

Accredited Stakeholder Workshop 2017

Proceedings
Brussels, 18 October 2017



18 October 2017

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1 Summary

Once a year, ECHA arranges a strategic workshop for its accredited stakeholder organisations to discuss topical issues and give recommendations for future improvements.

This year, the event focussed on three topics: feedback to ECHA's strategic priorities 2019-2023, ECHA's management of potential conflicts of interest and the Enforcement Forums' engagement with its stakeholders.

2 Participants

All of ECHA's 108 accredited stakeholder organisations were invited to the workshop. Altogether, 51 stakeholder representatives had registered for the event, but only 31 participated on the day. They came from 30 accredited stakeholder organisations, representing industry, civil society and academia.

The following directors participated from ECHA: Jukka Malm, Deputy Executive Director; Jack de Bruijn, Director of Risk Assessment; Leena Ylä-Mononen, Director of Evaluation and Christel Musser, Director of Registration. In addition, Bo Balduyck and Maciej Baranski participated as ECHA's experts and Tiiu Bräutigam, Adam Elwan and Hanna Torkkeli from ECHA's Communications Unit attended to facilitate the breakout groups and to take care of practical arrangements. Also five members of the Forum participated in the third session of the workshop.

A list of participants is available in Annex 1.

3 Content and conclusions of the workshop

The workshop's main aim was to receive feedback from stakeholders to ECHA's strategic plan for 2019-2023 and its three strategic priorities. In addition, stakeholders were asked for feedback to ECHA's policy of managing conflicts of interest and to the Forum's engagement with its stakeholders.

The participants had received in advance a draft strategy document (Annex 5) and the link to the current policy of managing conflicts of interest.

The day comprised interactive sessions which gave the stakeholders a possibility to openly express and discuss their views.

Opening

Christel Musset opened the workshop. She welcomed the participants, highlighted current hot topics for ECHA and gave a follow-up of last year's workshop. She mentioned how stakeholders' feedback to ECHA's success factors and measures to reach the 2020 sustainability goals had been incorporated to ECHA's draft strategic plan for 2019-2023.

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Leena Ylä-Mononen continued with an introduction to ECHA's draft strategy that was building on three strategic priorities:

1. Amplifying the identification and risk management of substances of concern
2. Making a difference in the safe and sustainable use of chemicals by industry
3. Maximising the use of data and competences for the benefit of human health and the environment

She highlighted the process behind the current draft and encouraged stakeholders to provide their views to the priorities – especially mentioning the challenges and benefits they see, potential support needs from ECHA and how stakeholders could contribute to the common goals.

The presentation is available in Annex 3.

Morning breakout groups

The discussions in the morning took place in three mixed breakout groups, each discussing one strategic priority. The stakeholders were shortly briefed about the main aims of each priority and were then asked to provide their feedback to the challenges, benefits and potential contributions.

1. Amplifying the identification and risk management of substances of concern (rapporteur: Laia Perez-Simbor, ETRMA)

Prioritising and addressing all high tonnage substances by 2020 continues to be the driving factor for ECHA's work. However, as the current REACH registration dossiers have quality and compliance deficits, continued efforts are needed to generate the required information, in particular on their long-term hazards, uses and presence in articles. The main areas of operation for ECHA are enhanced mapping and prioritisation of substances; inducing faster action by industry and concerted regulatory action.

The main findings of the discussion:

The main challenges / support needs identified by stakeholders

- Hazard and exposure data quality
- Big number of substances to manage
- Generation of data vs. animal testing
- Slow and resource intensive process
- Competitiveness vs. sharing data
- Buy-in from top management needed
- Criteria for grouping
- Transparency outside EU
- Lack of awareness on REACH inside and outside of EU
- Choosing right regulatory action inside/outside REACH
- Finding right digital solutions

Main benefits

- Predictability for industry (e.g.) focused research and development, substitution
- More trust from the public
- Reward proactive industries
- Faster, focused regulation and voluntary initiatives
- Platform for international regulation
- Safe and sustainable use across supply chain

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- Enhanced trade and harmonised import standards

Main contributions that stakeholders can make

- Respond to public consultations
- Multiply ECHA tools and services in layman formats (e.g. search for chemicals)
- Develop positive narrative on substitution
- Promote all aspects of substitution to members (e.g. long-term benefits vs time and resource spent)
- Include SVHCs early in your own supply chain
- Highlight good national practice in the Member States

2. Making a difference in the safe and sustainable use of chemicals by industry (rapporteur: Katy Taylor, ECEAE)

More and more companies will exercise their responsibility for the safe manufacture and use of chemicals through communication in the supply chain and through substituting harmful chemicals with safer alternatives. This is part of their investment in sustainable use of chemicals as a business and market asset. ECHA will promote this development as a catalyst and facilitator. Hereby the main areas of operation are support to supply chain communication, support to substitution and sustainable use of chemicals and a knowledge base on substances in articles.

The main findings of the discussion:

Challenges / needs

- Improve the quality of safety data sheets and make the information more useful for other legislation
- Improve the interplay with other legislation
- Information about substances in articles in long supply chains, also outside the EU
- Lack of harmonised enforcement
- Substitution takes time
- Limited resources and expertise available in especially smaller companies

Benefits

- Certainty
- Innovation
- Predictability
- Safer products
- Bringing EU standards to the world
- Linking sustainability to chemicals management

Contributions by stakeholders

- Helping to raise awareness
- Helping to analyse information, for example, understanding poison centre information
- Voluntary contributions by industry sectors
- Innovation prizes, concrete case studies to raise awareness
- Striving for more presence of downstream users in decision making

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3. Maximising the use of data and competences for the benefit of human health and the environment (rapporteur: Alain D'Haese, FEA)

The investments made to implement REACH, CLP, BPR and PIC regulations can benefit other pieces of legislation or policies related to chemicals' safety. The aim is that ECHA's information, knowledge and competences are used to support other pieces of EU legislation and policy areas related to the safe use of chemicals. The main action areas are synergies across new and existing legislative tasks and policies, use of data, information and knowledge on safe use of chemicals and strategic advice on chemicals at EU and international level.

The main findings of the discussion:

Challenges / needs

- Quality and consistency of data and its maintenance
- Confidentiality issues
- Missing data on uses
- Long-term predictability for the whole supply chain
- Understandability, right level of detail of the data
- Differences in expert evaluations (e.g. RAC and SCOEL)

Benefits

- Integration → e.g. safer workplaces
- Use by many different stakeholders
- Better risk management decisions
- Promote innovation and substitution, alternatives to animal testing
- Global: safer chemicals in third countries and safer imported products
- Facilitate enforcement
- Increase citizens' confidence

Contributions by stakeholders

- "We can use the data and raise awareness where to find it"
- "We already share standardised datasets"
- "We can provide socio-economic data"
- Using downstream user tools
- Develop downstream user tools, join ENES
- "We discuss with authorities for simpler extended safety data sheets"

As next step in the strategy process, ECHA will analyse the feedback received from the stakeholders in more detail. The revised strategy document will go to ECHA's Management Board meeting in December and it will be published on ECHA's website for public consultation in the first half of 2018. Finally, the Management Board will adopt the strategy in mid-2018.

Afternoon breakout groups

Conflict of interest management

Jack de Bruijn and Bo Balduyck gave a presentation about ECHA's current [way of managing conflicts of interest](#) and how the policy was applied when handling the glyphosate dossier.

The presentation is available in Annex 3.

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After the introduction, the participants continued the discussion in two breakout groups, giving feedback to ECHA on what in their opinion works well in the current way of managing conflicts of interest and what should be further improved.

In the break-out groups, stakeholders asked clarifying questions about managing conflicts of interest of family members; defining exclusion criteria on experts who have worked in industry before; about the duration of the cooling-off period of Committee experts and ECHA staff after employment; validations of the declarations of interest; exchange on the topic and comparison with other Agencies; selection of substances for risk management by the Member States and conflict of interest management in national authorities. The participants also highlighted the importance of reminding the outside world about the conflict of interest rules and the need for regular staff trainings. They gave feedback that ECHA was doing rather well when compared to other institutions, for example, the European Commission.

Main improvement proposals:

- Stronger enforcement of the policy: declaring conflicts of interest is not enough, ECHA should rule them out completely
- More clarity on ECHA's conflict of interest criteria is needed: declaration versus exclusion; Communicate better that declaring an interest doesn't necessarily exclude from all ECHA work
- Avoiding "revolving doors" concept by cooling off periods: eligibility criteria should apply also to ECHA staff (at least to management and chairs)
- Clarify why there may be differences between oral and written declarations
- Clarify who reviews conflicts of interest – is there specialised staff to do this?
- Update the current conflict of interest policy and allow stakeholders to comment it before publication
- Faster reactions needed from the Conflicts of Interest Advisory Committee. Clarify its role vis-à-vis ECHA
- Distinguish more between different levels of managing conflicts of interest

ECHA will analyse the stakeholders' feedback and take it into account when deciding on the need to update the relevant policies.

Involving stakeholders in the Forum's activities

Jukka Malm introduced the topic, highlighting the current ways ECHA's Enforcement Forum engages with stakeholders and opening the floor for discussion on how to improve the current situation.

The stakeholders continued the discussions in two breakout groups, focussing on the following questions:

1. What more could Forum do to improve cooperation with you?
2. What joint actions could be done in the future?
3. Level playing field - address concerns about perceived variations in enforcement in different Member States

Five members of the Forum were joining the discussion groups.

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Main findings:

Cooperation / joint actions

- Make the work of the Forum better known: promote it through ECHA, stakeholder organisations and national associations, use webinars, broadcast open sessions online, publish Newsletter articles
- Ask stakeholders regularly – e.g. on an annual basis - if they are interested in following the Forum, not only when they apply
- Announce calls for projects for stakeholders to raise awareness and to get suggestions on enforcement
- Assess broader collection of ideas for improvement from different countries
- Consider national fora / groups for discussing enforcement on national level
- Connect Forum members better to other bodies, such as CARACAL or RAC
- More discussion before and after presentation of a case to the Forum and written consultation
- Topical issues: conditions of use - what is enforceable; authorisation; substances in articles
- Improve cooperation with customs
- Promote associations' own projects
- Safety data sheets project considered as a good example of cooperation
- Possible joint projects on waste legislation or on chemical weapons
- Provide positive information on REACH, CLP, BPR and PIC

Level playing field

- More information on national campaigns is needed to improve transparency
- Focus inspections on those companies using the substance but who have not applied for authorisation
- More transparency on actual sanctions, penalties and follow-up actions
- Checks at customs e.g. local agreements on interpretations
- Harmonise technical interpretations: disseminate agreed guidance and communicate about implementation
- Explain added value of harmonisation to Member States
- Improve reporting on non-compliance - minor details vs. harsh misconduct
- Industry to inform ECHA of their priority areas
- Harmonised training for inspectors (already done annually)
- Open sessions in Forum on national practices
- Implement current rules (e.g. restrictions) better
- Communicate about enforcement actions outside EU
- Take more into account also other legislation (e.g. OSH)

The Forum secretariat will analyse the stakeholders' feedback and share it with its members.

Closing and next steps

Jukka Malm closed the event by highlighting the next steps and giving his personal reflections from the day. He mentioned the importance of stakeholder involvement in a public organisation's reputation and thanked the participants for the lively discussions. ECHA will further analyse the feedback received during the day and forward it to the relevant experts working on the strategy process, with conflict of interest management and to the Forum Secretariat.

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Communication on the follow-up activities will be channelled through the Stakeholder update, which is sent bi-monthly to the accredited stakeholders. As before, ECHA will also present the outcomes in the next accredited stakeholder workshop in 2018.

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Annex 1 - List of participants

	First name	Last name	Organisation
1	Franziska	Achtenberg	Greenpeace
2	Erwin	Annys	Cefic
3	Alice	Bernard	ClientEarth
4	Olivier	de Matos	ECETOC
5	Leondina	Della pietra	Fertilizers Europe
6	Maria Chiara	Detragiache	Orgalime
7	Alain	D'haese	FEA - European Aerosol Federation
8	Dunja	Drmac	Euratex
9	Malik	Duhaut	Foreign Trade Association
10	Nadine	Galonde	EDANA
11	Irantzu	Garmendia	European Association of Chemical Distributors
12	Divina	Gomez	FEICA
13	John	Harkin	CEEMET
14	Shane	Harte	European Semiconductor Industry Association
15	Marianne	Hedberg	FIEC / The Swedish Construction Federation
16	Roumiana	Kamenova	LightingEurope
17	Charles	Laroche	IFRA
18	Sean	McPike	Eli Lilly / EFPIA
19	Laia	Perez-Simbor	ETRMA
20	Josephine	Reinaud	CEMBUREAU
21	Tatiana	Santos	EEB
22	Sandhya	Sharma-Tosserams	Foreign Trade Association

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23	Claire	Skentelbery	Nanotechnology Industries Association
24	Egbert	Stremmelaar	Vereniging Industrieel Oppervlaktebehandelend Nederland
25	Katy	Taylor	ECEAE
26	Erin	Vera	European Federation of Allergy and Airways Diseases Patients Association
27	Violaine	Verougstraete	EUROMETAUX
28	Bruno	Vilela	EuChemS
29	Nadia	Vinck	Euroalliages
30	Terry	Woolmer	CEEMET
31	Jakob	Zeuthen	Confederation of Danish Enterprises
32	Paul	Cuypers	(Forum, BE)
33	Szilvia	Deim	(Forum, HU)
34	Maria	Orphanou	(Forum, CY)
35	Jos	Van den Berg	(Forum, NL)
36	Miguel	Aguado	(European Commission)
37	Bo	Balduyck	European Chemicals Agency (ECHA)
38	Maciej	Baranski	European Chemicals Agency (ECHA)
39	Tiiu	Bräutigam	European Chemicals Agency (ECHA)
40	Jack	De Bruijn	European Chemicals Agency (ECHA)
41	Adam	Elwan	European Chemicals Agency (ECHA)
42	Jukka	Malm	European Chemicals Agency (ECHA)
43	Christel	Musset	European Chemicals Agency (ECHA)
44	Hanna	Torkkeli	European Chemicals Agency (ECHA)
45	Leena	Ylä-Mononen	European Chemicals Agency (ECHA)

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Annex 2 - Agenda

09:00 Registration

09:30 Opening, Christel Musset, Director of Registration

09:45 Feedback to our future strategy, Leena Ylä-Mononen, Director of Evaluation

10:05 Discussion in three breakout groups, reflecting our strategic priorities.

1. Amplifying the identification and risk management of substances of concern
2. Making a difference in the safe and sustainable use of chemicals by industry
3. Maximising the use of data and competences for the benefit of human health and the environment

Questions for discussion:

- Where do you see the biggest challenges?
- Where do you see the biggest needs for support from us?
- Where do you see the benefits?
- How can you concretely contribute to the common goals?

12:15 Lunch

13:15 Strategy wrap-up

13:30 Our approach to managing conflicts of interest and transparency, Jack de Bruijn, Director of Risk Management

13.50 Breakout groups

- Current way of handling conflicts of interest: what works well, where do you see room for improvement?

14.30 Coffee break

15:00 Involving you in the Enforcement Forum's work, Jukka Malm, Deputy Executive Director

15.15 Breakout groups

1. What more could Forum do to improve cooperation with you?
2. What joint actions between Accredited Stakeholder Organisations and Forum could be done in the future?
3. Level playing field - address concerns about perceived variations in enforcement in different Member States

16.15 Session wrap-up

16:30 Closing and main conclusions, Jukka Malm, Deputy Executive Director

17:00 Reception

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Annex 3 - Presentations

Click on the image to open the full presentation.



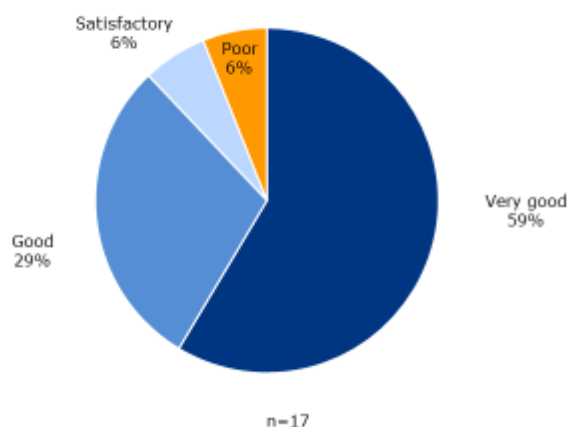
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Annex 4 - Feedback Summary

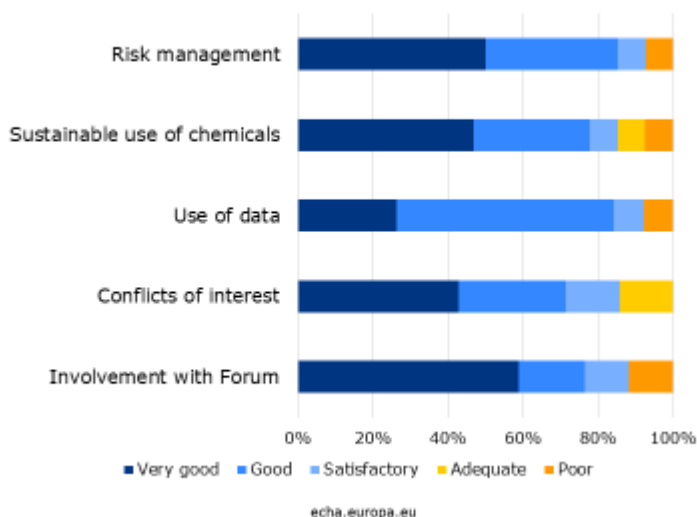
This is the summary of the feedback that participants provided to ECHA after the event. Altogether 19 participants gave us feedback.

1. Overall satisfaction

Overall, 88% of the participants found the event good or very good.



2. Breakout groups



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3. Positive feedback

- "We appreciate the effort of ECHA staff to take the time - a full day - to discuss directly with accredited stakeholders on an annual basis."
- "The ASO workshop is appreciated along with all the other engagement means such as newsletters, etc."
- "Many thanks for organising, welcoming us and taking the time to engage with the stakeholders."
- ECHA was very engaged in gathering feedback from all stakeholders and addressing questions and concerns from all participants.
- "There was a good discussion and a lot of suggestions."

4. Main proposals to improve

- NGOs engagement is decreasing – there is a big imbalance between industry and NGOs presence – need to take this better into account
- More time needed to read ECHA's strategy in advance
- "It might have been more illuminating to have asked us if we agreed with the 3 strategic objectives rather than asking for benefits / challenges."
- "Reasons/methodology/assessment of ECHA's work that lead to the three main themes of the new strategy was not clear enough"
- Too many flip chart sessions, too much repetition in the method this time
- "Would welcome more information on what is happening rather than how the work is supposed to be carried out."

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Annex 5 Draft strategic plan

[Draft ECHA Strategic Plan 2019-2023](#)