

Factsheet on the European Union Timber Regulation

The European Union has introduced the EU Timber Regulation (the “Timber Regulation”) to stop illegally logged timber accessing the markets of the 27 Member States. The Timber Regulation entered into force on 3rd of March 2013, making it illegal to place timber on the EU market, which has been logged in violation of the laws in the country of origin.

The Timber Regulation is one component of the EU’s Forest, Law, Environment, Governance and Trade Action Plan and it is the responsibility of each of the 27 Member States to enforce it.

1 Main Requirements

The Timber Regulation creates two main requirements for those who first place timber on the EU market (the ‘operator’):

Operators are prohibited from placing illegally logged timber or timber products on the EU market.

Operators must also actively assess the risk that timber has been logged illegally, using a set approach according to which they must:

1. Have access to information concerning the timber (e.g. species, country of origin)
2. Use this information to assess and evaluate the risk that the timber/product has been logged illegally
3. Take steps to mitigate the risk that the timber/products were logged illegally

If operators are not satisfied that the timber has been harvested legally, they should not make it available for sale on the EU market.

2 Scope

The Timber Regulation applies to a defined list of timber and timber products, including pulp and paper, furniture and plywood. It applies to timber logged in the EU or beyond. Importantly, even where timber enters the EU via one or more intermediary countries, it is always compliance with laws in the country of origin that remains the focus.

3 The Importance of Information

Operators need information about the timber, including the species and country of origin, to assess the risk that it has been logged illegally. Having more, credible, detailed and relevant information about national logging practices and laws documented and made accessible can influence and increase the standard of operators risk assessment.

The Timber Regulation also allows third parties to present information setting out substantiated concerns about the way that operators are complying with the law, to Member State competent authorities, in order to assist enforcement of the Timber Regulation.

For more information on the importance of information, please check the ClientEarth briefing [‘Enforcing the EU Timber Regulation - how can information be used?’](#)

4 Voluntary Partnership Agreements and the Timber Regulation

Under the Timber Regulation, timber with a valid VPA license or CITES permit is automatically recognised as legal. VPA and CITES are the only licenses that are recognised in this way by the Timber Regulation. For countries negotiating/implementing VPAs where no VPA-licenses are yet issued, timber and timber products may still be exported to the EU but operators have to comply with the requirements of the Timber Regulation.

5 Certification schemes

The Timber Regulation explicitly recognises that certification schemes may be used by operators as a tool when assessing and mitigating the risk that timber has been logged illegally. To be used in this way, operators must assess whether a certification scheme is sufficiently credible and the extent to which it responds to the requirements of the Timber Regulation. Using certified timber cannot be used on its own to evidence compliance with the Timber Regulation’s requirements. Operators must still have access to information about the timber and assess the overall risk of illegality.

For more information on certification, please check the ClientEarth briefing [‘The EU Timber Regulation and the use of certification’](#)

6 Penalties

If an operator places illegally harvested timber in one of the 27 Member States constituting the EU market or if it does not exercise due diligence properly, it will have broken the law in that EU Member State and be subject to the enforcement regime in that country.

Penalties for infringement of the Timber Regulation vary depending on the Member State in question and include criminal prosecution, fines, and the seizure of timber. In addition, operators may be prohibited from marketing timber and timber products.

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