



Deforestation – EUTR – EUDR

EU-Regulations against illegal wood, deforestation and degradation
Johannes Zahnen; WWF-Germany



1961

WWF was founded
In 1961

+100

WWF is in over
100 countries, on
5 continents

+5000

WWF has over
5,000 staff worldwide



+5M

WWF has over
5 million supporters

- **WWF's mission is the conservation of nature. Using the best available scientific knowledge...**
- **...building a future in which human needs are met in harmony with nature.**



Do we recognize the problem?

*“...Illegal logging and deforestation for agricultural expansion have probably become the **single greatest threat to life on the planet...***

*...forestry crimes may involve the greatest **mismatch** of government and intergovernmental **resources** spent on combatting them **relative to the crime profits** that they generate...”*

Nellemann, C. et al. 2020. The wicked problem of forest policy

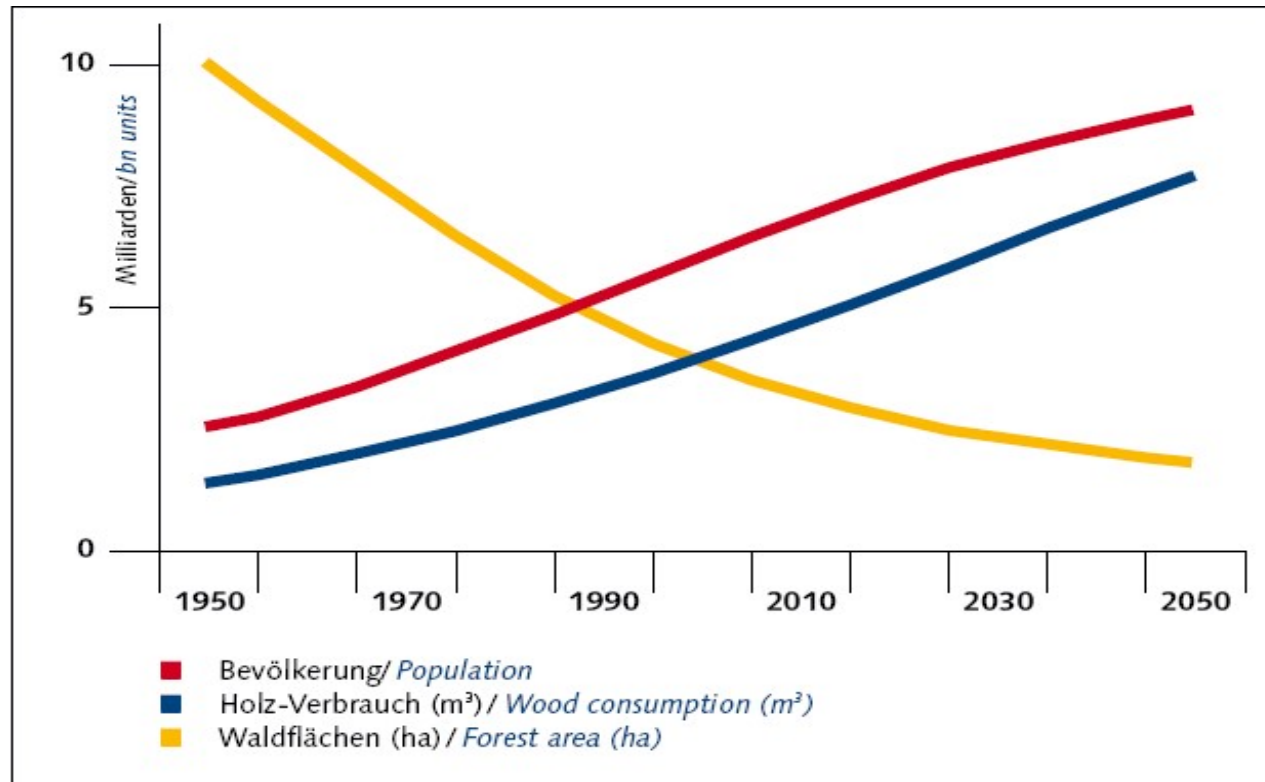


Why do we need a regulation against deforestation?





Deforestation – a long time trend

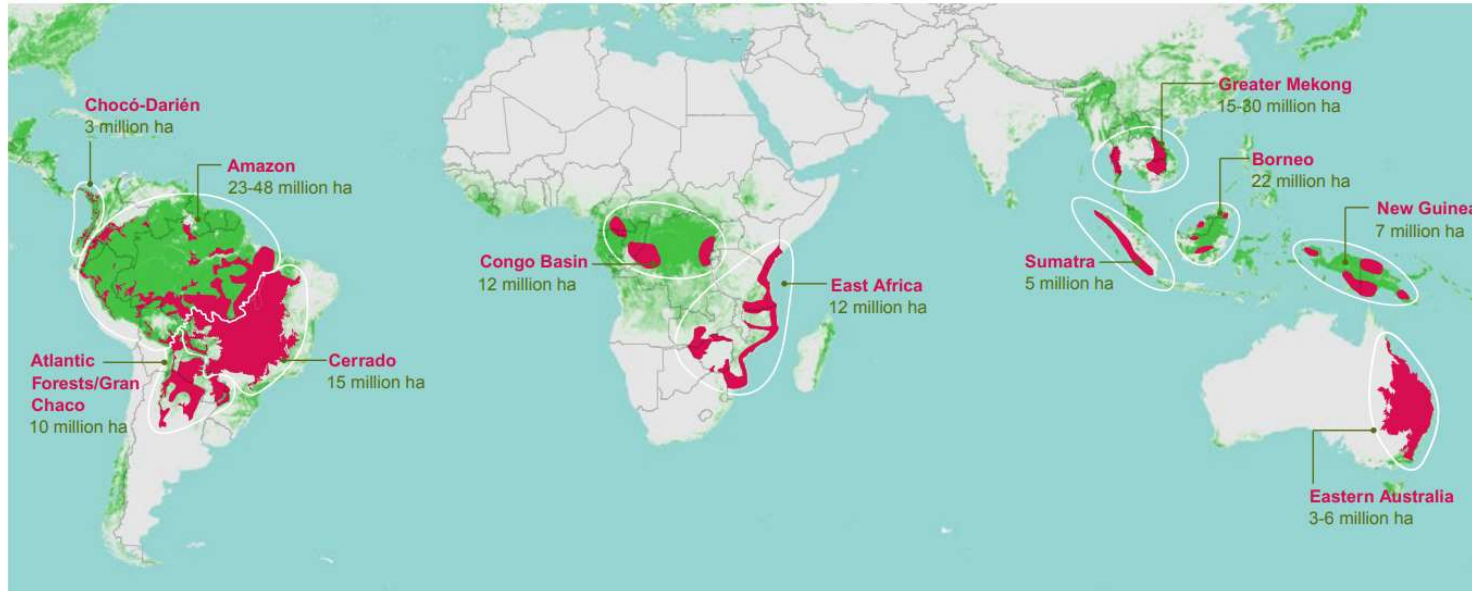


Die Grafik basiert auf Zahlen der FAO, US Bureau of the Census, Fortress world.
Estimates based on figures from FAO, US Bureau of the Census, Fortress world.



Deforestation – a Global Challenge

- Many reasons
- Deforestation continues – 7 to 13 Mio. ha/a - mostly in the tropics





EU's responsibility

- The EU is the **second largest importer** of tropical deforestation and associated emissions.
- The EU is responsible for 16% of deforestation associated with **international trade** in 2017.

DEFORESTATION ASSOCIATED WITH INTERNATIONAL TRADE



CHINA (24%)



USA (7%)



EU (16%)



JAPAN (5%)



INDIA (9%)



The Role of Crime

- According to **UNECE** and **FAO** around 30 % of deforestation destined to commercial agriculture in tropical countries was legal
- According to **INTERPOL**
 - 15-30 % of all wood traded globally has an illegal background – between 60 % and 90 % in many tropical countries
 - **Environmental Crime** is fast growing and meanwhile the **Third biggest** sector of **Organized Crime** in the world



Deforestation linked to Mega-Environmental-Treats

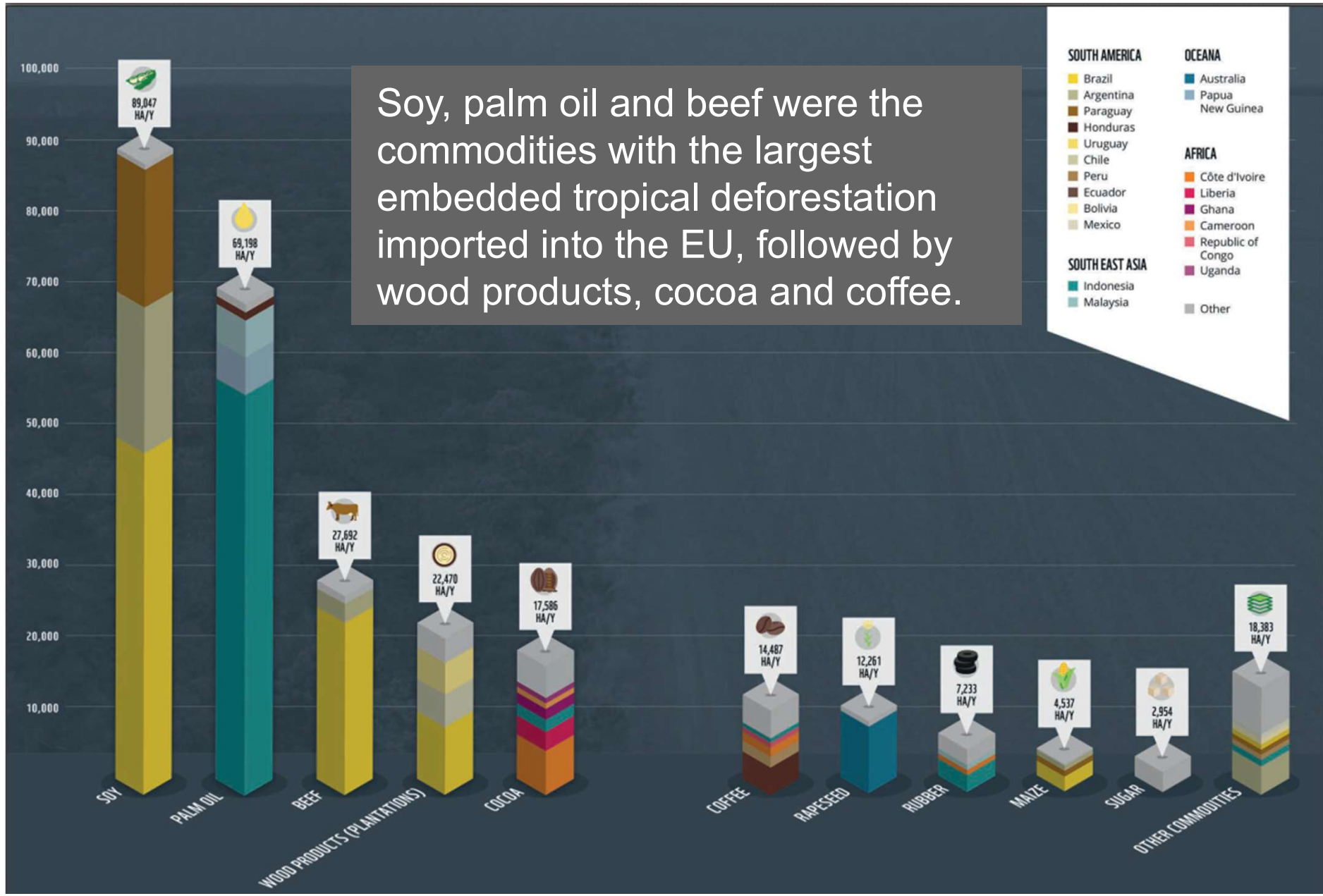
Climate Change

Deforestation is the **second largest source of CO₂-emissions** globally, accounting for 10% of total emissions (IPCC, 2019). (VDI)

Species loss

Today, we are in the greatest extinction of species since the end of the **dinosaur era 65 million years** ago. Forests have the highest species density on land.







Political Commitments

European Green Deal

...promote imported products and value chains that do not involve deforestation and forest degradation.”

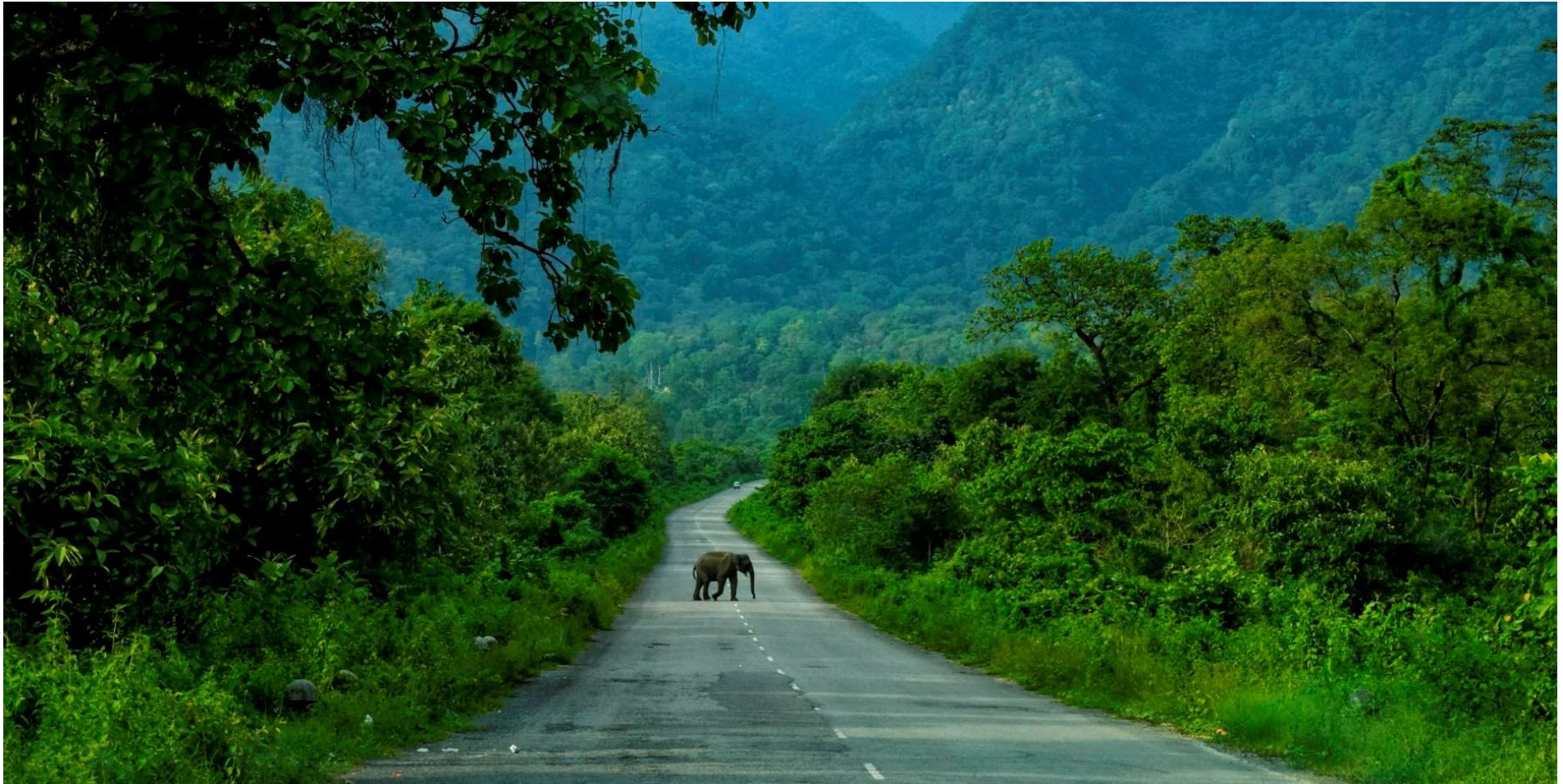


EU Biodiversity Strategy

...to avoid or minimize the placing of products associated with deforestation or forest degradation on the EU market.”



EUTR - European Timber Regulation





EUTR - European Timber Regulation

- Regulation (EU) No 995/2010
- Signed 2010
- Coming into force 2013
- First Regulation inside EU to fight **illegal timber** / deforestation
- Two pillars:
 1. Prohibition to place illegal timber on the EU market
 2. Due Diligence; DD



EUTR - European Timber Regulation

- Who? Firstplacer / **Operators** are responsible
- What? Wood and wood products - list of **HS-codes** in the **appendix**
- Obligations:
 1. **Compliance with regulations** (harvest and trade) in the country of origin
 2. **DD** contains
 - **Species, origin** (country, region, FMU according to risk)
 - **Risk assessment and risk mitigation** if applicable - „negligible risk“



WWF Germany – Charcoal Market Survey 2018



- 36 products tested
- 89 % without or wrong declarations
- 61 % with indication of high risks
- 42 % with tropical species





WWF Germany – Childrens Books Market Survey 2015

- More than 20 % with
„Mixed Tropical Hardwood“
MTH

(= not from plantations)





WWF Germany – Childrens Books Market Survey 2015

Indonesian LEGAL Wood

2 Issuing authority Name: PT. TUV RHEINLAND INDONESIA
Address: MENARA KARYA, 10TH FLOOR, JL. H. R. HASJUNA SARDI, CILICK K-5 KAW. 1-2, DKI JAKARTA 12160
Authority registration number: LVLK005-IDN

3 Importer Name: [Redacted]
Address: [Redacted]
Country of destination and ISO Code: GERMANY - DE
Port of loading: TANJUNGPERAK
Port of discharge: HAMBURG

4 V-Legal/lit licence number: 13.016.09.20004.036-ID-DE
4 Date of Expiry: 01 | 12 | 2013

5 Country of export: INDONESIA
7 Means of transport: BY SEA

6 ISO Code: ID
8 License Name: PT. PABRIK KERTAS TJIRI KIMA
Address: PLAZA BH MENARA 2 L.T. 7, J. MH THAMRAN RD. ST. JAKARTA 10250
ETPK Number: 03.ET-01.13.0060
Tax Payer Number: 01.159.431.0-092.000

9 Commercial description of the timber products: [Redacted]
10 HS-Heading: [Redacted]

11 Common and Scientific Names: Akasia (Acacia brasiliensis), Spruce pine fir (Pinus pinus abies spp.), Bakam poplar (Populus alba/balsamifera)
12 Country of harvest: INDONESIA, FRANCE, CANADA
13 ISO Code: ID, FR, CA

14 Volume (m³): 0.0000
15 Net Weight (kg): 21.044.20
16 Number of units: 3.520

17 Distinguishing marks: INVOICE: [Redacted] ISSUED 27 JULY 2013
18 Signature and stamp of issuing authority: [Redacted]

2 COPY FOR EU CUSTOMS

2 Akasia, spruce, fir, poplar

Fiber Type	Softwood	Raw Count	7
Bleaching	Bleached	Weight Factor	0.90
Pulp Process	Kraft	Final Count	6
		% by Weight	1%

Species:
Principal - Hard Pine (Except Red & Scotch)

Fiber Type	Hardwood	Raw Count	1337
Bleaching	Bleached	Weight Factor	0.42
Pulp Process	Kraft	Final Count	562
		% by Weight	99%

Species	Total Vessels Counted	Calculated Percent By Weight
Mixed Tropical Hardwood*	102	56% ± 12%
Acacia	78	42% ± 12%
Eucalyptus	3	≈2%
Birch	1	Trace





WWF Germany – Market Survey – Furniture 2014

- Declaration: spruce
- Lab identified:
 - Pine
 - Merbatu
 - Chinese fir
(*Cunninghamia lanceolata*)
 - Kedongdong
 - Poplar
 - Pehapan





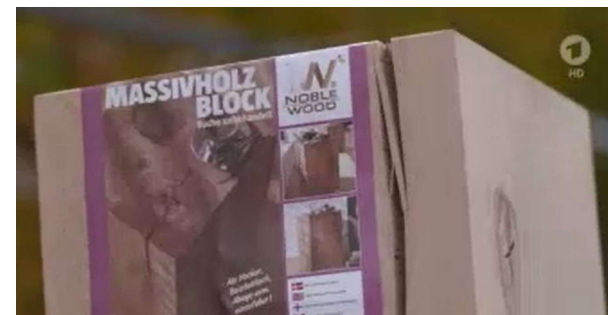
WWF Germany – Market Survey - 2018

Declared origin of stool: Poland

Laboratory: Poland excluded -
probably Russia

Declared origin of cube: Romania

Laboratory: Romania unlikely;
possibly Ukraine





EUTR - Experience

- EUTR sent out an important **message**
 - It sensitised companies to take **responsibility**
- but
- Did not effectively reach the **goal**
 - **Shift of imports** to other EU MS
 - **Unequal implementation** in EU MS
 - Very **small fines** compared to the US (Lacey Act)





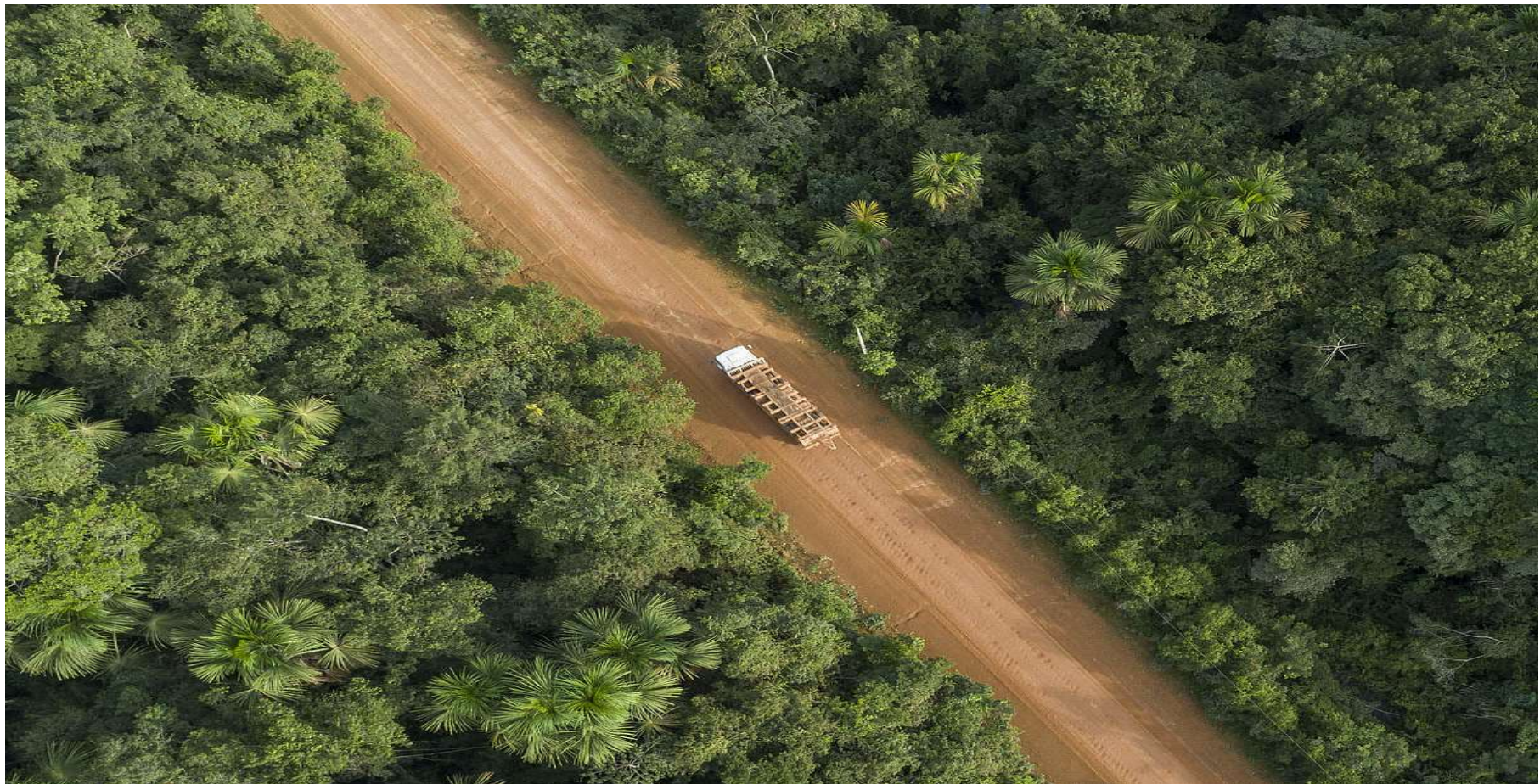
EUTR - Fitness Check

Main challenges, specifically on the design and application of DDS:

- There is **limited understanding of the concept of DD** in some MS legal systems, in particular definitions at the core of DD . Additional tools might be necessary to overcome these difficulties.
- The absence of a clear definition of '**negligible risk**' impedes the EUTR's implementation and enforcement, because it affects the gathering and interpretation of information needed to prove that a risk is 'negligible' for operators, Competent Authorities (CAs) and the courts.
- The **transposition of the DD requirements** into national legislation has been challenging in some MS. This has created difficulties for CAs to successfully pursue cases in courts.
- Difficulty in challenging inadequate DD in court has led to CAs hesitating to initiate prosecution.



EUDR – European Regulation against Deforestation and Degradation





EUDR – European Regulation against Deforestation and Degradation

- REGULATION (EU) 2023/1115
- Signed 2023
- Coming into force Dec. 30 2024 (small companies 6 months later)
- More Wood-products, Cattle, Cocoa, Coffee, Palm Oil, Rubber, Soy
- Tree pillars / prohibitions:
 1. deforestation-free
 2. produced in accordance with the **legislation** of the country of production
 3. **Due Diligence**; DD



EUDR – European Regulation against Deforestation and Degradation

- Who? Firstplacer / **Operators** plus **big traders** are fully responsible
- What? Commodities - list of **HS-codes** in the **appendix**; also **exports** included
- Obligations:
 1. **Compliance with regulations** (harvest and trade) in the country of origin
 2. **DD** contains
 - **Origin/Geolocalisation** (**plot of land**); species
 - **Risk assessment and risk mitigation** if applicable - „negligible risk“



EUDR – European Regulation against Deforestation and Degradation

- Companies have to upload their DD into an online „Information System“ (that creates a reference number) before they are allowed to put products on the market (or export)
- A framework for fines is given: up to 4 % of total annual Union-wide turnover of a company





EUDR – European Regulation against Deforestation and Degradation

- A **framework for controls** is given: 1 %, 3 %, 9 % according to the risk
- **Benchmarking**: EC shall classify countries (risk) no later than 30.12.2024
- **Cut-off-Date**: 31.12.2020





EU DG-Home ISF Project 2019-2021 Interpol/WWF

- [EU Forest Crime Initiative \(wwf.de\)](https://www.wwf.de)
- <https://www.wwf.de/themen-projekte/waelder/waldvernichtung/illegaler-holzeinschlag/eu-forest-crime-initiative>



SPENDEN & HELFEN

THEMEN & PROJEKTE

AKTIV WERDEN

ÜBER UNS

THE TIMBER SUPPLY CHAIN
CRIMES ACROSS DIFFERENT STAGES:

TRANSPORT

Without permission, re-using a permit for different types of timber or using bribes to pass checkpoints

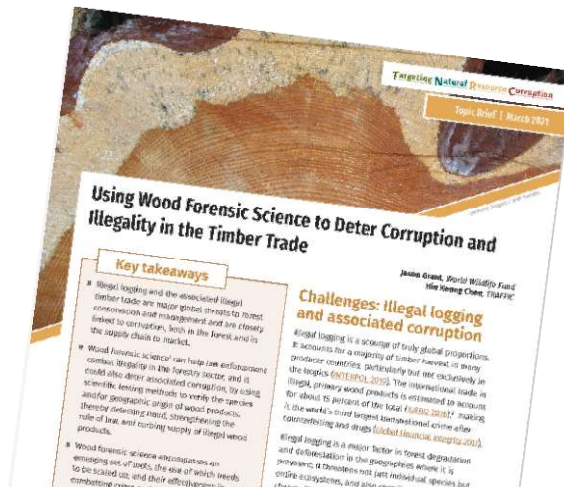
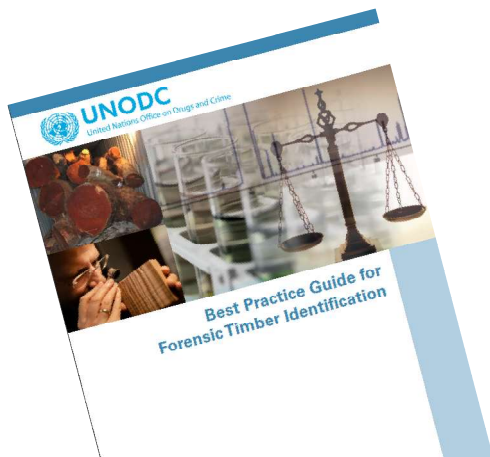
EU Forest Crime Initiative



Basic information about forensic methods

Forensic methods can make the work of authorities and companies more effective

- [TNRC Topic Brief Using Wood Forensic Science to Deter Corruption and Illegality in the Timber Trade | Pages | WWF \(worldwildlife.org\)](#)
- [Best Practice Guide for Forensic Timber Identification \(unodc.org\)](#)
- [LegalSource Timber Testing | Preferred by Nature | global](#)
- [Forensic timber identification: It's time to integrate disciplines to combat illegal logging | US Forest Service Research and Development \(usda.gov\)](#)





With the first trees cut - culture starts.

With the last trees cut - culture ends.

Gustave Flaubert; (French Poet, 1821 - 1880)