



## EUTR News – July to September 2019

This issue of the EUTR News provides an update on the operation of the EU's law to address illegal logging, the EU Timber Regulation (EUTR), from July to September 2019. As with all of our previous editions, this issue will include information on what both the European Commission and EU Member States are doing to ensure the proper application of the EUTR, and provide updates on similar legislation internationally.

# 1. European Commission support to implementation and enforcement of the EUTR

## European Commission held the 24th and 25th FLEGT/EUTR Expert Group meeting

The European Commission published the minutes from the 24<sup>th</sup> FLEGT/EUTR Expert Group meeting, which took place on 21<sup>st</sup> June 2019. The Expert Group maintained that it is still not possible for timber harvested in Myanmar to be achieve a negligible risk of illegality when being placed on the EU market. Regarding trade with Ukraine, the Expert Group stated that “Ukraine as a whole is considered a risk country of harvest, requiring the provision of adequate risk mitigating measures and taking them, to be able to come to a negligible risk assessment”.

They then held their 25<sup>th</sup> meeting on 12<sup>th</sup> September 2019. The agenda of the meeting included discussions on risk assessment regarding timber imports from Myanmar, presentations on LesEG AIS (the Russian Federation’s wood tracking tool) and information on surveys of EUTR Operators throughout the EU and in Germany. The minutes of the meeting will be accessible online soon.

## UNEP-WCMC briefing notes on EUTR implementation

UNEP-WCMC, contracted by the European Commission, published briefing notes on developments in the implementation and enforcement of the EUTR covering the periods from May-June 2019 and from July-August 2019.

## 2. Member State enforcement of the EUTR

Belgian authorities denied access to the EU market of tropical timber from Gabon. German authorities blocked shipments of teak from Myanmar.

### Belgian authorities blocked shipment of tropical timber from Gabon after warning from Greenpeace

In July 2019, Greenpeace alerted Belgian Authorities to a shipment of timber arriving in the Port of Antwerp that may have been produced by a Chinese company implicated in illegal exploitation of the Gabonese rainforest. Custom officers reacted quickly and blocked the placement of the tropical timber on the EU market. The Belgian Competent Authority also initiated proceedings in order to check whether the Belgian company that received the shipment acted in compliance with the EUTR.

### Access to the German market denied for teak from Myanmar

The teak imported by a German operator from Myanmar via Singapore has been denied access to the EU market. The German authorities took two shipments of teak from Myanmar into custody after an onsite inspection. As the operator was unable to show that the risk was negligible, the timber was returned to Myanmar.

### Natural Resources Institute of Finland published a review of the LesEGAIS system

A report assessing the use of the Russian electronic timber trade monitoring system (LesEGAIS) was published by the National Resources Institute of Finland, at the request of the Finnish competent authority (the Finnish Food Authority). The system, introduced in 2013, gives the Russian authorities access to information on logging and timber trade companies, forest use declarations, logging and ownership documentation as well as other relevant agreements, reports and notifications. They plan to develop LesEGAIS so that the system also contains electronic cargo record books and timber storage registers. Additional plans include monitoring the movement of timber trucks and forest machines via a satellite tracking system.

### 3. Other EU and international updates

In the EU and internationally, several organisations and institutions have been working to address the problem of illegal logging. The Commission adopted a Communication on Stepping up EU Action against Deforestation and Forest Degradation. NGOs filed a complaint to the European Commission against Romanian authorities. In Indonesia, the directors of four timber trade companies were sentenced to prison.

#### EC adopted an EU Communication on Stepping up EU Action Stepping up EU Action against Deforestation and Forest Degradation

In July 2019, the European Commission adopted a Communication on [Stepping up EU Action against Deforestation and Forest Degradation](#). Its overall aim is to “protect and grow the world’s forest cover to improve people’s health and livelihoods and ensure a healthy planet” for future generations. The Communication underlines the need to reduce the footprint of EU consumption on land, strengthen international cooperation to halt deforestation and redirect finance to support more sustainable land-use practices.

#### A group of European NGOs filed a complaint to the European Commission against Romania

A coalition of three environmental NGOs, [EuroNatur](#), [Agent Green](#) and [ClientEarth](#), filed a [complaint to the European Commission](#) against Romania. The organisations claim that Romania’s state forestry management, Romsilva, is conducting logging operations within Natura 2000 protected sites without assessing their impact on these areas. The complaint states that in some cases the relevant environmental impact assessment, which should be performed before any logging takes place, took place years after logging began.

#### Chatham House held the 29th Global Forum on Forest Governance

The annual two-day event, previously known as the Illegal Logging Update & Stakeholder Consultation Meeting, included sessions on progress in forest sector transparency and accountability, next steps for implementing the EU-Honduras VPA, how timber licensing is supporting forest enforcement, interactions between forest legality and deforestation initiatives and efforts to promote gender equality in forest policy processes. The videos in English and Spanish are now [available on the event page](#).

#### Human Rights Watch released a report on deforestation in Brazil’s Amazon

Human Rights Watch published a [report](#), which shows how illegal logging operations in Brazil are related to acts of violence and intimidation against forest defenders. The report highlights the problem of inadequate measures taken to protect environmental defenders and the state’s failure to investigate and prosecute perpetrators of violence in the Brazilian Amazon. It is

recommended that Brazil should take “urgent steps to end impunity for acts of violence related to illegal deforestation in Amazon”.

## The directors of four Indonesian timber companies sentenced to prison

A court in Indonesia sentenced the directors of four Indonesian companies to one year each in prison and a fine of IDR 500 million (about EUR 32,000). EIA states that the defendants pleaded guilty to transporting merbau (*Intsia bijuga*) with falsified documents in an attempt to get around national timber legality regulations. The Directorate of Forest Protection seized 57 containers of illegal wood, of which 21 were attributed to the accused. The other containers with illegal timber from Papua and West Papua are still under investigation.

## 4. Publications and resources

Over the past three months, many publications and resources have been released. Below is a selection of resources and publications that aim to inform stakeholders across the EU and internationally on progress and key elements related to the EUTR.

### ‘Protecting forests, natural ecosystems and human rights: a case for EU action’

A coalition of EU Environmental NGOs published a briefing ‘[Protecting forests, natural ecosystems and human rights: a case for EU action](#)’. This was a priority to keep the political momentum at EU level. The briefing, published in October, will be used to reach out to decision makers at EU level and within Member States to express the importance of EU action to address deforestation.

### Use of scientific testing: publication by Forest Trends

Forest Trends released a [publication on the use of scientific testing](#) in the enforcement of timber import regulations. According to their research, 57% of the 21 countries surveyed are currently using scientific testing in enforcement of timber trade legislation and it is predicted that this number will exceed to 95% by 2024. The report also shows that isotope testing for location authentication is a technique that is fast developing and is more widely used than DNA analysis.

### ‘Healthy forests = equitable livelihoods, inclusive development and a resilient climate’

Fern, EIA, [ClientEarth](#), Forest Peoples Programme and Transparency International [released a briefing](#) which recommends actions that should be taken by the EU in order to better protect forests. The five environmental NGOs jointly call for the EU to (i) reinvigorate support for VPAs and EUTR implementation, (ii) uphold human rights in VPAs, (iii) adopt additional regulatory measures to tackle the deforestation crisis and protect rights, (iv) strengthen linkages between FLEGT and the climate and Sustainable Development Goal agendas, and (v) use trade as a lever to support human rights and protect forests.

### Timberleaks’ article about EUTR enforcement in France

Timberleaks published an [article about ongoing collaboration between French firms and suspicious exporters](#). It is alleged that some French importers are sourcing timber from companies in the Congo Basin or Liberia implicated in illegal deforestation, bribing governments and environmental abuses. The article also highlights the problem of enforcement of the EUTR in France. Timberleaks indicates that between March 2017 and February 2019 the French EUTR Competent Authority only checked 53 out of 14,000 operators importing timber.

### Five-year assessment report on the New York Declaration on Forests

The New York Declaration on Forests (NYDF) Assessment Partners, in collaboration with Chatham House and Climate Focus, have published a report assessing the progress in achieving the goals of the NYDF. According to the report, it is likely to be impossible to achieve the 2020 NYDF targets. The authors of the report highlight that restoration of forests systems must be accelerated, tropical forests need to be effectively protected and that there is a need to undertake wider and more coordinated efforts to address the drivers of deforestation.

## Spanish videos on timber identification and wood sampling

The Spanish Ministry of Agriculture, Fisheries and Food in cooperation with the National Institute of Agricultural and Food Research and Technology has published videos on techniques used for wood sampling and timber identification.

## Briefing on FLEGT updates

Logging Off and Fern have released an update that describes progress in the implementation of FLEGT VPA agreements. The authors of the report underline that VPAs can be considered as “more inclusive and transparent than other reforms impacting forests, such as Reduced Emissions from Deforestation and Degradation (REDD+) and Nationally Determined Contributions (NDCs)”. The report underlines the need to strengthen civil society participation in VPA processes. It is also recommended that the EU could create an accessible EUTR information system.



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