooperation Council cosmetics legislation closely follows the EU Cosmetics Regulation. However, it has some of its own criteria when it comes to processes, ingredients, labelling and claims. Products should fulfil certain requirements, some of which are:

- They should be completely free from pork and its derivatives, do not conflict with religious values or habits of society, and not to injure public morality.
- They should be safe for health under normal and reasonably foreseeable conditions of use, they should be stable and their properties impacting safety, efficacy and quality should not change during their sale period.

The exporting countries shall provide documentation and certification, reference to other assurances provided through inspection activities by a competent authority in the exporting country or an officially-recognized party, trading arrangements based on the history of compliance of previous shipments of known origin.

The Guide is a commitment to science-based import control system where the procedures applied are in proportion to the potential risks to the consumer and it is a system which is responsive to new or emerging risks that may arise in the global food supply system.

The GCC Guide for Control of Imported Foods has been published on the website of the World Trade Organization (https://members.wto.org/crnattachments/2017/sps/bhr/17_0268_00_e.pdf) where more details about the requirements can be found.

The overall regulatory framework governing cosmetics in the region was finalized and published in 2016. There are three pieces of legislation that cover cosmetic products, each dealing with a different part of the compliance criteria:

- 1) Safety: GSO 1943/2016: Safety Requirements of Cosmetics and Personal Care Products
- 2) Claims: GSO 2528/2016: Cosmetic products – Technical Regulation of Cosmetic and Personal Care Product Claims
- 3) GMP: GSO ISO 22716: Good Manufacturing Practices (GMP) – Guidelines on Good Manufacturing Practices. Each country has a separate local competent authority that is responsible for enforcing the common standards.

- *Motor vehicles*

There are 83 GSO Technical Regulations for Motor Vehicles issued by the year 2020. Seven of these regulations are adoptions of UNECE specifications while eight regulations are adoptions of ISO standards as mandatory technical regulations.

A small selection from the list of technical regulations shows that they cover a wide range of areas such as testing of seat belts, certificates of conformity, and sound signaling devices, amongst others.



- 8.2 National level

- 8.2.1 Bahrain

The National Committee of the BDSM approves and issues procedures for the implementation of national standards. The National Committee has approved several GCC standards as mandatory. The committee has issued these in the form of ministerial orders.

Bahrain harmonizes its technical regulations and standards at the GCC level, and the regulatory framework is to a large extent based on GSO standards which are based on international standards. According to the authorities, Bahrain develops technical regulations and standards at the national level only if there is a pressing need.

All technical regulations (including Technical regulations proposed by the GSO) must be approved by the National Committee for Standards and Metrology (NCSM) prior to implementation in Bahrain. NCSM is chaired by the Minister of Industry and Commerce (MCI) and representatives from relevant ministries and the Bahrain Chamber of Commerce and Industry (BCCI).

All mandatory standards in Bahrain apply equally to locally produced and imported products, apart from quality marks on gold. Bahrain has not concluded any mutual recognition agreements.

Electrical products Bahrain is fully adopting the technical regulations for low-voltage electrical products of GSO which are divided into two lists, which are referred to as list 1 and list 2.

Products on list 1 are subject to a conformity assessment procedure according to annex 3 of the "GSO LVD". The list is not populated per se, but follows a manufacturer's self-declaration of conformity with the requirements of the directive.

The products given in list 2⁶ are subject to a conformity assessment procedure according to annex 4 of the "GSO Low Voltage Directive". This conformity assessment procedure applies to products considered more dangerous and requires involvement of a notified body. The notified body shall determine whether the products meet the requirements of the applicable technical requirements and check the product design as well as the technical documentation for each product. The manufacturer's technical documentation is the basis for the evaluation by the notified body.

Machinery

GSO Technical Regulation shall apply to machinery, safety components and lifting equipment thereof. This regulation aims at laying down the mandatory requirements for the safety and electromagnetic compatibility of machinery, safety components and lifting equipment with which all machineries, safety components and lifting equipment. Such machinery shall comply with the requirements before they are placed on the market and being allowed to move freely within the GSO Member States markets.

Food

The Public Health Directorate, Food & Water Control Section (FWC), MOH, is responsible for enforcing food safety regulations. For example, the FWC is responsible for inspecting all imported fresh and processed food products, verifying compliance with label regulations and, if deemed necessary, carry out laboratory tests of the products.

Bahrain applies 100 percent inspection on new-to-market products, high risk products and products which have failed in previous inspections. All other products are subject to a random review of samples.

The Food Safety Committee (FSC), an interagency committee composed of representatives from Ministry of Health, the Directorate of Standards and Metrology, Ministry of Commerce, and the Directorate of Agriculture, Ministry of Municipal Affairs & Agriculture (MMAA), decides all food safety and control issues, including the imposition of a ban.

Consignments with minor labeling infractions may be granted a one-time waiver, if petitioned, provided the products are found to be safe for human consumption. Small consignments of 20 or less cartons, as well as ethnic food products, may be exempted from Arabic label requirements, provided prior authorization is obtained from the MOH.

⁶ Examples of products covered under list 2 are e.g. household appliances such as domestic electrical fans, refrigerators, washing machines and dryers, food grinders & mixers, toasters, hair and hand dryers, heaters, microwave ovens, cookers, ovens, water heaters.



The Directorate of Agriculture, MMAA, inspects live animals and plants, feedstuffs, and horticultural products at port of entry.

Cosmetics

Bahrain is closely following the Gulf Cooperation Council cosmetics legislation which closely follows the EU Cosmetics Regulation 1223/2009. However, the legislation has some national requirements regarding processes, ingredients, labelling and claims. These requirements are for example:

- The product must be free of pork and its derivatives
- The product shall be safe for human health under normal and reasonably foreseeable conditions of use
- The product shall be stable regarding safety, efficacy and quality should not change during their shelf life
- The product shall be free from any filthy or decomposed substances.

The legislation is organized in the same way as the EU Regulation when it comes to restricted and prohibited substances. Annex II lists the prohibited substances, Annex III lists the restricted substances and Annexes IV to VI list the allowed colorants, preservatives, and UV filters—the list of such ingredients is also similar to that of the EU.

In terms of labelling requirements, it is important to note that the graphics, images, and phrases on the labels should be consistent with Islamic traditions and social values, label must be translated into Arabic.

Despite having the same basic legislation across all the GCC member countries, each country requires a separate product notification (Bahrain does not require any notification) and the customs clearance process requirements may differ from country to country.

Motor Vehicles

There are only few pure national technical regulations for automotive sector in Bahrain as the GSO standards related to motor vehicles are enforced. These concern large passenger vehicles (Buses) and regulate the following:

- 1) The minimum seat length shall be 40 cm for every passenger (For school busses 30 cm at least).
- 2) The minimum seat width shall be 40 cm for every passenger (For school busses 30 cm at least).
- 3) The corridor between the seats, rows shall not be less than 40 cm.
- 4) The height between any of the seats (top of head rest) and the ceiling of the vehicle shall not be
- 5) less than 85 cm.
- 6) The space between the front of a seat and a back of the seat in front shall not be less than 30 cm.
- 7) The space between the vehicle floor and its ceiling shall not be less than 190 cm, except the
- 8) vehicles designed not for passengers to stand.

- 8.2.2 Kuwait

The Public Authority for Industry of the State of Kuwait (PAI) has implemented the 'Kuwait Conformity Assurance Scheme' (KUCAS) as of 17 June 2006. The scheme is a set of procedures carried out by PAI to verify the conformity of all 'Regulated Products' to Kuwait's Technical Regulations applicable to imported and domestic products alike in accordance with the regulations of this scheme.

Some of the Kuwaiti Standards have been adopted as mandatory technical regulations for the protection and safety of the Kuwaiti consumer and prevention of deceptive practices, in accordance with the 'Standards Unification Law' which also grants PAI the authority for preparation and adoption of standards for all products on the Kuwaiti market. These Regulated Products have been classified into (2) classes:

1. Process Manufactured Products: These products are characterized by susceptibility to change in their final nature because of probable changes in the nature of the raw materials used and



the manufacturing process controls, whereby production is organized in batches. As such, these products are classified as high-risk products requiring frequent verification of conformity.

2. Non-Process Manufactured Products: These products are characterized by low probability of change in the nature of the final product in comparison with a 'typical' sample of that product, thereby allowing for low frequency of testing for verification of conformity.

It is worth noting that Kuwait on a regular basis submit notifications to WTO regarding issuance of ministerial decrees which make standards mandatory. This approach is designed to be fully consistent with the rules, regulations and legitimate instructions incorporated in the relevant agreements of the World Trade Organization (WTO) but it is at the same time a method which require continuous update of the legislation when the standards are revised.

The KUCAS scheme consists of procedures carried out by PAI to verify the conformity of all 'Regulated Products' to Kuwait's Technical Regulations on imported and domestic products alike in accordance with the regulations of this scheme.

The following category list outlines the products that are regulated by KUCAS:

- Group 1 - Electrical Toys
- Group 2 - Household & Commercial Electrical & Gas Appliances
- Group 3 – Automotive
- Group 4 – Chemical
- Group 5 – Others “mainly related to all kind of smoking devices and vacuum wares”
- Group 6 - Building Materials

- 8.2.3 Qatar

The local government states that “Qatar’s Customs authorities will not allow the import of regulated products unless they are accompanied by a Certificate of Conformity (CoC) issued by an authorized body from the country of origin. It also states that, in case of non-compliance of GSO standards, fines will be imposed on the importers.

The following products are regulated by the Qatari conformity program for the first and second phases of implementation, the Qatar General Organization for Standards and Metrology (QGOSM) has issued a set of strict rules regulating the import and sale of various products.

- Vehicle tires
- Safety belts
- Brake pads
- Exhaust fans
- Electric irons “G mark”
- Hair dryers and hair straighteners
- Children’s toys “G mark”
- Cosmetic products
- Flexible electrical cords
- Electric water heaters and heaters “G mark”
- Electric ovens “G mark”
- Toasters “G mark”
- Microwave ovens “G mark”

Motor Vehicles

The Certificate of Conformity is a mandatory Customs clearance document in Qatar submitted by the Importer for the clearance of regulated shipments.

The Government of the State of Qatar has issued a set of strict rules on vehicle spare parts, tyres and some electrical products through the Qatar Ministry of Business and Trade (Department of Consumer Protection) and the Qatar General Organization for Standards and Metrology (QGOSM).

Vehicle tyres are regulated products, but they do not need separate Certificate of Conformity (COC) as Qatari Customs and QGOSM will accept GSO conformity certificates instead of Qatar CoC for tyre shipments exported to Qatar.

- 8.2.4 Oman

Oman is harmonizing its technical regulations and standards at the GCC level. According to the authorities, Oman develops technical regulations and standards at the national level only if there is a



pressing need, typically because of specific national conditions related to environment, protection of plants or animals or because of national security issues. In such cases it is in accordance with WTO TBT Agreement fully justified to implement national legislation, even if it creates barriers to trade.

Directorate General for Specifications & Measurements proposes technical regulations and lays down the essential safety requirements for products, as well as responsibilities of Economic Operators involved in the supply chain as for ensuring compliance of products.

A product certificate is required to assure the product's conformity to international or Omani/GCC standards. Non-food products are allowed automatic entry to Oman on the basis of a Manufacturer's Declaration of Conformity Assessment Certificate, supported by a test report verified by the DGSM; in parallel, some samples are collected unless a mutual recognition agreement is in place. Imported products that are not covered by certificates are released temporarily and their samples tested.

Any laboratory testing certificates relating to conformity to Omani or international standards should be submitted to the Directorate General of Specifications and Measurements, which is responsible for accrediting laboratories and classifying and assessing the results obtained.

Electrical products

Electrical Appliances Laboratory of the Directorate General of Standards and Metrology at the Ministry of Commerce and Industry provides inspection services for electrical and electronic products to check that if the equipment is in accordance with the requirements of Omani and Gulf standard specifications.

Starting July 25, 2019, manufacturers intending to ship products into the Sultanate of Oman must have them tested according to the standard GSO 2530/2016, register these products in the Omani Energy Efficiency Ratio (EER) System and obtain the permit to use the Omani energy efficiency labeling.

The conformity assessment requirements are currently reviewed by the Directorate General of Standards and Metrology (DGSM).

Machinery

GSO Technical Regulation (TR) shall apply to Machinery, Safety Components and Lifting Equipment thereof. This TR aims at laying down the mandatory requirements for the safety and electromagnetic compatibility of Machinery, Safety Components and Lifting Equipment with which all Machineries, Safety Components and Lifting Equipment included in the scope thereof must comply before they are placed on the market and being allowed to move freely within the GSO Member States markets.

Food

Regulatory enforcement of food products is divided between the Ministry of Agriculture and Fisheries (MAF), the Ministry of Health (MOH) and the various municipalities within the Sultanate of Oman. MAF is responsible for inspection of live animals and plants, red meats, poultry meat, agricultural materials, timber and grains and other unprocessed agricultural products at all points of entry into the country. The Health Quarantine Department, MOH, is responsible for inspection of imported semi and fully processed food products, including sugar. Municipalities may post officials at the country's ports of entry, but their role in inspection of imported foods is very marginal. The Municipalities are primarily involved in the regulation of food through inspection of products available on the local market.

Cosmetics

Cosmetics and personal care products sold in the Sultanate must comply with the health and safety requirements in accordance with the Gulf Standard Specifications (GSS). According to a statement from the Ministry of Commerce and Industry, the decision to adopt the GSS standard specifications has been taken based on the Royal Decree 11/2017.

"Safety requirements in cosmetics and personal care products shall have GCC specifications as a mandatory Omani standard". The decision applies to all types of cosmetics and personal care products offered, manufactured, imported, supplied, packed, or used in Oman.

In terms of labelling requirements, it is important to note that the graphics, images, and phrases on the labels should be consistent with Islamic traditions and social values, the label have to be translated into Arabic.

Motor Vehicle

There is no specific regulation for automotive sector in Oman but Oman is enforcing all the GSO standards related to motor vehicles.



- 8.2.5 Saudi Arabia

Electrical and electronic products

The SASO IECEE Recognition Certificate (SIRC) is a Recognition Certificate issued by SASO for certain Regulated Products based on a Valid IECEE Test Report issued by a Certification Body Testing Laboratory (CBTL), which is an IECEE approved Lab under the CB Scheme and a valid CB Test Certificate issued by a National Certification Body (NCB).

This SIRC is a mandatory pre-requisite Certificate to obtain the Product CoC and Shipment CoC which are required for clearance of the Shipment at the KSA Customs or Ports and Borders.

The updated product list which requires SIRC is listed below. It may be noted that Lighting products and their control gear are the latest products that have been added to this list:

- Mobile Phone Devices
- Chargers for Mobile Phones
- Household/domestic Electric pumps (under 3500 Watts)
- Car Chargers for Mobile Phones
- Wireless Chargers for Mobile Phones
- Power Bank
- Mobile Phone Batteries
- Laptops and Tablets
- Smart Watches
- Smart Band
- Television and Display Monitors
- Dish Washers
- Wireless Headphone, Earphones and similar products
- Laptop Chargers (Electric transformer for Laptop)
- All lighting products and their control gears

Some products falling under EER may also require complying with SIRC and G-Mark type certification. For example:

Lighting products must comply with EE Requirements as per SASO 2870 or SASO 2902 and are also required to obtain the SIRC or International Commission on the Rules for the Approval of Electrical Equipment (IECEE) Certificate by having the product tested as per applicable IEC safety standards. ACs must comply with SASO 2663 to obtain the EE Certificate and also required to obtain the G-mark type certificate.

Saudi QM

The SASO QM is mandatory for certain Regulated Products and without third party activity the listed is here below:

- All products falling under the scope of the TR for Gas Appliances
- Low-Alloy Steel rods and Carbon rods for concrete reinforcement as per the TR for Building Materials – Part 1
- All Cement products as per the TR for Building Materials - Part 3
- All Ceramic Tiles as per the TR for Building Materials - Part 4.
- Aluminum composite panel for exterior and interior finishes
- Electrical connections – plugs, sockets and cables

The program SALEEM is gradually implemented and covers for the time being 36 SASO technical regulations and 3 GSO technical regulations. This includes adopting GSO regulation for LVD and toys for safety requirements. Importers of products regulated by those regulations are required to register the products in the SABER system to obtain the Certificate of Conformity, after passing the assessment.

All product consignments intended to be imported to Saudi Arabia must present the Certificates of Conformity at Saudi Customs for a smooth clearance.



Table 3: List of 36 SASO TRs, which require registration in SABER and Certificate of Conformity

Regulation	Status	SCOPE of implementation	Related project sector scope
Technical Regulation for Lubricating Oils	ACTIVE	aims to define the basic requirements for lubricating oils and all other oils mentioned in the TR	-
Technical Regulation for Detergents		applies to detergents, surfactant materials and soaps, in addition to unfilled detergents supplied in large containers or tanks for the purpose of refilling, and disinfectants are excluded from the provisions of this regulation	-
Technical regulation for Paints (Pigments) and Varnishes		applies to paints and varnishes used in residential and commercial buildings and public facilities.	-
Technical Regulation for Electrical Self-Balancing Boards (Scooter)		applies to all electrical scooter's types	Electrical products Machinery
Technical Regulation for Building Materials - Part 1		applies to The Sectors of Metals and their Alloys for Buildings and Constructions	-
Technical Regulation for Building Materials - Part 2		applies to the sector of Insulation and Cladding Materials	-
Technical Regulation for Building Materials - Part 3		applies to the sector of Hydraulic Bonding and Related Products	-
Technical Regulation for Building Materials - Part 4		applies to the sector of Bricks, Tiles, Ceramics, Sanitaryware and Related Products	-
Technical Regulation for Building Materials - Part 5		applies to the sector of Tubes and Pipes used in water, electricity and Gas networks	-
Technical Regulation for Biodegradable Plastic Products		applies on all poly propylene and poly ethylene plastic, as it mandatory for these plastics to be Degradable by oxidation (OXO) and then biotic degradation, With the exception of plastic used in the medical and food industries	-
Technical Regulation for Gas Appliances and their Accessories		applies to devices and accessories that uses the burning of liquefied petroleum gas (LPG) fuel used for cooking, heating, water heating, cooling and lighting. Excluding devices intended for use in industrial facilities.	Machinery
Technical Regulation for Truck Barriers		application of this regulation to the barriers of trucks, front, rear and side, trailers and semi-trailers whose maximum weight does not exceed 3.5 tons	-
Technical Regulation for Electrical Lifts Used in Buildings and Facilities		<p>The application of this regulation applies to electric elevators intended for general use in buildings and facilities, and to the safety components of elevators.</p> <p>The following are excluded from the application of the provisions of this regulation:</p> <p>Cable elevators (cable cars), and steep rails for public or private transport.</p> <p>Elevators for military or security purposes</p> <p>Mine elevators</p> <p>Crane machines on construction sites,</p> <p>Ladders and electric belts</p>	Electrical products Machinery
Technical Regulation for Trailers and Semi-Trailers		applies to imported and domestically manufactured trailers and semi-trailers	-

Regulation	Status	SCOPE of implementation	Related project sector scope
Technical Regulation for Auto Spare Parts		The application of this regulation to new spare parts for cars, both manufactured in the Kingdom and imported, and both tires and car batteries are excluded from the regulation	Motor Vehicles
Technical Regulation for Electrical Vehicles		applies to all electric vehicles whose total weight does not exceed 3500 kg, and whose speed exceeds 25 km / hour. Which is offered in the Kingdom's market, whether it is manufactured inside the Saudi or imported from abroad	Motor Vehicles
Technical Regulation for Telecommunications Devices		applies to Mobile phones, display screens, recording and enlarging images, computers and mobile display screens, smart watches and their accessories	-
Technical Regulation for Pressure Devices and Equipment and their Accessories		applies on Devices operating under pressure and their accessories (for example, fire extinguishers, pressure cookers)	-
Technical Regulation for games and devices of Amusement Parks		applied to Equipment, machinery and structures that are installed permanently or temporarily in recreational cities	-
Technical regulation for Jewelry Decorations and Accessories		applies to Plastic metal products manufactured in the form of a costume for decoration e.g. hair, hands and neck accessories	-
Technical Regulation for Doors and Windows		applies to Doors and windows made of plastics, wood, glass or metal Accessories for doors and windows Warehouse doors, armored doors, fire-proof doors	-
Technical Regulation for Shoes and Leathers		applies to Footwear made of leather, textile, plastic or a mixture of these materials	-
Technical Regulation for Fireworks		applies to Fireworks products e.g. firecrackers, fireworks, mine	-
Technical regulation for Electrical Batteries		applies to Car batteries Portable batteries, such as button cells, weighing less than 1kg Exclude batteries for military, medical devices, and aeronautical industry	Motor Vehicles Electrical products
Technical Regulation for Packaging		applies to Packaging products: paper, cardboard, wood, plastics, textile, and any other materials used in packaging	-
Technical Regulation for Textile Products		applies to Products that contain at least 80% by weight of textile component that are not children's product or underwear, Children's product or underwear	-
Technical regulation for food safety in tools and appliances used in the kitchen		applies to Materials and surfaces in contact with food (for example, cooking equipment, tableware, food packaging materials and containers)	-
Technical Regulation for Adhesive Materials, Tapes, Glue and Related Products		applies to Adhesives and glue products (for example, structural adhesives, adhesives for leather, footwear, wood products, paper, packaging)	-

Regulation	Status	SCOPE of implementation	Related project sector scope
Technical Regulation for Fire Fighting Equipment and Materials		applies to Products for firefighting (for example, fire extinguisher, alarm systems, fire hoses)	-
Technical Regulation for personal protective equipment and clothing		applies to Equipment and clothing designed to protect the health and safety of its user against potential hazards Excludes medical equipment and protective clothing for medical or military uses	-
Technical Regulations for Small Scale Solar PV Systems		Applies to solar cells including Photoelectric units Voltage inverters	-
Technical Regulation for Papers and Related Products		Applies on all types of paper	-
Technical Regulation for Machinery Safety - Part 1: Portable and Oriented Machines		applies to Portable machines Cutting and sewing machines Cranes Mobile machines used in general construction Drilling machines	Machinery
Technical Regulation for Electronic Devices Used in Electronic Smoking Systems		Determine the basic technical requirements that must be met by electronic smoking devices	-
Technical Regulation for Motorcycle		Applied to all types of motorcycles On public roads and desert roads	Motor Vehicles
Technical Regulations for Tanks - Part 1		specifies requirements for the design, manufacture, inspection and testing of tanks for transporting petroleum products	-

Food

The Saudi Food and Drug Authority (SFDA) is responsible for establishing regulations and standards concerning food, unprocessed and processed animal feed products. It is also responsible for the inspection of locally produced and imported food products. SFDA determines if these products meet all the standards and regulations established by Saudi Arabia and the Gulf Standardization Organization (GSO), which is quality regulations and standards setting agency of the Cooperation Council (GCC) countries.

Food Requirements:

- 3rd party test report for each product will be exported to KSA.
- Inspection is mandatory.
- Container sealing is mandatory.

Cosmetics

The SFDA defines cosmetic products intended to be placed in contact with the various external parts of the human body (epidermis, hair system, nails, lips and external genital organs), or with the teeth and the mucous membranes of the oral cavity with a view to exclusively or mainly to cleaning them, perfuming them, changing their appearance and/or correcting body odors, and/or protecting them or keeping them in good condition.

Below is a snapshot of the defined products:

- Creams, emulsions, lotions, gels and oils for the skin (hands, café, feet etc.).



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- Face masks (except for peeling products).
- Tinted bases (liquid, pastes and powders).
- Make-up powders, after-bath products, hygienic powders etc.
- Toilet soaps, deodorant soaps etc.
- Perfumes, toilet waters and eau de cologne.
- Haircare products
- Sun care products
- Anti-wrinkle products

SFDA launched a platform called eCosma. It is an electronic system managing licensing, notification and clearance of cosmetics products. All cosmetic and perfumery products are subject to mandatory notification.

Products now require an eCosma notification number before a Certificate of Conformity (SASO certificate) can be issued.

Requirements for cosmetics:

- SFDA eCosma registration
- Safety test report according to GSO 1943 issued by 3rd party accredited lab
- Arabic marking and labelling as per GSO 1943 requirement

Motor Vehicle

In addition to the regional technical regulations issued by GSO Saudi Arabia has a list of technical regulations to comply with when motor vehicles are placed on the Saudi Arabian market.

Table 4: List of technical regulations to comply with when motor vehicles are placed on the Saudi Arabian market

SASO No.	Name of Standard
SASO 2847:2017 + Amd 1: 2018	Methods of test for full-flow lubricating oil filters for internal combustion engines Part 9: Inlet and outlet anti drain valve test
SASO ISO 4548-9:2008**	Vehicle Tires Rolling Resistance and Wet Grip Requirements
SASO 2857:2016	Methods of test for full-flow lubricating oil filters for internal combustion engines Part 12: Filtration efficiency using particle counting, and contaminant retention capacity
SASO ISO 4548-12:2008**	Saudi Arabia Corporate Average Fuel Economy Standard (Saudi Café) for Incoming Light Duty Vehicles (2016 – 2020)
SASO 2864:2015 +	Amd 1: 2018 Road vehicles Safety glazing materials Test methods for resistance to radiation, high temperature, humidity, fire and simulated weathering
SASO ISO 3917:2012**	Motor Vehicles – Safety Requirements for School Busses
SASO GSO 2501:2017	Road vehicle – Brake linings -compressive strain test method
SASO ISO 6310:2014**	Specification for DAB, DVB and DRM Broadcasting Receivers
SASO/CITC RI 109:2013	Road vehicles – Brake linings – Shear test procedure for disc brake pad and drum brake shoe assemblies
SASO ISO 6312: 2014**	Specification for Non-Specific Short Range Devices and Ancillary Equipment.
SASO/CITC RI 054:2013*	Road vehicles – Brake linings – effects of heat on dimensions and form of disc brake pads – test procedure
SASO ISO 6313 : 2005**	Motor Vehicles – Front Under Run Protective Devices in Trucks and its Methods of Test
SASO GSO ISO 4000-2**	Motor Vehicles – Lateral Protection of Truck and Trailer and its Methods of Test
SASO GSO 2113:2012	Truck and bus tyres and rims (metric series) Part 2: Rims
SASO GSO ISO 4209-2:2012**	Motor Vehicles – Rear Under Run Protective Devices in Truck and Trailer and its Methods of Test
SASO GSO 2114:2012	Road vehicles Light alloy wheels Impact test
SASO ISO 7141:2015**	Road Vehicles – Fuel Filters for Diesel Engines Test Methods
SASO ISO 4020:2011 **	Road vehicles Wheels/rims for commercial vehicles Test methods
SASO ISO 3894:2015**	Inlet Air Cleaning Equipment for Internal Combustion Engines and Compressors – Performance Testing



SASO No.	Name of Standard
SASO ISO 5011:2015**	Road vehicles Passenger car wheels for road use Test methods
SASO GSO ISO 3006**	Methods of test for full-flow lubricating oil filters for internal combustion engines Part 5: Cold Start simulation and hydraulic pulses durability test

* Applicable for certification if provided. ** Not

- 8.2.6 UAE

Exporters/Importers bringing goods into the United Arab Emirates need to ensure compliance with the requirements of the UAE Emirates Conformity Assessment Scheme (ECAS) before the products are placed on the UAE marketplace.

The ECAS prescribes requirements for quality and safety for regulated products including Cosmetics, Perfumery and Personal Care Products; Electrical and Electronic products, Gas Appliances, Machinery, Automotive, Building and Construction and Food for consumer use. The ECAS certificate proves that the product has been approved by the UAE Federal Government through ESMA.

The EQM (Emirates Quality Mark) is a full assessment scheme and quality mark licensing program implemented by ESMA. The EQM demonstrates compliance with the relevant UAE technical regulations and standards, and it shows that the products are manufactured by an organization having a Quality Management System which ensures continuous compliance.

Notified Bodies for Low Voltage Equipment (LVE), Energy Efficiency Standards Labelling (EESL), lighting regulation, regulation for restriction of hazardous substances (RoHS) and equipment used in explosive atmospheres (ECAS Ex), Cosmetics, Perfumery and Personal Care Products (TR UAE GSO 1943) are authorized to issue the mandatory Certificate of Conformity and/or Quality Mark on behalf of ESMA.

The United Arab Emirates Government introduced mandatory control measures in 2015 for electrical and mechanical safety, energy efficiency, and environmental requirements under a national program called the ECAS. In 2016, the UAE Government announced, through Cabinet Resolution No. 35 that the ECAS program would be outsourced to third-party Conformity Assessment Bodies (CABs) to conduct the conformity assessment process and issue product safety certification.

The ECAS program scope includes multiple industry sectors covering electrical and electronic products; gas appliances; machinery; automotive; building and construction; cosmetics, and food. The following product areas require third party assessment before ECAS Certificates of Conformity can be issued:

The United Arab Emirates Government introduced mandatory regulatory control measures for electrical and mechanical safety, energy efficiency, and environmental requirements under a national program ECAS. The ECAS program is outsourced to third-party Conformity Assessment Bodies (CABS) to conduct the conformity assessment process and issue product safety certification.

The ECAS program scope includes multiple industry sectors from Electrical, Electronic, and Gas Appliances, Machinery, Automotive, Building and Construction, Cosmetics, and Food in the form of issued technical regulations, under the ECAS banner and regulated by the appointed government body, Emirates Authority for Standardization and Metrology (ESMA).

Table 5: Regulation overview

Regulation	Related research sector scope
Technical Regulation (UAE Flag)	-
UAE Regulation for Cosmetics and Personal Care	Cosmetics
UAE Regulation of natural Gas Driven Vehicles	Motor Vehicles
Regulation of Slaughterhouses (Abattoirs) Registration procedures	
Technical regulation for the Legal metrology activities	-
The technical regulation for quantity of product in prepackages	-
UAE regulation to control hazardous materials in electrical and electronic devices	Electrical products
UAE Regulation for Control on Escalators	Machinery
UAE Regulation for Control on Personal Protective Equipment	-
UAE Regulation for Control on Food Contact Material	-



Regulation	Related research sector scope
UAE Regulation for Control on Petroleum Products	-
UAE Regulation for control on Trailers and Semi-Trailers	-
UAE technical regulation for Vehicle spare parts	Motor Vehicles
UAE Regulations for Control on Milk and Dairy Products	Food
Cabinet Decision No. (45) / 2018 Concerning the Control of Trading in Precious Stones and Precious metals and hallmarking, and its executive regulation	-
Automotive Service Centers Regulation	-
UAE Regulation for Control on Perfumes	Cosmetics
UAE Cabinet Resolution No (22) of 2015 related to Gulf Technical Regulation for Kids Toys	-

Energy Efficiency Standards and Labeling or EESL is a set of UAE Technical Regulations for electrical appliances. This program requires specific information to be included on the product label. The following products are covered:

- Commercial and central air conditioner
- Household air conditioners
- Household refrigerators, freezers and refrigerator-freezers
- Household storage water heaters
- Household washing machines, including washer-dryers and tumble dryers

The United Arab Emirates Restriction of Hazardous Substances (RoHS) Regulation is a piece of legislation that limits the use of dangerous materials in electrical and electronic equipment (EEE). Modeled after European Union RoHS. In-scope companies are required to survey their supply chains and make declarations on products containing restricted substances above a specific threshold at the homogeneous level.

Companies have two options to comply with RoHS. Companies that have risk assessment documentation and can show full compliance with UAE RoHS requirements can apply to receive a certificate by ESMA that is valid for three years. An Emirates Quality Mark can then be placed on the product. Companies that have not completed a full product assessment may complete a Declaration of Conformity and submit product testing reports to apply for a one-year certification.

Cosmetics

All Cosmetics, Perfumery and Personal Care Products placed in the UAE market should be in conformity with the ECAS relevant technical regulation. Once a Certificate of Conformity has been issued by ESMA, imported and locally manufactured cosmetic and perfumery products must be registered with the relevant Municipalities in the UAE before they can be offered for sale in the retail market.

The following products are covered:

- Baby Products (Baby Lotions, Oils, Powders, Creams, Baby Shampoos)
- Bath Products Bath Products (Bath Oils, Tablets and Salts, Bubble Baths, Bath Capsules)
- Eye Makeup Products (Eyebrow Pencil, Eyeliner, Eye Color, Eye Makeup Remover, Mascara)
- Facial Makeup Products Facial Makeup Products (Cheek Color, Face Powders, Foundations, Lip Color, Concealers, Make up remover, Bronzer Highlighter)
- Hair Care Products (Hair Conditioners, Hair Sprays, Hair Straighteners and Relaxers, Shampoos and Rinses, Tonics and Dressings)
- Hair Dye and Hair Coloring Products (Hair Dyes and Colors, Hair Tints, Rinses and Shampoos, Hair Bleaches)
- Nail Products Nail Products (Cuticle Oils, Creams and Lotions, Nail Polish and Enamel and Removers, Artificial Nail Extension Products, Manicure and Pedicure Products)
- Oral Care Products (Toothpastes, Mouthwashes and Breath Fresheners)
- Personal Cleanliness Products (Soap, Antiperspirants and Deodorants, Douches, Feminine Deodorants)



- Shaving Products Shaving Products (Pre-shave Lotions (all types), Shaving Creams, Shaving Soap)
- Face Care Products (Creams, Lotions, Masks, Sprays, Powders)
- Body Care Products (Creams, Lotions, Masks, Sprays, Powders)
- Hand Care Products (Creams, Lotions, Masks, Sprays, Powders)
- Foot Care Products (Creams, Lotions, Masks, Sprays, Powders)
- Sunscreen and Suntan Products (Sunblock and Sunscreen Gels, Creams, and Liquids, Sunless Tanners)
- Hair Removing Products (Wax, Sugar, Creams, Depilatories)

Without the ECAS certificate of conformity, any shipments of products that arrive to the UAE customs will be rejected, causing delays in goods clearance, penalties or shipments being returned to the country of origin. With respect to locally manufactured products, unregistered products may be withdrawn from the market, confiscated, destroyed and fines may be imposed.

There are several conformity assessment bodies approved by ESMA (e.g. Intertek) to handle companies' applications through the ECAS, take care of the conformity assessment and issue the mandatory Certificate of Conformity for cosmetic and perfumery products.

The process for obtaining a certificate of conformity is as follows:

1. Registration of the applicant on the ESMA website
2. Submission of the application form together with the qualifying documents[10]
3. Conformity assessment of the product with the requirements of the approved standards by ESMA or recognized conformity assessment bodies

If the products comply with the requirements, the products are registered on the ESMA portal and ESMA issues an ECAS Certificate of Conformity, upon payment of the applicable official fees. The ECAS Certificate of Conformity constitutes evidence that the product has been approved by the UAE Federal Government through ESMA. It shall be valid for one year and shall be renewed at least one month before the end of validity.

Along with the application for an ECAS Certification the following documents are needed to ascertain the compliance of the product with the applicable requirements set forth in the regulations:

- Valid UAE trade license (Only a company incorporated in the UAE may proceed with such registration process)
- Test Report from an accredited and recognized laboratory according to Gulf standard UAE.S GSO 1943
- A certified document issued by the manufacturer setting out the ingredients and corresponding percentages
- For imported products: Free sale certificate issued by the Competent authority in the country of origin (legalization is not mandatory)
- Representative artwork and label of the product according to Gulf standard UAE.S GSO 1943
- Health and safety report related to the product.

This health and safety report shall contain information regarding:

- Quantitative and qualitative composition of the product
- Physical/chemical characteristics and stability of the product
- Microbiological specifications
- Impurities, traces, and information about the packaging material
- Normal and foreseeable use of the product
- Exposure to the product (taking into its toxicological effects)
- Toxicological profile of the substances contained in the product
- Undesirable effects
- A statement on the safety of the product
- Statement on the need to label any particular warnings and instructions of use
- Electronic Declaration of conformity of the products

The Municipality may request other documentation, on a case by case basis.



If an International company wants to market its products in the UAE and register its products in ESMA it must choose one of the following approaches:

1. It can establish a local branch/entity in the UAE. The UAE entity importing and distributing the products into the UAE may be a company incorporated onshore with up to 49% foreign ownership. The UAE Commercial Companies Law requires companies incorporated under such law to have at least 51% of share capital owned by UAE nationals. As a result, any company established in the UAE onshore is required to have one or more UAE partners holding at least 51% of the share capital of the company.
2. It is also possible to incorporate a company in a free zone (offshore), whereby 100% foreign ownership is possible. However, there are several considerations that need to be considered before setting up a company in a free zone. The main disadvantage is that a company established in a free zone is restricted from doing business outside the free zone. As a result, if the UAE entity is importing the products into a free zone; a local distributor will need to be appointed onshore for the purpose of distributing the products. However, this is something for international companies to consider, as the registered importer could be the free zone entity, which allows the international company to retain control over the importation of its products at least.

The purpose of Cosmetic product registration is to ensure the compliance of personal care products, cosmetics and perfumes to the conditions and specifications of the permitted standards, and thus allowing traders, producers and importers of cosmetics, personal care products, and perfumes to avoid the rejection of their shipments that arrive to Dubai's ports or avoid withdrawal of their products from the domestic market.

Motor vehicles

Besides complying with the technical regulations issued by GSO it is specified in the UAE technical regulations that all road vehicles should be at least within the limits of pollutants in accordance with:

- UAE.S ECE No 49/2013: Uniform provisions concerning the measures to be taken against the emission of gaseous and particulate pollutants from compressing-ignition engines and positive ignitions engines for use in vehicles.
- UAE.S ECE No 83/2006: Uniform provisions concerning the approval of vehicles with regard to the emission of pollutants according to engine fuel requirements.

All Busses with less than 22 seats should be provided with speed limiting system with maximum speed of 100 km/h, this system cannot be modified or changed by the driver.

- 8.3 Conclusion – technical regulation

The technical regulation typically consists of two main sections where the first section covers the product requirements and the second section describes how the manufacturer or importer can show compliance with the product requirements. It is therefore difficult to separate these two elements when the regulatory framework is assessed.

The review of the way in which the five product areas are regulated shows several differences that testify that there is potential to harmonize technical regulations. If the different product areas are compared, the following remarks can be linked to the individual areas:

Electrical products are regulated by GSO and it is a mandatory requirement for Low Voltage Electrical products to affix a "G Mark" on all low voltage products being exported to the GCC countries. However, this does not deter countries from imposing additional requirements on the marketing of products on national markets. Manufacturers intending to ship products into the Sultanate of Oman must have them tested according to the standard GSO 2530/2016, register these products in the Omani Energy Efficiency Ratio (EER) System and obtain the permit to use the Omani energy efficiency labeling. In Saudi Arabia, a SASO IECEE Recognition Certificate (SIRC) is issued by SASO for certain Regulated Products based on a Valid IECEE Test Report issued by a CB Testing Laboratory (CBTL) and in UAE the ECAS program scope includes multiple industry sectors, also electrical and electronic products.

For the machinery sector GSO Technical Regulations are widely applied in the GCC countries. The level of harmonization seem relatively high. However, certain machines are covered by SALEEM in Saudi Arabia and requires registration in SABER and issuance of conformity certificate. Similarly, in



UAE mandatory control measures were introduced in 2015 for electrical and mechanical safety under the Emirates Conformity Assessment System (ECAS).

As regards the food sector the national food inspection system is similar to the food inspection systems in countries outside the GCC region. The food safety authorities carry out control of food based on the GSO standards which are aligned with International standards issued by the Codex Commission. The differences are found in some details regarding shelf time for long life products which can have significant impact on production costs and the amount of discarded goods.

The Gulf Cooperation Council cosmetics legislation closely follows the EU Cosmetics Regulation. However, it has some of its own criteria when it comes to processes, ingredients, labelling and claims. Products must fulfil certain requirements such as being free from pork and its derivatives, do not conflict with religious values or habits of society, and not to injure public morality. On the top of that SFDA in Saudi Arabia has launched a platform called eCosma, where all cosmetic and perfumery products are subject to mandatory notification and in the UAE cosmetic products shall be in conformity with the ECAS relevant technical regulation.

Motor vehicles and spare parts are primarily regulated by GSO, but in Qatar the CoC is a mandatory Customs clearance document submitted by the Importer for the clearance of regulated shipments. In Saudi Arabia auto spare parts are on the list of regulated products subject to registration in the SABER system under the SALEEM program.



- 9. General product safety

- 9.1. Regional level

GSO has adopted a regulation which specifies the general product safety requirements, with the number BD09100504 “Gulf technical regulations, obligations of economic operators, notified bodies, product liability, market surveillance, administrative provisions, infringement procedures, and sanctions”.

Rules on product safety ensure that only safe products are sold on the market. Businesses should only sell products which are safe and inform consumers of any risks associated with the products they supply. They also have to make sure any dangerous products present on the market can be traced so they can be removed to avoid any risks to consumers. General product safety rules serve as an umbrella legislation covering all products which are not covered by product specific legislation (e.g. technical regulation for machinery).

The legislation focuses on the safety of products only and has no major impact on trade with other countries other than ensuring that exporters from these countries make certain that their products are safe. Quite often the general product safety rules are introduced together with product liability legislation which specifies the consequences of not complying with the product safety regulation.

The importance of general product safety regulations on trade with other countries must be presumed to be limited. Only if legislation has been introduced in one or more of the GCC countries which sets the bar for product safety so high that normal quality products are not accepted there is a risk of creating trade barriers. This is not supposed to be the case. A larger comparative analysis will be able to reveal whether there are differences that may have an impact on trade.

In the following a short description of the status regarding the national implementation of General Product Safety regulations is presented.

- 9.2 National Level

- 9.2.1 Bahrain

“Consumer Protection Law” Law No. 35 for 2012 with respect to consumer protection is considered a legislative milestone meant to regulate the status of both the consumer and the supplier, while protecting their rights and obligations, within the commercial process.

- 9.2.2 Kuwait

“Consumer Protection Law” Law No.39 of 2014 on Consumer Protection.

This Law consists of 37 articles and aims at safeguarding consumer rights and creating an instrument of control to ensure such rights are properly defended. The Law establishes a national Committee for consumer protection composed of representatives of governmental entities and be chaired by the Minister of Commerce and Industry.

- 9.2.3 Qatar

"Consumer Protection Law" Law No. (8) Of (2008) was amended by Law No (14) of (2011)

Product liability and safety is regulated in the State of Qatar under the Consumer Protection Law No. 8 of 2008 and its amendments (Consumer Protection Law), and the Minister of Commerce and Industry's Decree No. 68 of 2012 on the issuance of the Regulations on the implementation of the Consumer Protection Law No. 8 of 2008 (Consumer Protection Regulations).

- 9.2.4 Oman

“Consumer Protection Law”, which was promulgated as Royal Decree 81/02 with executive regulations issued by Ministerial Decision 49/07.

The Consumer Protection Law is intended to promote a level playing field of fairness and equality between the supplier and the consumer, and to protect consumers against monopolistic companies and deceitful business practices. The Consumer Protection Law ensures that consumers are supplied with correct information about the products and services that they buy.

- 9.2.5 Saudi Arabia

“The General Product Safety Regulation”

These regulations are ensuring high level of protection of the health and safety of consumers and establishing a legislative framework for any product placed on the market, or supplied or made available



or intended for consumers, or likely to be used by consumers under reasonably foreseeable conditions even if not intended for them, and also ensuring the safety of local or imported

- 9.2.6 UAE

On 18 December 2018, the UAE Government enacted “Federal Law” № 10 on product safety in order to increase the quality of products.”

“The Product Safety Law” comprises 21 Articles and applies to products that are intended for consumers. The Law will apply to any commercial contractors in the product supply chain whose activities relate to or affect the safety of products manufactured. This includes manufacturers, agents, distributors, and importers (collectively referred to as “Suppliers”).

This is the first time UAE has enacted bespoke legislation specifically addressing product safety for consumers.



- 10. Assessment of conformity assessment system

- 10.1. Regional level

On regional level, the conformity assessment system, G mark scheme, is a generic scheme to be implemented by economic operators and notified bodies. This is called the Gulf Regulation on G-Marking, with regulation number BD09100501 and the following introduction on the GSO website:

“Is a specific marking of the Cooperation Council for the Arab States of the Gulf which is stuck on the product or/and the Declaration of Conformity to indicate that the product is in conformity with the requirements set out in the applicable Gulf Technical Regulations. Conformity Assessment Modules: A set of conformity assessment procedures typically selected according to the degree of risk and risk analysis, to be used to demonstrate compliance with the requirements of the Gulf Technical Regulations for Products. Notified Conformity Assessment Bodies: A Conformity Assessment Body notified by GSO as a notified Conformity Assessment Body in a specific field according to the applicable Gulf Technical Regulations. In addition, GSO has issued sectoral Technical Regulations, which are a set of mandatory Technical Regulations specific to a product or product category, containing its essential requirements, and specifying its conformity assessment procedures to enable the product or the product category to bear the Gulf-Mark, and it includes the Standards reference necessary for fulfilling the essential requirements.”

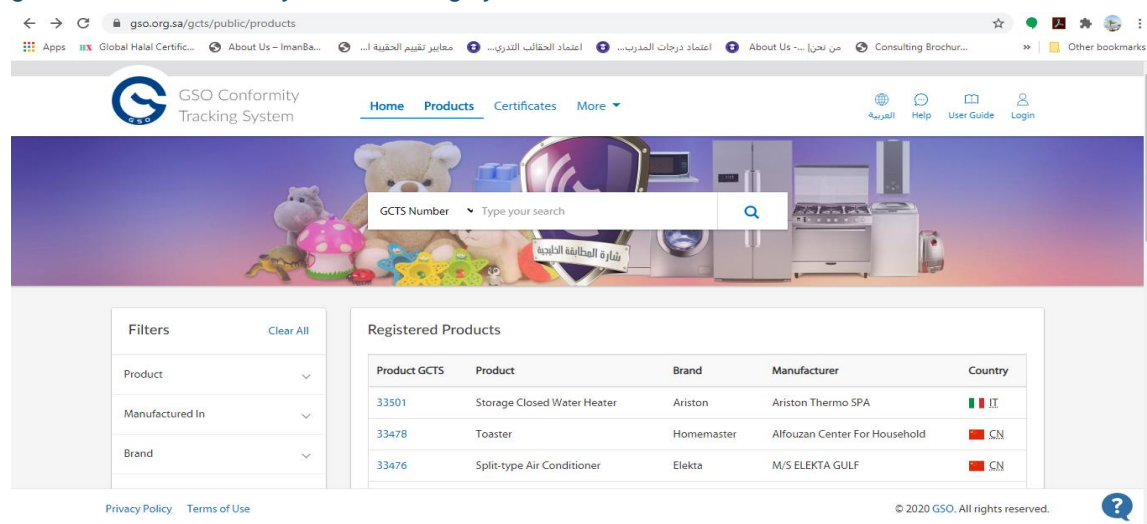
GSO has adopted a guide for NBs with the number BD09100502. The purpose of this Guide is to specify criteria to be used in the assessment and appointment of Conformity Assessment Bodies to undertake duties and functions as set out in the Gulf Technical Regulations. This Guide also aims to provide explanation and clarification to Conformity Assessment Bodies wishing to act as notified bodies for Member States, subject to the GSO Technical Regulations in force in the Member States. Meeting the criteria of this Guide will serve as basis to any recommendations made about the appointment of any conformity verification body wishing to carry out the functions of a notified body.

And comparable with the European modules of CA producers, there is GCC one guide on modules of Conformity Assessment with the number BD09100503. This guide aims to present typical types for procedures of conformity assessment adopted by the Member States to ensure that products comply with the main requirements provided in the GSO technical regulation.

<https://www.gso.org.sa/en/conformity/conformity-certificates-authentication/>

GSO published an electronic gate called Gulf conformity mark tracking system (GCTS) for the products that received G mark based on the scheme mentioned in the related regulation. The scope of GCTS is mainly for Toys and LVEE but for tyres there is no third-party involvement.

Figure 12: Gulf conformity mark tracking system



The exporting countries shall provide documentation and certification, reference to other assurances provided through inspection activities by a competent authority in the exporting country or an officially-recognized party, trading arrangements based on the history of compliance of previous shipments of known origin.

The Guide on modules of Conformity Assessment is a commitment to science-based import control system where the procedures applied are in proportion to the potential risks to the consumer and it is a system which is responsive to new or emerging risks that may arise in the global food supply system.

The GCC Guide for Control of Imported Foods has been published on the website of the World Trade Organization (https://members.wto.org/crnattachments/2017/sps/bhr/17_0268_00_e.pdf) where more details about the requirements can be found.

- 10.2 National level

- 10.2.1 Bahrain

Bahrain has a relatively fine-grained network of requirements that must be met before a product can be imported. Imported products must be authenticated by the Consulate of Bahrain or any Arab Embassy in the country of origin. This means that before the products are shipped to Bahrain, the exporter must have the products' origin confirmed.

All importers and exporters are required to be listed in the commercial registry maintained by the Ministry of Industry and Commerce (MIC), and to be members of the Bahrain Chamber of Commerce and Industry (BCCI).

Import licenses for products to be sold in Bahrain are issued only to locally established companies. Depending on the type of product the requirements to the documentation of compliance with the legal requirements differ.

- For imported beef and poultry products require a health certificate from the country of origin and a halal slaughter certificate issued by an approved Islamic center in the country of origin.
- Food, plant, and animal imports, which are restricted for health reasons, must be accompanied by sanitary and phytosanitary health certificates from the exporting country. Imports of food products must be accompanied by a certificate declaring them to be free of radiation and dioxin.
- Pharmaceutical products must be imported directly from a manufacturer with a research department, and the products must be licensed in the country of manufacture and in at least two GCC countries other than Bahrain, one of which must be Saudi Arabia. A certificate of compliance in conformity with GCC standards is required for special purpose motor vehicles which have been modified.

For certain products there are import prohibitions for various reasons, including international conventions, environmental protection, health and safety, and religious and moral considerations. They cover live swine, various types of drugs, Indian pan and derivatives, asbestos and articles of asbestos, used pneumatic tires, cultured pearls, advertisement material for all types of cigarettes, radio remote-control model airplanes, children toys in the form of guns, with power, and ivory and articles of ivory. Drugs and medicines may only be imported by drug stores or pharmacies licensed by the Ministry of Health.

For other products, a "no objection certificate" is required. This is issued by the competent authority. The Ministry of Agriculture issues for example the certificate for fertilizers, insecticides and fungicides; the Equestrian and Horse Racing Club for horses; the Ministry of Interior for fireworks, handcuffs, pedestrian controlled four-wheel mini cars, and arms and ammunition; and the Ministry of Information for aerials and aerial reflectors.

Many products must be accompanied by a certificate showing that the products comply with the relevant GSO standards. The requirements for documentation of compliance with the relevant standard vary depending on the hazard of the product. Products such as tires, cars, batteries, cigarettes, asbestos-containing products, and household electrical appliances require the presentation of a certificate. For non-hazardous products such as toys, documentation in the form of a certificate is not required.

In the below table different products, their category, and the specific requirements for the documentation of conformity with the relevant legislation or standards are presented. The table shows the scope of application in general with reference to the focus categories of the present report.

Table 6: CA requirements to products place on the market in Bahrain

Product	Category	Requirements
Tires (passenger cars and trucks)	Mechanical systems and components for general use	Copy of: GSO conformity certificate for the models shipped stating compliance with the required standards; customs release document; and invoice of lot



Product	Category	Requirements
Motor vehicles (passenger cars and trucks)	Mechanical systems and components for general use	Copy of: GSO conformity certificate for the models shipped stating the compliance with the required standards; customs release document; and invoice of lot
Car batteries – lead-acid starter batteries used for motor cars and internal combustion engines	Mechanical systems and components for general use	Copy of: GSO conformity certificate for the models shipped; and customs release document conformity certificate from the manufacture complying to the technical regulation based on GCC standard N° 34-35/1984 for controlling lead-acid starter batteries used for motor cars and internal combustion engines and its methods of test; the certificate is valid for one year
Cigarettes – general	Food and agriculture	Visual inspection of samples to assure that: the nicotine yield shall not exceed 0.6 mg/cigarette, the tar yield shall not exceed 10.0 mg/cigarette, and the carbon monoxide yield shall not exceed 12mg/cigarette. The following labelling information must be available: trade mark, number of cigarettes (max. 20 cigarettes per packet), name of producer or importer, packaging date (month – year), and batch number; customs release document; invoice of lot The following warning shall be printed on the front side of the packet in both Arabic and English with clear letter size not less than black 8: "Health warning: smoking is the main cause for lung cancer and diseases and for heart and arteries diseases". The color of the packets or letter shall not affect the clarity of such warning
Asbestos – importing, manufacturing, and circulation of asbestos materials and products	Chemical product	Documents stating that the item is free from asbestos: Conformity certificate from the manufacture or Declaration of "asbestos free products" on the package Otherwise: A sample from the consignment will be tested at the cost of the importer, and goods released/rejected according to the results
Household electrical appliances	Electrical product – selected items	G Mark scheme applied according to GSO LVEE regulation
Toys – importing children's toy	Mechanical and chemical	G Mark scheme applied according to GSO safety of toys regulation
Lavatory flush tanks	Building materials	None, under study
Weighing scales, weights, measuring tapes and meters	Metrology	A signed declaration for not selling the scales before obtaining calibration certificate from BSMD
Food	Food and agriculture	Requirements are determined by the Ministry of Health for verification of conformity of food (Law N° 3/1985 concerning the control of foodstuff)

Regulated products are given automatic entry to Bahrain if they are covered by conformity assessment certificates issued by internationally recognized bodies. Otherwise, the products must be assessed by accredited bodies.

The National Committee of the BDSM approves and issues procedures for the implementation of national standards. The National Committee has approved several GSO standards as mandatory. The committee issues these in the form of ministerial orders and publish them in the Official Gazette. The Official Gazette is available on the website of the Legal Affairs Directorate (Arabic only, www.legalaffairs.gov.bh).

- 10.2.2 Kuwait

The Public Authority for Industry of the State of Kuwait (PAI) has implemented specific guidelines to verify the conformity of all 'Regulated Products' that are exported to Kuwait. These guidelines are diligently enforced and form the Kuwait Conformity Assurance Scheme (KUCAS). Exports to Kuwait of these 'Regulated Products' require a Technical Evaluation Report (TER) and a Technical Inspection Report (TIR) to clear customs, issued by an approved Certification/Inspection Body (CIB) on the basis of successful type testing or test report evaluation or in some cases transfer of existing Registrations/Licences of Regulated Products. Reports can be accepted in both English and Arabic language.

The KUCAS scheme consists of a group of procedures carried out by PAI to verify the conformity of all 'Regulated Products' to Kuwait's Technical Regulations on imported and domestic products alike in accordance with the regulations of this scheme.

The scheme works in practice as follows:

- All consignments of imported goods that contain regulated products must be accompanied by a Technical Inspection Report (TIR) and a Technical Evaluation Report (TER). Notified Certification/Inspection Body (CIB) offer this service to exporters.



- The TIR and TER are required to ensure smooth customs clearance of shipments in Kuwait.
- The TER confirms that the products comply with the relevant Kuwait technical regulations and the approved international/regional/national standards. The TIR confirms that the goods comply Kuwaiti importation regulations.
- The authorities in Kuwait may take random samples from imported consignments to verify compliance.
- Kuwait Conformity Assurance Scheme (KUCAS) is applicable to imported and domestically produced 'Regulated Products'. The KUCAS regulated products have been divided in six major groups:
 - o Group I Children Toys
 - o Group II Household & Commercial Electrical & Gas Appliances
 - o Group III Automotive
 - o Group IV Chemical
 - o Group V Others
 - o Group VI Building Materials

The following 'Regulated Products' are exempted from any KUCAS conformity procedures:

- Products holding 'Kuwait Quality Mark'
- New motor vehicles holding 'GCC Conformity Certificates'
- Diplomatic cars imported by foreign Embassies
- Products imported in small non-commercial quantities
- Products imported on a temporary basis (e.g. for display purpose)
- Products forming contents of large industrial or government projects

GSO schemes accepted

For Toys and household appliances are regulated under G-Mark scheme with third party assessment. In addition, tires holding 'GCC Conformity Certificates' are exempted from the 'Technical Evaluation Certificate'.

National deviations

For a list of electronic products there are specific requirements to the conformity assessment procedure. Firstly, they shall comply with the relevant GSO standards but furthermore the test procedures or labelling requirements are adapted to the specific conditions in Kuwait. These include technical national deviations for accepted voltage and testing standards for plugs and additional marking requirements.

The specific deviations are as follows:

- Electrical ratings on the products intended to be operated from AC mains supply should include 240V / 50 Hz for single phase (rated voltage of 230V is acceptable for certain products) and 415 V, 400 V / 50 Hz for three phases.
- The power plug configuration should comply with BS 1363 or BS 546 (Type G and C as per IEC plugs)
- Local climate conditions – Equipment used outdoors shall be tested according to tropical climate conditions (50°C) and high humidity.
- Arabic marking requirements – For most of the electrical products, rating marking in Arabic and English is required.
- Additional marking information – Most of the equipment is required to have the year of manufacture and country of origin marked either on the product, packaging or in the documentation.
- Instruction manual – Required in both Arabic and English languages for consumer end products (not applicable to professional / industrial use products).
- Religious requirements – Any pictures, text or objects that are offensive to the Islamic religion should not be used.

The test reports are only accepted if the test laboratory has a valid ISO / IEC 17025 accreditation from a member body of the International Laboratory Accreditation Cooperation (ILAC).

- 10.2.3 Qatar

Qatar - PVOC Program

The Government of the State of Qatar, through the Qatar Ministry of Business and Trade Interior and the Qatar General Organization for Standards and Metrology (QGOSM), has issued strict rules regulating the import and sales of Vehicle Spare Parts and Vehicle Tyres to prevent non-compliant/ counterfeit versions of such products entering into the Qatari market. The regulation is effective from 15th September 2011. The Circular issued by the Authority states that "Customs authorities will not



allow the import of the regulated products, unless they are accompanied by a CoC issued by an approved body from the country of origin".

It also stated that "in case of noncompliance of these products to the applicable GSO standards, heavy fine will be imposed on the importers". In addition to the above, QGOSM has recently mandated that certain electrical household appliances such as Electric Irons, Hair Dryers and Exhaust Fans would require an evidence of conformity for its export clearance through Qatar Customs.

Responsibilities:

Importers

Ensure their suppliers are conversant with import quality requirements and that their consignments are accompanied with a certificate of compliance from the appointed Qatar authorized bodies.

Exporters

Ensure their products or goods meet the regulations and quality requirements of Qatar before shipment by carrying out tests and/or obtaining the necessary certification of conformity from the appointed Qatar authorized bodies for all products subject to the Qatar program.

Qatar General Organization for Standards and Metrology (QGOSM)

To ensure that products imported into Qatar meet the security, safety, health, and environment requirements as per the sanctioned standards and technical regulations approved by Qatar General Organization for Standards and Metrology (QGOSM).

Regulated Products

- Vehicle Spare Parts (Safety Belts, Wheel, Rims, Brake Pads)
- Electrical Products "under GSO scheme"
- Toys "under GSO scheme"
- Cosmetics (Shampoo, Henna, Eyebrows/ Eyelashes dye, Hair products containing Keratin)
- Perfumery products
- Non-weldable Steel Reinforcing Bars used in Concrete
- Aggregates, Limestone, Bitumen 60/70 used in roads and concrete products such as concrete block masonry units, precast concrete paving blocks
- Melamine Tableware Products
- Food and Drinks Packaging made of Plastic, Paper and Foam

The Government of the State of Qatar has issued strict rules regulating the import and sales of motor vehicle spare parts and tires to prevent non-compliant/ counterfeit versions of such products entering the Qatari market. The Circular issued by the Authority states that "Customs authorities will not allow the import of the regulated products, unless they are accompanied by a CoC issued by an approved body from the country of origin". It also stated that "in case of noncompliance of these products to the applicable GSO standards, heavy fine will be imposed on the importers". In addition to the above, QGOSM has recently mandated that certain electrical household appliances such as Electric Irons, Hair Dryers and Exhaust Fans would require an evidence of conformity for its export clearance through Qatar Customs.

As a member of GCC, Qatar has adopted and implemented GSO technical regulations for:

- Low voltage devices and appliances.
- Toys

As far as food is concerned, the authorities have implemented several laws, which ensure food safety. These laws have to be consulted when exporting to Qatar. They include for example:

- Decree of the Minister of Public Health No.3 of 2014 on the packaging and supply of human food. This Decree is consisting of 4 articles. Article 1 states that all kinds of food packaging shall be in paper or plastic packaging or any other packaging material in accordance with the approved standard specifications. It is prohibited for manufacturers, distributors, and retailers of all kinds (cont.)
- Decree of the Minister of Public Health No.19 of 2000 to establish the Joint Human Food Control Committee. This Resolution consisting of 6 articles aims at establishing the Joint Committee for the Control of Human Food responsible for carrying out studies and research and collecting information on the following issues (i) food contraventions rejected by the Ministry of Public Health to find possible solutions (cont.)



- Law No. 8 of 1990 on the organization of food control. This Law defines the quality standards of food intended for human consumption. It regulates the trade, packaging, transport of both imported and locally produced food. It prohibits the circulation of food in cases of: violation of the standards set forth in the Regulations and Decisions implementing (cont.)
- Ministerial Resolution No. 11 of 1979 defining the general and particular requirements and conditions for commercial and industrial houses as well as for the public utilities. This Resolution is composed of 2 Chapters divided into 3 articles. Chapter 1 contains the following general requirements and conditions for the commercial and industrial houses as well as for the public utilities: (a) use the suitable construction materials; (b) the level of the floor not (cont.)
- Enact No. 9 of 1969 on peddlers. This Decree is composed of 18 articles. Article 1 deals with terms and definitions. Article 2 prohibits the practicing of the peddler profession before the obtainment of previous licenses from the Municipality of Qatar. Article 3 fixes the validity of licenses. Article 6 defines categories of (cont.)
- Law No.20 of 2017 amending some provisions of the Law No.8 of 1990 on the organization of food control. This Law consisting of 3 articles replaces the name of the Ministry of Municipality and Environment with the Ministry of Municipality and Urban Planning, and the Ministry of Public Health with the High Council of Health. Art.32.2.

- 10.2.4 Oman

Products shipped in bulk must meet Omani labelling requirements and must be accompanied by small, easy to handle samples for possible laboratory verification. The sample container must contain a label that meets all labelling requirements. Bilingual labels are permitted, provided one of the languages is Arabic.

Omani technical regulation of the conformity verification system

Directorate General for Specifications & Measurements proposes technical regulations and lays down the essential safety requirements for products as well as responsibilities of Economic Operators involved in the supply chain as for ensuring compliance of products. It defines conformity assessment procedures to be conducted by manufacturers or importers before putting products into the market, by competent conformity assessment bodies to be appointed under this technical regulation.

Products shipped in bulk must meet Omani labelling requirements and must be accompanied by small, easy to handle samples for possible laboratory verification. The sample container must contain a label that meets all labelling requirements. Bilingual labels are permitted, provided one of the languages is Arabic.

Products covered

Where all their requirements shall apply unless the laws and regulations of the Sultanate contain special requirements regulating the safety of certain products and performing the same purpose. All products imported to the Sultanate will be checked for their compliance with quality and standards before they reach the markets.

According to a statement from the Ministry of Commerce and Industry on Sunday, the checks will be done in cooperation with the competent government authorities.

"All the products imported to the Sultanate will be subjected to the checks for their quality and conformity with standard specifications. This will be done regardless of the origin of the country or the barcode on the products", the ministry said in an online statement.⁷ The monitoring of the products, to be a continuous process, will also be done for the validity period as well, it added.

Earlier, Khamis bin Abdul Rahman al Farsi, Director General of Standards and Metrology in the ministry had asked traders and suppliers in the Sultanate to import products directly from the countries of origin without involving commercial intermediaries. In a statement, following seizure of electrical devices that did not meet the standards last month, he emphasized that the ministry, with other competent government institutions, has been monitoring the specifications, standards and quality of products, as well as their conformity with the origin.

The Ministry seized several imported electrical devices that do not conform to the standard specifications in the Sultanate by examining samples of these products in the ministry's laboratories.

He said that in cooperation with international expertise, an Omani conformity system was established, through which conformity certificates providers are registered.

⁷ See Oman Observer, online available at (<https://www.omanobserver.om/all-imported-products-to-be-checked-for-quality/>)



These providers inspect products in the country of origin before importing the products to the Sultanate and then they issue certificates showing their conformity to Omani specifications and safety regulations, which would promote direct import, hence obtaining safe products.

Food

The Omani Quality Mark and Certificate of Conformity Regulations, “first + third party assessment”

Field of Application

The provisions of this part of the Regulations shall apply to the national establishments that produce commodities conform to the relevant standard and apply to the Directorate for a license to use the Mark on one or more products. The license may be granted to a non-Omani standard at their request, provided they abide by the provisions of the present Regulations.

The Quality Mark on any commodity shall be deemed a guarantee from the establishment of the quality of such commodity and its conformity to their relevant standards.

Procedures for Granting the License to use the Mark

If the establishment meets the conditions provided for in the Directorate shall act as follows:

1. Pre-license inspection
 - a. Visit the establishment to conduct the technical studies such as the testing and examination facilities available and the quality control methods followed during the manufacturing processes.
 - b. Take random samples of the commodity to be marked to test them in the Directorate's laboratories or any other laboratories accredited by the Directorate to ensure that the samples conform to their respective standards.
 - c. Prepare a pre-license inspection report
2. Preparation of Quality Control Plan:
According to the pre-license inspection report, the Directorate and the establishment shall agree on a quality control plan to be adopted by the establishment in order to guarantee the continues production of commodities conforming to the standards. However, elaborating a unified general plan for all the establishments producing the same commodity should be considered.
3. Granting the establishment, the license to use the Mark
4. Periodic Inspection:
 - a. Examine the quality control records, read the results of the tests and verify the commitment of the establishment to the agreed quality control plan.
 - b. Examine the records of the measurement and testing apparatus, verify their accuracy as well as their annual calibration and accuracy. 5.3 Draw random samples of the commodities bearing the Mark in the presence of the person in charge in the establishment in order to test them and ensure that they conform to their respective standard (Form No. 6). 5.4 Prepare a report on each periodic inspection
5. The Directorate may take samples of the commodities carrying the Mark directly from the market to test them and make sure of their conformity to the relevant standards. The Directorate shall consider the complaints raised by consumers as regard the commodities carrying the Mark and verify them. In case the Directorate finds out that the commodities bearing the Mark do not conform to the relevant standard, the general provisions stipulated in this part of the regulations shall be applied to the establishment.

Ministerial Decree Obligating the Omani Standard "Energy Efficiency, Functionality and Labelling Requirements for Self-ballasted Light Emitting Diode (LED) Lamps"

This standard specifies the energy efficiency, functionality, and product information requirements for self-ballasted LED lamps for general lighting services that works on single-phase alternating current supply up to and including 240V, 50Hz, being manufactured, imported or sold in Oman.



The standard covers the following types of self-ballasted LED lamps:

- a. Both the directional and non-directional lamps.
- b. Lamps having a luminous flux above 60 lumens and below 12,000 lumens.

This standard does not cover the following types of LED lamps:

- a. Lamps which are used in special purpose applications (Special purpose lamps are explained in 'Annex-B: Special purpose lamps').
- b. Lamps not intended for general lighting purposes.

Food

The Ministry of Commerce and Industry approves mandatory Omani standards covering all food products prepared by mixing and kneading wheat flour, water, food salt, and fermentation material.

For some products, a manufacturer's declaration is required to assure conformity to Omani/GCC standards. In cases of nonconformity to current standards or the need for consideration of other internationally recognized standards, a letter should be addressed to the Directorate General of Specifications and Measurements at the Ministry of Commerce and Industry with authenticated results of laboratory testing.

A product certificate is required to assure the product's conformity to international or Omani/GCC standards. Non-food products are allowed automatic entry to Oman on the basis of a Manufacturer's Declaration of Conformity Assessment Certificate, supported by a test report verified by the DGSM. In parallel, some samples are collected unless a mutual recognition agreement is in place. Imported products that are not covered by certificates are released temporarily and their samples tested.

Any laboratory testing certificates relating to conformity to Omani or international standards should be submitted to the Directorate General of Specifications and Measurements, which is responsible for accrediting laboratories and classifying and assessing the results obtained.

- 10.2.5 Saudi Arabia

Conformity assessment procedures for local and imported products supervised mainly by SASO for industrial products and SFDA for food and medical products.

SASO has implemented the Saudi Product Safety Program (SALEEM) by launching the SABER platform for online Certification for Exports to Saudi Arabia.

SASO has published a list of Technical Regulations covering various products such as Lube Oils, Detergents, Building Materials and Construction Products, Paints, Lifts, Vehicle Spare Parts, Textiles etc. The products covered by the Technical Regulations are referred to as Regulated Products. The Conformity Assessment Process for the Regulated Products is a two-stage process:

Stage 1: Issuance of Product Certification of Conformity (PCoC).

The PCoC is issued for every regulated product as per the applicable product standards defined in relevant Technical Regulation. The PCoC is valid for a period of one year. The process is as follows:

- Request for PCoC by Importer.
- Entry of Product Details in the system based on KSA Customs Tariff Code.
- Selecting of Certification Bodies (CBs).
- Payment of PCoC Fees.
- Conformity Assessment and entry of substantiating Documents/Verification Results by third party.
- Issuance of PCoC from the system.

Stage 2: Issuance of Shipment Certificate of Conformity (SCoC).

Every regulated product included in the shipment will be verified whether valid PCoC exists for that product so that SCoC can be issued. The SCoC is valid for that specific shipment only.

- Request for SCoC by Importer.
- Payment of SCoC Fees.
- Verification and confirmation of valid PCoC for the product by third party.
- Issuance of SCoC from the system

Importers have to register online on the SABER www.saber.sa platform to obtain PCoC and SCoC.

Currently the following product groups are covered by regulations, which require issuance of PCoC and SCoC:



- Low-Voltage Electrical Equipment & Appliances falling under GSO G Mark
- Other LVE Equipment and Appliances
- Products falling under Energy Efficiency Labelling requirements
- Gas appliances and accessories
- Mobile devices
- Car and mobile phone batteries
- Household domestic water pumps
- Dishwashers (domestic & commercial)
- Televisions & Display Monitors
- Mobile phone, Car & Laptop chargers
- Power banks
- Lighting products
- Electrical motors
- Portable computers/tablets
- Wireless Headphones, Earphones, and similar products
- Smart Watches and Smart Bands

The below table presents the specific conformity assessment requirements to each product group.

Table 6: showing conformity assessment requirements to specific products which require SALEEM certification

SALEEM Technical Regulation	Product Application	Product Scope	Conformity Approach	Conformity Requirements	PCoC Required	SCoC Required
BD-142004-01	Electrical Safety and EMC	Electrical / Electronic Appliances - TC 143307-01, List (2)	IECEE CB Scheme, or GCC GSO Notified Body Report - Annex 4, or ISO / IEC 17025 Report*	IEC CB Test Report and CB Certificate and G Mark Type Examination Certificate	No G Mark Type Certificate Only	Yes
MA-155-16-03-04	Electrical Safety	Electric Self-balancing Boards (Scooter)	Testing to ISO and SASO IEC / EN Standards and Annual Factory Inspection	ILAC ISO / IEC / EN 17025 Test Report and CIG 022 Factory Inspection Report	Yes	Yes
MA-156-16-03-04	GAS Safety	Gas Appliances and Accessories	Testing to ISO, SASO and EN Standards and Annual Factory Inspection	ILAC ISO / IEC / EN 17025 Test Report and Factory Inspection Report SASO Quality Mark	No SASO QM	Yes
MA-156-16-03-05	Energy Efficiency	Variety of Equipment AC up to 65,000 BTU, AC over 65,000 BTU, Refrigerators up to 1100 L (39 ctf), Freezers up to 850 L (30 ctf), Washing Machines up to 25 KGS, Lighting Products Parts 1 & 2, Electric motors, Fuel economy for new vehicles, Tires, Clothes Dryers, Water Heaters	Testing to SASO EER Standards	ILAC ISO / IEC 17025 Test Report, SASO energy labelling Requirements	No SASO EER	Yes

SALEEM Technical Regulation	Product Application	Product Scope	Conformity Approach	Conformity Requirements	PCoC Required	SCoC Required
MA-162-17-04-03	Electrical & Mechanical Safety	Electric Vehicles	Testing to ISO, IEC, SASO Standards	ILAC ISO / IEC 17025 Test Report	Yes	Yes
MA-161-17-07-05	Electrical, Mechanical and Load Safety	Electric elevators used in buildings and installations	Site Inspection to ISO & SASO standards	ILAC ISO / IEC 17020 Inspection Report	Yes	Yes
MA-165-18-04-03	Electrical, Mechanical Safety and EER	Small-Solar Photovoltaic Systems	Testing to ISO, IEC, EN & SASO Standards	ILAC ISO / IEC 17025 Test Report	Yes	Yes
Technical Regulation for SASO Recognition Certificate (RC)	Electrical Safety	Variety of Equipment Mobile Phone devices, Chargers for Mobile Phones, Household/domestic Electric pumps, Car chargers for mobile phones, Wireless chargers for mobile phones, Power bank, Mobile phone batteries, Laptops and Tablets, Smart watches, Smart band, Television and Display monitors, Dishwashers, Wireless headphone, Earphones and similar products, Laptop chargers (Electric transformer for Laptop), Lighting Products – Parts 1 & 2	IECEE CB Scheme	IEC CB Test Report and CB Certificate	No SASO RC Only	Yes
MA-166-18-04-01	Electrical Safety	Electrical Batteries (2 main categories are Auto batteries and portable batteries)	Testing to ISO, IEC, SASO Standards	ILAC ISO / IEC / EN 17025 Test Report and Factory Inspection Report	Yes	Yes

Export of Cosmetics and Perfumes to Saudi Arabia requires a Certificate of Conformity for Customs clearance issued by third party under supervision of SFDA.

The Saudi Food and Drug Authority has appointed third party to provide Conformity Assessment Services for exports of these products to the Kingdom.

Products shall demonstrate full compliance to SFDA requirements: compliance to GSO 1943, eCosma notification, tamper proof packaging for intimate and oral hygiene products, specific labeling for vials & ampoules.

- 10.2.6 UAE

ESMA is implementing the Emirates Conformity Assessment Scheme (ECAS) and the Emirates Quality mark (EQM). Under this scheme, local and imported products are verified for compliance against National Standards.

The ECAS prescribes requirements for quality and safety for regulated products including Cosmetics, Perfumery and Personal Care Products Electrical, Electronic, and Gas Appliances, Machinery, Automotive, Building and Construction and Food designated for consumer use. The ECAS certificate is proof that the product has been approved by the UAE Federal Government through ESMA.



The EQM is a full assessment scheme and quality mark licensing program implemented by ESMA. The EQM is an approved mark of quality issued for product that can demonstrate compliance to the relevant UAE technical regulations and standards, typically regional and/or international standards, adopted as national standards, and are manufactured by an organization implementing Quality Management System ensuring continuous compliance.

Notified Body for Low Voltage Equipment (LVE), Energy Efficiency Standards Labelling (EESL), lighting regulation, regulation for restriction of hazardous substances (RoHS) and equipment used in explosive atmospheres (ECAS Ex), Cosmetics, Perfumery and Personal Care Products (TR UAE GSO 1943) and is authorized to issue the mandatory Certificate of Conformity and/or Quality Mark on behalf of ESMA.

The Gulf Region is seeing a major increase of new mandatory regulatory conformity assessment systems introduced and adopted by the Gulf Co-operation Council (GCC) countries, including the Gulf conformity Mark (G mark).

The United Arab Emirates (UAE) Government introduced mandatory regulatory control measures in 2015 for electrical and mechanical safety, energy efficiency, and environmental requirements under a national program called the Emirates Conformity Assessment System (ECAS). In 2016, the UAE Government announced, through Cabinet Resolution No. 35 that the ECAS program would be outsourced to third-party Conformity Assessment Bodies (CABS) to conduct the conformity assessment process and issue product safety certification.

The ECAS program scope includes multiple industry sectors from Electrical, Electronic, and Gas Appliances, Machinery, Automotive, Building and Construction, Cosmetics, and Food in the form of issued technical regulations, under the ECAS banner and regulated by the appointed government body, Emirates Authority for Standardization and Metrology (ESMA).

Third party assessment is required for the issuance of ECAS Certificates for the following scope:

- Low Voltage Equipment (LVE)
- EESL (Energy Efficiency Standardization and Labeling)
- Petroleum products. (Diesel, Lubricating oils)
- Perfumes.
- Cosmetics
- Tobacco (Cigarettes, Dokhan, E-Cigarettes)
- Tobacco labeling.
- Detergents
- Restriction of Hazardous Substances (RoHS)
- Food Contact Materials (FCM)
- Industrial Measurement System (IMS)
- Laser Products

If the products are deemed to comply with the ECAS requirements, ESMA issues an ECAS Certificate of Conformity. Ports and custom departments would only allow imported products with an ECAS Certificate of Conformity to enter the country and be distributed onwards.

It is not in scope of this study to present the requirements of ECAS certification for all products. Therefore, a single product area has been selected - cosmetics - where the process is briefly described:

Process of ECAS certification of cosmetics

All cosmetics, perfumery and personal care products to be distributed in the UAE need to go through the ECAS in order to get a Certificate of Conformity that is mandatory for customs clearance and for placing the products in the UAE marketplace.

Without such certificate of conformity, any shipments of products that arrive to the UAE customs will be rejected, causing delays in goods clearance, penalties or shipments being returned to the country of origin. With respect to locally manufactured products, unregistered products may be withdrawn from the market, confiscated, destroyed and fines may be imposed.

There are several agencies approved by ESMA (e.g. Intertek) to handle companies' applications through the ECAS, take care of the conformity assessment and issue the mandatory Certificate of Conformity for cosmetic and perfumery products.



The process for obtaining a certificate of conformity is as follows:

1. Registration of the applicant on the ESMA website
2. Submission of the application form together with the qualifying documents[10]
3. Conformity assessment of the product with the requirements of the approved standards by ESMA or recognized conformity assessment bodies

If the products comply with the requirements, the products are registered on the ESMA portal and ESMA issues an ECAS Certificate of Conformity, upon payment of the applicable official fees. The ECAS Certificate of Conformity constitutes evidence that the product has been approved by the UAE Federal Government through ESMA. It shall be valid for one year and shall be renewed at least one month before the end of validity. The Municipality may request other documentation, on a case by case basis.

If an International company wants to market its products in the UAE and register its products in ESMA it must choose one of the following approaches:

1. It can establish a local branch/entity in the UAE. The UAE entity importing and distributing the products into the UAE may be a company incorporated onshore with up to 49% foreign ownership. The UAE Commercial Companies Law requires companies incorporated under such law to have at least 51% of share capital owned by UAE nationals. As a result, any company established in the UAE onshore is required to have one or more UAE partners holding at least 51% of the share capital of the company.
2. It is also possible to incorporate a company in a free zone (offshore), whereby 100% foreign ownership is possible. However, there are several considerations that need to be considered before setting up a company in a free zone. The main disadvantage is that a company established in a free zone is restricted from doing business outside the free zone. As a result, if the UAE entity is importing the products into a free zone; a local distributor will need to be appointed onshore for the purpose of distributing the products. However, this is something for international companies to consider, as the registered importer could be the free zone entity, which allows the international company to retain control over the importation of its products at least.

The purpose of Cosmetic product registration is to ensure the compliance of personal care products, cosmetics and perfumes to the conditions and specifications of the permitted standards, and thus allowing traders, producers and importers of cosmetics, personal care products, and perfumes to avoid the rejection of their shipments that arrive to Dubai's ports or avoid withdrawal of their products from the domestic market.

All cosmetics, perfumery and personal care products to be distributed in the UAE need to go through the ECAS in order to get a Certificate of Conformity that is mandatory for customs clearance and for placing the products in the UAE marketplace.

Without such certificate of conformity, any shipments of products that arrive to the UAE customs will be rejected, causing delays in goods clearance, penalties or shipments being returned to the country of origin. With respect to locally manufactured products, unregistered products may be withdrawn from the market, confiscated or destroyed (in addition to penalties).

There are a number of agencies approved by ESMA to move companies' applications through the ECAS, take care of the conformity assessment and issue the mandatory Certificate of Conformity for cosmetic and perfumery products.

The process for obtaining a certificate of conformity is as follows:

- Registration of the applicant on the ESMA website
- Submission of the application form together with the qualifying documents
- Conformity assessment of the product with the requirements of the approved standards by ESMA or recognized conformity assessment bodies

If the products comply with the requirements, the products are registered on the ESMA portal and ESMA issues an ECAS Certificate of Conformity, upon payment of the applicable official fees. The ECAS Certificate of Conformity constitutes evidence that the product has been approved by the UAE Federal Government through ESMA. It shall be valid for one year and shall be renewed at least one month before the end of validity.



Registered products are subjected to periodic review and market surveillance by ESMA to ensure that products are consistently complying with the applicable technical regulations.

- 10.3 Conclusion – conformity assessment

The burden of proof that is either imposed on the company that wants to export to one or more GgCC countries or must be lifted by the local importer can be crucial for a market to be attractive to penetrate. Costly, bureaucratic, and time-consuming procedures can deter companies from entering a new market and thus contribute to increased competition, lower prices, and better quality.

The review of the rules and procedures clearly shows that at present remains a high degree of diversity in the region. This is the case even though the instruments used in the individual countries have many common features. In Saudi Arabia, two certificates are required, Product Certification of Conformity (PCoC) and Shipment Certificate of Conformity (SCoC), where the first one can be reused for one year while the second certificate is issued for each delivery. In Kuwait, a Technical Inspection Report (TIR) and a Technical Evaluation Report (TER) are issued. The TER confirms that the products comply with the relevant Kuwait technical regulations and the approved international / regional / national standards. The TIR confirms that the goods comply with Kuwaiti importation regulations. UAE has introduced the ECAS conformity assessment scheme which is quite comprehensive and also bureaucratic and resource-intensive. Also, Qatar and Bahrain have their own conformity assessment systems which have the same purpose – assurance of safe products on the market – but still are different.

For companies that want to export to these countries, this means in practice that certificates and documentation must be issued for each country. This is costly and the cost will most likely be reflected in the price for the user or consumer.

It could be considered by the GCC members to introduce self-declaration as it is known from the EU. However, it shall be ensured that the framework regulation is suitable. In Europe it is the manufacturer, who has the full responsibility for products placed on the market. This is the same no matter if it is a high risk or low risk product. If the GSO countries allows self-declaration of low-risk products it is important that the product liability legislation allows it. This requires more research, and it is out of the scope of this report.

The six GCC countries have the obvious advantage that they share language, culture, climate and religion and they should have so many requirements in common that harmonization can be implemented with administrative savings and lower prices as a result. Overall, it seems that this is the area where harmonization will have the greatest positive trade effect for companies exporting to the GCC region. At the same time, harmonization will support trade in the region and there should be some savings in implementing similar systems.



- 11. Case studies

In this chapter different cases are presented based on inputs from the private sector.

- 11.1 Food industry

“A major European food group that primarily exports milk (long life), butter and cheese products to the GCC region has stated that the regulation of their products is primarily based on common GSO technical regulations. In some cases, there is national regulation of specific areas but the deviations from the regional regulation are very small and it is primarily in Saudi Arabia and Qatar that national legislation exists.

Legislation in the GCC countries is based primarily on standards published by the Codex Commission as well as the regulation in Europe and the United States. In some cases, this regulation is supplemented by requirements for Halal certificates for animal products or animal derived products.

In a few areas, the legislation in Saudi Arabia and Qatar deviates from the International standards with regard to shelf life. Here, extra strict requirements are set for the products' shelf life, which requires that companies exporting to these countries prepare special documentation for these two markets. Therefore, companies incur additional costs. Furthermore, the transportation time from Europe to the Gulf region reduces the timeframe when the product can be sold. Thus, in practice healthy products must be thrown out. The justification for this deviation from international practice is difficult to understand.

- 11.2 Cosmetics

No cases identified

- 11.3 Electrical products

A large international company that produces circulator pumps, immersible pumps, groundwater pumps etc. sells its products in all GCC countries. The company states that in Saudi Arabia, their products are required to be accompanied by a CB Certificate. *The IECEE CB Scheme is operated by the IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components (IECEE). The IECEE CB Scheme is an international system for mutual acceptance of test reports and certificates dealing with the safety of electrical and electronic components, equipment and products.*

This requirement for CB in Saudi Arabia is usual for smaller products used by consumers, for example, circulation pumps for heating systems in private residential houses. In Saudi Arabia, however, there is also a requirement for CB certificates for large pumps, which entails additional costs and at the same time the IECEE CB Scheme is not suitable for products used in industry. The requirement for a CB certificate testifies that the authorities do not have a full understanding of when a certification brings added value in the form of documentation of safety, quality, and consistency.

The same company pointed out the inconvenience of the UAE working to implement legislation similar to the European Union REACH (Registration, Evaluation, Authorization and Restriction of Chemical substances), adopted to improve the protection of human health and the environment from the risks posed by chemicals. Unfortunately, the UAE requires extensive involvement of 3rd parties, which results in extra administrative burdens and costs for the companies. Similarly, the UAE implements a piece of legislation with the same scope as the European ROHS (Restriction of Hazardous Substances) directive, which restricts the use of hazardous substances in electrical and electronic equipment. Unfortunately, the EU legislation has been interpreted in a way that differs from the EU's interpretation and modified by the UAE in the national legislation, which means that the manufacturers are confronted with extra costs and documentation requirements for issues that are already well documented for the EU market without use of external conformity assessment bodies.

- 11.4 Motor vehicles

No cases identified

- 11.5 Machinery

No cases identified

- 12. Motor vehicles

- 12.1 UNE ECE system – the Agreements

The United Nations Economic Commission for Europe (UNECE) is one of the five United Nations regional commissions, administered by the Economic and Social Council (ECOSOC).

Under the UNECE umbrella, there is UNECE World Forum for Harmonization of Vehicle Regulations (WP.29), which is the worldwide regulatory forum in which relevant stakeholders from the world are



participating. Three UN Agreements, adopted in 1958, 1997 and 1998, provide a legal framework allowing Contracting Parties to establish internationally harmonized regulatory instruments concerning the certification of motor vehicles, their equipment and parts, and rules for technical inspections of vehicles in use. The regulatory framework developed by the World Forum allows the mass market introduction of innovative vehicle technologies, while continuously improving global vehicle safety, energy efficiency and environmental performance.

Countries joining the World Forum benefit from a global platform where state-of-the-art technical regulations are discussed and adopted, reducing the administrative burden for contracting parties, and offering harmonized technical specifications for faster deployment of vehicle technologies aiming at achieving sustainable mobility.

The 1958 Agreement provides the legal and administrative framework for developing harmonized technical UN Regulations on uniform performance requirements, for procedures for granting type approvals, for the conformity of production, for the assessment of technical services and their designation and notification, for the circulation of UN type approval documentation, for resolving issues of interpretation, for general conditions in virtual test methods, for exemption approvals in new technologies, and for the mutual recognition of the type approvals granted by Contracting Parties. When acceding to the Agreement, a Contracting Party can choose which, if any of the UN Regulations annexed to the Agreement it would like to apply. At the time of publication, the 1958 Agreement has 56 Contracting Parties, of which 41 are European ECE member countries (none of the GCC countries are Contracting Parties). The Agreement has 149 UN Regulations annexed to it. These UN Regulations govern all categories of road vehicles, and non-road mobile machinery and their equipment and parts and have been adopted in varying degrees by the Contracting Parties. The 1958 Agreement provides for mutual recognition of approvals, which is an important feature for the cross-border trade of motor vehicles.

Any country that accedes to the 1958 Agreement has authority to test and approve any manufacturer's design of a regulated product, regardless of the country in which that component was produced. Each individual design from each individual manufacturer is counted as one individual type. Once any acceding country grants a type approval, every other acceding country is obliged to honor that type approval and regard that vehicle or item of motor vehicle equipment as legal for import, sale, and use.

A Contracting Party to the 1958 Agreement can sign the UN Regulations in which it is interested, but it is not an obligation. It may even not adopt any of the UN Regulations.

The 1997 Agreement allows Contracting Parties to establish UN Rules for the periodic technical inspections of vehicles in use. The Contracting Parties reciprocally recognize the international inspection certificates that were granted according to the UN Rules annexed to the Agreement. The 1997 Agreement currently has 15 Contracting Parties. Currently, none of the GCC countries are contracting parties to the 1997 Agreement.

The 1998 Agreement stipulates that Contracting Parties establish, by consensus vote, United Nations Global Technical Regulations (UN GTR) in a Global Registry on globally harmonized performance requirements and test procedures. Each UN GTR contains extensive notes on its purpose and development. The technical rationale, the research sources used, the cost and benefit considerations, and the references to data that were consulted are recorded. Contracting Parties apply their national rulemaking procedures when transposing UN GTRs into national legislation. The 1998 Agreement currently has 38 Contracting Parties and 20 UN GTRs established in the Global Registry.

The 1998 Agreement establishes a process by which countries from all regions of the world can develop UN GTRs jointly on safety, environmental protection systems, energy sources and theft prevention of wheeled vehicles, equipment and parts. The equipment and parts cover, but are not limited to, vehicle construction, exhaust systems, tires, engines, acoustic shields, anti-theft alarms, warning devices and child restraint systems.

The goal of the 1998 Global Agreement is to continuously improve global safety, decrease environmental pollution and consumption of energy and improve anti-theft performance of vehicles. Unlike the 1958 Agreement, the 1998 Agreement does not provide for mutual recognition of approvals, thus, allowing countries which are not ready or are unable to assume the obligations of reciprocal recognition to effectively engage in developing UN GTRs, regardless of these countries type of compliance or enforcement procedures. None of the GCC countries are contracting parties to the 1998 Agreement.



- 12.2 Non-UNECE countries

Any country member of the United Nations and any regional economic integration organization set up by member countries of the United Nations, may participate, fully or in a consultative capacity, in the activities of WP.29 and become a Contracting Party to the Agreements administered by WP.29.

The official process for becoming a participant is simply to send a letter signed by the authorized official of an interested country or regional economic integration organization (REIO) notifying the secretariat of WP.29 of the desire of that country or REIO to send representative(s) to the meetings and to participate in the activities of WP.29.

Currently none of the GCC countries have applied for participation in full or consultative capacity. It means that motor vehicles and other parts covered by the WP.29 Agreements are regulated entirely by the national authorities in the GCC countries. Only Egypt is a contracting party.

- 12.3 UNECE and EU regulations

In the framework of the United Nations' Economic Commission for Europe (UNECE) in Geneva, WP.29 is developing the Regulations under the 1958 Agreement. If a Contracting Party (C.P.) decides to apply a UN Regulation, it becomes mandatory. A C.P. that has adopted a Regulation under the 1958 Agreement is allowed to grant type approvals pursuant to that Regulation and is required to accept the type approval of any other C.P. that has adopted the same Regulation.

EU legislation largely refers to the requirements of the corresponding UN Regulations.

The UN Global Technical Regulations (GTR) are the technical regulations being established under the 1998 Agreement and do not refer to a type approval or certification procedure.

- 12.4 Standards/specifications

The development, harmonization, or amendment of the technical requirements of UN Regulations follows a common process which is similar to the standardization process conducted by the international standardization bodies. It encompasses proposal, development, reviews, and adoption of the recommended UN Regulation.

As regards the adoption it is the single member who decide whether the regulation shall be made mandatory.

- 12.5 UNECE standards in the GCC countries

As stated above, only the contracting parties are obliged to follow the technical regulations developed within the framework of WP.29. In addition, even if a country has the status of a contracting party, it can still decide for itself which technical regulations it will adopt.

A direct inquiry to the UNECE Secretariat regarding the GCC countries' participation in the work of WP.29 gave a similar picture for all 6 GCC countries as shown in the matrix below.

Table 7: Overview of the GCC countries' participation in the UNECE WP.29 work

Country/Questions	Status in the WP.29 system	Signatory to the three Agreements	Adoption of the GTRs under WP.29	All regulated on national or regional level?
Saudi Arabia	Participant, as UN Member State	No	No	GCC
UAE	Participant, as UN Member State	No	No	GCC
Kuwait	Participant, as UN Member State	No	No	GCC
Oman	Participant, as UN Member State	No	No	GCC
Bahrain	Participant, as UN Member State	No	No	GCC
Qatar	Participant, as UN Member State	No	No	GCC

Source: UNECE secretariat



By standing outside the work on UN Regulations with provisions for vehicles, their systems, parts and equipment related to safety and environmental aspects the GCC maintains the sovereign right of self-regulation of this important area of trade with the EU. If the GCC countries joined the work on an equal footing with other contracting parties, it would of course contribute to a smoother trade in this sector.

Until the GCC countries join the UNECE work, GSO has been assigned the responsibility to issue Gulf Technical Regulations that define most of the required safety requirements to automotive products. In addition, GSO is responsible for implementing the System of Gulf Conformity Certification for automotive products and tires to ensure that manufacturers are complying with those Gulf Technical Regulations.

So far, GSO issues Gulf Technical Standards and Technical Regulations for automotive and their accessories. These standards require the manufacturers to strictly comply with safety requirements either for the automotive body or for their systems and accessories. These standards also set an upper limit for the gaseous pollutants emitted from the vehicles in an endeavor of protecting the environment in the Gulf Region.

GSO ensures the enforcement of these regulations via the application of Gulf Conformity Certification System. The system requires the manufacturing company to submit to GSO a Signed Declaration of complete conformity certificate complying with the relevant Gulf Technical Regulations. GSO will authenticate this declaration after examining the test data of type required to be placed on Gulf Region Market before starting production. If needed, GSO personnel may witness some of the testing, especially impact testing. They may visit the production lines to ensure the quality assurance system used. Many of those visits have been carried out by delegations of GSO personnel and GCC member states experts to many automotive manufacturers in different sites in the world.

- 12.6 Conclusion – motor vehicles

The UNECE World Forum for Harmonization of Vehicle Regulations (WP.29) is a worldwide regulatory forum within the institutional framework of the UNECE Inland Transport Committee, based on three UN Agreements, adopted in 1958, 1997 and 1998. The UN Regulations developed under WP.29 contain provisions (for vehicles, their systems, parts and equipment) related to safety and environmental aspects.

The GCC countries stand outside this cooperation and have their own conformity assessment procedures enforced by GSO. This does not facilitate cross-border trade and it is difficult to see what the countries achieve by not becoming signatory members of WP.29.



- 13. Key recommendations

For the GCC:

Adopt GSO standards as national standards in all GCC states. Since GSO became operational in 2004, it has adopted more than 20,000 International standards as regional GSO standards. It is an obligation for the GSO member organizations that they adopt these standards as national standards and at the same time withdraw conflicting national standards. Only two of the member organizations, Bahrain and Oman, have fully lived up to this obligation. Based on the successful implementation of the Single Market in Europe where the free movement of goods is heavily supported by a common portfolio of European standards, it is highly **recommended** that the members of GSO take responsibility for adopting the GSO standards, which will facilitate the intra-GCC trade as well as the trade with partners outside the GCC region.

Phase out national conformity assessment schemes which overlap with the G Mark. The Gulf Conformity Marking (G Mark) is intended to replace all current national compliance systems to reduce technical barriers, facilitate and encourage free movement of goods among the GCC countries and strengthen regional economic strategy policies. It takes time to roll out such a regional conformity assessment scheme and the process in the GCC is currently delayed. The individual member states have not yet clarified how G marking will be implemented, so it is recommended by conformity assessment bodies in the region to comply with the current certification scheme in each target market in addition to adding G-Marking. This is a very significant extra burden for the businesses without any added value to the users or consumers of products with a G Mark. It is strongly **recommended** that all member states phase out the national conformity schemes which overlap the G Mark so that the full effect of the harmonization is achieved.

Reconsider the necessity of reduced shelf life for long life products. Food products shelf time is one of the instruments to ensure the health and safety of the consumers. Therefore, it is an area which is given priority in the scientific committees setting the international standards. In some of the GCC member states the shelf time for long life products has been further reduced with the justification of the population's health. The intention of this deviation from international practice is commendable but the consequence is that the goods have a very short time on the shelves as a transport time must be included when shelf time is calculated from the time of production in Europe or other places. As highlighted in the case study of a European dairy exporter, this represents a barrier to trade for international companies. Moreover, the shortened shelf life results in increased waste and thus increased costs that can hardly be justified by health considerations as the rest of the world follows international standards. Therefore, it should be **considered** whether the reduced shelf time for long life products is needed.

Harmonize procedures in connection with control of imported products. A review of the procedures, approvals, and registrations required makes it clear that all GCC countries have their own national rules and requirements. These also materialize in the form of database registrations; requirements to become member of the local chambers of commerce, issuance of health certificates or "no objection" certificates, and obtaining GSO certificates for cars or test reports from specific laboratories in the importing country. In addition, in Saudi Arabia, Product Certification of Conformity and Shipment Certificate of Conformity must be issued as well as registration in the SABER database. What all procedures, rules and requirements have in common is the overall objective: to protect the health and safety of the users and consumers. The G marking is a step in the right direction, but it is recommended to develop common – or at least mutually recognized – conformity assessment procedures for the region to facilitate the cross-border trade. Such a project could be inspired by the European modular conformity assessment system which has been shown to work well.

Become signatory members of the 3 agreements under UNECE WP.29. UNECE World Forum for Harmonization of Vehicle Regulations (WP.29) is the worldwide regulatory forum in which relevant stakeholders from the world are participating. Three UN Agreements, adopted in 1958, 1997 and 1998, provide a legal framework allowing contracting parties to establish internationally harmonized regulatory instruments in the form of standards concerning the certification of motor vehicles. The regulatory framework developed by the World Forum allows the mass-market introduction of innovative vehicle technologies, while continuously improving global vehicle safety, energy efficiency and environmental performance. The system has proved to work well, and all larger economies are signatory members of WP.29. Therefore, it is difficult to see what are the benefits to the populations of the GCC countries in staying on the sideline of the WP.29 cooperation and have a regional certification scheme which is



based on UNECE standards but entails additional costs without correspondingly higher security for users. It is therefore recommended that all GCC countries become signatory members of WP.29.

Harmonize cosmetic product notification. The individual GCC countries have implemented legislation in the field of cosmetics, which in many respects is the same as in the EU. However, there are special requirements that typically stem from religion or cultural traditions. The countries also have in common that cosmetic products must be registered in registers in the individual countries. It is recommended that this registration is combined into one common registration body instead of separate ones for each country. This would allow international cosmetics companies to only have to register their products once in connection with the launch of new products.

Make reference to GCC standards as providing for presumption of conformity with technical regulations. There are various ways to refer to standards in technical legislation. In the GCC countries, there is a widespread use of direct reference to standards, making them mandatory. This practice requires that the underlying standardization work is monitored constantly, otherwise there is a risk that the referred standards have been withdrawn, revised or are obsolete. In Europe, an indirect reference is used to the standards that remain voluntary. Only the essential safety requirements for the product areas (e.g. toys, machines, pressure equipment) must be respected by the manufacturers and the standards are used to demonstrate compliance with the requirements of the law for a specific product. By referring to standards, technical regulation can be updated without the legislature having to withdraw and replace legislation. It is recommended that a model similar to the European one is introduced in the GCC countries.

Foster mutual recognition of technical regulations and conformity assessment procedures between GCC Members in areas that are not harmonized at GCC level. It is recommended to establish a mechanism which facilitates mutual recognition in areas where technical regulations and conformity assessment procedures provide for equivalent level of safety and achieve the same regulatory objectives. In addition, products imported to one GCC country should benefit from this mutual recognition.

Recognise for the purposes of compliance with GCC countries technical regulations certificates issued by EU conformity assessment bodies accredited by European Accreditation (EA).

Promote use of international standards as basis when preparing national technical regulations and conformity assessment procedures, and consider using as inspiration EU technical regulations when preparing national technical regulations, avoiding unnecessary differences.

Enable continuous consultation through an online platform. In the context of the rapid changes and updates of the adopted schemes in the Gulf region, the EU is recommended to provide a platform, online gate or website for companies ambitious to enter the GCC market. The platform should list the access tips to reflect the rapid updates for the technical regulation, essential requirements, and CA schemes. It is recommended that the platform is classified by product categories and on the next level the target market. It should list the required documents to apply for conformity certificates as well as explain the process of obtaining them and the responsibilities of all parties involved.

For the EU:

Encourage European third parties notification. Encourage accredited ISO 17065 notified Product certification bodies to prioritize and swiftly apply for GCC NSBs and GSO notification system as per the published procedure. The procedure description can be downloaded free of charge from the GSO website. It describes the procedure to issue the needed product conformity certificates and for each individual market intended to be accessed by EU manufacturers.

This notification will help European economic operators to easily reach the conformity assessment bodies to issue the needed certificates before shipment.

Foster harmonization in collaboration with GSO. Harmonization should be fostered in form of discussions and agreements to accept the EN standards as reference testing standards for the testing schemes adopted and implemented by third parties in the GCC Member States. Currently, for GCTS system, the applicants can only submit test reports with the IEC and GSO testing methods and reference standards while test reports for the EN standards are rejected.

Conduct a more comprehensive study of the quality infrastructure system and technical regulations in the GCC and their impact on trade. This policy paper has shown that despite close



cooperation under the auspices of the GCC and the GSO, there are a number of areas where further harmonization of, in particular, technical regulation and conformity assessment schemes could contribute to smoother trade between both the GCC countries and the outside world. With the limited resources that have been the basis for the preparation of this policy paper, it will be risky and insufficiently documented to make very concrete proposals for how a harmonization could be organized or propose concrete measures. Instead, it can strongly be recommended to the EU Commission or EU Delegation to initiate an in-depth study of areas where the potential for creating technical barriers are the biggest. Especially technical regulations and mandatory conformity assessment requirements should be given priority in such a study. As the present study focuses on existing technical regulations in the GCC, further research could also look into the process of adopting new technical regulation in the GCC countries and identify whether there is a need for a more systematic introduction of new technical regulations including more effective consultation with the private sector.

