European Commission

Role of SEA & SEAC opinions in authorisation decisions & restrictions

Workshop on Socio-economic analysis in applications for authorisation and restrictions under REACH

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Manol BENGYUZOV
EUROPEAN COMMISSION
DG GROW

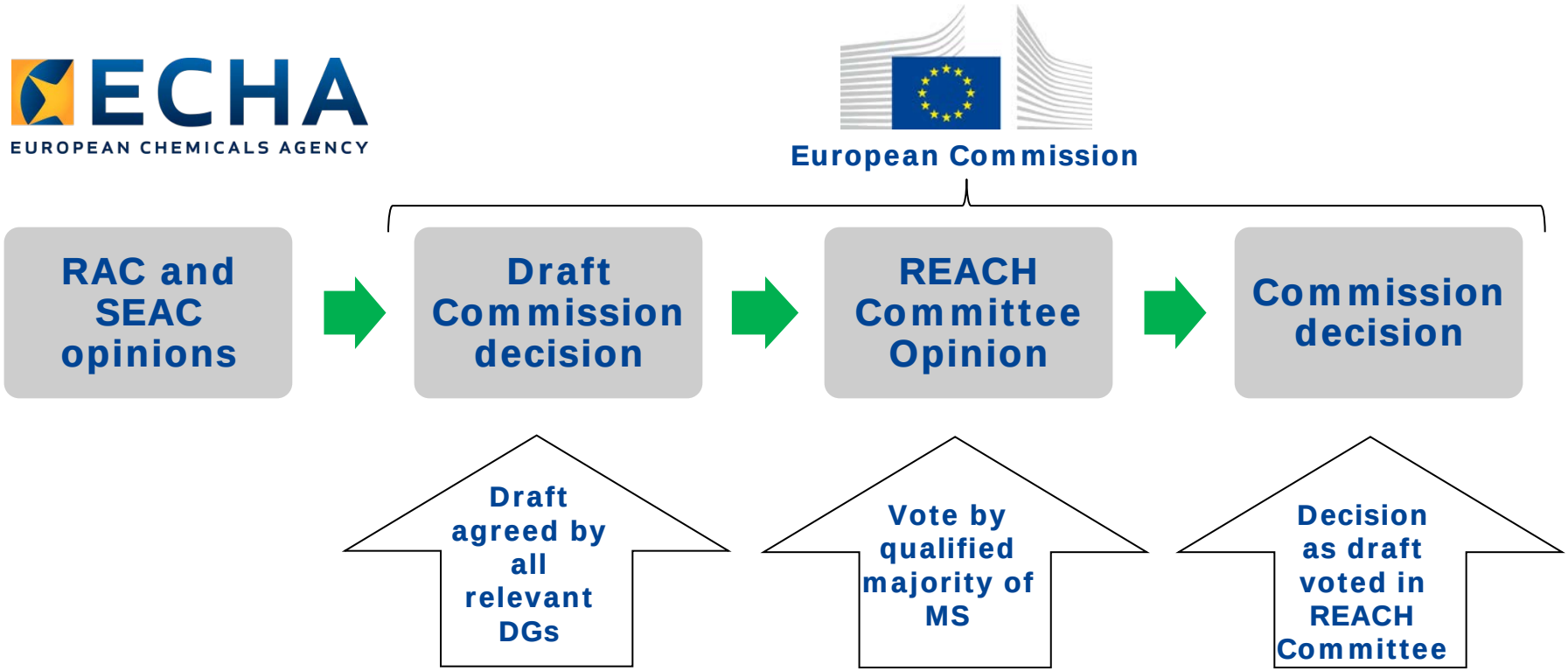
SEA & SEAC Opinions

- WHAT & WHY
- HOW? & WHEN?
- Essentials
  - Evidence-based
  - Staying factual & within the remit
  - Clarity of conclusions & transparency of analysis
  - Completeness of analysis
  - Sound justifications, well-explained assumptions & uncertainties
  - Self-standing/self-explanatory documents
  - Presentation / communication

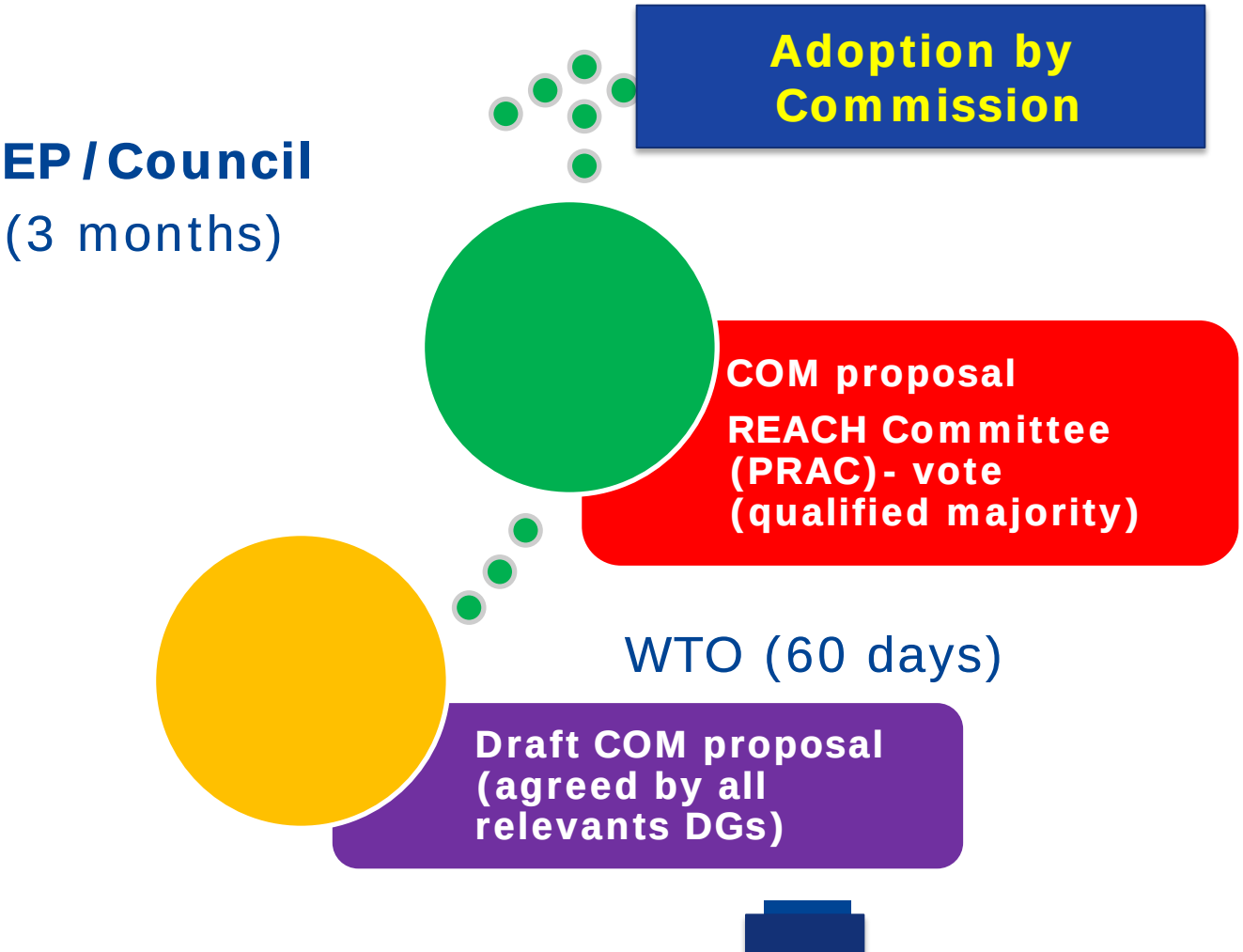
SEA & SEAC Opinions

- COM closely follows opinion-making
- Steps of the decision-making process
  - Co-responsibility of DG GROW and DG ENV (DG GROW in lead)
  - Joint drafting by a team: technical, economist, lawyer
  - Agreement b/n GROW and ENV
  - Consultation of the draft proposal with other COM services
  - REACH Committee discussion and vote
  - WTO consultation and EP/Council scrutiny
- SEA/SEAC opinions – used at all stages

The decision-making process AfA



The decision-making process
Restrictions



SEA relevance -Restrictions

COM drafting stage

- Standing of the Proposal
  - Most appropriate RMO
  - Costs vs benefits
  - Burden on affected parties
  - Affordability
- Shaping the proposal
  - Derogations
  - Transitional periods
- *Examples*

SEA relevance -Restrictions

After COM proposal

- REACH Committee
- WTO consultation
- EP/Council scrutiny

Worked well

- Advanced and mature process
- Improvements in structure, analysis, presentation

Challenges

- Recurring issues
- Insufficient information

SEA relevance -Authorisation

COM drafting stage

- Article 60(2)Decisions – 'adequate control'
  - Review period
- Art 60(4) Decisions – 'SEA route'
  - Benefits/Risks comparison
  - Review period
  - *Conditions & suitability of alternatives*

REACH Committee

EP/Council

Examples

SEA relevance -Authorisation

Worked well

- Improvements in structure, analysis, presentation since the first applications

Challenges

- Younger process & controversial expectations
- Uncertainties and accounting for uncertainties
- Broad scope: assessment vs conclusion
- Communication
  - of conclusions
  - of impacts (qualitative analysis>>quantification>>monetization)

Conclusion

SEA & SEAC Opinions

- Necessary for a well-informed decision-making
- The factual basis for the relevant parts of the COM proposals (Regulation/Decision)
- Evidence base and reference point during the whole decision-making process
- Informs but does not decide
- Challenges and possible improvements

Thank you for your attention!