

SUMMARY RECORD

13th Meeting of the “Multi-Stakeholder Platform on Protecting and Restoring the World’s Forests, including the EUTR/FLEGT” With a focus on the implementation of the EUTR and FLEGT Regulation

WEB Conference

10 February 2023

Member States’ representatives only

1. Adoption of the agenda and of the minutes of the 11th EUTR/FLEGT Expert Group/Multistakeholder Platform meeting of 28 September 2022

The previous meeting minutes and the agenda were adopted.

2. Study on certification and verification schemes in the forest sector and for wood-based products – follow up

COM outlined the main findings of the 2021 [study](#) (presented at the 5th EUTR/FLEGT Expert Group meeting), which detailed both advantages and gaps of certification and verification schemes with regards to EUTR implementation. Member States’ Competent Authorities (MS CAs) need to be aware of shortcomings and that certification alone cannot be regarded as proof of compliance with EUTR. This follow up enables presenters to outline how the study’s key findings have been addressed.

a. Presentations

ISEAL introduced itself as a membership organisation that aims to support sustainability systems through developing Codes of Good Practice for standard setting. ISEAL noted that it supports the report’s recommendations, including findings on scheme governance and the need to strengthen traceability, increase transparency and disclosure of information, and address corruption.

PEFC stated that it considered legality to be fundamental to sustainable forest management. In addressing the study’s findings, it reported to have updated guidance document GD 2001 on chain of custody requirements and the (draft) standard ST 1004 to include more detail on legality requirements and public availability of reports. PEFC reported that its requirements are reviewed every 5 years in a process that involves multistakeholder dialogue.

FSC reported implementing key changes in response to the report, including ratifying a zero-deforestation policy with a cut-off date that aligns with that of the EU Deforestation Regulation, an additional 17 national forest management standards and a revised Chain of Custody standard. FSC noted that its Policy for Association aims to ensure no deforestation by certified companies or their corporate groups beyond certified areas.

b. Q&A

MS had many questions on both the standards and implementation; the representatives of the certification schemes addressed some of these. On the issue of addressing corruption, PEFC reported that it has added to ST 1004 a requirement for certification bodies to conduct research on possible corruption of companies, prior to audit, and certificate holders must commit to conducting checks on their suppliers.

With regards to making information publicly available, FSC confirmed that it publishes as much information as legally possible. Every company that is blocked is referred to on the FSC website.

COM encouraged continued efforts to close remaining loopholes and invited MS to continue flagging possible challenges.

3. Presentations

a. Illegal logging and trade in Cambodia (Global Initiative)

Global Initiative outlined findings of their recent [report](#) on the scale of logging and timber trafficking in Cambodia, including evidence for networks of state and military control and the flow of timber to neighbouring countries like China, Viet Nam and Thailand. The findings suggest laundering of timber, including luxury hardwoods, through legal markets. Whilst the EU does not import directly from Cambodia, thousands of tonnes are imported indirectly. Species in trade include rosewood and teak.

b. Teak shipments from Vietnam to US – Stockpile narrative (EIA)

EIA presented their recent [report](#) on how US traders continue to import teak from Myanmar despite the sanctions, by claiming that teak is from stockpiles accumulated and paid for prior to the coup. Trade data also indicate an increase in EU imports from Myanmar (HS 4407) in 2022 compared with 2021. EIA welcomed the recent [verdict](#) involving teak from Myanmar, but questioned the lack of financial penalties.

c. EUTR and sanctions compliance problems with regard to Belarus, and the role of FSC (EarthSight)

EarthSight's [investigation](#) detailed EU imports of wooden furniture coming from Belarusian prisons linked to forced labour and holding of political prisoners. Whilst [EU sanctions](#) on Belarusian timber do not include furniture, EUTR compliance was previously confirmed impossible¹ for all timber harvested in the country.

d. Possible circumvention of EU sanctions (OCCRP)

After EU sanctions banned timber imports from the Russian Federation and Belarus in June/July 2022, Eurostat data indicates an increase in EU wood imports declared as coming from Kazakhstan and Kyrgyzstan. Various modus operandi for circumventing sanctions via third countries were described, including the issuance of quality certificates or false paperwork to obscure the wood's true origin.

e. Examples of timber testing (WFID)

World Forest ID aims to create the world's largest georeferenced samples database of timber and agricultural commodities associated with deforestation. It will support implementation of EUTR and security-linked sanctions by holding large reference collections to assist in the identification of species identity and origin claims. CAs are invited to join their enforcement group and to suggest target species and countries.

4. Presentations

a. Europol work on forestry related crimes (Europol)

Europol's work is underpinned by regular assessments of serious and organised crime in the EU (e.g. [SOCTA 2021](#)), which include environmental crimes since 2018. EMPACT (European Multidisciplinary Platform Against Criminal Threats) works on a 4-year cycle, with a strategic approach to operational actions. A threat assessment [report](#) based on available data concerning organized crime investigations was released in June 2022. Europol deals with forestry crime within a holistic approach, including timber trafficking, deforestation, document fraud, illegal mining activities and pollution associated. A recent operation brought together participants from EU countries and Brazil to target illegal timber from the Amazon, resulting in >300 inspections and new criminal on-going investigations.

b. State of play - The European Task Force for Forestry Crime and other planned and ongoing activities (INTERPOL)

The European Task Force on Forestry Crime has expanded since Autumn 2022 (it includes EU and other European countries) and all MS are encouraged to join. It facilitates collaboration between agencies, exchange of best practice, provision of tools and training, and aims at fostering information and intelligence sharing. INTERPOL and UNODC have a joint initiative since 2018 to reduce tropical deforestation (project LEAP-Law Enforcement Assistance Programme), working with countries in South America and Southeast Asia to strengthen law enforcement capabilities in combatting transnational forestry and associated converging crimes (money laundering, tax evasion, corruption). In April 2023 INTERPOL will launch an initiative funded by GIZ on strengthening forest governance and multi-agency cooperation between Africa and Europe.

¹ Summary Record of the 9th meeting of the "Multi-Stakeholder Platform on Protecting and Restoring the World's Forests, including the EUTR/FLEGT" with a focus on the implementation of the EUTR and FLEGT Regulation. 29 April 2022.

In general terms, INTERPOL is providing analytical and operational support on Environmental and related financial crimes through the deployment of Operational Teams, Regional and Analytical case meetings, the drafting of criminal intelligence analysis (including cross check analysis within 19 INTERPOL data basis), publication of INTERPOL notices, secure communication channel I-24/7, cooperation and network building, training and mentoring tailored to INTERPOL member countries' needs.

5. Update on EUTR implementation

a. Tour de table on enforcement/implementation of EUTR within the EU (MS)

MS CAs reported on inspections and enforcement actions, court cases and collaboration with customs and other entities. In particular, CAs shared information relating to detecting the possible circumvention of sanctions.

In Belgium, a Forensic Wood Research Centre for timber identification (ENFORCE) is being set up at the Royal Museum of Central Africa.

Ukraine has extended a [ban](#) on the export of fuelwood. The Republic of Congo has introduced a measure to [suspend](#) the export of logs.

COM stressed the importance of cooperation between MS. A **follow-up meeting on Myanmar** will be organised for MS to share experiences.

COM reiterated that the EUTR Expert Group [conclusions](#) on Myanmar remained valid, that it is impossible to reach negligible risk in terms of timber from Myanmar. In addition, any import of timber from Myanmar is in contravention of the [EU sanction](#) as the Myanmar Timber Enterprise (MTE) is a listed entity, since MTE controls all export of timber from the country, and such teak from Myanmar cannot be allowed to enter the EU.

6. Information points

More than 150 tree species were [added](#) to the CITES Appendices at CITES CoP19, with the majority proposed by the EU together with range States. These include the genera *Dipteryx*, *Handroanthus*, *Roseodendron* and *Tabebuia* and all African populations of the genera *Afzelia*, *Khaya* and *Pterocarpus*. There were requests from range States for capacity building. Work is now underway to update the EU Wildlife Trade Regulations, which will be adopted in April. Strategic [decisions](#) relating to CITES and Forests were also adopted. The adoption of a Commission Regulation amending the Annexes to Council Decision (EC) 338/97 following CoP19 is planned for April.

At the EUTR informal meeting, DG OLAF gave an informative presentation on trade patterns since EU sanctions were imposed on the Russian Federation and Belarus, including increased imports from Turkey, Kazakhstan and Kyrgyzstan.

COM encouraged MS to share relevant information using the [Capacity4dev](#) platform. In addition, to facilitate the sharing of sensitive information between Member States, CAs can use AFISMail (run by DG OLAF) – access can be given by contacting counterparts in MS customs. In the case of technical problems, the EUTR CAs can contact COM for further assistance.

With regards to recent amendments to the Combined Nomenclature (CN) codes, CAs should refer to the text descriptions of each code for application of measures where a CN code no longer exists.

COM reminded CAs that national reporting for EUTR and FLEGT for the year 2022 is now open in DECLARE. The reporting deadline is 30 April 2023.

7. Update on FLEGT processes

a. Gabon, Central African Republic, Cameroon, Indonesia (COM)

Gabon The EU and Gabon have agreed to end negotiations of a Voluntary Partnership Agreement (VPA). Formal negotiations had stalled in recent years and following a joint review launched in 2020, the decision was made to end the process.

Central African Republic (CAR) DG INTPA announced the launch of a EUR 6.6 million project, managed by the FAO, to build capacity in CAR's Ministry of Forests. The next Joint Implementation Committee (JIC) meeting is anticipated in March/April 2023. INTPA reported an increased presence of Wagner Group in CAR and is monitoring the situation.

Cameroon DG INTPA will go on mission to Cameroon in March 2023 to discuss the potential for developing a complementary instrument to the VPA, in light of the new EU Regulation on deforestation-free supply chains. DG ENV noted that similar scoping discussions were underway in other VPA countries.

Indonesia The EU-Indonesia Joint Enforcement Meeting took place in January 2023. Indonesia provided updates on recent changes to the SVLK timber legality assurance system including the signing of a new decree to include what Indonesia consider to be sustainability components (beyond the scope of the VPA), which will come into force on 15 March 2023. The EU clarified that FLEGT VPA licences are proof of only legality and not sustainability. Indonesia's intention to adopt a new FLEGT license logo was also discussed. The EU requested that Indonesia take stronger action on the issue of Russian timber being re-exported from Indonesia under FLEGT licenses. Indonesia noted that they were unable to ban re-exports of Russian timber, but the Ministry of Environment and Forestry had contacted the licensing authorities about the issue. EU presentations on increased market presence of FLEGT-licensed timber in the EU and MS activities under VPA Article 13 were well-received. The next JIC will be on 13 March 2023.

8. Update on implementation of the licensing scheme under the FLEGT Regulation

a. Tour de table on experience with handling of FLEGT licenses within the EU (MS)

COM confirmed that EU sanctions on timber from the Russian Federation apply irrespective of harvest date. Several MS CAs reported receiving FLEGT licenses from Indonesia for Russian timber and wood products. COM confirmed that sanctions take precedence over FLEGT licenses, and indirect imports are still covered by sanctions even if the timber has undergone substantial processing in a third country. CAs were encouraged to invite national customs organisations to contact COM to ensure a common interpretation of the sanctions text. CAs were invited to contribute to work by DG FISMA, who are drafting amendments to the sanctions regulations. FLEGT licenses that have been rejected by one MS shall not be subsequently accepted by another MS. CAs should reject FLEGT licenses if they detect that an operator has made edits to the country of harvest or applied for a new FLEGT license for the same shipment, after the first was rejected. If the operator appears unsure about the country of origin of the timber in question, the CA has sufficient grounds to reject the license.

9. A.O.B.

List of participants

EU Member State + EEA/EFTA	Competent Authority (whole meeting)
AT	Federal Forest Office
AT	Federal Ministry of Agriculture, Regions and Tourism
BE	Federal Public Service Health, Food Chain Safety and Environment
BG	Executive Forest Agency
BG	Bulgarian Customs Administration
CY	Ministry of Agriculture, Rural Development and the Environment
CZ	Forest Management Institute (UHUL)
DE	BMEL- Federal Ministry of Food and Agriculture (Bundesanstalt für Landwirtschaft und Ernährung)
DE	BMUV- Federal Ministry for the Environment

DE	BMZ (GIZ)
DK	Danish Environmental Protection Agency
EE	Ministry of Environment
EL	Ministry of Environment and Energy
ES	Ministry for the Ecological Transition and the Demographic Challenge
ES	GAN NIK – Gestion Ambiental de Navarra
FI	Ministry of Agriculture and Forestry
FI	Finnish Food Authority
FR	Ministry of Agriculture and Food
HU	National Food Chain Safety Office
HU	Government Office of the Capital City Budapest
IE	Department of Agriculture, Food & the Marine
IT	Carabinieri CUFA IT Enforcement FLEGT/EUTR
IT	Mipaaf DG DIFOR IT CA EUTR/FLEGT
LT	Ministry of Environment- Environment Protection Department
LT	State Consumer Rights Protection Authority
LT	Ministry of Finance – Customs Department
LV	State Forest Service
MT	Plant Protection Directorate- Ministry for Agriculture, Fisheries and Animal Rights
NL	Ministry of Agriculture, Nature and Food Quality
NL	NVWA
NO	Norwegian Environment Agency
PL	Chief Inspectorate for Environmental Protection
PL	Ministry of Finance, National Revenue Administration
PT	ICNF- (Instituto da Conservação da Natureza e das Florestas), I.P.
PT	Portuguese Customs Administration
SE	Swedish Forest Agency

SI	Ministry of Agriculture, Forestry and Food
SK	Ministry of Agriculture and Rural Development of the Slovak Republic