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LIMITE

**ENV 708
CHIMIE 71
COMPET 747
MI 548
ENT 132
IND 277
FOOD 63
AGRI 352
SAN 458
RECH 328**

'I' ITEM NOTE

From: Presidency/General Secretariat of the Council
To: Permanent Representatives Committee
Subject: Ad hoc Working Party on the ECHA Basic Regulation (AHWP ECHA) - creation and mandate
- Approval

1. On 8 July 2025, the Commission adopted the proposal for a Regulation of the European Parliament and of the Council on the European Chemicals Agency and amending Regulations (EC) No 1907/2006, (EU) No 528/2012, (EU) No 649/2012 and (EU) 2019/1021 ('ECHA Basic Regulation') COM(2025)386.
2. The proposed legislative act aims to:
 - provide the European Chemicals Agency ('the Agency') with an autonomous legal framework;
 - enhance the Agency's governance and its financial sustainability;

- enable the Agency to carry out the tasks allotted to it in current legislation and allowing its tasks to evolve to accommodate the new tasks envisioned by already adopted or planned Commission proposals;
- ensure that the Agency can react effectively to new challenges and provide better support to the Commission, Member States and duty holders;
- modernise the Agency, including by taking into account the principles of the Common Approach in its planning of activities.

3. The proposal is inherently cross-sectoral. The widespread use of chemicals, along with their associated risks to human health and the environment, is reflected in the scope of the Agency's tasks under Article 4 and Annex I of the proposal, which address chemical safety across multiple sectors and Union agencies, as well as in the many aspects of their use. In order to effectively address the cross-sectoral matters covered by the "ECHA Basic Regulation" proposal, and to carry out the preparatory work linked to the examination within the Council, the Presidency proposes to establish, in accordance with Article 19(3) of the Council's Rules of Procedure¹, an Ad Hoc Working Party (AHWP) on the "ECHA Basic Regulation" ("AHWP ECHA") in order to involve experts from the different sectors concerned such as environment, trade, employment, health and food safety.

4. Under the authority of the Permanent Representatives Committee, the AHWP ECHA will report to the "Environment" configuration of the Council as well as, where appropriate, to the "Employment, Social Policy, Health and Consumers" configuration of the Council, "Competitiveness" configuration of the Council, and "Agriculture and Fisheries" configuration of the Council.

¹ Council Decision of 1 December 2009 adopting the Council's Rules of Procedure (2009/937/EU).

5. The AHWP ECHA will operate in accordance with the mandate set out in the Annex to this note and will draw on the expertise of delegates working in the relevant areas, where appropriate. It will cease to exist upon the adoption of the final legislative act based on the proposed ECHA Basic Regulation or upon decision of the Permanent Representatives Committee. The mandate of the AHWP ECHA may be updated or revised, including its possible extension, in order to carry out the necessary legislative or non-legislative preparatory work related to the proposed ECHA Basic Regulation.
6. The AHWP ECHA will carry out its tasks in close coordination and avoiding duplication with other preparatory bodies of the Council.
7. In this context, the Permanent Representatives Committee is invited to approve:
 - the establishment of an Ad Hoc Working Party (AHWP) on the ECHA Basic Regulation (“AHWP ECHA”);
 - the mandate, as set out in the Annex to this note.

Draft Mandate**The Ad Hoc Working Party (AHWP) on the implementation of the “ECHA Basic Regulation” (“AHWP ECHA”)**

Code	XX
Council configuration	<p>The Ad Hoc Working Party (AHWP) on the “ECHA Basic Regulation” (“AHWP ECHA”) operates under:</p> <ul style="list-style-type: none"><input type="checkbox"/> General affairs<input type="checkbox"/> Foreign affairs<input type="checkbox"/> Economic and financial affairs²<input type="checkbox"/> Justice and home affairs³<input type="checkbox"/> Employment, social policy, health and consumer affairs<input type="checkbox"/> Competitiveness (internal market, industry, research and space)⁴<input type="checkbox"/> Transport, telecommunications and energy<input type="checkbox"/> Agriculture and fisheries<input checked="" type="checkbox"/> Environment<input type="checkbox"/> Education, youth, culture and sport⁵
Sub-areas or subgroups (if applicable)	n/a
Policy areas	<p>Under the authority of the Coreper⁶, the Ad Hoc Working Party is responsible for the examination of the proposal for a Regulation of the European Parliament and of the Council on the European Chemicals Agency and amending Regulations (EC) No 1907/2006, (EU) No 528/2012, (EU) No 649/2012 and (EU) 2019/1021 (“ECHA Basic Regulation”) COM(2025)386.</p> <p>The Ad Hoc Working Party will report to Coreper in preparation of the work of the Environment configuration of the Council, and where appropriate, of the Competitiveness, Agriculture and Fisheries, and Employment, Social Policy, Health and Consumer Affairs configurations of the Council.</p>

² Including Budget.

³ Including Civil Protection.

⁴ Including Tourism.

⁵ Including Audio-visual affairs.

⁶ In accordance with Article 240(1) TFEU and the Council's Rules of procedure.

Type of work	<p>The Ad Hoc Working Party is mainly in charge of the following:</p> <p><input checked="" type="checkbox"/> Work on Union legal acts (i.e. legislative acts and other legal acts)</p> <p><input type="checkbox"/> Policy preparation</p> <p>In particular, the Ad hoc Working Party is in charge of</p> <p><input checked="" type="checkbox"/> legislative act(s):</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the European Chemicals Agency and amending Regulations (EC) No 1907/2006, (EU) No 528/2012, (EU) No 649/2012 and (EU) 2019/1021.</p> <p><input type="checkbox"/> other Union legal acts:</p> <p><input type="checkbox"/> external documents or instruments:</p> <p><input type="checkbox"/> policy document(s):</p> <p><input type="checkbox"/> other:</p>
Chairing arrangement	<p>The Ad Hoc Working Party is chaired by:</p> <p><input checked="" type="checkbox"/> the six-monthly Presidency</p> <p><input type="checkbox"/> a representative of the High Representative</p> <p><input type="checkbox"/> other, namely:</p>
Observations	<ul style="list-style-type: none"> - Date of establishment: - Duration of the mandate: The AHPW ECHA Basic Regulation will cease to exist upon the adoption of the legislative proposal above, or upon decision by the Permanent Representatives Committee. - Main links with other working parties: Working Party on Environment (J.1), Working Party on Technical Harmonisation (G.7), Working Party on Food and Food Systems (F.27), Working Party on Pharmaceuticals and Medical Devices (I.4), Working Party on Social Questions (I.1)
