

POLICY BRIEF

REWIRING PRODUCER RESPONSIBILITY FOR E-WASTE

UNLOCKING PREVENTION IN THE
WEEE DIRECTIVE

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Policy Brief: Rewiring Producer Responsibility for E-Waste

Unlocking Prevention in the WEEE Directive

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Contents

Summary	2
Introduction.....	3
Clear responsibilities and governance.....	5
Cost coverage	6
EPR contributions and ecomodulation	8
EPR free-riding and online platforms.....	10
Global responsibility	11
Harmonising EPR requirements for B2C and B2B products.....	12

Summary

Extended Producer Responsibility (EPR) should be a powerful instrument for preventing Waste Electrical and Electronic Equipment (WEEE) and implementing the polluter-pays principle. Yet most WEEE EPR schemes remain narrowly focused on financing collection and recycling once products become waste. Fragmented rules, unclear responsibilities and weak incentives have prevented EPR from effectively supporting prevention, repair and reuse.

The revision of the WEEE Directive must overhaul and harmonise producer responsibility across the EU. In particular, it should:

- **Clarify responsibilities.** Producers and PROs must be directly responsible for achieving binding prevention, collection, preparation-for-reuse, and recycling targets.
- **Ensure the meaningful inclusion of other actors.** Municipalities, social enterprises, reuse operators and civil society must have meaningful decision-making power in the EPR system.
- **Extend cost coverage to waste prevention to meet respective targets.** EPR should finance repair, reuse, refurbishment, skills development, reuse-oriented infrastructure, consumer incentives and awareness raising. A dedicated share should support social-economy actors.
- **Restructure and modulate EPR contribution.** Establishing a two-tier structure of EPR contributions, separating contributions to waste prevention and waste management. Splitting the fee contribution would prevent funds being shifted from prevention measures to waste management where targets might be easier to achieve and ensure both tiers are sufficiently funded. In addition, an ambitious, harmonised bonus-malus system should reward more sustainable products and penalise harmful product designs and business practices.
- **Address exported used electronics.** The Commission should evaluate a mechanism that allows EPR contributions to follow used electronics exported outside the EU and finance environmentally sound treatment, safe working conditions and remediation in receiving countries.
- **End free-riding of online sellers.** Online platforms must be obliged to verify sellers' EPR compliance and assume legal and financial responsibility where no other liable operator is established or reachable in the EU. Public, interoperable producer registers should support enforcement.

These reforms would align EPR with the waste hierarchy, create stable funding for prevention and ensure that producers assume greater responsibility for the full lifecycle impacts of their products.

Introduction

Current patterns of production, consumption and disposal of electrical and electronic equipment (EEE) have severe environmental impacts, deplete scarce resources and contribute to Europe's dependence on imported raw materials. [Eurostat's latest data](#) confirm a worrying trend: ever more electronic equipment is being placed on the EU market, resulting in growing quantities of electronic waste. In 2023, more than 14.4 million tonnes of EEE were placed on the EU market – an increase of more than 89% since 2012.

Waste prevention and measures at the higher levels of the waste hierarchy are essential to reduce resource consumption and greenhouse gas emissions, strengthen Europe's resilience and build a circular economy within planetary boundaries. The WEEE Directive recognises the waste hierarchy and identifies waste prevention as one of its central objectives. Recital 6 states:

"The purpose of this Directive is to contribute to sustainable production and consumption by, as a first priority, the prevention of WEEE and, in addition, by the re-use, recycling and other forms of recovery [...]".

Nevertheless, the [evaluation of the WEEE Directive](#) demonstrates that the existing framework has not provided sufficient incentives for waste prevention and to prioritise strategies such as reuse, repair and preparation for reuse. It also concludes, among other shortfalls, that the Directive:

- Caused a fragmented implementation of EPR schemes across the EU and gaps in the enforcement of EPR obligations, particularly concerning online sellers.
- Fails to facilitate the collection of WEEE at its end of life.
- Did not tackle the long persisting problem of illegal exports of used EEE/WEEE.
- Has not led to more high-quality recycling and the effective recovery of valuable materials including critical materials.

These shortcomings demonstrate that efforts to date have failed to establish an effective EPR system for EEE – one that holds producers accountable for the environmental impacts of their products and incentivises them to minimise these impacts and adopt more sustainable practices. Producer responsibility for electronics must therefore be fundamentally overhauled and harmonised across the EU. Given the particularly limited progress on waste prevention, reuse and repair, it is essential to unlock the potential of EPR to support these objectives by:

- **Financing the redesign of collection, sorting and treatment systems to promote repair and reuse**, but also supporting schemes that reduce the number of products discarded in the first place. Measures such as dedicated targets and repair bonus schemes must be considered.
- **Incentivising repairability, durability and reusability** of products beyond legal requirements (e.g. through effective eco-modulation).
- **Facilitating waste prevention and circular consumer behaviour** and disincentivising unsustainable consumer behaviour. More concretely, EPR can support the repair of goods and make refurbished goods more attractive than new ones or oblige producers

to provide information for raising consumer awareness, e.g. on durability or repairability of a product.

- **Contributing to incorporating environmental costs into products costs** and thereby implementing the “polluter pays principle”.¹

In the following, we outline key aspects that need to be considered in the reform and harmonisation of EPR under the revision of the WEEE Directive: a clear allocation of responsibilities; inclusive governance; extending the current focus on covering waste management costs to also include waste prevention measures; the structure and modulation of EPR contributions; recognition of the impacts of used electronics in third countries; and the effective tackling of free riding via online platforms.

Also see the [joint position paper](#) on the revision of the WEEE Directive for a comprehensive overview of demands by civil society and social business.

Key resources on Extended Producer Responsibility

- [RREUSE's policy recommendations on Extended Producer Responsibility schemes](#) (2025)
- Zero Waste Europe policy briefs: “[Designing EPR to Foster the EU's Competitiveness and Strategic Autonomy](#)” (2025) and “[Extended Producer Responsibility for waste reduction](#)” (2026)
- Study commissioned by Environmental Action Germany (DUH) and conducted by Ökoinstitut e.V. and cyclos: “[Weiterentwicklung der Produktverantwortung im ElektroG](#)” (2025)
- Right to Repair discussion paper “[Reforming Extended Producer Responsibility to Promote Repair](#)” (2024)

¹ For more details, see the joint discussion paper “[Reforming Extended Producer Responsibility to Promote Repair](#)” (2024)

Clear responsibilities and governance

Experience from Member States show that collection systems with unclear responsibilities and weak incentives perform poorly. In such systems, actors lack motivation to collect large quantities of WEEE since producers face higher treatment costs as volumes increase, retailers incur costs for collection without benefit, and consumers are not incentivised to return discarded products.²

To establish clear responsibilities, all producers should be obliged to join a **collective PRO** and pay EPR contributions based on the quantities they place on the market. Mandatory collective schemes facilitate enforcement and are the precondition to enable other important measures such as ecomodulation.

Each PRO must, in turn, be required to meet **binding environmental targets**, including for prevention, (preparation for) reuse, recycling, and collection. Various examples (e.g. Germany) show that obligations at the Member State level are often ineffective and that a more direct allocation of responsibility is necessary. Positive examples include packaging EPR in Belgium, where the household packaging PRO, Fost Plus, is responsible for meeting waste reduction and reuse targets and is required to invest 2% of its budget in action programmes aimed at avoiding and reducing packaging.³

However, while PROs should organise and finance the activities necessary to fulfil the obligations of their participating producers and should be directly accountable for performance, **producers should retain ultimate legal and financial responsibility** where their PRO acting on their behalf fails to comply with its obligations or achieve the applicable targets.

Where multiple national PROs operate, competition to attract producers can undermine the financial coverage of EPR schemes. This dynamic risks creating a “race to the bottom”, lowering EPR contributions and weakening incentives for more sustainable products. Therefore, in those Member States where there are more than two PROs on the market, a **coordination system** must be in place to safeguard the integrity and effectiveness of the EPR system and ensure that all PROs meet minimum standards, including full cost coverage to meet targets and obligations.

The system should also **reward performance beyond mandatory targets**, for example, through compensation payments between PROs if environmental goals are exceeded alongside sufficient consumer incentives such as deposit-return systems for WEEE with high environmental impact or significant CRM content.

To ensure fair and effective implementation, **EPR governance must also become more inclusive**. Currently, many schemes exclude vital players in the reuse chain. Incorporating social

² See a detailed analysis of the German WEEE EPR scheme in: Ökoinstitut e.V., cyclos. [“Weiterentwicklung der Produktverantwortung im ElektroG”](#) (2025)

³ See, e.g., Zero Waste Europe’s policy brief “Extended Producer Responsibility for waste reduction” (2026) for further good practices.

enterprises, civil society, municipalities, and other relevant stakeholders into the implementation process, governance and decision-making structures can help curb monopolistic practices and lead to better environmental and social outcomes. To ensure meaningful participation, PROs should establish a strategic governance body in which relevant stakeholders – including waste-management operators, social enterprises, civil-society organisations, municipalities and other relevant stakeholders – are represented and have a meaningful role in discussing and deciding strategic matters.

Cost coverage

To improve the performance of EPR systems in achieving environmental objectives, there is an urgent need to better align their funding with the waste hierarchy. As, currently, the upper levels of the waste hierarchy – prevention, reuse, and preparation for reuse – receive significantly less funding, if any, from EPR schemes.

On the one hand, the **full costs of waste management operations must be covered** by EPR contributions, including all measures necessary to reach obligations and targets. In this context, it must also be ensured that the principle of “necessary costs”, which limits EPR contributions to the minimum required to meet objectives, does not undermine more circular strategies such as preparation for reuse. This is particularly relevant for social enterprises, which often provide local jobs, including for individuals facing barriers to entering the labour market. The pursuit of cost-effectiveness should not hinder such operations that deliver both environmental and social benefits.

On the other hand, the **cost coverage of current EPR schemes must be expanded** and harmonised to include components beyond the collection and treatment of WEEE, to support activities higher up the waste hierarchy. In this context, at least the following aspects should be considered:

- Dedicated financial support for waste prevention strategies such as reuse, repair, refurbishment, repurposing, and remanufacturing ensuring these are not deprioritised in favour of downstream treatment, either through legally earmarking a minimum percentage of the PRO budget or through the introduction of a separate waste prevention contribution to meet the related targets (see next section).⁴
- Use EPR funds to finance direct consumer incentives such as repair bonuses, making professional repair services more accessible and affordable – to support achieving waste reduction targets (see textbox below).

⁴ For example, [Recupel](#), Belgium's PRO for WEEE, [supports reuse by providing payments to second-hand shops](#), thrift stores, and reuse centres that resell collected electrical appliances as part of the measures to achieve WEEE reuse targets in the Belgian regions of Flanders and Brussels. Another positive example is the Belgian system for household packaging, which [requires the PRO](#), Fost Plus, to dedicate 2% of its budget to waste prevention measures.

- Allocate funding to qualification programmes and skills development for repair professionals, strengthening capacity in the repair and social economy sectors.
- Support pilot projects for the reuse of components and the recovery of spare parts from discarded products.
- Fund a digital infrastructure (data exchange between registers) that facilitates reuse and repair.
- Invest in information and awareness campaigns to encourage repair and reuse among consumers.
- Finance the improvement of WEEE collection facilities to meet the needs of reuse and preparation-for-reuse operators, e.g., by adequately equipping recycling centres to be able to assess products for potential reuse or repair.

The inclusion of these new aspects will require the development of a **standardised methodology to identify all cost components and sources**, reflecting operational differences between reuse and recycling.

Considering the important role of the social economy in electronics repair and reuse, and the significant environmental and social value these activities deliver, **a share of EPR contributions should be earmarked for reuse operations carried out by social enterprises**. Lessons in this regard can be drawn from the [French Social Reuse Fund](#).

EPR-financed repair funds as a tool to promote repair and waste prevention

Repair funds are effective instruments to promote repair and waste prevention. They provide financial incentives that encourage consumers to repair defective or damaged products instead of discarding them and purchasing new ones. Typically, such schemes offer financial support for certified repair services in the form of subsidies, discounts, or vouchers.

Repair funding programmes are gaining popularity across Europe and have delivered positive results. Several national and subnational schemes exist, for example in France, Germany, and Austria. Evidence shows that these programmes effectively raise awareness among consumers about repair options and enable them to choose repair. In France, more than 165,000 repairs were carried out under the repair bonus programme in its first year. In Austria, over 840,000 vouchers were issued between April 2022 and January 2024. [A study on the Thuringian repair bonus](#) found that 33,288 repairs between 2021 and 2024 potentially avoided 2,971 tonnes of CO₂ equivalent emissions and 390 tonnes of electronic waste.

However, most existing schemes are currently financed through public budgets at the municipal or regional level. As a result, they depend on the availability of public funding and are vulnerable to budget cuts or shifting political priorities. As seen by the example of the Austrian “[Geräte-Retter-Prämie](#)”, which will cease to exist in 2027 after budget cuts on the national level. At the same time, predictable and stable funding is crucial for repair businesses to respond to increased demand generated by such programmes. In this context, **EPR revenues can provide a stable, long-term funding source for repair incentives**, as demonstrated by the French [Bonus Réparation](#).

Since December 2022, French consumers have been able to benefit from a repair fund financed through EPR contributions. Initially covering electrical and electronic appliances, the system was extended to clothing and shoes in November 2023. It now also includes furniture, sports and leisure equipment, DIY and gardening tools, and certain toys. Consumers receive an immediate discount when repairs are carried out by certified repair businesses (labelled *QualiRépar* for electronics and *Bonus réparation* for textiles and shoes). Repair businesses are subsequently reimbursed by the responsible PROs. The scheme is fully financed through EPR contributions paid by manufacturers for products placed on the French market.

Against this background, the revision of the WEEE Directive should ensure the establishment of EPR-financed repair funds for all electronics within its scope.

EPR contributions and ecomodulation

The revision of the WEEE Directive must ensure that EPR contributions are paid by producers and modulated based on harmonised criteria across all Member States. This can best be achieved by **requiring all producers to join collective PROs**.

Expanding cost coverage, as described above, will then also require further development of the **structure of EPR contributions**. A harmonised approach to calculating contributions should ensure fair compensation across actors and be based on relative rather than absolute terms, to account for national differences such as purchasing power and waste management costs. It must also ensure that sufficient funding is allocated to activities supporting reuse and waste prevention.

One way to achieve this would be through a **two-tier structure of EPR contributions**. A core waste management contribution would cover the costs related to obligations for separate collection and treatment, including the achievement of targets for collection, recycling, and preparation for reuse. A second contribution dedicated to waste prevention would finance measures to support waste prevention and reuse (see activities outlined in the previous section), as well as related targets to be established in the revision process (see the [comprehensive position paper](#) on the WEEE Directive revision for more information on waste prevention and reuse targets). Splitting the fee contribution would prevent funds being shifted from prevention

measures to waste management where targets might be easier to achieve and ensure both tiers are sufficient funded.⁵

A key challenge for implementing such a system is the current lack of data on waste prevention, repair, and (preparing for) reuse, as highlighted in the evaluation study. To address this challenge, it could be considered to phase in differentiated contributions only after a transition period. During this period, funding for waste prevention could be ensured by **requiring PROs to earmark a fixed share of their budget for waste prevention** measures (for example 10%). This would provide an immediate and pragmatic way to secure funding for the upper levels of the waste hierarchy until a robust database to support a separate waste prevention EPR contribution is established.

The calculation method for EPR contributions must also be complemented by **ecomodulation** to provide incentives for ecodesign and to facilitate circular strategies ranging from reuse and repair to high-quality recycling. So far, ecomodulation has been considered ineffective, as EPR contributions for WEEE are too low relative to product prices to influence product design decisions as well as not harmonised across the Single Market.⁶ It is therefore crucial to ensure that EPR contributions – bonus and malus – are significant. Implementing full cost coverage and expanding EPR to cover activities beyond collection and treatment as described in the previous section would increase overall EPR contributions and hence create stronger incentives.

For ecomodulation to be effective, **transparent and ambitious criteria** that go beyond legal compliance must be defined. This requires robust methodologies (e.g. reparability indices) that still need to be developed. Given that current ESPR processes that could provide such methodologies are slow and do not cover all electronics, the revised WEEE Directive should establish a clear timeline for their development, whether under the ESPR framework or under the revised WEEE Directive itself. Criteria should be harmonised at EU level.

Ecomodulation criteria should support a **bonus-malus system aligned with the waste hierarchy**, prioritising reuse and waste prevention. The system should address both product environmental performance and producer practices. For example, criteria such as durability, reparability, recyclability, use of recycled content, or ecolabels (e.g. the EU Ecolabel) should reduce contributions (bonus), while penalties (malus) should apply for harmful substances or other environmentally harmful design choices. Minimum and maximum bonus-malus values should be defined and regularly updated to ensure meaningful financial impacts and avoid symbolic adjustments.

⁵ See also Zero Waste Europe's policy brief "[Extended Producer Responsibility for waste reduction](#)" (2026) elaborating the idea of two separate EPR contributions: one contribution to cover the costs of waste management and one dedicated to waste reduction measures as well as RREUSE position paper "[REUSE's policy recommendations on Extended Producer Responsibility schemes](#)" describing a similar system of differentiated contributions.

⁶ See, e.g., the study commissioned by the Rethink Plastic Alliance and conducted by the Ecologic Institute "[Extended Producer Responsibility and Ecomodulation of Fees](#)" (2021)

Finally, a **volume-based criterion** could be introduced, whereby contributions per kg progressively increase with the number of products placed on the market by a producer each year. This would help address wasteful production and consumption patterns, following the example of the [revised Waste Framework Directive](#) and new provisions on EPR systems for textiles in [France](#).

EPR free-riding and online platforms

In 2018, so-called “free-riders” – sellers who avoid paying EPR contributions – were estimated to account for at least [5% to 10% of the online market for EEE in the EU](#). This corresponds to between 460,000 and 920,000 tonnes of products placed on the market each year that are not covered by EPR schemes. Given the rapid growth of cross-border e-commerce and online marketplaces in recent years, the same percentage could correspond to even much higher quantities of products placed on the market without EPR coverage today. As a result, environmental programmes designed to manage WEEE lose tens, if not hundreds, of millions of Euros annually. In addition, these products often evade conformity requirements regarding pollutants, ecodesign, labelling or safety.

To tackle the issue of free-riding and ensure that all producers fulfil their extended responsibilities, online platforms **should be recognised as economic operators under product and environmental law**, including the revised WEEE Directive, and be subject to proactive due diligence obligations. They **must be required to verify that a liable actor exists in the destination Member State and assume fallback liability** where no other liable actor exists.

Moreover, online platforms shall be obliged to **check the EPR compliance of their distributors** and verify the completeness, conformity, and plausibility of product and distributor information prior to sale to ensure that all EPR obligations are fulfilled. This approach is already partly reflected in countries such as Germany, France, and Spain. Online platforms should also be held liable – including financially – for fulfilling all EPR-related obligations, including the payment of EPR contributions and any imposed fines where no other responsible operator is present or reachable in the EU.

Furthermore, online platforms are to **perform EPR obligations in each Member State on behalf of manufacturers and distributors if such manufacturers and distributors do not provide full proof of compliance** with these obligations. [A similar approach exists in the United Kingdom](#), where overseas sellers supplying EEE directly to UK users must ensure compliance with producer responsibility obligations, including, where applicable, by appointing a UK-based authorised representative. Recent amendments to the UK WEEE Regulations also treat online marketplace operators as producers for EEE sold by non-UK suppliers through their platforms, thereby making them directly responsible for fulfilling the corresponding obligations.

A further measure to enhance transparency and accountability is to **ensure that producer registers are publicly accessible**. Registries should also be connected or interoperable, and reporting requirements harmonised across the EU.

In a recent [Joint Statement](#), 64 environmental and consumer protection NGOs, industry, retail and wholesale organisations are calling on EU policymakers to urgently address such persistent regulatory loopholes in relation to online trade via online marketplaces.

Global responsibility

It is essential to address the costs associated with [EEE/WEEE exported to third countries](#) outside the EU – a frequent destination for used devices and illegally exported WEEE as identified by the [evaluation study](#): In 2020, an estimated 0.5 million tonnes of WEEE were illegally exported from the EU, alongside 0.6 million tonnes of used EEE exported for reuse. A further 1.5 million tonnes of WEEE were unaccounted for, much of it likely exported as well.

The evidence that European electronic waste is causing serious environmental damage and health impacts on local communities in many countries in the Global South is overwhelming.⁷ It is therefore crucial that parts of EPR contributions paid by producers in EU countries are made available to finance collection and treatment in receiving countries, as well as to remediate environmental and social damage resulting from the unsound treatment of WEEE. The revised WEEE Directive should at least **mandate the European Commission to evaluate a mechanism that allows EPR contributions to follow used electronics exported outside the EU.**

This issue is not limited to electronics; it also affects other product groups such as [vehicles](#) and [textiles](#), yet it is currently ignored in all EPR systems. In practice, EU producers delegate waste management responsibilities for exported products to receiving countries while retaining the contributions intended to finance proper treatment. This places an unfair burden on the waste management systems of these countries, which are often less equipped to handle complex waste streams such as electronics.

This failure is estimated to cost African economies between [EUR 340–380 million per year](#) in lost EPR contributions, based on the volume of used electronics traded. For vehicles, losses are estimated at EUR 295–409 million annually.

Special attention should also be given to the **role of informal waste pickers in receiving countries**. A defined share of EPR revenues should be redistributed through verified PROs or trusted NGOs to provide fair collection payments, protective equipment, and training, as well as to support pathways to formalisation, for example through cooperatives and social protection. All such efforts must ensure transparency, gender equality, and the elimination of child labour.

⁷ See, among others, reporting by [Der Spiegel](#) and the documentary [Welcome to Sodom](#) on the impacts of WEEE in Ghana, as well as the documentary [DANDORA – A Fast Tech Story](#) on one of the world's largest electronic waste dumpsites in Kenya and the report by the World Health Organisation (WHO) "[Children and digital dumpsites: e-waste exposure and child health](#)".

Learning from recent work on exported used textiles

The recent study '[*Fashion Redress: Exploring policy options for EPR fee transfer mechanisms between used clothing exporting and importing countries*](#)' (2026) commissioned by the EEB explores key considerations and challenges involved in establishing EPR schemes for textiles that finance the collection and treatment of used products exported to third countries. It examines the entire flow of funds – from fee collection in exporting countries to their allocation in receiving countries – as well as the legal, governance and financial mechanisms needed to operationalise different approaches to EPR, providing important lessons for WEEE.

Harmonising EPR requirements for B2C and B2B products

The regulatory separation between B2C and B2B equipment contributes to collection gaps, enforcement deficits and economic incentives for regulatory arbitrage, particularly in relation to dual-use products. In particular given the upcoming necessary investments in circular economy infrastructure to promote reuse and the recovery of critical raw materials, manufacturers of B2B equipment should be subject to EPR to the same extent as manufacturers of B2C equipment.

Article 5 and Article 12 of the WEEE Directive establish mandatory producer financing and take-back obligations for B2C equipment, whereas Article 13 allows contractual arrangements for B2B equipment. This regulatory asymmetry reduces transparency, weakens enforceability and contributes to collection gaps. There should therefore be **mandatory and free-of-charge take-back obligations for B2B WEEE equivalent to B2C requirements**, including full producer financing responsibility. In addition, **harmonised and binding EU-wide reporting requirements** for B2B flows should be introduced to ensure transparency and comparability across Member States.

Dual-use products – equipment technically suitable for both household and professional use – create systematic incentives for misclassification. Declaring such products as B2B allows producers to apply less stringent financing and reporting obligations, thereby undermining the effectiveness and integrity of EPR under Articles 12–14 of the WEEE Directive. There should therefore be **harmonised EU-wide criteria for classifying dual-use products**. Where household use is technically possible, B2C obligations should apply by default. Market surveillance and enforcement mechanisms should be strengthened to prevent strategic misclassification and resulting environmental damages.

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