Challenges in applying SEA to assess applications for authorisation and restrictions, how would the system function without SEA?

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WS on socio-economic analysis in applications for authorisation and restrictions under REACH

29 June 2016 Brussels

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Can the system function without SEA?

- Although an integral part of REACH, can we imagine an authorisation or restriction process without SEA?
- No, for many reasons
  - Only hazard based decision making without estimating the impact on society and the market
  - No possibility for a decent decision making on economic feasibility nor on technical feasibility
  - The analysis of alternatives would be biaised and regrettable substitution may take place
  - No cost benefit analysis, hence no evaluation whether the proposal is achieving the objectives in the most cost effective way

What can be done to improve and facilitate SEA?

- The non-use scenario is still open for a lot of discussions
- Industry leaving EU, when can this be credible?
- Impact on leaving the EU and introducing a restriction and how to enforce it decently?
  - Timing OK?
  - Scope OK?
  - Enforcement possible?
  - How to protect EU manufacturing respecting EU rules from non-EU manufacturers probably not respecting all the rules

What can be done to improve and facilitate SEA?

- How to differentiate between the impact on global players versus SME's acting locally? Authorisation touches potentially every company, but are they all equilly armed?
- How to get data (for authorities to make proposals for restrictions) and how to verify them (in case of applications for authorisations?
- How to get more out of public consultations?
  - Many authorisations and restrictions have really downstream consequences, do we reach them enough and are they knowing what is expected?
  - Do we reach them in a timely manner

What can be done to improve and facilitate SEA?

- Analysis of alternatives
  - How to judge between two opposite statements?
  - What kind of information could be helpful to give trust that the proposed alternative is indeed an alternative (for the applicant)
  - What with confidentiality? If it is so confidential and hence maybe not even patented, can this be considered ad being on the market in sufficient quantities? On the other hand new uses for existing substances, not fully in place and known may be valuable alternatives and how to protect these innovators?

What can be done to improve and facilitate SEA?

- The man via the environment remains an important issue
  - Even in cases where the gut feeling is clear that workers are the concerned group, the men via the environment route is in many cases overruling the outcome. This may be due to different degrees of uncertainty that have been influencing the assessment factors. It requires further activity.

The way forward?

- We clearly need SEA both for authorisations as for restrictions
- There is clearly place for progress
- NeRSAP looks the most suitable « laboratory » to try things out, and we look indeed for more participation from NGO's in this activity


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