

# What should be the Priorities for the next Presidencies of the EU?

Background Paper to the EEB's 2019 Annual Conference

15 November 2019

### 1 EU Trio-Presidencies and the EEB's Annual Conference: Introduction

**Evidence is indisputable** that we are facing a **climate emergency**, existential loss of **biodiversity**, socially unacceptable health and environmental **risks from chemicals**, **water and air pollution**, and unfathomable levels of **plastic pollution in our oceans**. Next to existential environmental crises, we are faced with **high levels of inequalities**, both within the EU and globally, as well as **decreasing levels of trust in governments**, **governance and policy-making**.

Citizens and especially young people are demanding that the EU does more to address climate and environmental challenges head on. **Economically viable and interesting opportunities** exist and action could make Europe a cleaner, greener and safer place to live.

There is therefore an increasingly recognised **need for an ambitious and transformative agenda**.

While most of the attention currently is on the **European Green Deal** promised by the Commission President Elect Ursula von der Leyen<sup>1</sup>, it is equally important to focus on the role of the EU Presidencies – the role Member States have in their 6-month presidencies. These help to drive agreements for progress across the 28 Member States and build on past commitments and new commitments, including those expected from the transformative Green Deal and other important policy frameworks such as the Environment Action Programmes and Agenda 2030 and the SDGs.

### The Trio-Presidencies of the EU

The current Trio Presidency<sup>2</sup> of the EU comprises Romania, Finland and Croatia, with Finland holding the presidency until the end of 2019, and Croatia from January to June 2020. From July 2020 the next Triple Presidency will start, comprising the German, Portuguese and Slovenian presidencies. It will run until 2021 and reflections on what should be the priorities over the 18-month period are underway between the three presidency teams.

What will be "priority areas", depends on:

- a) **New commitments under the promised European Green Deal**, which will lead to a range of new measures that will require Council debate and Council conclusions;
- b) What is already on the EU and Global agendas, given commitments, processes and meetings e.g. where legislative reviews fall (often noted in the legislation, or part of REFIT programmes), and when global convention meetings occur (e.g. climate, biodiversity COPs);
- c) What is "left-over" from the previous presidency terms as not all issues are fully addressed within one period, and there are often additional steps even where good progress has been made (e.g. to complete legal text development after negotiations; follow on for agreements at COPs);
- d) **Other or new environmental concerns that need particular attention** either as not yet fully addressed, or new scientific or citizen evidence comes to fore to highlight the urgency and imperatives for action, or new emerging issues.

<sup>&</sup>lt;sup>1</sup> For EEB's vision on the European Green Deal and needed priorities, see <u>https://eeb.org/library/priorities-for-the-european-green-deal-and-8th-environmental-action-programme/</u>

<sup>&</sup>lt;sup>2</sup> For EEB's Trio presidency memorandum, see <u>https://eeb.org/publications/183/eu-governance/96652/trio-presidency-paper-2019-2020.pdf</u>

The EEB's 2019 annual conference includes a specific focus on the EU presidencies, exploring what has been achieved in the past trio (EE-BG-AT<sup>3</sup>), what priorities remain in the existing RO-FI-HR trio<sup>4</sup>, and what environmental priorities could and should be for the forthcoming DE-PT-SI trio presidency:

- **The Stakeholder Panel** in Session 2 (*All hands on deck: Five years of common challenges and shared solutions*) focuses on what stakeholders see as priority challenges for the EU and their hopes and fears for the next European Commission, European Parliament and EU Presidencies. The panel explores:
  - How can the EU provide answers to the biggest environmental questions?
  - $\circ$  What can be done on this in the next 5 years?
  - Who should do what?
  - What are the opportunities for EEB members and the wider environmental movement to steer the agenda?
- **The Roundtable Workshop** part 2 of Session 2 (*All hands on deck: Five years of common challenges and shared solutions*) explores what should be priority areas of focus across fifteen themes (see Box 1). This covers both the period to end 2021 (i.e. over current and next trio presidencies) and over the new Commission and EP mandates.

Box 1: Session 2 Part 2: Environmental themes								
15	15 small-group discussions around standing tables, focused on the following themes:							
1.	Sustainable food	6.	Economic transition	11. Oceans and fisheries				
	systems		and responsible trade	12. Aarhus Convention and				
2.	Clean air	7.	Climate emergency	Environmental Justice				
3.	Boosting biodiversity	8.	Getting prices right and	13. Sustainable Development Goals				
4.	Non-toxic		the MFF	14. Better regulation, implementation.				
	environment	9.	Responsible industry	and the rule of law				
5.	Circular economy	10.	Right to clean water	15. Youth				

The session will be broken down into three rounds of 25 minutes where participants can choose a new table and explore the following 4 questions:

- a) What are the opportunities for success over the next 2-5 years? *i.e.* what environmental or horizonal issues can and should be addressed by which window of opportunity for action in the next two years (timeline for this and the next Trio presidency programmes) and five years (timeline for the new Commission and Parliament) and what would "success" be?
- **b)** What should the EU do to address environmental challenges? *i.e.* Commission, what can the presidencies of the EU do, and role of EP?
- c) What new collaborations can help ensure an effective and just transition? across stakeholders, and including role of EU presidencies in the mix
- d) How can civil society make a difference?

Each table will collate key message for each of these, and an extract of these will be presented back to the plenary. **All participants will receive the summary**. This should help inform:

<sup>&</sup>lt;sup>3</sup> For the Trio programme, see: <u>https://eu2018bg.bg/en/trio-programme</u>

<sup>&</sup>lt;sup>4</sup> For the Trio programme, see: <u>http://data.consilium.europa.eu/doc/document/ST-14518-2018-INIT/en/pdf</u>

For EEB's Memorandum on the Romania-Finland-Croatia triple presidency, see: <u>https://eeb.org/publications/183/eu-governance/96652/trio-presidency-paper-2019-2020.pdf</u>

- a) Priorities for the European Green Deal and wider priorities for the new Commission and Parliament
- b) Priorities that fall under the current and next Trio presidencies of the EU
- c) Priorities for each specific future presidency
- d) What new collaborations or partnerships can help ensure transformative change in the coming five years and how can civil society best engage to ensure that ambitions meet the needs, and actions meet ambitions.
- **The EU Presidency Panel** in Session 3 (*Charting a course: How can governments set the agenda for a greener Europe?*) focuses on the role of Trio presidencies in addressing the challenges. Key guiding questions:
  - What will be presidency priorities to make sure we address the environmental emergencies?
  - What can and should be done in the next 5 years to protect our life support systems?
  - What will success look like for the Council?
  - How can civil society engage to raise and realise ambitions?

#### See Agenda: <u>https://www.eebconference.eu/</u>

This document presents insights on what key agenda items are likely to be and where they are likely to fall across the three 6-month presidency terms – i.e. a timeline of windows of opportunity. It builds on a policy brainstorm held in Berlin in June 2019, discussions and consultation with EEB Members, as well as with other civil society partners and stakeholders.

The EEB's intention is to produce a Trio-Presidency Memorandum<sup>5</sup> in early 2020, and the discussions at the EEB annual conference will help inform our views as to what should be the priorities and what should be the specific actions, commitments and objectives of the next presidencies. The discussions should also help inform the EEB's Memorandum and associated Ten Green Tests for the Croatian presidency (January to June 2020) and the German presidency (July to December 2020) that kicks off the DE-PT-SI trio.

We would like to explore with you your vision as to what should be the priorities for the DE-PT-SI Trio-Presidency of the EU: July 2020 to December 2021.

This Consultation Paper and work on the EEB's Trio Memoranda benefits from support by the German government<sup>6</sup> and by the European Commission<sup>7</sup>.

<sup>5</sup> For past Trio presidency memoranda, see : <u>https://eeb.org/no-more-small-steps-poorly-implemented-green-groups-tell-incoming-eu-presidencies/</u>

<sup>&</sup>lt;sup>6</sup> Supported by the German Umwelt Bundesamt grant: NRO-Beitrag zum Programme des Deutschen EU-Ratsvorsitzes im Rahmen der Triopräsidentschaft (Deutschland, Portugal, Slowenien) 2020-21

<sup>&</sup>lt;sup>7</sup> Supported by the European Commission, Life core grant

# 2 What should be the environmental priorities during the next EU presidencies and beyond?

As mentioned above, priorities for the forthcoming presidencies will reflect the new momentum and initiatives under the European Green Deal, combined with what is already on the agenda due to EU or global processes (e.g. from planned REFITs of existing EU law to global meetings of COPs), and of course emerging issues: There are many ways to cluster what is a vast agenda of needs for the next Trio Presidency as well as the new Commission and Parliament.

Following are what we see as ten key priority areas which will fall under the EU presidencies timeframe. For some issues they will be information points for the Council meetings, in others they will be points of debate leading to Council positions, and manifest in Council Conclusions:

- 1. Launch and implement transformative agendas to catalyse a just transition to a sustainable Europe: European Green Deal (EGD), 8<sup>th</sup> Environment Action Programme (8EAP) and Agenda 2030 & SDGs implementation plan that are visionary, coherent, complementary and mutually supportive. Commit to a "Green-Deal-coherent" EU multi-annual budget, that integrates sustainability principles and prioritises public money to common goods and public services. Reform the European Semester to integrate the transformative strategies and over time to move to greater "wellbeing economy" focus. Integrate the risks and opportunities of digitalisation to the environment in the strategies and their implementation given its emerging role.
- 2. **Declare a Climate Emergency and Act accordingly:** Address the climate emergency and build towards a carbon neutral world that stays within 1.5 degrees, by strengthening EU commitments, strategies (e.g. new industrialisation strategy), targets (e.g. carbon neutrality, renewables, energy efficiency, decarbonisation of heating and cooling sector), regulation (e.g. broadening the Industrial Emissions Directive, IED), by climate finance, including making the EU budget a climate budget, climate European Investment Bank, green taxonomy; and carbon (border) tax (adjustment), excise tax reform and EU-ETS reform, and hence leading by example in global processes (UNFCCC).
- 3. Recognise the dramatic loss of biodiversity and respond to this existential crisis: through policies and measures to bend the curve of the biodiversity loss on land, in the aquatic environment with particular focus on reaching favourable conservation status for protected species and habitats as well as restoring ecosystems vital to address climate change – via adequate implementation of the EU nature, water and marine laws as well as new laws to advance nature restoration that should be put forward in the EU Biodiversity Strategy to 2030. The EU should also lead the world in adopting the Global Deal for Nature and People to achieve the needed transformational change globally.
- 4. **Embrace the transition towards a Sustainable Common Food and Farming policy that provides nutrition and protects the planet:** Engage in a society-wide debate on the future of our food system to set common targets and develop a coherent and effective mix of policies from farm and net to fork through among others ambitious CAP reform, fisheries quotas building on scientific evidence, and a governance reform for food systems transition.
- 5. Safeguard and promote clean water for all: Commit to a zero-pollution world, including in the aquatic environment: establishing that the Water Framework Directive is fit for purpose and increasing efforts to properly implement, finance and enforce it. Put forward additional action to tackle water pollution through updates of the Environmental Quality Standards Directive, annexes of the Groundwater Directive and re-casting the Urban Waste Water Treatment Directives.

- 6. Recognise the multiple health impacts of air pollution and ensure clean air for Europe: protecting lives and the environment by strengthening EU standards through aligning to the latest WHO guidelines in the Ambient Air Quality Directives (AAQD), strengthening the National Emissions Ceiling (NEC) directive, overhauling the Industrial Emissions Directive (IED), and revising the Gothenburg Protocol.
- 7. Promote safe chemicals and a non-toxic environment: : by developing a long term (2030 and beyond) overarching framework for chemicals policy under the European Green Deal that prioritises health and environmental protection<sup>8</sup>. This horizontal framework should make the EU the global champion of a non-toxic circular economy and sustainable innovation; position the EU as a true protector of vulnerable populations an act on early warnings of chemicals pollution and make polluters pay. The Minamata Convention on mercury should be strengthened, as should the Strategic Approach to International Chemicals Management (SAICM) at the fifth meeting of the International Conference on Chemicals Management (ICCM5) in Germany.
- 8. Realise the circular economy promise for the environment, jobs and the economy: Set a new Circular Economy Action Plan driven by a headline resources use reduction indicator and concrete waste prevention targets, with dedicated strategies on textiles, batteries and radical decarbonisation of buildings; develop Ecodesign and labelling instruments beyond energy products, design a EU harmonised product information system for chemical contents, material properties and environmental performances of products entering the EU market also acting to back up green claims; spark a new circular and zero carbon industrial transformation; pursue the plastic strategy to stop microplastics and progress a non-toxic circular economy.
- 9. Make EU laws and regulations protect citizens' health, rights and the planet: Commit to the effective rule of law and democratic accountability and improve enforcement actions & implementation (Aarhus Convention and wider EU acquis). The EU should champion a new UN Treaty on Business and Human Rights, adopt a European Due Diligence Directive and integrate sustainability into trade policies and agreements so that they are coherent with the European Green Deal and reflect the EU's global responsibilities. The Aarhus Regulation needs to be amended and a new Directive on Access to Justice needs to be tabled. Finally, it is important to replace the "one-in-one-out" principle with "think sustainability first" principles.
- **10. Put wellbeing, social and environmental justice at the heart of EU policy** and embrace the need for a wider economic transition towards a wellbeing economy within planetary limits that builds on the evidence of the limits to growth. Reform the European Semester, integrating the wellbeing economy, SDGs, EGD.

For a fuller list of specific actions under each priority, see EEB's vision on the European Green Deal<sup>9</sup>

What do you regard as the top ten priorities for the next 2 years of the current and next Trio presidency? And where do you see particular windows of opportunities for presidencies to drive the agendas forwards?

<sup>&</sup>lt;sup>8</sup> For EEB's vision on the Chemicals strategy as part of the European Green Deal, see <u>https://eeb.org/library/a-chemicals-</u> <u>strategy-as-part-of-the-european-green-deal-time-to-deliver/</u>

<sup>&</sup>lt;sup>9</sup> For EEB's vision on the European Green Deal and needed priorities, see <u>https://eeb.org/library/priorities-for-the-</u> <u>european-green-deal-and-8th-environmental-action-programme/</u>

### 3 What decisions are likely to fall under which presidency for the next Trio?

Table 1 overleaf presents a summary of what environmental issues are of relevance to which presidency in the current and the next trio. It includes some examples of key developments, ongoing council negotiations in triologues, council conclusions topics and possible new measures. Ongoing implementation of EU environmental law is of course a major ongoing priority across all themes and presidency periods, but is not a specific focus of this paper, which focused more on new policy priorities.

This table is a "living summary" to kick off reflections, discussions at the EEB 2019 Annual conference. It will also be revised in light of discussions at the conference.

Q: What do you foresee as important issues for which EU presidency? What window of opportunities are there for these issues to be addressed, and what would success look like?

## 4 Next Steps

This is a background document for the EEB"s 2019 Annual Conference. In light of the discussions at the conference, the table overleaf and the earlier "ten priority areas" will be updated and form the basis for EEB's forthcoming Memorandum on the DE-PT-SI trio presidency that will be circulated to all in early 2020. They will also inform the EEB's Presidency Memoranda and Ten Green Tests for the Croatian Presidency and similarly for the German presidency. These will each contain ten priorities and a range of specific "asks" for each priority areas, give concrete proposals for what the EU presidency outcomes should be if we are to make sufficient progress to address the environmental crises, opportunities, commitments and transformative needs and achieve a just transition to a sustainable Europe within planetary boundaries.

### Table 1: Environmental priorities and windows of opportunity during the trio EU presidencies: working examples

	Current Trio preside	ency: RO FI HR	Next Trio presidency: DE PT SI		
	<u>Finland</u> July-Dec 2019	Croatia Jan-June 2020	Germany July-Dec 2020	Portugal Jan-June 2021	Slovenia July-Dec 2021
1. Launch and implement transformative agendas to catalyse a just transition to a sustainable Europe: The European Green Deal (EGD) + 8EAP + Agenda 2030 and SDGs, supported by an EDG-compatible European Budget (MFF), and integrated into the European Semester. Digitalisation expected to be a horizontal theme.	European Green Deal high level commitment expected to be launched 17 December <u>Council Conclusions on the 8<sup>th</sup> EAP on 4 October</u> SDG implementation and integration (across all presidencies) Ongoing MFF negotiations	Council Conclusions on Dec. 17 EGD communication First package of the EGD expected around March 2020 SDG implementation and integration MFF negotiations ongoing – ensure EGD compatible	Council Conclusions on the first EGD package Development of second EGD package Expect 8EAP to be agreed; legal text prepared Expect Council conclusions on the risks & opportunities of digitalisation for people & planet Voluntary national reviews of the High-level Political Forum on Sustainable Development	Second package of the EGD expected Formal legal work of the 8EAP finalised MFF negotiations likely to still be ongoing (see Agriculture)	Council Conclusions on the second EGD package MFF negotiations likely to still be ongoing (see Agriculture)
2.Declare a Climate Emergency and Act accordingly: Climate and Energy	EU's UNFCCC COP-25 mandate: Conclusions on UNFCCC COP 25 preparations of 4 October UNFCCC COP-25: Madrid, 2-13 December MFF negotiations with climate mainstreaming: ongoing EGD: Commitments on climate change: expect a Climate Law that paves the way for a climate neutral Europe; debate on targets on all sectors including on industry	Follow-up to COP-25 EU preparing to submit LTS & revised NDC (2030) to UNFCCC MFF negotiations with climate mainstreaming: ongoing Likely council debate on EGD commitments: neutrality, climate law, and industrial strategy	UNFCCC-COP26: probably increase EU's 2030 target, set 2050 climate neutrality Latest deadline for EU to submit the Long Term Strategy to the UNFCCC Secretariat Proposed revision of the Gas Directive and Energy Taxation Directive Expected ongoing MFF negotiations on CAP	Expected ongoing MFF negotiations on CAP	Expected ongoing MFF negotiations on CAP

	Current Trio preside	ency: RO FI HR	Next Trio presidency: DE PT SI			
	<u>Finland</u> July-Dec 2019	Croatia Jan-June 2020	Germany July-Dec 2020	Portugal Jan-June 2021	Slovenia July-Dec 2021	
3.Recognise the dramatic loss of biodiversity and respond to this existential crisis: Biodiversity, aquatic environment, oceans, fish stocks	Council conclusions on EU position for the Convention on Biological Diversity to be adopted on 19 December MFF negotiations ongoing with importance for biodiversity both via support for funding and from risks (CAP)	MFF negotiations continue EGD: Council debate on EU BD strategy to 2030 (including legally binding target on restoration)	Council conclusions with EU's mandate for CBD COP 15 in Kunming MFF needs to have been fixed before	EGD: Council Debate on Action Plan to reach EU Biodiversity targets to 2030 and possible new legislation on restoration)	Possible negotiations on new legislation on restoration	
4. Embrace the transition towards a sustainable food and farming policy that provides nutrition and protects the planet: Agriculture, including soils	MFF & CAP reform negotiations within Council and Parliament ongoing EGD: expect Farm to Fork Strategy - broad lines	MFF negotiations continue & finalised CAP reform negotiations continue CAP transitional regulation discussed Public debate on the details of the Farm to Fork Strategy	CAP reform negotiations continue, now in trilogues CAP transitional regulation finalised Public debate on the Farm to Fork Strategy continues Possibly new legislative initiatives prepared in the Commission as result of Farm to Fork Strategy	CAP reform negotiations (trilogues) continue? Discussions on legislative initiatives as result of Farm to Fork Strategy continue	CAP negotiations finalised? Discussions on legislative initiatives as result of Farm to Fork Strategy continue	
5. Safeguard and promote clean water for all	Council is expected to agree revised Drinking Water Directive and new Regulation on Water reuse on 19 December	Council conclusions on results of the fitness check evaluation of the Water Framework Directive and related legislation	EGD: Council debate on EU Clean Water for all Action Plan including decision on the future of the Water Framework Directive Council debate on water and climate change	Possible negotiations on proposals for the EQS Directive and Groundwater Directive annexes as well as recast of the UWWTD	Possible negotiations on proposals for the EQS Directive and Groundwater Directive annexes as well as recast of the UWWTD	

	Current Trio preside	ency: RO FI HR	Next Trio presidency: DE PT SI			
	<u>Finland</u> July-Dec 2019	Croatia Jan-June 2020	Germany July-Dec 2020	Portugal Jan-June 2021	Slovenia July-Dec 2021	
6. Recognise the health impacts of air pollution and ensure clean air for Europe	Ambient Air Quality Directives AAQD Fitness check complete in December Air quality on the 19 December environment council agenda Industrial Emissions Directive (IED) evaluation ongoing	Commission conclusions on AAQD Fitness check. Commission report to Council and EP on NEC implementation – expect Council debate IED evaluation ongoing	Possible proposal for a new Ambient Air Quality Directives or new roadmap for AAQD Possible that WHO guidelines are published and expect legislative changes to consider recommendations. Possible outcome of IED evaluation	Possible Council debate on AAQD WHO guidelines published by the of Q1 and expect legislative changes to consider recommendations. Possible IED revision	Ongoing Implementation of NEC Directive Possible Council Conclusions on revised IED	
7.Promote safe chemicals and a non-toxic environment	Zero-pollution ambition promise in the Political Guideline Council Decisions on in preparation for the Minamata COP3 of 25-29 November 2019	Decision on removing RoHs mercury exemptions in lamps Completion of study on phase of mercury use in dentistry	Council conclusions supporting the development of a chemicals policy to 2030 that is protective of human health and the environment ICCM5 (SAICM), Bonn 5-9 October 2020 Potential policy proposal on dental mercury	Second package of the EGD expected, which should support safe chemicals and a non- toxic environment Formal legal work of the 8EAP finalised	Council Conclusions on the second EGD package Minamata COP4	
8.Realise the circular economy promise for the environment, jobs and the economy	Commission-EGD commitment to C.E. Action Plan 2.0 Council gave strong signal towards C.E. in 4 October <u>Council conclusions: More</u> <u>circularity – transition to a</u> <u>sustainable society</u> Expect Council Conclusions in 19 December on the Plastic Tax proposal in the MFF	Commission to publish Circular Economy Action Plan 2.0 with possible Expect a package on sectoral strategies (textiles, construction, batteries, plastics) Council conclusions on CEAP 2.0, including a headline indicator on	Council conclusions on a decarbonised and circular industrial transformation and packaging essential Requirements linking circular economy and digitisation, including a EU information system on material & chemical contents and environmental	Council conclusions on a new regulation/directive for batteries and a Circular and Zero-C building strategy Council conclusions on PEF supporting green claims	Council conclusions supporting legislative initiatives for textiles (design, EPR, labelling, recycling)	

	Current Trio preside	ency: RO FI HR	Next Trio presidency: DE PT SI			
	Finland July-Dec 2019	Croatia Jan-June 2020 resources use reduction and waste prevention targets, extended producer responsibility modulation	Germany July-Dec 2020 performance of products: to be debated in July Informal Council. Ecodesign and labelling policy adaptation beyond energy products as part of a more ambitious product policy	Portugal Jan-June 2021 New package to further reduce plastic pollution and microplastics	Slovenia July-Dec 2021 Progress or conclusions on End of Life Vehicles Council decisions on GPP, monitoring system and targets	
			framework Progress on Batteries Regulation/Directive and End of Life vehicles files			
9.Make EU laws and regulations protect citizens' health, rights and the planet	Expect Council to discuss EU's compliance with access to justice pillar of the Aarhus Convention (i.e. the "C32 case") at 19 December Environment council meeting Commissioner Mission letters include "one-in-one-out" ambition + EP debate in Commissioner hearings	Commission to prepare a legislative proposal to amend the Aarhus Regulation	Expect Commission proposal to amend the Aarhus Regulation to respond to study on EU compliance with Aarhus Convention to be made by September 2020	Prepare Aarhus MOP7 Inter-institutional agreement on better law making revision?	Aarhus MOP7	
10. Put wellbeing, social and environmental justice at the heart of EU policy	Council Conclusions on the Economy of Wellbeing of 17 October. Finnish presidency event: Beyond growth – Indicators and Politics for People and Planet 28- 29th October 2019	European Semester: Council adopts economic priorities. Country specific recommendations (CSRs) out with potential relevance across priority areas	European Semester: council discusses CSRs and endorses final CSRs (~June/July) European Parliament Beyond Growth Conference ?	European Semester: Council adopts economic priorities. Country specific recommendations (CSRs) out with potential relevance across priority areas	European Semester: council discusses CSRs and endorses final CSRs (~June/July)	

The above is a working table giving select examples of key developments and dates during the period until the end next trio presidency – to illustrate key steps in policy development and windows of opportunity.

Suggestions of particular important additional issues and windows of opportunity are most welcome, as are suggestions for needed actions to make a substantive difference.

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