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To: WHOM IT MAY CONCERN

REQUEST FOR SUPPORT TO EDA CONTRACT 16.ESI.OP.038 – STUDY ON REACH AND CLP IMPACT ON THE DEFENCE SECTOR

Dear Sir/Madam,

The European Defence Agency (EDA) has recently commissioned REACH Law Ltd. (www.reachlaw.fi) to conduct a study on “REACH and CLP impact on the defence sector” due to be delivered in November 2016. The purpose of this letter is to solicit your support for this study.

The objective of this study is to propose a way forward on REACH Regulation to the European Commission, EU Member States Ministries of Defence (MoDs) and defence industry, aiming for a win-win solution achieving both goals: high level of protection of health and the environment and, at the same time, enhancement of competitiveness and innovation of European defence industry.

The EU defence industry, strongly intertwined with most high tech EU industries in other fields (e.g. aerospace, electronics), is a leader in innovation and value added, providing high tech jobs of the knowledge economy targeted by the EU. However, EU defence industry is now facing the reality of trying to find short term substitutes allowing industry to cope with REACH Authorisation List (Annexes XIV) and Restricted (Annex XVII) substances constraints, at the most reasonable short term cost. This calls for measures to improve competitiveness and innovation, and questions are raised about how this approach adds to the protection of human health and the environment considering how Substances of Very High Concern (SVHC) are in fact used by the industry today. The impact of REACH on EU defence industry also has a direct impact on the EU Member States (MoDs), and could in the long run affect defence capabilities on both national and EU level. Hence, there is a need to identify the frequency and reality of actual risks of SVHCs used by EU defence industry and to propose a sustainable way forward to ensure both high level of protection of health and the environment and enhancement of competitiveness and innovation.

Therefore this study shall analyse the impact of REACH (along with similar issues raised for the CLP Regulation) on EU defence sector, and derive from such impact analysis and related results, a list of suggested evolutions of the REACH Regulation allowing it to cope with all of its goals in the defence sector and more generally the high tech sector (when intertwined with defence sector).

More specifically, the expected deliverables of the study are:

1. Impact analysis of REACH and CLP Regulations on EU defence sector, both industry and governments;
2. Practical proposals on improvements for the REACH and CLP Regulations and their current implementation regime, to serve as basis for EDA and its participating Member States' (pMS) input to the European Commission for the next REACH Regulation review and as suggestions for REACH evolutions beyond 2018.
3. Synthesis of information on impacts of other chemical regulations on EU Member States MoDs and defence sector (especially BPR, POP, ODS), and interactions with REACH and CLP, and a strategy (draft as a minimum) & proposals for improvements.

As part of the study related activities, the contractor REACH LAW Ltd. will be conducting consultation through different means (including interviews and questionnaires) with competent stakeholders, such as : European Commission, European Chemicals Agency (ECHA), Member States MoDs, Member States REACH Competent Authorities and, last but not least, Defence Industry stakeholders (AeroSpace and Defence Industries Association of Europe (ASD), National defence Industry Associations (NDIAs), potential selected individual major EU companies, individual major non-EU defence industries with business in EU and preferably international/globalised supply chains).

Since your organisation is considered as a relevant stakeholder, I would be particularly grateful if you could support and provide input to this study, by taking part in an interview, through filling questionnaire(s) and/or providing any other relevant information, as requested by the study contractor.

Should you have any questions or comments with regard to the study's objectives or approach, the contractor's Project Manager Mr. Tim BECKER (e-mail: tim.becker@reachlaw.fi, phone: +358 40 773 8143) will be happy to provide you with further information. Should you have any questions related to the EDA's role in the study, please feel free to contact the responsible EDA Policy Officer Costas TATAROGLOU (e-mail: costas.tataroglou@eda.europa.eu , phone: +32 (0)2 504 2949).

I would like to thank you in advance for any support you may be able to provide to this endeavour.

Yours faithfully,



Denis ROGER