



# Proposal for a Regulation on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010

*European Commission  
DG Environment*

# Context

- **420 million hectares** of forest worldwide - **an area larger than the EU** - have been lost between 1990 and 2020 (FAO).
- Deforestation and forest degradation are important drivers **climate change** and **biodiversity loss** - the two key environmental challenges of our time.
- 90% of deforestation is provoked by the **expansion of agricultural land** (FAO), which is linked in particular to a series of commodities.
- The **EU is a major consumer of commodities** associated with deforestation and forest degradation.

# Context

*“European voters and consumers are making this increasingly clear to us: **They no longer want to buy products that are responsible for deforestation or forest degradation.***

*This is why we will soon propose a regulation to tackle EU-driven global deforestation. **Commodities and products placed on our market should not lead to deforestation.** But we will do that with a principle to working in close partnership with the producing countries. This is so important.*

*As I have said: Listen to each other, work with each other. To stop deforestation, working in partnership is essential.”*



President von der Leyen  
2 NOV, COP26 Glasgow

# Political commitments

## European Green Deal

“The Commission will take measures, both regulatory and otherwise, **to promote imported products and value chains that do not involve deforestation and forest degradation.**”

## EU Biodiversity Strategy

“The Commission will also present, in 2021, a legislative proposal and other measures **to avoid or minimise the placing of products associated with deforestation or forest degradation on the EU market.**”

## Farm to Fork Strategy

“[...], the Commission will present in 2021 a legislative proposal and other measures **to avoid or minimise the placing of products associated with deforestation or forest degradation on the EU market.**”

# Legislative proposal - Timeline

- **Open Public Consultation:** 2nd most popular in EU history with 1.2 million respondents
- **Multi-stakeholder Platform on Deforestation:** Workshops and feedback collected and taken into account
- **Resolutions of EP and Council conclusions:** Support for EU measures against deforestation
- **Underlying assessments:** Fitness Check of EUTR, FLEGT Regulation and IA
- **Adoption: 17 November**
- Launch of ordinary legislative procedure – with the Council and EP
- **Co-decision procedure not expected to conclude before the end of 2023**

# Objectives

## GENERAL

**Minimise the EU's contribution to deforestation and forest degradation worldwide**  
(thus reducing EU-driven GHG emissions and biodiversity loss)

## Specific

Minimise the risk that products coming from supply chains associated with deforestation or forest degradation are placed on the EU market

Increase EU demand for and trade in legal and 'deforestation free' commodities and products



# Scope

- **Commodities covered**: Palm oil, soy, wood, beef, cocoa, and coffee & some derived products (e.g. leather, chocolate, furniture)
- **No discrimination** - The Regulation would apply both to **domestically produced and imported commodities and derived products**.
- **'Cut-off date' of 31 December 2020**: No commodities allowed to enter the EU market if produced on land subject to deforestation/degradation after that date.
- **Progressive scope** - To be updated regularly. Initially covering selected derived products, will be expanded over time.

# Functioning of the System [1]

- **Mandatory due diligence** rules for all operators that place the commodities and products on the EU market or export them from the EU
  - Only products that are both **deforestation-free and legal** according to the laws of the country of origin would be allowed on the EU market
  - We rely on **definitions** from Renewable Energy Directive and from FAO to set out what shall be considered deforestation-free commodities and products
  - **Geolocation - Strict traceability obligations** linking the commodity to the plot of land where it was produced
  - **Information system:** Host due diligence statements and related information to facilitate enforcement by Member States.

# Functioning of the System [2]

- **Benchmarking system** that will assess countries according to the level of risk of deforestation [low, standard, high]
- **Specific Obligations for operators and Member State authorities** – simplified due diligence for low-risk and enhanced scrutiny for high-risk categories
- **Minimum level of inspections** for Member States authorities to perform

# Chapter 5: Country benchmarking system and cooperation with third countries

- **Article 27: Assessment of countries**
  - *Countries **or parts thereof** may be assigned three categories: low, standard and high risk*
  - *Initially all countries are considered “standard” risk*
  - *Assessment of risk based on criteria:*
    - ***rate of deforestation***
    - ***rate of expansion of agriculture land for relevant commodities***
    - ***production trends of relevant commodities and products***
    - ***whether the country’s NDCs covers emissions and removals from agriculture, forestry and land***
    - ***existence of relevant agreements and other instruments concluded between the country and the Union***
    - ***national or subnational laws in place, including in accordance with Article 5 of the Paris Agreement, and takes effective enforcement measures***
  - *Provisions on notification and cooperation with country affected by a possible change in risk status*

# Cooperation with partner countries

- There will be **no ban** against any country or commodity
- The Commission will **step up cooperation programs** to ensure that EU partners are able to reap the benefits of new EU rules on deforestation
- The new **Forest Partnerships** spearheaded by INTPA are a key tool in this regard
- The Commission will also intensify engagement with consumer countries such as China and USA as well as in international fora.
- Continue working with other countries to further develop international definitions

# Thank you!

Learn more here:

[https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12137-Deforestation-and-forest-degradation-reducing-the-impact-of-products-placed-on-the-EU-market\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12137-Deforestation-and-forest-degradation-reducing-the-impact-of-products-placed-on-the-EU-market_en)



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