



Reference:

A. Lesage, *REACH and Defence: Update from the European Defence Agency*, 5th ESA REACH Workshop, ESA ESTEC, Noordwijk, the Netherlands, 19th June 2024

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REACH AND DEFENCE: UPDATE FROM THE EUROPEAN DEFENCE AGENCY

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5th ESA REACH Workshop
19 June 2024



Who we are & What we do



Intergovernmental Agency
of the Council of the European Union



Established in 2004
Based in Brussels

EDA as the intergovernmental
Defence Nexus at EU level



Background on EDA REACH+ Activities

REACH



Central role in defence-related REACH+ matters & Forum for structured dialogue with key stakeholders

AIM

- ▶ Establish **best practices/common understanding** in REACH implementation
- ▶ Support the main purpose of REACH while **mitigating** its impact on defence and **ensuring the operational effectiveness** of the European Armed Forces
- ▶ Facilitate **common coordinated actions**, in close cooperation with the Commission, ECHA and industry
- ▶ Support **harmonisation** and transparency of national defence exemption procedures



Since
2009



Participating Countries
All 27 EDA participating
Member States + Norway



Partners
European Commission, European Chemicals Agency (ECHA), European Space Agency (ESA)



EDA REACH Task Force
REACH/defence experts from **11 MS + NO** supporting EDA's work at technical level



To find out more: [EDA REACH Project Webpage](#)

Main Achievements



EDA REACH Portal on national policies and procedures on granting REACH Defence Exemptions



2015

EDA Code of Conduct on REACH Defence Exemptions

2016

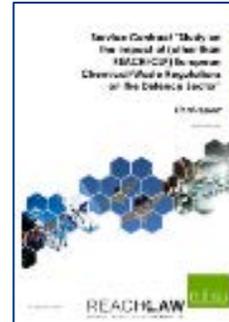
EDA pMS Common Position on Ammunition Classification

EDA Recommendations to Member States for Facilitating Alignment of national Procurement Contracts with REACH

2017

EDA REACH Roadmap 2018-2020 adopted

2019



2020

EDA Roadmap 2021-2023 on REACH and related Chemicals/Waste regulations adopted

2021



EDA updated pMS Common Position on Ammunition Classification

EDA PFAS Working Group 1st meeting

2021

2022

EDA Code of Conduct on CLP Defence Exemptions



2023

EDA contributions to public consultations (REACH Revision, u-PFAS)

2024

EDA REACH+ Roadmap 2024-2026 adopted

Focus on PFAS - Overview of EDA Activities

EDA's activities in the context of the REACH Restriction Proposal on more than 10,000 PFAS substances



Focus on
FIREFIGHTING FOAMS



Assessing
possible **IMPACTS**
on defence and
raising
AWARENESS



MAPPING of other
uses in defence sector

Share information on
ALTERNATIVES
and advocate for sufficient
TRANSITIONAL PERIODS

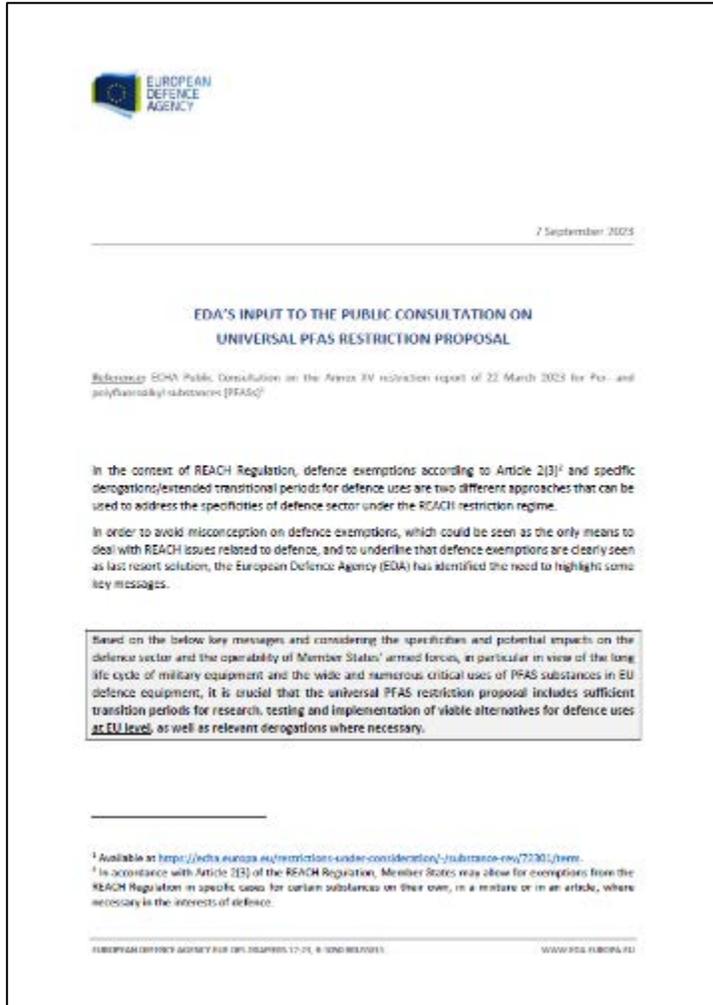




EDA PFAS Working Group

- **8 meetings** since autumn 2021
- 12 MS + NO + ad-hoc participation from other Member States
- Discussing the EU-wide restriction proposal for PFAS in firefighting foams
- Identify **challenges** for the transition in Defence
- Prepare EDA input to the consultations and follow-up exchanges with key stakeholders
- Exchange information and experiences on **transition to fluorine-free foams**, including on testing the alternatives and other related aspects

Focus on PFAS - Universal restriction



Summary of EDA input

- Recall main limitations of the defence exemptions:
 1. REACH Defence exemptions are only valid to the extent of the jurisdiction of the Member State granting them.
 2. Member States frequently foresee a conservative use of national defence exemptions from health and environmental regulations.
 3. Defence exemptions do not ensure the availability on the market of a dual-use substance.
 4. Applications for defence exemptions entail an administrative burden for the applicants and the Member States.
 5. The POPs Regulation does not provide for a defence exemption mechanism for defence/military uses of PFAS substances that might be included in its annex I at a later stage.
- It is crucial that the universal PFAS restriction proposal includes sufficient transition periods for research, testing and implementation of viable alternatives for defence uses at EU level, as well as relevant derogations where necessary.

New EDA REACH+ Roadmap 2024-2026



1. Ensure common UNDERSTANDING and coherent IMPLEMENTATION by Member States

- (a) Build Common Understanding
- (b) Share Best Practices
- (c) Support Harmonised Implementation of REACH+ Legislation



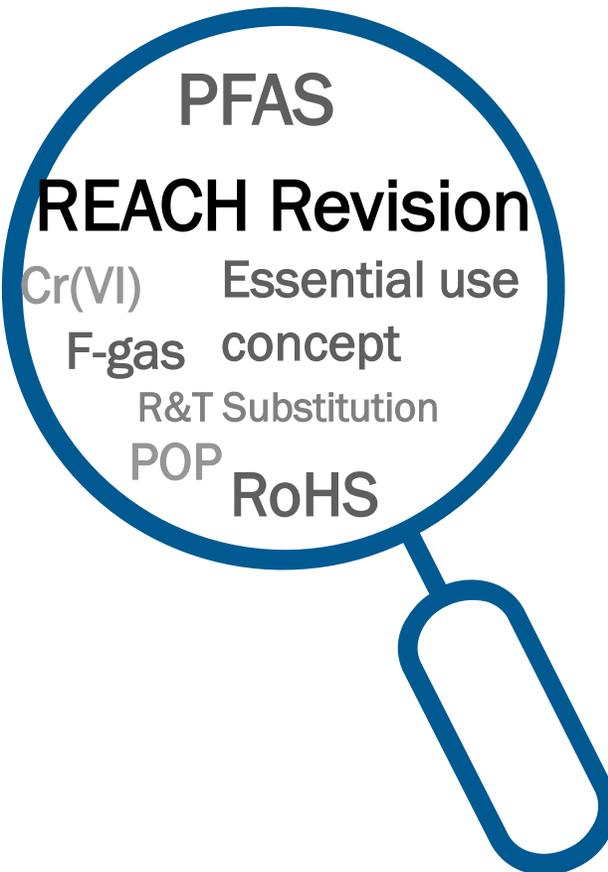
2. Assess and MITIGATE REACH+ IMPACTS on Defence

- (a) Monitor REACH+ Regulatory Changes
- (b) Develop Innovative R&T Activities for Substitution
- (c) Facilitate Harmonisation and Awareness Raising of Defence Exemptions Procedures



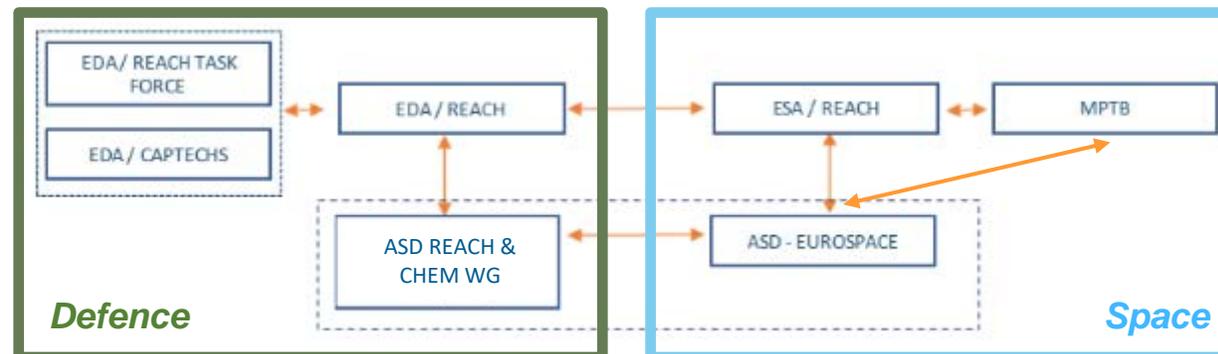
3. Strengthen EDA's role in Defence-related REACH+ matters

- (a) Engage with Key Stakeholders
- (b) Inform EU Chemicals Policies and Legislation on Defence Issues
- (c) Inform EU Defence Policies and Legislation on REACH+ Issues



EDA Interaction with ESA on REACH

- **Defence and Space niche sectors sharing common topics of interest and challenges on REACH**
- **EDA/ESA REACH close interaction**
 - EDA membership in **Material and Processes Technology Board (MPTB)**, as observer
 - ESA invited regularly to EDA REACH Plenary meetings, as observer
- In-depth expertise/technical groups from both sides
- Defence/Space Industry at EU level : **Common denominator ASD and its relevant activities/forums** (Defence: ASD REACH & Chem WG, Space: ASD-Eurospace)



Conclusions

- EDA is **supporting the continuous effort** of MoDs to **comply with REACH+** regulations while **maintaining the operational effectiveness** of the EU Armed Forces.
- **The exchange of information on regulatory developments** within different sectors is crucial to identify direct and indirect impacts.
- The potential impacts stemming from the **restriction proposals on PFAS and Chromium(VI) substances** are of major concerns for the European Defence sector.
- EDA maintains **close coordination** with all involved stakeholders at EU (**EC, ECHA, ESA, EU industry associations/ASD**) and national (**MS Competent Authorities, National Defence Industry Associations**) levels.

EDA REACH+ Activities - Further information

EDA REACH Webpage

<https://eda.europa.eu/what-we-do/all-activities/activities-search/reach>



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REACH

SUMMARY

Assess European Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) implications in defence, specifically focusing on potential REACH impact on the European Defence Equipment Market (EDEM).

Since 2009

Participating Countries
All EDA member states + Norway

Partners

Useful links on ECHA Website

- [Information on Chemicals](#)
- [PACT - Public Activities Coordination Tool](#)
- [Registry of restriction intentions until outcome](#)
- [Candidate List of substances of very high concern for Authorisation](#)
- [Authorisation List \(Annex XIV\)](#)
- [Substances restricted under REACH \(Annex XVII\)](#)

Thank you. Any questions?