

What is the EU Timber Regulation (EUTR) ?

It is part of the EU Forest
Law Enforcement
Governance and Trade
(FLEGT) action plan.

It has previously been
known as 'additional
legislation' or 'due
diligence legislation'



LOGGINGOFF is a joint initiative by NGOs from European and timber-producing countries involved in or monitoring the implementation of the EU FLEGT Action Plan, and specifically the implementation of the Voluntary Partnership Agreements.

EU Timber Regulation – a history

- The FLEGT Action Plan acknowledged that Voluntary Partnership Agreements (VPAs) would not address all illegally sourced timber imported into the EU and that therefore additional legislation was required.
- This ‘additional legislation’ was meant to be presented shortly after the Action Plan in 2003.
- Despite this proposed timeline the European Commission (EC) only came out with a first proposal in 2008.
- Many believe the first proposal only came out due to pressure from NGOs. See [press releases](#) and the report “[Facing Reality.](#)”



The First Proposal

- The first proposal was called ‘the due diligence regulation’ and required companies placing timber on the EU market to be “duly diligent” in ensuring their timber was legally sourced.
- The proposal received a lot of criticism from NGOs and the European Parliament among other things because it did not include a prohibition on importing illegally sourced timber.



A photograph showing a large, messy pile of papers and documents spread across a table in a meeting room. In the background, there are windows and a wall with several framed pictures or posters.

The Final Proposal?

- In June 2010 the Parliament and the Council agreed on revised legislation called the EU Timber Regulation.
- The revised Regulation was adopted on 20 October 2010 and will come into force in 3 March 2013 and is widely supported by NGOs, although some loopholes remain (see next slide).



Scope of the regulation

The regulation does not apply to recycled or printed products, but the scope of the regulation may be changed in the future...



Content of the Regulation

- **Prohibition: A ban on placing illegal timber on EU market.** Operators first placing timber on the EU market are prohibited from selling illegally sourced timber.
- **Due diligence.** Operators placing timber on the EU market are required to use a due diligence system to minimise the risk of illegally harvested timber.
- **One-up-one-down traceability.** Traders must be able to identify who supplied them and to whom they supply timber.



How does the Regulation work?

- **Agreement on a definition of legally produced timber.** Applicable legislation is defined by the laws of the country of harvest that broadly relate to the harvesting of timber including regional or international conventions in force in the country.
- **Penalties** will be decided at Member States level.
- **Monitoring and accreditation.** Monitoring organisations will be set up, and accredited at the EU level.
- **National level competent authorities** will carry out checks and ensure enforcement of the regulation
- **Forest certification doesn't automatically qualify.** Importantly, companies buying from certified operations still have to prove their timber is legal.
- **Timber with a FLEGT VPA licence automatically qualifies**, as does timber with a CITES (Convention on International Trade of Endangered Species)

Built to complement VPAs

- The EU legislation follows the enactment of the [Lacey Act](#) amendment in the US making it a crime to trade illegally sourced timber into the US.
- Together the EU and the US are very influential as they cover a large percentage of the international import market.
- The Timber Regulation is expected to be one of the “sticks” which will complementary the “carrot” of FLEGT VPAs, by stimulating countries to start negotiating a VPA.
- We will know in 2013 what its real impact will be.





LOGGINGOFF

Online
resource for
information
on VPAs

You will also find more information about EU Timber Regulation and other related issues at www.loggingoff.info

If you would like further information about the FLEGT action plan and how it is being implemented, please contact

Saskia Ozinga

t +44 (0)1608 651864

e saskia@fern.org

LOGGINGOFF

The online resource for information on
Voluntary Partnership Agreements

