

Basic minimum description of a DDS

<p>Access to information</p>	<ul style="list-style-type: none"> ➤ How an operators is required to ensure (and assisted in this task) access to the information provided for in Article 6(1)(a) of the Regulation (EU) 995/2010 (the EUTR) ➤ Guidance on when operators must also ensure that they have access to: the full scientific name of the species; and the sub-national region and/or concession of harvest. This guidance must be to a sufficient level of detail that it can be used correctly by an operator that has not otherwise analysed these aspects of the due diligence requirement. <p>In particular the following factors can be taken into account when establishing the existence of variable risk at a sub-national region or concession of harvest in a specific country. They should not be regarded as exhaustive:</p> <ul style="list-style-type: none"> • <i>The size, degree of fragmentation (due to lack of infrastructure and/or geographical features), and government capacity to enforce laws where these create non-uniform risks of illegal logging at sub-national level.</i> • <i>The decentralization of the administration of applicable legislation by forest authorities and/or other agencies and/or the existence of differences in the quality of governance between sub-national regions. In some cases this may be combined with sub-national variations in applicable laws and regulations and conflicting laws between national and sub-national laws. These considerations are particularly important in countries where administrative decentralization processes have occurred or are underway.</i> • <i>There is more than one permit system (more than one type of concession). For example, the level of oversight in the allocation and use of the different permit types, and the social and environmental stringency and complexity of accompanying regulations, varies widely, resulting in significant variability in risk depending on the permit type.</i> • <i>Evidence of variability in the performance and capacity of companies holding logging rights within a country due to uneven enforcement of laws, corruption, and political economy issues, even among different companies holding the same type of permit.</i> • <i>Specific evidence of illegal logging from Independent Forest Monitoring (IFM) or other field research and investigative work that indicates a high degree of variability in legality risks.</i> • <i>Sub-national areas border other countries or sub-national areas with non-negligible risk of illegal logging.</i> • <i>Claims to ownership of or rights to forest land and resources by local communities and/or indigenous peoples living in and around forests that have not been resolved and may conflict with the allocation of logging rights.</i> <ul style="list-style-type: none"> ➤ Guidance on the applicable legislation in a particular country is, and what documentation or other information is an appropriate means by which to indicate compliance with it. This guidance must be to a sufficient level of detail that it can
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	<p>be used by an operator that has not otherwise analysed this aspect of the due diligence requirement and is relying on the due diligence system provided by the monitoring organisation alone, to exercise due diligence correctly.</p>
<p>Risk assessment</p>	<ul style="list-style-type: none"> ➤ Information, or direction to information sources, which indicate and verify best available information on the existence/absence of risk assessment factors as provided for in the EUTR: <ul style="list-style-type: none"> ○ The prevalence of illegal harvesting of different tree species; ○ Prevalence of illegal harvesting or practices in the country of harvest and (if data of sub-national region of harvest is information that an operator should be able to access) sub-national region of harvest; ○ The existence or absence of sanctions imposed by the UN Security Council or the Council of the European Union on timber exports or exports ➤ Information and guidance on: <ul style="list-style-type: none"> ○ How to assess the extent to which tools/documentation (including certification and other third party verification schemes) provide assurance of compliance with applicable legislation; ○ How to consider the relative complexity of the supply chain in question and what impact this has on the risk that timber has been harvested illegally ➤ Guidance and tools to enable an operator to reach a conclusion of whether the level of risk that timber has been harvested illegally is negligible, or greater than negligible ➤ Circumstances under which on the ground verification of compliance with applicable legislation will be required ➤ Will a list of countries/sub-national regions/concessions of harvest where the risk of illegality is not negligible be established? ➤ Will a list of timber product suppliers be established, which operators should not use as there are indications of their involvement in illegal practices

	NB! For all the above points, the level of guidance provided must be sufficient to allow an operator that has not otherwise analysed the provisions of the EUTR, to exercise due diligence correctly
Risk mitigation	<ul style="list-style-type: none"> ➤ Guidance and tools to direct operators to relevant procedures to mitigate the risk of timber being harvested illegally. ➤ How will the impact and outcomes of risk mitigation measures be monitored?
Other	<ul style="list-style-type: none"> ➤ Policies and procedures for dealing with complaints from operators or third parties ➤ Policies and processes to verify the proper use of the due diligence system by operators ➤ Policies and procedures (including indicators) for corrective actions to be taken in the case of a failure by an operator to properly use the due diligence system ➤ What transparency measures will be established to enable public scrutiny of your due diligence system?
Evaluation of the DDS	<ul style="list-style-type: none"> ➤ What policies and procedures will be established to evaluate and improve the due diligence system? At what intervals will an evaluation be conducted? ➤ How will complaints and recommendations by third parties be taken into account in the evaluation and improvement of the due diligence system?