

EUTR News

EUTR News provides updates about the application of the EU Timber Regulation (EUTR). This includes information on what EU member states are doing to implement and enforce the law, plus what the European Commission is doing to oversee progress in the member states and ensure proper application of the EUTR. It will also include any other relevant updates, for example, enforcement cases. For more background information on the EUTR, [click here](#).

This 2nd issue of EUTR News gives an overview of developments from March – May 2015. [Issue 1](#) is available on the [ClientEarth website](#), and future issues will be published regularly there.

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What happened during the last 3 months?

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1 Implementation of the EUTR across Europe

European Commission updated a scoreboard of implementation in EU member states

In August 2014, the European Commission published a scoreboard presenting EU member state's progress in implementing the EUTR. This scoreboard has since been updated regularly as member states have done more to implement the EUTR. The latest version, from April 2015, shows that 22 of the 28 member states:

- have designated a competent authority,
- have legislation on penalties for breaching the EUTR,
- and have started checks on industry that has to comply with the EUTR.

In compiling the scoreboard, the Commission relies on information from member states. For example, it has not assessed whether penalties in member states are in fact 'effective, proportionate and dissuasive', as required by the EUTR, or if there are penalties in place to penalise breaches of all the EUTR's requirements.

Norway implemented the EUTR

On the 1st May 2015, Norway implemented the EUTR, meaning that the EUTR now applies in 29 countries. As a member of the European Free Trade Agreement (EFTA) and party to the European Economic Area (EEA) Agreement, Norway will now have to apply the EUTR in the same way as EU member states.

Two competent authorities have been designated; the Agricultural Authority for timber and timber products produced in Norway, and the Norwegian Environmental Agency for imported timber and timber products. The EFTA Surveillance Authority will have the role of the European Commission, including recognition of monitoring organisations.

2 Enforcement of the EUTR

Checks on operators started in France

In France, the law establishing a penalty regime for infringement of the EUTR entered into force in October 2014. The authorities in charge of carrying out checks on operators in France are:

- The Ministry of Agriculture for loggers and sawmills
- The Ministry of Ecology for all other operators

The Ministry of Agriculture started to carry out checks on operators in January 2015 and the Ministry of Ecology at the end of April/beginning of May 2015. Agents in charge of the checks have been trained on the EUTR requirements. The checks on the due diligence system will first be done by a documentary review which should describe the due diligence system and then, in principal, a visit will be carried out at the operator's premises.

WWF alerted the German competent authority about potential breaches of the EUTR

WWF Germany alerted the German competent authority about potential breaches of the due diligence requirement of the EUTR by a number of stationery retailers and importers. WWF carried out laboratory tests on 144 different paper products (focussing on products that fall under the EUTR), and found tropical timber in about 20% of them. Most of the companies said that they were not aware that tropical timber was in their products, which meant that they could not have performed a credible risk assessment. This may therefore constitute a breach of the due diligence requirement under the EUTR, according to WWF.

This investigation will now be reviewed by the Federal Office for Agriculture and Food (BLE), the competent authority in Germany.

Developments in Romanian Forestry Policy

After two years of discussions, Romania is now in the process of adopting changes to the Forest Law.

In parallel, checks by the competent authority have started: on the 7th May 2015, the Romanian Ministry of Environment and Climate Change announced that it is conducting checks of two local branches of an Austrian timber company after a media campaign by the Environment Investigation Agency (EIA) linked the company to illegal logging.

3 New monitoring organisations

'Monitoring organisations' offer due diligence systems to operators, in particular small and medium enterprises, who can then apply these systems to their own supply chains. The European Commission must officially recognise monitoring organisations.

On 1st June 2015, the Commission recognised two new monitoring organisations:

- BM TRADA Latvija
- DIN CERTCO Gesellschaft für Konformitätsbewertung mbH

For the full list of recognised monitoring organisations and their contact details, [click here](#).

4 EUTR review

EUTR stakeholder consultation - until 3rd July 2015

In December 2015, the European Commission will conduct a first review of the EUTR, which it will then submit to the European Parliament and the Council. It will assess the functioning of the EUTR and its effectiveness in keeping illegally harvested timber or timber products out of the EU market. For this review, the Commission has launched a stakeholder consultation to let people

share their experiences and opinions. It is an important opportunity to share information about how the EUTR is working and what needs to happen for it to be more effective.

The consultation is open for contribution until 3rd July 2015. It is in the form of a questionnaire available on the [European Commission website](#).

The results of the EUTR review will feed into the ongoing EU Forest, Law, Enforcement, Governance and Trade ([FLEGT](#)) Action Plan review, which is currently in a 'field visit phase' between April and June 2015.

Member states submitted reports on the application of the EUTR

By the 30th April 2015, all member states were required to submit a report on the application of the EUTR during the previous two years, to the European Commission. Using these reports, the Commission will submit a progress report to the European Parliament and the Council. These reports will be repeated every two years.

5 The Impacts of the EUTR in the Republic of Congo

The Ministry of Forests in the Republic of Congo released a report in December 2014 on the impacts of the EUTR on logging companies in Congo: “*Étude sur les contraintes des entreprises forestières face aux exigences du plan d'action FLEGT sur l'application de la réglementation forestière, gouvernance et des échanges commerciaux en République du Congo*” by Caroline Duhesme. This report highlights the level of knowledge of the EUTR in the Republic of Congo by the private sector, and also the challenges faced by logging companies to answer operator's requests.

6 Events related to the EUTR

ThinkForest event: Assessing the impact of the EUTR and FLEGT Action Plan

The effectiveness and impact of the EUTR and FLEGT Action Plan were discussed at a [ThinkForest seminar](#) arranged by the European Forest Institute (EFI) at the European Parliament in Brussels on 21st April 2015. The seminar, chaired by Mr Paul Brannen, MEP, addressed the following questions:

- What does scientific evidence say about the impacts of the EUTR, FLEGT and other similar policies?
- Are these policies effective from the decision-makers perspective?
- FLEGT and EUTR in action - what are the experiences from industry and practice?

Fern event: Protecting forests, respecting rights

On 30th March 2015, Fern hosted a conference at the European Parliament in Brussels, looking at how to develop an EU Action Plan on Deforestation.

The conference was aimed to inform the development of this EU Action Plan to assess the environmental impact of EU consumption of food and non-food commodities, and to develop policy proposals. MEPs Catherine Bearder, Paul Brannen and Yannick Jadot hosted the conference, and Karl Falkenberg, Director General of DG Environment, delivered the Keynote.

Looking ahead:

25th Illegal Logging Update and Stakeholder Consultation meeting

On the 25th and 26th June, Chatham House will host the 25th Illegal Logging Update and Stakeholder Consultation meeting in London. The meeting will address a range of issues related to the trade of illegal timber, including:

- Interactions between FLEGT and REDD
- Controlling domestic timber markets
- Independent forest monitoring
- Tackling the illegal rosewood trade