

Closing the compliance gap

The European Commission sees the EU Timber Regulation as a vital tool in the war on illegal wood and its damaging impacts, and it is dedicated to improving its performance and enforcement, writes Environment Commissioner **Janez Potočnik**.

"Illegal logging – the harvest, transportation, sale or purchase of timber in violation of applicable national laws – has serious environmental implications. It contributes to deforestation and forest degradation, which are responsible for about 20% of global CO2 emissions and threaten biodiversity. It costs governments significant sums of money in lost revenues and undermines implementation of sustainable forest management.

The EU, as a major timber consumer and producer, is determined to stop the illegal timber trade, which is why it implemented the EU Timber Regulation (EUTR) prohibiting placing of illegal timber and wood products on the EU internal market.

However, while the EUTR has been fully applicable since March 2013, a scoreboard, recently published by the European Commission's Directorate-General for the Environment, shows significant outstanding compliance gaps. Additional steps are necessary for uniform and effective application of the EU Timber Regulation across the Union.

The political, budgetary and organisational difficulties EU Member States face in implementing new legislation should not be underestimated. Nevertheless, they have had sufficient time to prepare for full implementation of the EUTR and the Commission has provided ample support through information and coordination meetings to take stock of progress, discuss implementation challenges, and share

best practice. Yet these discrepancies remain in the extent to which Member States have complied with their Regulation obligations.

While all but one Member State have designated competent authorities to coordinate enforcement of the Regulation, nine Member States have as of yet not adopted rules on applicable penalties for infringement. And 11 are not ready to check whether operators and monitoring organisations fulfil their obligations.

Given the central role of the EUTR in curbing illegal timber trade in timber and tackling its negative impacts on forests, this is worrying. Consequently, the Commission will intensify efforts to ensure uniform, stringent application throughout the EU, with a view to rapidly improving the situation.

We have already identified concrete implementation challenges and weaknesses and are working on a reinforced compliance strategy. The Commission intends to follow a dual approach. This would combine compliance promotion – through active support to Member States encountering implementation difficulties – and pursuing infringements through legal procedures.

Support will encompass ensuring guidance documents are regularly updated; strengthening bilateral dialogues with countries and communication between Competent



Janez Potočnik



Wenge logs confiscated last year by the German EUTR Competent Authority

Authorities on enforcement-related issues; promoting peer reviews and exchanges between more advanced and less prepared countries; and supporting workshops and training in areas with particular interpretation and compliance problems.

We have also started requesting information from Member States about their EUTR implementation. National authorities concerned have 10 weeks to reply to the Commission's enquiry. Furthermore, we have accelerated the process of recognising Monitoring Organisations, which will help the private sector meet EUTR 'due diligence' requirements.

The 2015 review of the EUTR should provide additional opportunity to reflect how it should best achieve its objective. The Commission will submit its report, possibly accompanied by legislative proposals, on the functioning and effectiveness of the Regulation by December that year to the European Parliament and Council. As part of the process it will also seek stakeholder to inform its thinking about the future of this important piece of legislation."