



MINUTES OF THE JOINT CITES AND EUTR COMMITTEE MEETING
BRUSSELS, 13 FEBRUARY 2019

UNEP-WCMC report: Analysing the CITES exemption under EUTR and FLEGT

UNEP-WCMC presented the draft report which looks at the interplay of approaches to verifying legality of timber entering the EU between the EU Wildlife Trade Regulations and EU Timber Regulation – the CITES verification of legal acquisition and EUTR due diligence. Further considerations were also presented, including the treatment of Annex C¹ imports, pre-Convention timber of species newly listed in CITES, and plantation timber that meets the criteria for source code A (artificial propagation), as well as consideration of potential implementation issues relating to the interplay between CITES/EUWTR and EUTR. Suggestions were presented regarding increased cooperation and sharing of information to strengthen the coordinated implementation of the two approaches. Member States (MS) were invited to provide concrete examples of implementation issues, to identify which considerations are likely to be most important (quantify their impact) and to identify priorities for training and guidance.

Summary of discussion:

- The report was well received by MS, who noted numerous ways how sharing information could be beneficial to the implementation of both CITES/EUWTR and EUTR.
- Pre-Convention stockpiles for newly-listed species could be an issue that may warrant further consideration.
- A potential weakness was recognised regarding verifying legality of CITES/EUWTR Annex C timber. However, this applies to a limited number of species, and only two additional timber species have been added to Appendix III since the EUTR came into force.
- It was confirmed that plantation timber declared as source A under CITES/EUWTR should continue being closely scrutinised, as the CITES definition is narrow.
- MS noted that EU imports of finished products containing CITES species may not receive adequate due diligence under EUTR, if timber entered the processing country with a CITES permit. These imports should not automatically be considered low risk.
- Timber identification was widely regarded as a difficulty under both regulations, and an area where additional support may be needed.
- EU CITES Management Authorities (MAs) provided examples of the difficulty obtaining sufficient information from exporting Parties.
- The October 2018 Commission notice (guidance document) on CITES timber legality verification encourages CITES MAs to increase the reliability of their

¹ Annex C of Council Regulation (EC) No 338/97 (EU Wildlife Trade Regulation)

legality checks by using a risk-based approach and to ask for more documents from the exporting MA and importer.

- General support was expressed for the recommendations presented in the UNEP-WCMC report and for greater cooperation and sharing of information to strengthen implementation of both regimes.

Action points:

- EC to look into potential need for guidance on a common approach for handling stockpiles of any newly-listed timber species.
- EC to look into potential support on timber identification. EC to share TRAFFIC inventory of organisation conducting wood identification and GTTN database when available.
- EC to explore supporting provision of training on the 2018 guidance document to CITES authorities.
- MS to follow existing guidance that recommends that finished products containing CITES timber should not automatically be considered low risk by EUTR operators and CAs, particularly when from a higher-risk processing country.
- MS to organise joint CITES/EUTR inspections/checks (e.g. to assess stockpiles), also to include EEA countries.
- MS to increase sharing information between respective EUTR and CITES relevant authorities. At EU level, EC to support and encourage sharing of relevant documents and resources such as relevant meeting summaries and agenda documents of the CITES and EUTR expert groups; EUTR Expert Group country-specific conclusions; EUTR country overviews; EUTR briefing notes; substantiated concerns; timber identification methods and experts; timber trade databases; SRG opinions or new EU import suspensions for timber species (particularly if finished products are not covered by the listing); timber species reviews; information relating to CoP proposals and amendments to timber species listings in CITES.
- MS CITES authorities to share legality concerns with EUTR CAs as substantiated concerns.
- MS to use customs data to identify operators importing CITES and EUTR products.