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European Aggregates Association - UEPG aisbl  
Rue d’Arlon 21 – B-1050 Brussels  
Tel: +32 22 33 53 00  
E-Mail: [secretariat@uepg.eu](mailto:secretariat@uepg.eu)  
Internet: [www.uepg.eu](http://www.uepg.eu)

## EU Live Issues

### European Commission new proposal on the revision of the Carcinogens and Mutagens Directive

On 13 May, Commissioner of Employment, Social Affairs, Skills and Labour Mobility, Marianne Thyssen presented at a press conference the European Commission proposal for the revision of the Carcinogens and Mutagens at Work Directive (Directive 2004/37/EC). This proposal aims at improving workers’ health protection by reducing occupational exposure to carcinogenic chemical agents at the workplace. The proposal consists in revising the list of substances covered in Annex I, and in introducing new or amended Europe-wide binding exposure limit values for a first set of 13 agents in Annex III. A second set of agents is expected with 12 substances by the end of 2016.

The main points to keep in mind for our industry are:

- Respirable Crystalline Silica Dust is part of the 13 agents included in the new proposal.
- The limit value of the Respirable Crystalline Silica Dust is 0.1 mg/m<sup>3</sup> (respirable fraction).
- Respirable Crystalline Silica dust has two points in the recital of the new EC proposal point (5) and (6):
  - (5) (...) ‘Respirable crystalline silica dust generated by a work process’ (...)
  - (6) Mention of NEPSI, Social Dialogue Agreement and other good practices as ‘valuable instruments to complement regulatory measures and in particular to support the effective implementation of limit values’.
- Although this Directive and REACH are legally complementary, it is clearly written in the Explanatory Memorandum that respirable crystalline silica, which is

process generated in the workplace, is outside the scope of REACH.

- Members States can maintain or introduce more stringent protective measures.

### Next steps

The Directive proposal will now be subject to the ordinary legislative procedure (through the Council and Parliament) which usually last around 6 months, then there will be a transition period of two years after entry into force of the Directive for the Member States to transpose the Directive in their national legislation.

In June, the EU Council Working Party addressed social questions. The European Parliament has by this time nominated Marita Ulvskog (S&D, Sweden) as Rapporteur of the leading Employment and Social Affairs Committee.

UEPG, in line with other NEPSI Signatories, is closely monitoring the developments of the proposal now at the EU Council and European Parliament level, communicating to its members the latest information and guidance documents to best represent UEPG Members’ interest imbedded in a common NEPSI lobbying and advocacy campaign.

### Dutch Presidency Conference on preventing work-related cancers

On 23-25 May, the Dutch Presidency Conference gathered in Amsterdam 270 participants from the European Commission, EU 28 Ministries, National OSH Institutes, Academia, Trade Unions and Employers Representatives.

The Conference focused on the current state of play of work related cancers in Europe, the European Commission proposal of the revised carcinogens and mutagens at work Directive, and future common work proposed to prevent cancer at workplace. UEPG with other active

NEPSI Signatories were present. The main highlights presented were:

### Recognition of NEPSI Agreement

EU Commissioner of Employment, Social Affairs, Skills and Labour Mobility, Marianne Thyssen in her introductory speech officially praised the NEPSI Agreement. Mrs. Thyssen underlined first the importance of setting a binding limit value and that the 'NEPSI agreement offers practical guidelines to better manage the risk of RCS on the work floor'.

The Director General of DG Employment, Mr. Servoz, in his conclusion again emphasised the NEPSI agreement, its work and its role of good practice to support the OEL implementation for RCS, approved by all EU stakeholders at the Advisory Committee on Health and Safety at Work, as 0.1 mg/m<sup>3</sup>.

### Other good practices presented

SLIC, the Senior Labour Inspectors' Committee, to which NEPSI has been presented at their last meeting, is also working on a RCS guidance document for the construction sector and could use NEPSI good practice handling. Other good practices were presented from the Institute for Occupational Safety and Health in UK (IOSH) ([www.notimetolose.org.uk](http://www.notimetolose.org.uk)) and the Trade Unions in Spain ('Càncer zero' – CCOO Campaign) and in the Netherlands ([werkplekkankervrij.nl/](http://werkplekkankervrij.nl/)).

### Future of the proposal and next steps

Didier Jans (NEPSI Spokesman /IMA-Europe, Secretary General) was invited over the future developments and steps of the European Commission proposal to speak about NEPSI. Didier Jans mentioned the unique work of the agreement and its potential for the future. He also invited all participants to the NEPSI Conference of 16 June.

### Road map to carcinogens



At the end of the event, the Dutch Presidency launched a roadmap with Social Partners (Business Europe and ETUC), EU-OSHA and the Austrian 2019 Presidency, under the format of a signed

covenant, committing them to a voluntary action scheme to raise awareness of the risks arising from exposures to carcinogens in the workplace and exchange good practices, to which NEPSI could play a big role.

### Risks and next legislative steps

The Trade Union umbrella ETUC is lobbying very strongly to lower down the proposed RCS OEL to 0.05 mg/m<sup>3</sup>. Although the European Commission does not want clearly to change its proposed OEL for RCS, it will be now a decision from Members States and the European Parliament following the co-decision procedure.

NEPSI Meetings have been taking place since June to discuss together on common public relations actions and communications related to the ordinary legislative procedure and any potential risks. UEPG is actively working on the issues with its NEPSI counterparts.



### NEPSI Council and 10<sup>th</sup> Anniversary Conference

The NEPSI Council meeting took place on 15 June. The positive and partly improved results of the 2016 Reporting were highlighted. UEPG has a record increase of reported employees and sites. UEPG thanks its Members and Companies for all their work and efforts.

The full NEPSI Summary Report and National Reports were approved. The preparatory work of the NEPSI 2015-2016 Communication Campaign and the NEPSI Conference was presented, including the webinars and newsletters on the added-value of NEPSI, the videos and the new NEPSI website. All information can be found on the new NEPSI website at [www.nepsi.eu](http://www.nepsi.eu).

On 16 June, a Conference in Brussels has taken stock of the achievements of the "Social Dialogue Agreement on Workers' Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing it", ten years after its signature.



The video message from Commissioner for Employment and Social Affairs, Mrs Marianne Thyssen encouraged NEPSI social dialogue partners to continue the valuable work. It confirms the European Commission's strong support to the NEPSI initiative and the recognition of the Agreement as good practice and effective tool to implement the upcoming EU limit value on the ground.



NEPSI National Good Practices' presented in UK with (on the left) Martin Isles (MPA, UK) and in Spain with (in the middle) César Luaces Frades (FdA, Spain).

At the end of the Conference, NEPSI signatories endorsed a joint declaration, where the future of the NEPSI Agreement lies in facilitating compliance with the upcoming EU regulatory measures on respirable crystalline silica dust generated by a work process. NEPSI remains open to new signatories.

Now NEPSI Signatories will have to secure during the ordinary adoption procedure in the Parliament and the Council this recognition of NEPSI as a tool to facilitate the implementation of the Carcinogens and Mutagens at work Directive and the level of the limit value at 0.1 mg/m<sup>3</sup>.

### Towards a C&D Waste Management Protocol

On 19 May, the last meeting of stakeholders took place in order to discuss the final items of

the document, especially the quality insurance. While the document is still open for comments and will be circulated to UEPG Members, the protocol is now reaching its final stage: a validation workshop which took place on 30 June in Brussels. UEPG Members have been very much involved in the whole process.



The next important step will be the dissemination of this tool which aims at boosting recycling by tackling the key challenges (trust and perceived trust for instance). This will be a key aspect as it should be promoted towards competent authorities.

DG Grow, and especially Vincent Basuyau, have been very committed to supporting the recycled materials market, with the development of this document (done with Ecorys), but also with another study on Construction and Demolition Waste. For the later, a workshop took place on 25 May; Brian James, Chair of the UEPG Recycling Task Force, presented the challenges and opportunities for recycled aggregates.

The definition of backfilling (and the question to include it or not into the 70% recycling target) was largely debated at both events. There was a consensus on the need to backfill quarries, but there was no agreement amongst stakeholders whether this constituted recovery or not – UEPG being in the view that it is a recovery operation as correctly stated in the European legislation.

A key item of discussion during the event was the difficulty to obtain reliable data for recycled materials, and UEPG data was acknowledged as being the most reliable source of information. This shows that the great efforts from UEPG Members are showing results.

## “Responsible solutions to Europe’s housing and infrastructure challenges?”

The Concrete Initiative will organise on 17 November an event on “Responsible solutions to Europe’s housing and infrastructure challenges?”. The objective for the Concrete Initiative is to provide a platform whereby:

- On the one hand, those with firsthand knowledge of what the challenges are can have a voice
- On the other, the construction sector as a whole can discuss ways in which it can provide solutions in the short, medium and long term.

Participants will include the Construction sector, Civil society & Think Tanks, policy-makers and financial institutions. UEPG Members are invited to attend.

## Strategic Environmental Assessment vs precautionary principle

On 18 May, the European Commission organised a workshop on the application and effectiveness of the SEA Directive (Strategic Environmental Assessment Directive, 2001/42/EC). The key message was that this piece of legislation was a remarkable instrument, and that the root cause of potential difficulties came from an overuse of the precautionary principle which distorted the objective of the text.

According to the audience, composed mainly of Member States but also of other stakeholders, this procedure improves the planning process and facilitates the decision making. It is also a positive tool for economic activities, as if properly implemented, it facilitates the implementation of more controversial projects.

## Latest updates on the Natura 2000 Fitness Check

The publication of the consultants’ Fitness Check final Report, with probably more than 600 pages, together with the European Commission’s staff working paper with its conclusions, were supposed to be published in June, in advance of the EU Dutch Presidency Conference on Nature (scheduled 28-29-30 June).

Due to delays within the European Commission, the documents will not be published in time and this high-level Conference had been cancelled. It might be re-scheduled under the EU Slovakian Presidency.

We will keep you informed on future developments.

## Circular Economy Package assessed in the European Parliament

Following the publication of the new Circular Economy Package in December 2015, the European Parliament will be debating the European Commission’s proposal before its first reading proposing amendments.

There are four legislative proposals to address:

- proposal for a directive amending Directive 2008/98/EC on waste
- proposal for a directive amending Directive 1999/31/EC on the landfill of waste
- proposal for a directive amending Directive 94/62/EC on packaging and packaging waste
- proposal for a directive amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment

These will be addressed separately, but to ensure consistency between the reports, a single rapporteur has been appointed, and the timeline before the adoption in Plenary will be adapted, leaving more time than usual between the deadline for amendments to the reports (30 June) and the vote in the lead Committee (November 2016).

The lead Committee is the Committee on the Environment, Public Health and Food Safety, and Simona Bonafè MEP (S&D, Italy) is the Rapporteur.

The Industry Committee will give an opinion.

The highlights of the two draft ENVI reports on Waste and Landfill, for the Aggregates Industry, are the following:

- Promotion of recycling targets for commercial waste and industrial waste

- “In order to limit the negative environmental impact of different materials and to conserve natural resources, it is necessary to take additional measures focusing on the whole life cycle of products, including sustainable materials extraction”
- “For that reason, the Commission should propose, by the end of 2018, a lead indicator and a dashboard of sub-indicators on resource efficiency in order to monitor the progress towards the target of increasing resource efficiency at Union level by 30 % by 2030 compared with 2014 levels.”
- A better definition of “non-hazardous waste”
- Definition of backfilling: specification that the “suitable waste” should be “non-hazardous”
- More reporting obligations for Member States than proposed by the European Commission
- “Member States shall make use of regulatory and economic instruments in order to incentivise the uptake of secondary raw materials. Those measures shall encourage, inter alia, the use of recycled content in products and green public procurement criteria.”
- “By 31 December 2018, the Commission shall consider the possibility of setting up preparing for re-use and recycling targets which apply to specific construction and demolition waste to be met by 2025 and 2030”.

In a nutshell, the main items important to UEPG will be the definition of “backfilling” (and its inclusion into the recycling target of 70%), the use of economic instruments, and the indicators of resource efficiency.

#### Next steps

UEPG sent suggested amendments to key MEPs and Permanent Representations. The document is available on the UEPG website (<http://www.uepg.eu/positionpapers/download/24/attachement/uepg-proposed-amendments-circular-economy.pdf>).

We encourage all UEPG Members to provide it to their relevant contacts both in the European Parliament and within competent authorities.

The UEPG Recycling Task Force and the UEPG Working Group on Market Based Instruments have been working on the key items and will continue to do so at their next meetings. The Recycled Aggregates Task Force will meet next on 8 September 2016 and all UEPG Members are invited to join this Task Force.

UEPG will follow the debates in both EU Institutions, will organise meetings with the main decision-makers and will keep you updated.

We would like to thank all UEPG Members who have contributed, and we will keep you informed of the dissemination.

#### Explosives for civil uses TF Meeting



On 22 June, the UEPG-lead Explosives for civil uses Task Force met to discuss the latest developments of the implementation of the ‘system for the identification and traceability of explosives for civil uses’ Directive (2012/4/EU) in Europe. The Offshore sector was invited as a guest speaker to inform on the challenges of implementing the Directive, as understood now, in their sector. UEPG prepared a survey on the latest challenges faced by the whole supply chain on the implementation of the Directive in 2016, collecting information from the whole supply chain and presenting the results at the meeting. The results of the survey showed improvement in terms of implementation and compliance in Europe since a year. However, some challenges remained, which will be presented towards Member States at the upcoming European Commission explosives for civil uses working group and AdCo Market Surveillance meetings in October 2016. Visit the Site: <http://www.explosives-for-civil-uses.eu/>.

#### CPE Construction Products Regulation Working Group Meeting

On 23 June, John Bradshaw-Bullock (MPA, UK), participated at the Construction Products Europe (CPE) Construction Products Regulation (CPR) WG on behalf of UEPG.

John’s report was on the on-going CPE work on Smart CE marking to not confuse with simplified CE marking, the slowdown of Standards process and the work on a data system for use by Market Surveillance authorities. A guest speaker from DG GROW of the European Commission, Tapani Mikkeli, was invited to respond to questions on notified objections as an on-going issue, technical platforms to be developed in autumn 2016, CPR implementation report to be published in July 2016, and lack of financial resources for the essential work carried out by the CEN consultants to be solved.

#### EU C&D Waste Management Protocol – final steps

On 30 June, DG GROW hosted the Validation Workshop of the C&D Waste Management Protocol, finalising one year of common work to produce a document which should allow to increase confidence in recycled materials.

Brian James, Chair of the UEPG Recycled Aggregates Task Force, and other UEPG Members, participated in the event.

The document will be disseminated with the acknowledgement that Authorities and specifiers need reassurance about the quality of recycled materials in general. Translation into all official EU languages would be necessary if to reach the full audience.

#### Slovak Presidency of the Council of the EU

On 1 July, the Slovak Presidency took over the rotating EU Presidency of the EU Council. The Programme of the Slovak Presidency is based on four priorities: an economically strong Europe, a modern single market, a sustainable migration and asylum policies and a globally engaged Europe.

Furthermore, in terms of Health and Safety, the goal of the Slovak Presidency will be to achieve progress in the negotiations on the revision of legislation aimed at improving the protection of workers from the risks related to carcinogens or mutagens.

The Slovak Presidency will promote the development of measures directed towards the circular economy. Its essential purpose is to reduce waste production and protect the environment, but also to transform how the

economy functions, from production and consumption to waste management and the secondary materials market. Increased attention should be paid to the issue of the efficient use of water as a natural resource, the availability of which may be affected by climate change.

As regards the environment, one of the Presidency's main objectives will be to actively contribute to the current European debate on the transition towards a green and circular economy. An event entitled 'The transition towards a green economy' will serve as a useful platform for public discussions with the EU Member States and other stakeholders. At the same time, the Slovak Presidency will build on the work of the Netherlands Presidency in negotiations on legislative proposals, the amendments to six important directives among them waste management.

In the nature protection and biodiversity sector, the Presidency will focus on the results of the effectiveness evaluation of the Birds and Habitats Directives, with a view to adopting measures to ensure and protect sustainable water resources.

For more information visit [www.eu2016.sk/en/programme-and-priorities/priorities-of-the-slovak-presidency](http://www.eu2016.sk/en/programme-and-priorities/priorities-of-the-slovak-presidency)

**UEPG Sustainable Development Awards Entries**  
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**Dynamic Management of Biodiversity in active quarries**

On 4 May, our Belgian colleagues from Fediex organised, as part of their LIFE project "Life in Quarries", a workshop which gathered more than 80 participants from public institutions, extractive industry, research organisations and NGO's.



The objective of this project is to demonstrate that dynamic management of biodiversity in active quarries is possible and provide benefits to biodiversity. UEPG supports this project which outcome could bring benefits to the entire Aggregates Industry.

The workshop identified pre-existing experiences linked to the management of temporary habitats and fugitive species.



UEPG President, Jesús Ortiz, concluded the workshop, and several UEPG Members

from France, Germany and the Netherlands contributed.

**Recycling is happening ... but has limitations**

On 17 May, UEPG organised a site visit in the UK for two consultants from Ecorys, the consultancy working with DG Grow on the protocol for the Management of C&DW, visit kindly hosted by MPA and organised by Brian James, Chair of the UEPG Recycling Task Force, and Adam Day, aggregates producer.



The objective was to show the consultants the realities on the field of recycling of aggregates and the challenges faced. The visit consisted of a tour of an aggregates processing plant near the river Thames, where C&DW is being transported and treated, the visit of a demolition site in London, where C&DW is collected, and finally a concrete plant to illustrate the end use of the recycled aggregates.

Participants exchanged on the practical difficulties, especially the transportation, and on several key aspects of recycling, including the importance of quality.

**Future aggregates demand and recycling in Germany**

During a meeting of the Economic Committee of the German Aggregates Federation (MIRO) on May in Lieske (Germany), the German Construction Materials Association presented its new Report on the estimated demand of aggregates by 2030. The Report also includes the development of C&D waste recycling and the substitution rate of virgin aggregates.

With interest, experts noted that the recycling rates remain high and the

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substitution rates remain stable at maximum 15%.

## Russian Crushed Rock Market 2016

Dirk Fincke, UEPG Secretary General, was invited to speak at a Conference addressing the main challenges Russian aggregates producers are facing.

Aggregates in Russia are transported mainly on rail over long distances but transport costs are rising. Despite recent declines of the economy, Russia remains Europe's second biggest aggregates producer right after Germany. In addition, some European aggregates producing companies are operating in Russia and machinery equipment and dominantly from Germany or other parts of the world.

UEPG exchanged with the Russian Aggregates Association (NEDRA) and identified areas of common interest.

## UNPG Health and Safety Committee Meeting

On 28 March, the French Aggregates Producers Association, UNPG, organised its Health and Safety Day in Paris. The focus of the meeting was on the commitment of the French Aggregates Producers in terms of Health and Safety. Presentations and discussions were precisely about actinolite, dust, natural radioactivity, the review on the General Regulation for electricity and mobile machines, and Health and Safety days in French Regions.

In the morning, Miette Dechelle, UEPG Public Affairs Manager, was invited on behalf of UEPG to inform Members on the latest development of the RCS at European level, and accordingly, NEPSI Signatories' work and strategy. In the afternoon, the French Ministry was invited to present their road maps for the coming months on the above mentioned topics. UNPG is in constant dialogue with the French authorities and the meeting also illustrated the close cooperation build up. The event concluded with regional Health and Safety day success stories to open discussion with OSH experts from site to regional level from the whole supply chain.

## UEPG Delegates Assembly

This year Delegates Assembly took place on 2 and 3 June and was kindly hosted in Berlin, Germany, by MIRO, the German Producers Association.



On 2 June, in the morning, MIRO welcomed the UEPG Entrepreneurs' Forum. The focus of the meeting was on dust control on site from an environmental and health and safety point of view. Speakers invited were from Academia, IT supplier programme and Manufacturer, followed by interesting debate with Representatives of the Aggregates Industry.



In the afternoon, MIRO organised a visit to the Reichstag building (German Parliament) welcomed by MP Matthias Heider (CDU), allowing UEPG Delegates to exchange on the current EU and German affairs as the EU Circular Economy Package. Then, a visit was organised at the Berliner Schloß (Berlin City Palace) to present the plans to reconstruct the building.



The UEPG Delegates Assembly of the European Aggregates Association (UEPG) took place on 3 June. The meeting chaired by UEPG President, Jesús Ortiz, concentrated on UEPG Membership Enlargement, Budget and Priorities, among which the Circular Economy Package, the Revision of the Carcinogens and Mutagens at work Directive, Standards, and Better implementation and regulatory enforcement.



UEPG President, Jesús Ortiz, announced the departure of Sandrine Devos, UEPG Public Affairs Manager and thanked her for her outstanding commitment to UEPG over more than 7 years, and wished her all success for her new position.

Alev Somer will replace Sandrine Devos starting from 1<sup>st</sup> September as Junior Public Affairs Officer. Alev has French-Turkish nationality and looks forward to working within the UEPG team.



## 2016 Minerals Products Conference and MAP Council Meeting

On 9 June MPA Conference on "Mineral Products 2016 - Essential for Growth" took place in London. The event explored a range of topical issues which will impact on future growth and the industry's ability to deliver sustainable solutions.



At the occasion of the Conference MPA released the organisation's latest report,

'The Mineral Products Industry at a Glance', which provides a valuable source of information on the Mineral Products industry, documenting the changing patterns in the way UK produces and consumes minerals and the manufactured products derived from them.

Dirk Fincke, UEPG Secretary General was also invited to intervene at the MPA Council Meeting to talk about MPA's strong contribution to UEPG, the circular economy package, Natura 2000 and synergy effects in working with the NEEIP (Non-Energy Extractive Industry Platform).

### Dust from an environmental perspective



Following the recommendation from the Delegates Assembly that dust from an environmental perspective should become a priority for UEPG, some members of the UEPG Environment Committee met on 23 June to address the topic.

After the presentation of the EU legislation and requirements, members presented the challenges faced at national level. The main identified threat was about the neighbourhood perception and acceptance, and the associated risk for licences.

Participants agreed that it would be important to both raise awareness from the profession and to exchange current practices by developing an internal guidance document for UEPG Members.

### UEPG on the field

Miette Dechelle, UEPG Public Affairs Manager, spent three full days with the Austrian UEPG Member – FVSK.

The first day she met a Government expert to discuss H&S issues and explosives in Austria. It was also the opportunity to exchange with Austrian Members Representatives of FVSK on RCS, PR and Communications and upcoming Delegates Assembly 2017, which will take place in Vienna on 22 and 23 May 2017.

The second day Miette Dechelle visited the Bernegger headquarter, operating and restorations sites, a 3.5 km tunnel of a conveyor belt and a train station. A family company located in Molln, in Upper Austria. Bernegger is a dynamic and innovative company illustrating fully by all its activities the philosophy of the circular economy. The company won several UEPG Sustainable Development Awards since 1998, the last one in 2013 with the complete setup of a train station for the transport of its products.



More information at [www.bernegger.at](http://www.bernegger.at).

The third day Miette visited sites of the Company Rohrdorfer Baustoffe Austria, in Bad Deutsch-Altenburg, in lower Austria with a specific focus on Health and Safety. The company main objective is zero accidents at work. The company won an UEPG Sustainable Development Award in 2010 for a project addressing "Stress at work".

During her visits to companies operating on state of the art, Miette Dechelle exchanged on NEPSI Reporting, explosives, vibration, OSH Training and exchange of OSH good practices with stakeholders and clients.

More information at [www.rohrdorfer.at](http://www.rohrdorfer.at).



From left to right Riegler Franz (Rohrdorfer), Petra Gradischnig (FVSK), Miette Dechelle (UEPG), Robert Wasserbacher (FVSK) at Hollitzer's quarry.

## UEPG Sustainable Development Awards Entries



We are proud to inform you that UEPG General Secretariat received 41 applications from 10 countries for the UEPG Sustainable Development

Awards 2016 Edition. The UEPG Sustainable Development Awards Ceremony will take place on 16 November in Palais des Beaux-Arts in Brussels and we look forward to seeing you there.

## Upcoming UEPG events

- 8 Sept.** Recycling TF Meeting, Brussels
- 22 Sept.** RDS & EPD WG Meeting, Brussels
- 26 Sept.** Dust ad-hoc WG Meeting, Brussels
- 27 Sept.** Biodiversity TF Meeting, Brussels
- 27 Sept.** Water Management TF Meeting, Brussels
- 13-14 Oct.** Committees Meetings, Brussels
- 16 Nov.** SDA Ceremony, Brussels
- 17 Nov.** Board Meeting, Brussels