

EUTR: UNION-WIDE OVERVIEW FOR THE YEAR 2019

Overview based on the analysis of information on the application of the EU Timber Regulation (Regulation EU No. 995/2010), submitted by EUTR Member States



European
Commission

Introduction

The [EU Timber Regulation \(EUTR\)](#) applies in EU Member States and European Economic Area countries (here referred to as EUTR Member States (EUTR MS)) prohibits the placing of illegally harvested timber or timber products derived from such timber on the internal market.

As of 2020, EUTR MS are required to make available to the public information on the application of this Regulation during the previous calendar year. This information is a means to assess the status and the level of consistency of implementation achieved across EUTR MS. In particular, this relates to the [effectiveness of the prohibition of the placing on the market of illegally harvested timber and timber products derived from such timber](#) as well as of the checking of due diligence systems set out in Article 6 (Articles 4(1) and 20(4) of the EUTR as amended by the [Reporting Alignment Regulation 2019](#)). The Commission makes public this annual EU-wide overview based on the information provided by [EUTR Member States](#). This overview should also have regard to the [contribution of the FLEGT Voluntary Partnership Agreements \(VPAs\)](#) to minimising the presence of illegally harvested timber and timber products on the internal market (Article 20(2) of the EUTR as amended by the Reporting Alignment Regulation 2019).

Twenty-nine out of 31 EUTR MS submitted information on the application of the EUTR to the Commission in April 2020 (Iceland and Liechtenstein did not provide nor publish information on the application of the EUTR in their country in 2019).

Effectiveness of the implementation of the EUTR in 2019

The effectiveness of the risk based checks and enforcement actions by the EUTR MS is crucial to ensure the effectiveness of the EUTR in fighting illegal timber harvest worldwide (Figure 1, 2 and 3) with regard to the obligations of operators, traders and monitoring organisations. EUTR MS need to ensure that:

- the prohibition to place on the market illegally harvested timber and timber products derived thereof for the first time (Article 4(1) of the EUTR) is observed;
- the due diligence obligations are effectively implemented so as to exclude timber, for which the risk of illegal harvest is non-negligible, as well as the products derived therefrom to enter the market (Articles 4 (2) and (3) and 6 of the EUTR); and
- timber and timber products within the market is traceable (Articles 5 and 6 (1) of the EUTR).

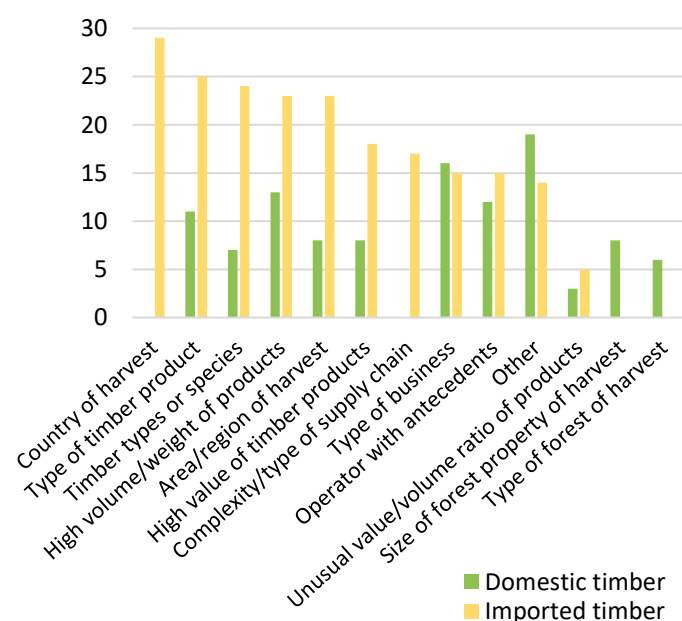


Figure 1: Risk criteria considered by EUTR MS, by number of EUTR MS using them in their risk based planning for 2019, for checks on domestic and imported timber and timber products.

No information was submitted by Iceland or Liechtenstein.

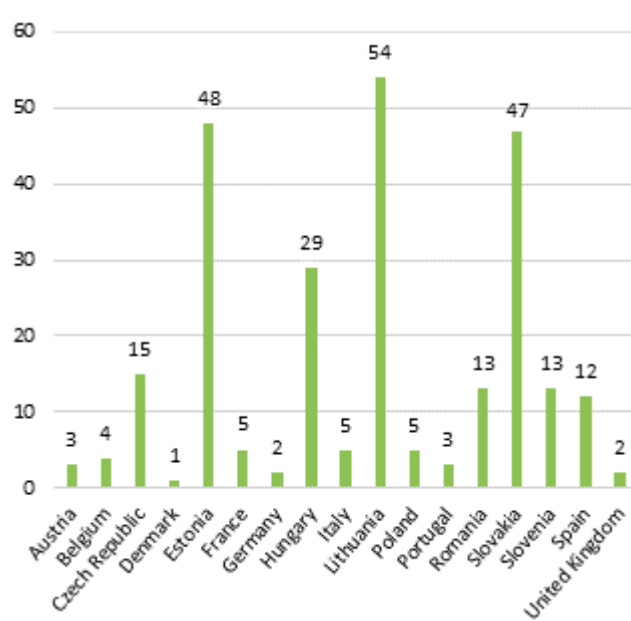


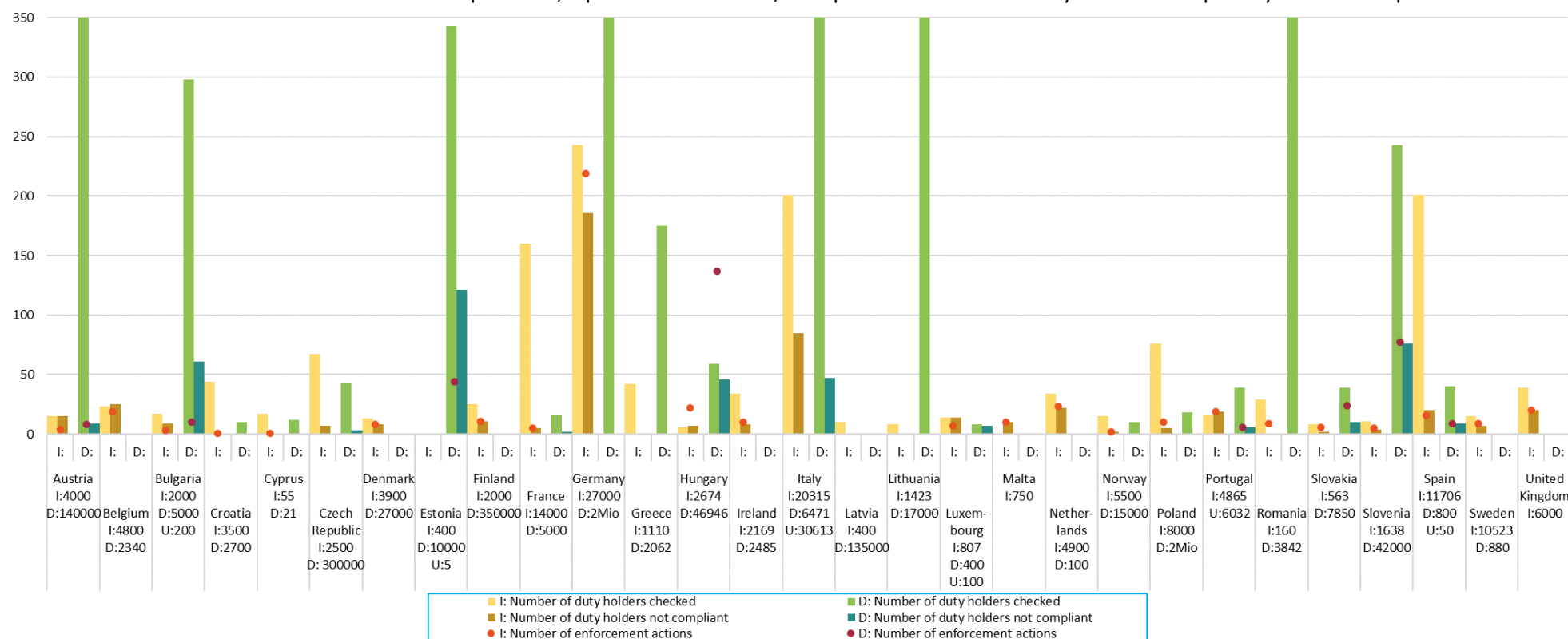
Figure 2: Overview of checks based on substantiated concern in 2019, by EUTR MS. No information was submitted by Iceland or Liechtenstein.

Domestic timber and timber products:

- 7 916 operators were checked by 21 EUTR MS and 410 (5.2%) were found not to be compliant with EUTR obligations.
- 7 EUTR MS issued 157 notices of remedial action, 2 temporary seizures, 3 temporary suspensions of the authority to trade/injunctions, 130 administrative and 7 criminal financial penalties, 3 permanent seizures, 10 suspensions of the authority to trade as a penalty and 7 other penalties.

Imported timber and timber products:

- 1 384 operators were checked by 28 EUTR MS and 494 (35.7%) were found not to be compliant with EUTR obligations.
- 22 EUTR MS issued 354 notices of remedial action, 3 temporary seizures, 7 temporary suspensions of the authority to trade/injunctions, 11 other interim measures, 55 administrative and 3 criminal financial penalties, 4 permanent seizures, 2 suspensions of the authority to trade as a penalty and 4 other penalties.



(↑1026)

(↑343)



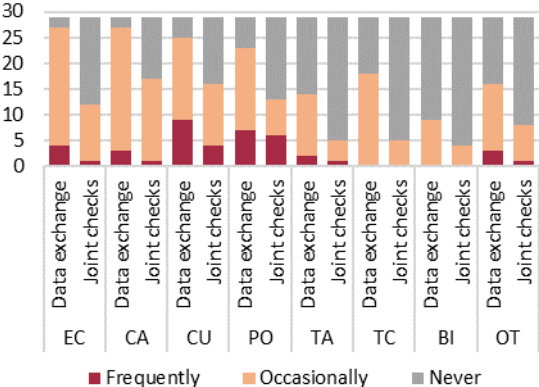
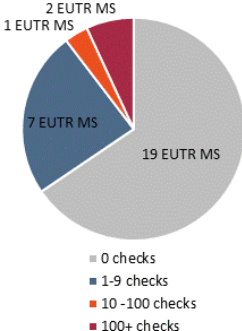






















(↑400)

(↑971)

(↑3066)

(↑1100)

Figure 3: Number of operators checked and number of which found to be in breach of the EUTR, and enforcement actions taken in 2019, by EUTR MS. The estimated number of operators operating in each EUTR MS is provided below each EUTR MS' name (I: imported timber, D: domestic timber, U: unknown; operator estimates where U equaled the sum of I and D or where they were the same as I were excluded). Latvia's checks as well as enforcement actions relating to domestic timber were excluded as they appear to cover checks that are not specific to EUTR. Romania's domestic and all of Greece's enforcement data was excluded as it was not provided in the specified format. No information was submitted by Iceland or Liechtenstein. Enforcement actions/penalties which have not been applied were excluded.

	Collaboration (Art. 8(4)), 10(2), 12 and 19(3) of the EUTR)		Reaching, raising awareness and building capacity of different target audiences regarding EUTR (Art. 13 of the EUTR)	Number of check cases for imported timber where scientific testing was used
D: domestic timber I: imported timber, C: combined timber, T: traders, M: monitoring organisations	Collaboration with: EC (European Commission), CA (Competent Authorities of other Member States), CU (Customs), PO (Police), TA (Tax authorities), TC (Third countries), BI (Business inspectorate), OT (Other) Collaboration frequency: <u>Underlined</u> : frequently; Normal: occasionally		 Outreach intensity: R: reaching RA: raising awareness CB: capacity building	 Audience type: A: authorities D: duty holders P: public / consumers / other Audience size (if known): <10, <100, <1000, 1000+
	Collaboration type:			
	Exchange of data / information	Joint inspections / enforcement		
Graphical summary (by total number of countries submitting information on the application of the EUTR)				
Austria *	<i>I:</i> EC CA CU PO TC OT <i>D:</i> OT <i>T:</i> EC CA PO <i>M:</i> EC CA	<i>I:</i> CA CU <i>T:</i> CA	 CB	 A <10 D <10, <100 P <10 0
Belgium	<i>I:</i> EC CA CU PO TC <i>D:</i> OT <i>T:</i> CA <i>M:</i> EC	<i>I:</i> CA CU	 CB RA R	 A D <10 P 9
Bulgaria	<i>I:</i> CA CU PO TC <i>D:</i> CA CU PO TA TC <i>T:</i> CA CU PO TA <i>M:</i> EC	<i>D:</i> CU PO TA	 RA	 A D P 0
Croatia	<i>I:</i> EC CU <i>D:</i> EC CA <i>T:</i> EC <i>M:</i> EC	<i>I:</i> EC CA CU <i>D:</i> EC CU <i>T:</i> EC CA CU <i>M:</i> EC CU	 RA	 D <1000 0
Cyprus	<i>I:</i> EC CA CU TA <i>D:</i> PO TA <i>T:</i> EC CA CU TA	<i>I:</i> EC <i>D:</i> CU PO <i>T:</i> EC	 RA	 D <10, <100 0
Czech Republic *	<i>I:</i> EC CA CU PO TC <i>D:</i> EC OT <i>T:</i> EC BI	<i>I:</i> EC CA CU	 R	 A <100 D 1000+ P 1000+ 6
Denmark	<i>I:</i> EC CA CU PO TA TC	-	 CB	 D <100 1
Estonia	<i>I:</i> EC CA CU TA <i>D:</i> EC PO <i>T:</i> EC <i>M:</i> EC	<i>I:</i> CU ; <i>D:</i> PO TA	 RA	 D 0
Finland	<i>I:</i> EC CA CU TC OT <i>D:</i> EC TC OT <i>T:</i> EC CA TC <i>M:</i> EC	<i>I:</i> EC CA CU TC <i>D:</i> TC OT	 RA	 D <1000 0
France	<i>I:</i> CU PO TA <i>D:</i> CU PO TA <i>T:</i> CU PO TA <i>M:</i> PO TA	<i>I:</i> CU PO <i>D:</i> CU PO <i>T:</i> CU PO <i>M:</i> CU PO	 RA	 D <10, 1000+ 0
Germany	<i>I:</i> EC CA CU <i>T:</i> EC	<i>I:</i> EC CA	 CB	 133

	Collaboration (Art. 8(4)), 10(2), 12 and 19(3) of the EUTR		Reaching, raising awareness and building capacity of different target audiences regarding EUTR (Art. 13 of the EUTR)		Number of check cases for imported timber where scientific testing was used
	M: EC			A <10, <100 D <10, <100 P <10, <100	
Greece	I: EC CA PO D: PO T: PO M: EC	-	RA	A D P	0
Hungary	I: EC CA CU PO TA TC BI OT D: EC CA PO TA BI OT T: EC CA PO TA BI OT M: EC CA PO TA BI OT	I: CA CU PO TA TC OT D: PO TA OT T: CA PO TA OT M: EC PO TA OT	R	D P	0
Ireland	I: EC CA CU PO TA TC OT D: EC CA PO TA BI T: EC CA PO M: EC CA	I: CA	CB RA R	A <10 D <10, <100 P <10	1
Italy	I: EC CA CU PO TA TC BI D: EC PO TA BI T: EC CA PO TA BI M: EC	I: EC CA T: EC CA	RA	D <10, <100	0
Latvia	I: EC CA CU PO TA TC D: PO TA OT T: EC CA PO TA OT M: EC CA	I: CA D: PO TA OT T: TA	CB RA R	A D P	0
Lithuania	I: CA CU D: CA PO TA BI T: BI	I: CU D: PO T: BI	CB RA R	A <10 D <10, <100 <1000, 1000+ P 1000+	0
Luxembourg	-	-	RA	D <100	0
Malta	I: EC CA CU PO	I: CU	CB	D <100 P <1000	0
Netherlands	I: EC CA CU PO TC T: CA M: EC CA	I: EC CA CU PO TC T: CA PO	R	A <10 D 1000+	1
Norway	I: EC CA CU PO	I: EC CA	R	A D P	0
Poland	I: EC CA CU PO TA TC OT D: EC CA CU PO TA TC OT T: EC CA CU PO TA TC OT M: EC CA PO TA OT	I: CU PO TA OT D: CU PO TA OT T: CU PO TA OT M: CU PO TA OT	R	A D P	0
Portugal	I: EC CA CU PO TC BI OT D: EC CA PO BI OT T: EC CA PO BI OT	I: EC CA PO BI OT D: CA PO BI OT T: EC CA PO BI OT	RA	A <1000 D <1000, 1000+ P <100, 1000+	0
Romania	I: CA CU PO TA D: PO BI T: PO M: EC TC OT	I: CU TC BI D: PO M: CA	CB	A <10, <1000 D <100 P <100	0
Slovakia	I: EC CA CU PO TA TC D: PO TA BI OT T: PO TA	I: PO D: PO T: PO	CB	A <100, <1000 D <100 P <100	0
Slovenia	I: EC CA TC D: OT	D: OT			1
Spain	I: EC CA CU PO TA TC OT D: PO OT T: EC CA CU PO TA TC BI OT M: EC OT	I: EC CA CU PO OT D: PO OT T: CU PO OT	CB RA R	A <100, <1000 D <100, <1000, 1000+ P	200
Sweden	I: EC CA CU PO D: EC CA PO T: EC CA OT	I: CA	R	D P	6
United Kingdom	I: EC CA D: OT T: EC CA TC M: EC CA	I: EC CA TC D: OT T: EC TC M: EC	CB	D <10, <100	14

* Countries for which the annual budget figure includes staff salary costs.

FLEGT VPA processes contribution to the objectives of the EUTR (Article 3 and 20(2) of the EUTR)

The EUTR and FLEGT Regulation are linked in that a timber product covered by a VPA and with a valid FLEGT licence is deemed legally harvested under the EUTR and therefore operators do not need to exercise further due diligence on imports of such timber. Only one VPA country (Indonesia) out of the [7 that ratified a VPA with the EU](#) is issuing FLEGT licences after 17 years of [FLEGT Action Plan](#) implementation (2 initialised their VPAs and negotiations are ongoing with 6 other countries). Imports from all other VPA countries are covered by the EUTR, since their implementation has not reached the level of operational readiness necessary to fully and effectively assure that timber exported from these countries in the form of timber or timber products was legally harvested in the country of harvest. In the reporting period, the [VPA between the EU and Viet Nam](#) was ratified and Annexes I, II, IV and V to the VPA with Ghana were [amended](#).

The importance of VPA countries as compared to other countries exporting timber and timber products covered by VPA-specific HS codes into the EU is reflected in Figure 4.

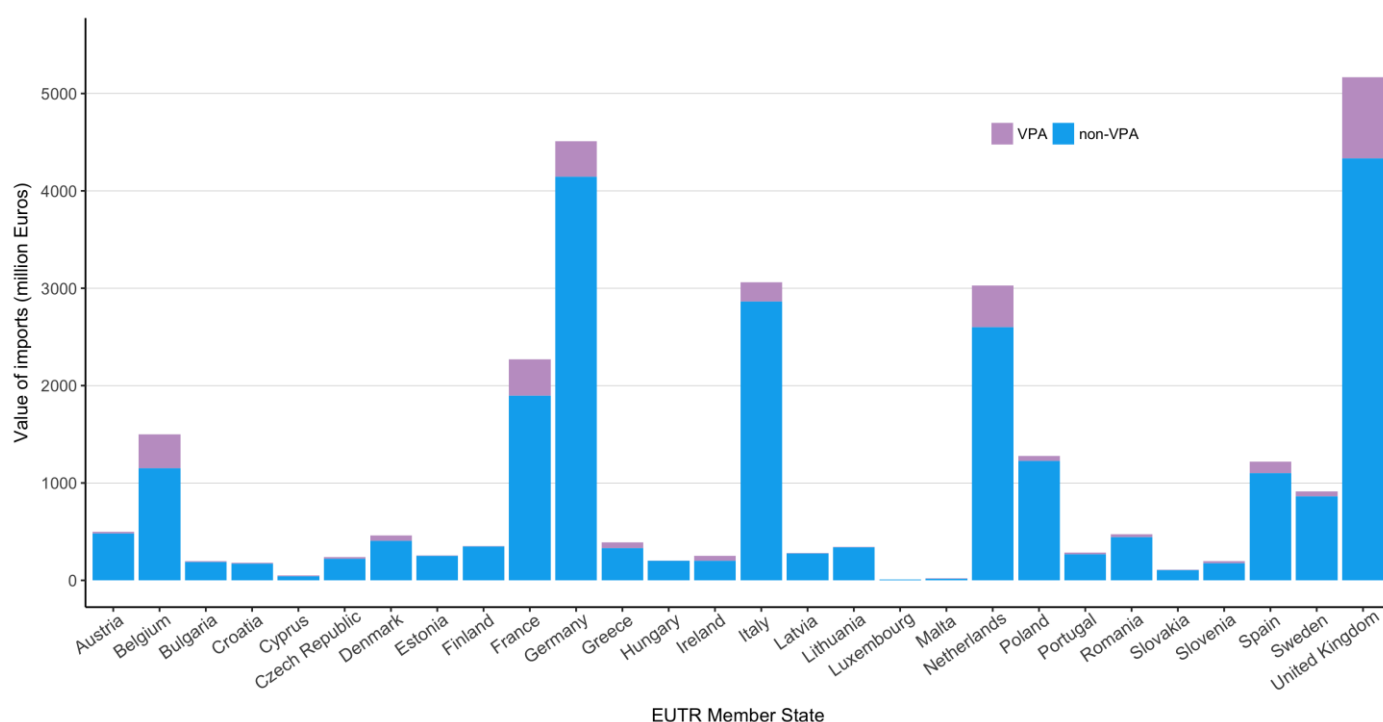
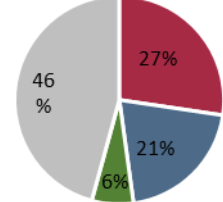
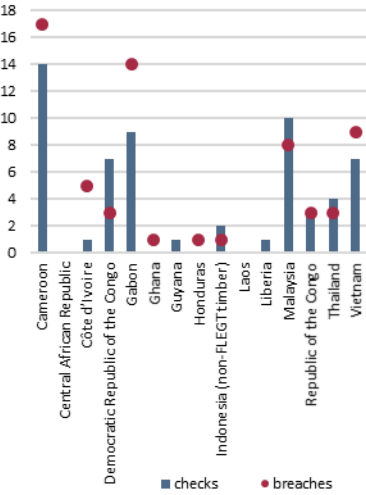
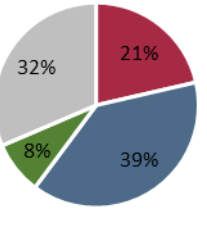


Figure 4: Trade context - Overview of imports into the EU in 2018 of products covered by FLEGT VPA-relevant HS codes from VPA countries, compared to imports of these products from non-VPA countries. HS codes in the dataset include those outlined in [Commission Delegated Regulation \(EU\) 2016/1387](#) amending Annex III to [Council Regulation \(EC\) No 2173/2005](#), and further amended according to [Commission Implementing Regulation \(EU\) 2016/1821](#), following amendments to HS Nomenclature by the World Custom Organization (WCO). Source: Produced using data from [EUROSTAT](#), accessed 11.12.2019. Graphs use 2018 data as for the planning of checks for 2019, EUTR MS would have only had access to 2018 data.

	Value of imports of VPA-HS code covered products into the EU from VPA countries (EUROSTAT data, accessed on 11.12.2019)	Perceived level of risk assigned to VPA countries overall and individually, by percentage/number of EUTR MS (recognising that the level of risk assigned to a country can vary e.g. regionally or depending on supply chains.)	Total number of breaches of EUTR obligations/ total performed checks relating to VPA countries (where country information was reported)	Perceived contribution of the VPA processes (average time spent on checks related to VPA countries as an indicator of complexity of checks, compared to checks relating to non-VPA countries with an equivalent risk level, by % (number) of EUTR MS)	Indicator for perceived contribution of the VPA processes
Graphical summary (by total number of countries)		 <p>■ high risk ■ medium risk ■ low risk ■ N/A</p>	 <p>■ checks ■ breaches</p>	 <p>■ More time required ■ Similar time required ■ Less time required ■ Unknown</p>	<p>✓ contribution perceived (less time + high/medium risk);</p> <p>✗ no contribution perceived (more time + high/medium risk);</p> <p>? contribution unclear</p>
Cameroon	EUR 244 660 099	High: 45% (13); Medium: 7% (2); Low: 3% (1); N/A: 45% (13)	17 breaches/14 checks	More: 19% (4); Similar: 48% (10); Less: 5% (1); Unknown: 29% (6)	?
Central African Republic	EUR 1 193 116	High: 24% (7); Medium: 14% (4); Low: 3% (1); N/A: 59% (17)		More: 29% (5); Similar: 18% (3); Less: 6% (1); Unknown: 47% (8)	✗
Côte d'Ivoire	EUR 64 845 027	High: 34% (10); Medium: 17% (5); Low: 7% (2); N/A: 41% (12)	5 breaches/1 check	More: 19% (4); Similar: 48% (10); Less: 5% (1); Unknown: 29% (6)	?
Democratic Republic of the Congo	EUR 15 869 348	High: 34% (10); Medium: 14% (4); Low: 3% (1); N/A: 48% (14)	3 breaches / 7 checks	More: 39% (7); Similar: 28% (5); Less: 6% (1); Unknown: 28% (5)	✗
Gabon	EUR 154 410 778	High: 31% (9); Medium: 21% (6); N/A: 48% (14)	14 breaches/9 checks	More: 16% (3); Similar: 47% (9); Less: 5% (1); Unknown: 32% (6)	?
Ghana	EUR 28 518 172	High: 21% (6); Medium: 38% (11); Low: 3% (1); N/A: 38% (11)	1 breach	More: 17% (4); Similar: 35% (8); Less: 13% (3); Unknown: 35% (8)	?
Guyana	EUR 2 556 884	High: 14% (4); Medium: 17% (5); Low: 3% (1); N/A: 66% (19)	1 check	More: 21% (3); Similar: 29% (4); Less: 7% (1); Unknown: 43% (6)	?
Honduras	EUR 1 418 881	High: 17% (5); Medium: 14% (4); Low: 7% (2); N/A: 62% (18)	1 breach	More: 20% (3); Similar: 33% (5); Less: 7% (1); Unknown: 40% (6)	?
Indonesia (timber not covered by the VPA)	EUR 976 456 027	High: 14% (4); Medium: 34% (10); Low: 24% (7); N/A: 28% (8)	1 breach/2 checks	More: 16% (4); Similar: 36% (9); Less: 16% (4); Unknown: 32% (8)	?
Laos	EUR 32 958	High: 17% (5); Medium: 7% (2); Low: 7% (2); N/A: 69% (20)		More: 31% (4); Similar: 23% (3); Less: 8% (1); Unknown: 38% (5)	✗
Liberia	EUR 52 263	High: 14% (4); Medium: 10% (3); Low: 3% (1); N/A: 72% (21)	1 check	More: 23% (3); Similar: 31% (4); Less: 8% (1); Unknown: 38% (5)	?
Malaysia	EUR 543 753 989	High: 28% (8); Medium: 38% (11); Low: 10% (3); N/A: 24% (7)	8 breaches/10 checks	More: 19% (5); Similar: 41% (11); Less: 15% (4); Unknown: 26% (7)	?
Republic of the Congo	EUR 62 228 908	High: 45% (13); Medium: 14% (4); N/A: 41% (12)	3 breaches / 3 checks	More: 30% (6); Similar: 40% (8); Less: 5% (1); Unknown: 25% (5)	?
Thailand	EUR 147 761 782	High: 34% (10); Medium: 31% (9); Low: 10% (3); N/A: 24% (7)	3 breaches / 4 checks	More: 12% (3); Similar: 54% (14); Less: 8% (2); Unknown: 27% (7)	?
Vietnam	EUR 82 4025 066	High: 38% (11); Medium: 31% (9); Low: 10% (3); N/A: 21% (6)	9 breaches/7 checks	More: 22% (6); Similar: 48% (13); Less: 7% (2); Unknown: 22% (6)	?

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