MULTI-COUNTRY - WORKSHOP ON THE IMPLEMENTATION OF THE EU TIMBER REGULATION FOR MEDITERRANEAN MEMBER STATES’ COMPETENT AUTHORITIES

organised in co-operation with the
Institute for Nature Conservation and Forests, Portugal

05 - 06 June 2018
AGENDA
<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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</thead>
<tbody>
<tr>
<td>08:30</td>
<td>Registration of participants</td>
</tr>
<tr>
<td>09:00</td>
<td>Opening</td>
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<tr>
<td></td>
<td>Mr. Nuno Sequeira</td>
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<td>Cabinet of the Secretary of State for Forestry and Rural Development</td>
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<td></td>
<td>Doerte Pardo López, DG Environment, European Commission</td>
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<td>Mr. Rui Pombo, ICNF board (Portugal’s CA)</td>
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<tr>
<td>09:30</td>
<td>Presentation and adoption of the Agenda</td>
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<tr>
<td></td>
<td>Ms. Conceição Ferreira, Institute for Nature Conservation and Forests</td>
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<tr>
<td>09:45</td>
<td>EUTR implementation experiences and cooperation in the Nordic-Baltic Countries</td>
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<tr>
<td></td>
<td>Niels Bølling, Ministry of Environment and Food, Denmark</td>
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<tr>
<td>10:05</td>
<td>EUTR monitoring experience in the Netherlands, particularly at sea ports</td>
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<td>Meriam Wortel, Food and Consumer Product Safety Authority, The Netherlands</td>
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<tr>
<td>10:25</td>
<td>Q &amp; A</td>
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<tr>
<td>10:45</td>
<td>Coffee break</td>
</tr>
<tr>
<td>11:05</td>
<td>Country presentations: short overview on good practices and key challenges in the implementation of the EUTR</td>
</tr>
<tr>
<td></td>
<td>Implementation of the EUTR in Portugal, Cristina Santos, Institute for Nature Conservation and Forests</td>
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<tr>
<td></td>
<td>Implementation of the EUTR in Spain, José Brotons, General Directorate for Rural Development &amp; Forest Policy</td>
</tr>
<tr>
<td>11:35</td>
<td>Q &amp; A</td>
</tr>
<tr>
<td>11:55</td>
<td>Implementation of the EUTR in Cyprus, Michael Nicolaides, Ministry of Agriculture/Department of Forests</td>
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<td>Implementation of the EUTR in France, Celia Didierjean, Ministry of Food and Agriculture/Forest-based Enterprises and Industries</td>
</tr>
<tr>
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<td>Implementation of the EUTR in Greece, Georgia Konstantakopolou, Ministry of Environment and Energy/ General Directorate for Forests and Forest Environment &amp; Despina Minoglou, Decentralized Administration of Macedonia &amp; Thrace/ Regional EUTR CA of Thessaloniki</td>
</tr>
<tr>
<td>12:25</td>
<td>Q &amp; A</td>
</tr>
<tr>
<td>12:45</td>
<td>Lunch break</td>
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<tr>
<td>Time</td>
<td>Session</td>
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<tr>
<td>14:00</td>
<td>Implementation of the EUTR in Italy, <strong>Pietro Oieni</strong>, General Directorate of Forests</td>
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<td>Implementation of the EUTR in Malta, <strong>Francesca Saliba</strong>, Ministry for the Environment, Sustainable Development and Climate Chang/Agriculture Directorate</td>
</tr>
<tr>
<td></td>
<td>Implementation of the EUTR in Slovenia, <strong>Robert Rezonja</strong>, Ministry of Agriculture, Forestry and Food/Forestry Division</td>
</tr>
<tr>
<td>14:30</td>
<td>Q &amp; A</td>
</tr>
<tr>
<td>14:50</td>
<td><strong>Common challenges in the EUTR implementation</strong></td>
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<tr>
<td></td>
<td><strong>Plenary discussion</strong></td>
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<tr>
<td></td>
<td>Short Introduction by <strong>Cristina Santos</strong> and <strong>Fernando Salinas</strong> of the 3 Working Groups and nomination of rapporteurs. Brief presentation of written factsheet (country sheet)</td>
</tr>
<tr>
<td></td>
<td><strong>Themes</strong></td>
</tr>
<tr>
<td></td>
<td>1. Risk assessment including substantiated concerns</td>
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<td></td>
<td>2. Checks on operators concerning due diligence (Art 10, 11) procedures</td>
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<tr>
<td></td>
<td>3. Information processing: information on checks for public access, cooperation between and among CAs and with Commission and 3rd countries (Art 12);</td>
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<td></td>
<td>4. Assistance, guidance and cooperation with the private sector (Art 13)</td>
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<td>5. Penalties (Art 19)</td>
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<tr>
<td></td>
<td>6. Modalities of establishing a EUTR Med CAs Network and developing a work plan</td>
</tr>
<tr>
<td>15:30</td>
<td>Coffee break</td>
</tr>
<tr>
<td>15:45</td>
<td>1st round of working group sessions</td>
</tr>
<tr>
<td>17:00</td>
<td>Conclusion of day 1</td>
</tr>
<tr>
<td>17:15</td>
<td><strong>Fernando Salinas</strong> Portugal’s CA Representative</td>
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<tr>
<td>Time</td>
<td>Event</td>
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<tr>
<td>09:00</td>
<td>Opening of day 2</td>
</tr>
<tr>
<td>09:15</td>
<td>2nd round of working group sessions</td>
</tr>
<tr>
<td>10:45</td>
<td>Coffee break</td>
</tr>
<tr>
<td>11:00</td>
<td>Plenary</td>
</tr>
<tr>
<td>12:00</td>
<td>Conclusion: Topics for a future cooperation of the EUTR CAs in the Mediterranean region how to Developing a workplan Med CA</td>
</tr>
<tr>
<td>13:00</td>
<td>Lunch break</td>
</tr>
<tr>
<td>Time</td>
<td>Event</td>
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<tr>
<td>14:00</td>
<td><strong>Way ahead: how to establish a network of the EUTR CAs in the Mediterranean region</strong>&lt;br&gt;Introduction focus in modalities of establishing a EUTR Med CAs Network&lt;br&gt;&lt;br&gt;<em>Cristina Santos</em> and <em>José Brotons</em>, from Portuguese and Spanish CA&lt;br&gt;<em>Dörte Pardo López</em>, representative of EC Commission&lt;br&gt;&lt;br&gt;Discussion</td>
</tr>
<tr>
<td>14:15</td>
<td>How to make a regional network work?&lt;br&gt;&lt;br&gt;<em>Niels Bølling</em>, Ministry of Environment and Food, Denmark</td>
</tr>
<tr>
<td>15:00</td>
<td><strong>Coffee break</strong></td>
</tr>
<tr>
<td>15:15</td>
<td>Next steps and who does what?&lt;br&gt;&lt;br&gt;Plenary discussion&lt;br&gt;&lt;br&gt;CAAs suggesting next steps and their contribution</td>
</tr>
<tr>
<td>16:15</td>
<td>Summary of next steps&lt;br&gt;&lt;br&gt;Speakers from Med CA</td>
</tr>
<tr>
<td>16:45</td>
<td>Conclusion of the workshop&lt;br&gt;&lt;br&gt;<em>Mr. Rui Pombo</em>, ICNF board</td>
</tr>
<tr>
<td>17:00</td>
<td>Closure&lt;br&gt;&lt;br&gt;End of day 2</td>
</tr>
</tbody>
</table>
EUTR implementation experiences and cooperation in the Nordic-Baltic Countries
EUTR implementation experiences and cooperation in the Nordic-Baltic Countries

Agenda

1. Why Cooperation – who will benefit?
   1. For the operators
   2. Sharing of knowledge
   3. Best practice
   4. Exchange of information

2. A little history
   1. First Nordic Meeting
   2. Expansion of the Group
   3. Projects
   4. Joint inspection visits
   5. Exchange of information

3. Experience
   1. Keep it simple – everyone must feel committed
   2. Best practice – joint inspections
   3. Knowledge sharing – import country
   4. Risk based inspection plans
   5. Testing and sampling
EUTR implementation experiences and cooperation in the Nordic-Baltic Countries

1. Why Cooperation – who will benefit?

- Fair competition
- Transparency
- We can’t all be specialists on everything - use each other
- NGO’s, politicians, Commission
- More….

Only if benefits are higher than the effort to get them you will succeed
EUTR implementation experiences and cooperation in the Nordic-Baltic Countries

2. A little history

1. First meeting August 2013 in Copenhagen
2. Followed up by meetings in Finland, Norway, Sweden, Latvia
   (Next meeting – next week in Copenhagen)
3. Participants: Denmark, Sweden, Finland, Estonia, Latvia, Lithuania, Norway and Island
4. Projects - China
5. Joint inspections and country visit’s
6. Exchange of information’s – easy and not so easy
EUTR implementation experiences and cooperation in the Nordic-Baltic Countries

3. Experience

1. Keep it simple – everyone must feel committed
2. Best practice – joint inspections
3. Knowledge sharing – import country
4. Risk based inspection plans
5. Testing and sampling
Example of cooperation

Recycled material
Example of cooperation

Recycled materials

1. Vælg Indsæt i topmenuen
2. Vælg Sidehoved og Sidefod
3. Sæt hak i Slidenummer
4. Indsæt ønsket indhold i Sidefod
5. Vælg Anvend på alle

Tips: Gør det som det sidste før du gemmer filen, så det slår igennem på alle sider
3. Experience

### QUESITION | ANSWER
---|---
**Complexity of the Supply chain:**
Rationale: According to Article 6, paragraph 1, (b) the complexity of the supply chain should be taken into account as part of ‘due diligence’. The risk of mixing, laundering, covering up traceability of illegal timber may depend of this complexity. The physically distance between the supplier and the sourcing area might also increase the risk of e.g. illegal logging and mixing with unspecified timber.

<table>
<thead>
<tr>
<th>If using intermediate agents and traders how to exclude laundering or mixing illegal and legal timber?</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>How to check information’s and documents from agents and verify information’s given?</td>
<td>Answer</td>
</tr>
<tr>
<td>Where is the supplier physically legally placed and where are the sourcing arrears? (on map – what documentation?)</td>
<td>Answer</td>
</tr>
<tr>
<td>Where are the supplier’s factory(ies) is/are physical placed? (on map – documented how?)</td>
<td>Answer</td>
</tr>
<tr>
<td>How does the supplier/agent secure only legal logs to enter the production facilities?</td>
<td>Answer</td>
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<tr>
<td>Is there any track record of legal responsible person-</td>
<td>Answer</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
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<th>ANSWER</th>
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<td>Where are all the logging arrears supplying the sawmills?</td>
<td>Answer</td>
</tr>
<tr>
<td>How is/are the supply route from concessions to sawmills? (What documentation?) Can they be verified and are they logical?</td>
<td>Answer</td>
</tr>
<tr>
<td>What are the names and places of all sawmills supplying the factories? (On map – what kind of documentation?) Are the sawmills placed logically in the supply chain? If not – why?</td>
<td>Answer</td>
</tr>
<tr>
<td>What are the track records with regard to legality of the sawmills in the supply chain? (Checked and verified how?)</td>
<td>Answer</td>
</tr>
<tr>
<td>More to the Complexity of the supply chain: Rationale: Rarely sawmills are supplied from only one concession. Handling, categorizing the different grades, splitting and combining shipments et cetera increase the risk of mixing with illegal timber. Therefore knowledge of the capacity, supply and geographical positions of all sawmills in the supply chain is an essential part for Due Diligence.</td>
<td>Answer</td>
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<tr>
<td>Why are the owners of the sawmills and what are their track records? (Source of information, documentation)</td>
<td>Answer</td>
</tr>
<tr>
<td>Is the volume percentage in harvest concessions per species reasonable? Is it possible to balance log volume and sawn volume per species per sawmill? Is it possible to verify purchased log volume and sold sawn volume?</td>
<td>Answer</td>
</tr>
<tr>
<td>What are the transport routes from sawmills to factories? (On map – what documentation?) Any reloading, storage, handling or other risk factors on route? What procedures are used to secure traceability through the supply chain?</td>
<td>Answer</td>
</tr>
<tr>
<td>Are all official documents: AUFER, DIVM, LO, GFI, GFS, Juta commensal, Renta (Federal, IPEA) verified and verified?</td>
<td>Answer</td>
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</tbody>
</table>

### Notes:
- Not sourcing in Guyana and Malian forest.
- How to answer the above questions when sourcing in the Region of Amazonas: Arco, Roadless and Pororari.
EUTR implementation experiences and cooperation in the Nordic-Baltic Countries

Questions

Niels Bølling
Landscape and forest
+45 91 32 95 28 l niboe@mst.dk
Skype: niboe_1

Ministry of Environment and Food

Environmental Protection Agency
EU timber regulation
Enforcement in the Netherlands
Inspection and investigation agency of the Ministry of Agriculture

Tasks
- Supervision (inspections, certification, investigations)
- Risk assessment
- Risk communication

- 2500 employees

Animal welfare, animal health, animal husbandry, fishery, nature conservation, product safety, food safety, food quality, Plant health
Criminal law

EUTR is implemented in the Nature conservation act

Economic offences:
Maximum of six years imprisonment
Community service
Fine of fifth category: 82,000 euros

Criminal case: Public prosecutor
Special section dedicated to environmental cr

Judge, No jury system
Administrative law

Meant to restore the situation back to legal, not punitive

The administrative authority (in this case the NVWA) has the power to:
Order the perpetraitor to stop and restore

Or

Order a notice of remedial action, if the order is not followed
a sum of money is forfeited

The sum of money is as high as the market value of the
timber to deter the company from continued placing on the market
EUTR and FLEGT

- NVWA is competent authority for EUTR and FLEGT

FLEGT:
- Customs: physical inspections at the border
- NVWA: document check and decisions ok or not
- NVWA and Customs and importer communicate electronically

EUTR
- NVWA physical inspections
- Public Prosecturor for criminal cases
- Agreement with customs to share information
- Cooperation with CITES MA
Information sharing

Customs and NVWA share information

Memorandum of understanding with number of annexes dealing with different legislation

Use of knowledge

Training of staff

Working together in EU (eg FLEGT Guidelines)
Dealing with the EUTR

First quarter of 2018: 20,000 imports under Hscode 44 alone via Rotterdam

Need for a risk-based approach based on:

- Information from scientific institutions and interpol
- Information from NGO’s
- Information in the public domain
- Number of imports/ value
Focus in 2017 on timber importers and furniture

Furniture: Vietnam, India and China
- Rubber wood and mango wood very popular
- FSC certified timber used
- Chinese chains diffuse

Timber:
- Focus on Myanmar, re-inspections on companies importing
- Request for enforcement from EIA on Myanmar

2018: imports via Antwerp-Belgium and paper and pulp
Inspections

Starting point: Customs data on certain imports (risk countries/risk products)

Inspection at market operator:
  Due diligence system in place?
  Does the DDS suffice - using some shipments to test?

Trends:
- Use of certification, if available
- Stop imports, become trader
- Say goodbye to some suppliers in certain countries
- Some operators do not change behaviour, unwilling to invest time and money in mitigating measures
Results so far

Matching the timber in the yard with the import data is not easy.

No marks on the timber from sawmill to timberyard (or beyond)

When has a company done sufficient due diligence... dialogue amongst member states

Getting the right information from the country of harvest, what are the applicable laws and what forms/documents are required.

Corruption, buying documents, legalizing illegal timber.....

Several notices of remedial action issued: Myanmar, Cameroun, Brazil, Gabon, Republic of Congo
Issues so far

Starting a new company and evading persecution

Difficult to deal with market operators based outside of the EU

Documents in different languages

Reaching a level playing field in the EU
Developments

First case concerning timber from Cameroun brought before the administrative court

Court agreed that due diligence was not sufficient

Case concerning actions taken by NVWA on request for enforcement by Greenpeace

Court ruled in favour of GP: NVWA should stick to intervention policy and policy should be stricter in some cases
Questions ??
IMPLEMENTATION OF THE EUTR IN PORTUGAL

June 5

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities
MULTI-COUNTRY - WORKSHOP ON THE IMPLEMENTATION OF THE EU TIMBER REGULATION FOR MEDITERRANEAN MEMBER STATES’ COMPETENT AUTHORITIES

organised in co-operation with the
Institute for Nature Conservation and Forests, Portugal

05 - 06 June 2018
Decree-Law no. 76/2013, published on 5th June 2013 of June,

- establishes the obligation of **operator registration (RIO)**
- defines the **Competent authority** - ICNF, I. P., Ministry of Agriculture, Forest and Rural Development - and the other entities who collaborate with it for the performance of checks (Forest Police and Customs Authority)
- defines **control and enforcement** measures in Portugal: mainland, Azores e Madeira all follow the same procedures for checks
- lays down the **rules and penalties amount** applicable to infringements:
  - Natural persons, between 50 and 3,700 €
  - Legal persons, between 250 and 44,000 €
How to register?

Identification of the operator

- Country
- Taxpayer identification Number
- Name
- Email
- Phone number
- Address
- Password

https://fogos.icnf.pt/rio/login.asp
How to register?

Activity

Select:

- Classification of Economic Activities
- Product Code under EUTR
How to register?

Proof registration

Show to the check authorities: forest police and customs authority

Some figures about register

Number of registers operators: 4652 (191 non-active)

Main activities:
- Logging 8% (339 operators)
- Manufacture of other outerwear 6% (273 operators)
- Wholesale of wood in the rough and related products 6% (259 operators)

Main Products listed in the register:
- Paper and cardboard 58%
- Wood in rough 25%
- Fuel wood, wood chips or particles 18%

Type of activity:
- Forest activity 30%
- Other activity 70%
Annual Check Plan – risk assessment approach

- No direct access to data on imports amounts and imported products (HS code), concerned by EUTR (Customs information)
- Criteria's for select the operators to check:
  1) Active operator in Portugal mainland territory
  2) Not previously checked
  3) Subject to substantiated concerns and/or investigation procedures
  4) Result of the 1st check has recommended a follow-up in the short term
  5) Operators whose activity, with a high degree of probability are involved in importing timber and/or timber products from third country into EU territory
Annual Check Plan – risk assessment approach

- Criteria of risk assessment:
  1) Operators who have declared forestry activity in one or more of the following areas:
     - Wholesale of wood in the rough and related products;
     - Manufacture of wooden furniture for other purposes;
     - Manufacture of veneer sheets; manufacture of plywood, laminated wood boards and other panels and boards
     - Sawmilling of wood
  2) Selection of the operators organized by the ICNF regional departments
  3) Annual meeting to agree on annual plan, define common strategy and collaboration between departments and other entities (official or associations, ...)
  4) Implementation runs from March to December
EUTR CHECK PLAN

Operator check procedures

1) Contact the operator (email and phone) to schedule the check at least one week in advance

2) Preparation of the check
   • Gather the maximum information about the company
   • Check the information available in the operator registry
   • Cross check with requirements from other sources: (Phitosanitary regulations and CITES)
   • Registration of the check action in the RIO platform
     (https://fogos.icnf.pt/rio/login.asp)

3) Field check in the operator’s premises by a technical team made up of, at least, two staff
EUTR CHECK PLAN

Procedures for check operators

4) Field check in the operator’s premises:
   a. Operator/trader presents the company, its turnover, traded products and their geographical origin
   b. A product/transaction with higher potential risk is selected and scrutinized
   c. Forms are filled – particular attention is given to the one assessing the Due Diligence System (mandatory for operators)
   d. After field check, through desk review is performed;
   e. If gaps are detected, additional request is made for supplementary details and evidences to be provided in one month;
   f. Corrective measures are proposed/enforced if deemed necessary after second review.
COOPERATION BETWEEN MED CA

- Harmonize requirements and procedures, especially when facing a non-negligible risk assessment situation.

- Share information on operators that introduce wood/wood products into the EU through a country other than his own. (ex. Top 4, country of origin of registered operators that place wood and wood products in Portuguese territory)

<table>
<thead>
<tr>
<th>Country of origin</th>
<th>Number of Operators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portugal</td>
<td>4356</td>
</tr>
<tr>
<td>Espanha</td>
<td>67</td>
</tr>
<tr>
<td>França</td>
<td>9</td>
</tr>
<tr>
<td>Holanda</td>
<td>4</td>
</tr>
</tbody>
</table>

- Share information on approaches and tools used to raise EUTR awareness with different kinds of operators and traders.

- Promote joint checks whenever deemed necessary.
THANK YOU!

TAIEX-EIR Peer 2 Peer Multi-country Workshop on the implementation of the EU Timber Regulation for Mediterranean Member State’s Competent Authorities

Lisbon, Ministry of Agriculture, Forests and Rural Development

05 - 06 June 2018
IMPLEMENTATION OF THE EUTR IN SPAIN

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
WORKSHOP ON THE IMPLEMENTATION OF THE EUTR FOR MEDITERRANEAN MMSS CCAA - SPAIN -

José Brotons - Head of Service
DG Rural Development and Forestry Policy
Ministry of Agriculture and Fisheries, Food and Environment

05 - 06 June 2018
EUTR ENFORCEMENT IN SPAIN

- Operator’s Statement of Responsibility
- National Plan to Control the Legality of Timber Marketed
- Information Timber Trade System (ITTS)
EUTR ENFORCEMENT IN SPAIN
OPERATOR’S STATEMENT OF RESPONSIBILITY

- Identify Operators (domestic/importer)
- Marketed products
  - Products
  - Volumes
  - countries of origin
  - countries of harvest
  - Species
- List of operators
- List of SR
- List of Check reports - results
EUTR ENFORCEMENT IN SPAIN  
NATIONAL PLAN TO CONTROL THE LEGALITY OF TIMBER MARKETED

Checks → risk analysis based

Autonomous regions CAs:
- Lay down Regional Plan of Control
- Carry out inspections

National CA (Working Group)

Manual of inspections
Legal acts
Cooperation procedure
Manual of sampling
EUTR ENFORCEMENT IN SPAIN
INFORMATION TIMBER TRADE SYSTEM

COMUNITAT VALENCIANA

Autoridades Competentes:
- Dirección General de Medio Natural y Evaluación Ambiental,
  Conselleria de Agricultura, Medio Ambiente, Cambio Climático
  y Evaluación Ambiental
- Dirección General de Comercio y Consumo. Conselleria de
  Economía Sostenible, Sectores Productivos, Comercio y
  Trabajo

Contacto: maderaforestal@gva.es ; 960000000

Nº Agentes comercializadores: 238

Declaraciones responsables:

| Año Declaración | Nº Declaraciones
<table>
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<tr>
<th></th>
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<tbody>
<tr>
<td>2015</td>
<td>39</td>
</tr>
<tr>
<td>2016</td>
<td>50</td>
</tr>
<tr>
<td>2017</td>
<td>134</td>
</tr>
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</table>

Inspecciones EUTR:

<table>
<thead>
<tr>
<th>Comité de Control</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conforme</td>
<td>44</td>
</tr>
<tr>
<td>Conforme con observaciones</td>
<td>0</td>
</tr>
<tr>
<td>No conforme</td>
<td>0</td>
</tr>
<tr>
<td>Nominalización de medidas correctivas</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL controles</td>
<td>45</td>
</tr>
</tbody>
</table>

Información a fecha 30 de abril 2018
THANK YOU!

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TAIEX-EIR Peer 2 Peer Multi-country Workshop on the implementation of the EU Timber Regulation for Mediterranean Member States Competent Authorities

Lisbon, Ministry of Agriculture, Forests and Rural Development

05 - 06 June 2018
IMPLEMENTATION OF THE EUTR IN CYPRUS

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
MULTI-COUNTRY - WORKSHOP ON THE IMPLEMENTATION OF THE EU TIMBER REGULATION FOR MEDITERRANEAN MEMBER STATES’ COMPETENT AUTHORITIES

organised in co-operation with the
Institute for Nature Conservation and Forests, Portugal

Michael Nicolaides
Forest Officer

Cyprus Department of Forests

05 - 06 June 2018
Member State: Cyprus

Competent Authority: Department of Forests

• In 2013, a new legislation have been adopted by the Cyprus parliament regarding the trade of timber and timber products, in line with EU timber regulations.

• Law for the regulation of trade of timber and timber products (N.139(I)/2013)

• Through this legislation, the Department of Forests (DF) has been officially assigned as the competent authority for the implementation of EU timber regulation.
Implementation of the Regulation

Imported Timber

1. **Mechanism to identify EUTR operators**

   - According to the Cyprus Law 139(I)/2013 each and every operator, who imports and sells timber products under the codes 4403, 4406, 4407, 4408, 4409, 4411, 4412, 4413 has to obtain license from the DF.

   - Every operator is listed in the register of the DF.

   - DF receives from the Customs, on a monthly basis, data for operators who import timber and timber products in Cyprus from third countries.

   - These data are related to the names of natural or legal persons, their contact information, products imported (combined nomenclature code), country of import and quantity.
Implementation of the Regulation

Imported Timber

2. Procedures of inspection

- A plan for checking operators is compiled after the DF receives from the customs, the data for operators who import timber and timber products. Based on these information, a plan for checking operators is compiled for the coming month.

- Checks cover the 10% of operators per CN code, for the codes (4401, 4407, 4408, 4409, 4411, 4412, 4413 and 4418) except those of chapters 47, 48 and 93, 94 which checks are limited to 1% of the operators.
Factors affecting the preparation of the inspection plan

i. Type of products and species that the product is made of (timber products with CN codes of chapters 47, 48 and 93, 94 receive lower priority).

ii. Type of business (priority is given to business with large turnover)

iii. Country of harvest of timber (priority is given to countries with low CPI)

iv. Quantity of imported product (Priority is given to the largest in volume imports).

v. Priority is given to Information provided by other CA.

vi. Concerns provided by third parties

vii. Previous checks
Cyprus imports of timber products under the codes 4401-4418

TIMBER IMPORTS 2014-2018

<table>
<thead>
<tr>
<th>HS CODES</th>
<th>NUMBER OF IMPORTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>HS 4401</td>
<td>350</td>
</tr>
<tr>
<td>HS 4403</td>
<td>19</td>
</tr>
<tr>
<td>HS 4407</td>
<td>521</td>
</tr>
<tr>
<td>HS 4408</td>
<td>6</td>
</tr>
<tr>
<td>HS 4409</td>
<td>62</td>
</tr>
<tr>
<td>HS 4410</td>
<td>37</td>
</tr>
<tr>
<td>HS 4411</td>
<td>216</td>
</tr>
<tr>
<td>HS 4412</td>
<td>401</td>
</tr>
<tr>
<td>HS 4418</td>
<td>153</td>
</tr>
</tbody>
</table>
Results of checks

The results of checks on operators are recorded on check-lists. On those check-lists the following information are recorded:

1. Date of import,
2. Date and Time of check,
3. Name and signature of inspector,
4. Name and address of operator,
5. Contact information of operator,
6. Place (address) of check,
7. Information regarding the timber or timber product (description of the product, CN code of the product, date of import, country of import, quantity of imported product),
8. Information regarding operators compliance with EUTR and national implementing legislation,
9. Check results.
Check Form
Results of checks on imported timber 2014 - 2018

The results of checks on imports are the following:

1. Number of checks – 190
2. Number of Remedial Action send – 58
3. Number of penalties imposed – 1 (Not maintain due diligence system)
   – 3 (Sale of timber or timber products without the license)
Penalties for infringement of EUTR:

Penalties are resulted from prohibition, DD obligation and traceability. According to the evidence found the penalty will be:

i. Notice of remedial actions, with the maximum time given for remedial action is one month.

ii. Trade of timber and timber products without the permission of the Director - € 5000 Maximum amount or/and 1 year imprisonment.

iii. Disposal of illegally harvested timber or timber products in the Republic - € 40000 Maximum amount or/and 2 year imprisonment.

iv. Does not provide any information or not helping the inspectors to implement Regulation (EU) No 995/2010, of Regulation (EU) 607/2012 - € 1000 Maximum.

v. Seizure of timber product.

vi. Suspension of authorisation of trade.
Domestic Timber

- There is no private forestry sector in Cyprus and the DF is the only operator who extracts timber (CN code 4403) from state forests.
- The only product that is placed on the internal market by other traders in Cyprus are the fuelwoods.
- These traders are checked by the DF.
Checks on Domestic Timber

- According to the Cyprus Law 139(I)/2013 each and every trader, who sells firewood has to obtain license from the DF.
- Traders on Domestic timber are listed in the register of the DF.
- All the traders are appointed under the authority of one of the 20 inspectors of the DF.
- Checks on traders for domestic timber are also carried out.
During the inspection traders are checked for:

1. Their possession of the fuel wood. They must have all the information regarding how they collect the fuel wood.
2. Their registers are properly fill with all the information that are required by the law.
3. All the information regarding to whom they sell the firewood.
Number of Checks on Traders for Domestic Timber

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NUMBER OF CHECKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Y.2018</td>
<td>86</td>
</tr>
<tr>
<td>Y.2017</td>
<td>277</td>
</tr>
<tr>
<td>Y.2016</td>
<td>327</td>
</tr>
<tr>
<td>Y.2015</td>
<td>322</td>
</tr>
<tr>
<td>Y.2014</td>
<td>180</td>
</tr>
</tbody>
</table>
Results of checks on Traders for Domestic Timber 2014-2018

The results of checks on domestic timber:

1. Number of checks on Domestic Traders – 1192
2. Number of checks on Premises for possession of timber – 193
3. Number of checks on vehicles currying firewood – 531
4. Number of checks for advertising selling of firewood – 130

Those checks leads to penalties for:

1. Sales of firewood without a license – 27
2. Illegal transfer of firewood – 67
3. Illegal harvest and possession of firewood – 13
4. Seizure of Firewood – 26
5. Not keeping information for the firewood – 3
Penalties for infringement of the Law on the control of the trading of timber and timber products:

i. Fines on trader. Maximum fine is up to 5000 euros. Or imprisonment up to 1 year

ii. Seizure of firewood product.

iii. Suspension of authorisation of trade.
Proposals for cooperation among the competent authorities from the EU Mediterranean countries

• Annual meetings of the Competent Authorities for evaluating the status of the implementation of the regulation
• Continuous communication between Competent Authorities for better handling of substantial cases.
THANK YOU!

TAIEX-EIR Peer 2 Peer Multi-country Workshop on the implementation of the EU Timber Regulation for Mediterranean Member State’s Competent Authorities

Lisbon, Ministry of Agriculture, Forests and Rural Development

05 - 06 June 2018
IMPLEMENTATION OF THE EUTR IN FRANCE
FRENCH COMPETENT AUTHORITIES

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
ADMINISTRATIVE ORGANISATION AND CHEKS

Administrative organisation

Ministry of Agriculture and Food is Competent Authority
For the checks: tasks shared between Ministry of Agriculture and Ministry of Environment
  Ministry of Agriculture – regional scale: domestic operators and sawmills importing timber
  Ministry of environment – departmental scale: all other importers

Control plan – risk assessment approach

- Customs provide imports data for products concerned by EUTR, in March: name and contact informations of the operator, type of product imported (HS code), quantity, month importation, country.
- Criteria of risk assessment: origin of the timber and the volume part of timber traded / concern published by NGO
- Classification of operators in 3 degrees of risk: high (control rate 10%) – Medium (control rate 2%) - Low (control rate 1%)
- Annual program is defined in April / May N, to be executed between July and February N + 1
CHECK PROCEDURE

Process
Introduction: sending a letter to the operator and reminder to obligations of EUTR
First step: documentary review → DDS and records
Second step: on-site inspection → enforcement of operator DDS on some physical furnitures and from record
Third step: report with results of the checks

Time of check: approximatively 3 months without sanction

Tools: examples of questions to ask the company during the check
  2 inspectors meetings per year
  Internet website

Sanctions
- Administrative sanction: suspension of the company's activity, administrative fine of up to 15,000€, daily penalty
- Penal sanction: up to 100,000 fine and 2 years imprisonment
- Since beginning of 2015:
  Many recommendations or additional information required
  Some injunctions to operators too far from DDS requirement. Injunctions in French law is last step before financial sanction.
  2 administrative sanctions: 5,000€ and 15,000€
  1 attempt of penal sanction classified without continuation by the prosecutor
DIFFICULTIES AND COOPERATION AMONG MED CA

Example of difficulties

- To carry out checks on papers and wood furnitures
- To know which are the correct documents ensuring legality of logging for each countries and understand it,
- Awareness prosecutor of forest infraction and illegal logging,
- Actually, no check on traders.

Example of cooperation

- To harmonize the control plan :
  - Common criteria to be taken into account in the risk assessment,
  - To define the country risk,
  - To define which countries to be targeted,
  - To share control plan of each CA → subsidiaries companies ,
- To share difficult cases.
- To have a harmonized implementation and the same traceability and compliance requirements.
THANK YOU!
IMPLEMENTATION OF THE EUTR IN GREECE

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
The implementation of EU Regulation 995/2010 (EUTR) in Greece

Ministry of Environment and Energy
Directorate of Planning and Forest Policy
Department for the Control of the Trade and Transport of Wildlife and CITES Species
Georgia Konstantakopoulou, M.Sc Forester
g.konstantakopoulou@prv.ypeka.gr

Decentralized Administration of Macedonia & Thrace
Directorate of Forests of Thessaloniki Prefecture
Regional EUTR Competent Authority of Thessaloniki
Dr. Despina Minoglou, Forester
dminoglou@damt.gov.gr

Lisbon, 5 June 2018
EUTR Legal framework in GREECE

Joint Ministerial Decision no. 134627/5835/23-12-2015 (GG 2872/B/29-12-2015) as it is valid today.
Greece long before the EUTR Regulation, raising a large concernment regarding illegal logging and trafficking of forest products, developed a strict national legal framework for the protection of the timber and the forest products in Greece.

The implementation of EU Regulation 995/2010 in Greece comes to enhance and incorporate with this existing legal framework.
**EUTR Legal framework**

Joint Ministerial Decision, no. 134627/5835/23-12-2015 (GG 2872/B/29-12-2015) defines:

**Article 2 defines:**

- **The Central EUTR Competent Authority**
  - Ministry of Environment and Energy
  - General Directorate for the Forests and the Forest Environment
  - Directorate of Planning and Forest Policy
  - Department for the Control of the Trade and Transport of Wildlife and CITES Species

- **The Regional EUTR Competent Authorities**
  The Regional EUTR CAs:
  - are currently 38 in number all over Greece,
  - are the Directorate for Forests of various Prefectures all over Greece, and
  - derive from the 7 Decentralized Administrations: Attica, Thessalia - Sterea Hellas, Peloponnesus - West Greece – Ionian Islands, Epirus - West Macedonia, Macedonia and Thrace, Crete, and Aegean
EUTR Legal framework

Joint Ministerial Decision, no. 134627/5835/23-12-2015 (GG 2872/B/29-12-2015) also includes:

- In Article 3 the Establishment of a Technical Inter-Ministerial Working Group
  (Ministry of Environment and Energy, Ministry of Interior and Administrative Reconstruction, Ministry of Economics, Development and Tourism, Ministry of Finance)
  The role of this WG is the systematic monitoring and advice, where is necessary, and the formation of any proposals that can improve EUTR implementation in Greece.

- In Article 5 the Conducting of checks

- In Article 6 the Setting up of Regional Monitoring Teams

- In Article 7 the Establishment of Regional Registers of Operators and Traders

- In Article 8 the Reporting Process

- In Article 9 the Penal and Administrative Sanctions
EUTR Legal framework

Article 7: the Establishment of Regional Registers of Operators and Traders

- Greece, taking seriously in mind the importance of the obligations and the role of the Operators that derives from EUTR Legislation, created the National Registry of Operators and Traders (Circular no. 134387/165/12-01-2016)/ obligatory. The National Registry of Operators and Traders derives from the merge of all Regional Registers of Operators and Traders that each Regional EUTR Competent Authority forms, and is available to the public on the official web page for EUTR/ FLEGT of the Ministry of Environment and Energy (http://www.ypeka.gr/Default.aspx?tabid=587&language=el-GR)

- The National Registry of Operators and Traders consist a very effective country mechanism. This leads not only to identify EUTR Operators and Traders inside Greece but also to oblige them to registry in the relevant Regional Registers according to their role.

- Through our Joint Ministerial Decision there was a deadline for their registration to these Regional Registers with a provision of a fine of 700 € .

- The current number of the registered operators has increased during the last two years due to the vast information campaign that took place through the Central Competent Authority and the Regional Competent Authorities of EUTR all over Greece.

- The Regional Registers form the basis for the planned checks on Operators and Traders from our Regional EUTR Competent Authorities.
EUTR Legal framework

Article 9: Penal and Administrative sanctions

Administrative Sanctions:
- In case of failing to comply with the requirements that derive from Article 4, paragraphs 2 & 3 and Articles 5 and 6 of Regulation (EU) no.995/2010 there is fine from 5,000 up to 50,000€.
- In case of repeated offence the fine can be doubled or tripled.
- Non registration to the National Registry of Operators or Traders is imposed with a fine of 700€.
- The imposition of fines takes into account the severity and extent of the risk of the infringement and any repeated non-compliance with the legislation.

In addition to Administrative sanctions there are also provisions for Penal sanctions:

- The above sanctions are imposed regardless of other penalties under other legislation
CHECKS ON OPERATORS AND TRADERS

The Regional Registers form the basis for the planned checks on Operators and Traders from our Regional EUTR Competent Authorities.

Each Regional EUTR Competent Authority compose a program of conducting checks on Operators and Traders according to a program following a risk based approach or after substantiated concern.

till 31st of January every year all Regional EUTR Competent Authorities are reporting the checks on Operators and Traders of the year past.

The Central EUTR Competent Authority gives the Biennial Report to EC.

Greece based on the gained experience from the past two years, increased the number of checks on Operators and Traders per year and made them more targeted and effective. It is important to be mentioned that the Regional EUTR Competent Authorities make a great effort implementing the EUTR Legislation in Greece, considering the lack of staff and the current difficult economic situation of Greece (lack of means, fuels).
CHECK ON OPERATORS AND TRADERS

The Risk assessment that is followed up today from our Regional EUTR Competent Authorities is based on:

1. The volume or value of the available within the meaning of the Regulation in the EU market timber and timber products,

2. The forestry species of timber and its products,

3. The country of origin of the timber and timber products, and

4. Possible violations - omissions to date attributed to the Operators.
CHECKS ON OPERATORS AND TRADERS

- Circular no. 145588/5001/22-9-2016 Conducting checks on Operators

Registration form for the checks to Operators

- The title/name of Operator
- Other information
- Kind of Check (programmed, sudden or after relevant information)
- Requirements according article 6.1(a) (b) (c) of EUTR
- Document or/and product checks
- Results, suggested corrective actions
- Comments
The Decentralized Administration of Macedonia and Thrace apart from 11 Regional EUTR CAs.

- Regional EUTR CA of the Prefecture of Pieria and Rodopi,
- Regional EUTR CA of the Prefecture of Thessaloniki,
- Regional EUTR CA of the Prefecture of Pella,
- Regional EUTR CA of the Prefecture of Kilkis,
- Regional EUTR CA of the Prefecture of Serres,
- Regional EUTR CA of the Prefecture of Halkidiki,
- Regional EUTR CA of the Prefecture of Imathia,
- Regional EUTR CA of the Prefecture of Kavala,
- Regional EUTR CA of the Prefecture of Drama,
- Regional EUTR CA of the Prefecture of Xanthi, and
- Regional EUTR CA of the Prefecture of Evros.

Here we quote a table with data regarding the Decentralized Administration of Macedonia and Thrace with reference to the number of registered Operators, Traders, Monitoring Organizations, checks, penalties and some remarks.

<table>
<thead>
<tr>
<th>PERIOD 2016-2018</th>
<th>Operators</th>
<th>Traders</th>
<th>M.O.</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered</td>
<td>1,300</td>
<td>2,000</td>
<td>0</td>
<td>With the expectation to be registered in the future more</td>
</tr>
<tr>
<td>Checks</td>
<td>On the 15-20% of the overall number of Registered Operators and Traders</td>
<td>-</td>
<td>Based on the Risk Assessment that is followed up today with elements such as characteristics of the suppliers and their products, as well as information received from the local Forest Services and Directorates of Trade</td>
<td></td>
</tr>
<tr>
<td>Penalties</td>
<td>21</td>
<td>-</td>
<td></td>
<td>Refers mostly to late registration</td>
</tr>
<tr>
<td>FLEGT licence checks</td>
<td>31</td>
<td></td>
<td></td>
<td>Mainly paper and few wood products from Indonesia</td>
</tr>
</tbody>
</table>
POINTS FOR SPECULATION AND DISCUSSION AFTER MULTIPLE CHECKS

- Human & Economic resources in each country (number, duties, specialization, special budget, e.t.c.),

- Certificates such as FSC & PEFC or other (verifying the sustainable forest management) how they can be considered in compliance to the EUTR,

- CE marking (for safety, sanitation and environmental protection) relating to some construction wood products, if this can also be considered to be in compliance to the EUTR,

- Impact of the EUTR application in the participating countries (if and how the market stakeholders and consumers reacted),
POINTS FOR SPECULATION AND DISCUSSION AFTER MULTIPLE CHECKS

- The tools for EUTR awareness that each country use regarding wood and wood products in compliance to EUTR requirements,

- Discover the experts among the Mediterranean CAs who have the “know how” for the effective enforcement of EUTR,

- Penalties imposed (types & values),

- Aspect of the participating CAs on the recent consultation (revision of the products scope).
Software Platform: System Overview
To perform checks for compliance with EU Regulation 995/2010 Greek competent authorities need to store and process large amounts of data. A software platform is currently being planned.

**Data Sources:** previous check results, TARIC Information, EORI, third party concerns (e.g. INTERPOL)

**Intelligent Risk Assessment:** intelligent methods analyze input data generating a degree of compliance failure risk for each operator

**Intelligent Check Scheduling:** upcoming checks are proposed/scheduled according to risk assessment results
**Tools for EUTR training and awareness**

**The Central EUTR Competent Authority:**

- During the last two years organized a number of educational seminars to the Regional EUTR Competent Authorities all over Greece,

- Prepared and printed a Wood Identification Guide for use as handbook,

- Issued a number of Circulars, Guidance's, e.t.c. for different issues regarding EUTR,

- Distributed posters regarding EUTR Regulation and implementation,

- Created an [EUTR page on Ministry website](http://example.com) including all the available information open to public.

- Both the EUTR CCA and the RCAs are open to questions, clarifications, and guidance to the public regarding EUTR.
Thank you for your attention!

Georgia Konstantakopoulou, M.Sc Forester Dr. Despina Minoglou, Forester
IMPLEMENTATION OF THE EUTR IN ITALY

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
Implementation of the EUTR in Italy

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organised in co-operation with the
Institute for Nature Conservation and Forests, Portugal

05 - 06 June 2018
In Italy, the Ministry of Agriculture, Food and Forestry policies (MIPAAF) has been designated as FLEGT/EUTR Competent Authority (CA) by the Legislative Decree n. 178/2014. The same law provides that the EUTR check activities are carried out by Corpo forestale dello Stato, now Carabinieri Forestali.
The Legislative Decree n. 178/2014 also defines the following issues:

- the sanctions regime in breaching of the provisions of EUTR and FLEGT Regulation
- cooperation between CA and Customs Agency
- establishment of an advisory board (called Consulta) in the Ministry of the Environment to encourage the involvement of stakeholders
- the creation of the national EUTR operators register to be finally provided by secondary legislation-ministerial decree
The Enforcement Authority (Carabinieri Forestali) makes use of the specialized units located throughout the national territory (the same units involved in check activities related to Convention on International Trade in Endangered Species of Wild Fauna and Flora- CITES).

Checks on importing operators are carried out by the CITES Units that are 35 plus 11 detachments, at least one Office per Italian Region.

Checks on domestic operators are carried out by other territorial Offices of Carabinieri Forestali.
An operator who:
- places illegally harvested timber on the EU market
- fails to apply due diligence when placing timber on the EU market or fails to maintain a due diligence system
- fails to maintain adequate records for five years for the purposes of the Regulation or obstructs an inspector during the inspection activities
- fails to enrol in the operator’s register (to be finally provided by secondary legislation – ministerial decree)

A Trader who:
- fails to comply with the requirements for traceability

**PENALTIES**

- criminal penalty from 2.000 up to 50.000 € or imprisonment from one month up to one year and seizure of timber
- administrative sanction from 5 up to 5000 € per each kg of timber (minimum 300 euro and up to the maximum level of 1.000.000)
- administrative sanction from 1.500 to 15.000 €
- administrative sanction from 150 to 1.500 €
The EUTR checks, according to what is specifically provided for the Legislative Decree n. 178/2014, are planned on the basis of risk analysis through processing data provided by the Customs Agency to the national competent authority under art. 4 Co. 2 of the aforementioned decree as regards the supply chain of foreign origin. The following timber importers’ information is provided by Customs Agency annually:

- company name and legal asset;
- VAT;
- country of origin;
- quantity and value of annually imported timber products by country of origin and codes of the Combined Nomenclature set out in Annex 1 of EUTR.
RISK ASSESSMENT FOR CHECK PLANNING

✓ Source data of imported timber: Customs Agency. About 20000 EUTR importing operators annually.

✓ Main risk factors considered: Country of origin (CPI and % illegal logging), value and volume of imported products, product type, substantiated concerns

✓ Check activities distribution as homogeneous as possible on the national territory.

✓ The next checks will mainly cover imports from the following countries: China, Russia, Bosnia-Herzegovina, Brazil, Ukraine, Cameroon, Serbia, Myanmar
Check results: mostly negative (administrative sanctions have been inflicted)

✓ most common infringements: no adequate records of DDS as provided by article 5 of the implementing EU Regulation 607/2012 and lack of risk assessment;

✓ main constraint: lack of knowledge of EUTR and national legislation by a lot of operators. In particular, as regards the concept of Due Diligence and the obligation to trace each step of chain of custody.

For raising the awareness of operators about EUTR checks, the CA has published an information note on the records keeping of DDS:

https://www.politicheagricole.it/flex/cm/pages/ServeAttachment.php/L/IT/D/1%252F7%252F8%252FD.1cde2eea11b89a7a291a/P/BLOB%3AID%3D6128/E/pdf
The national control plan is being implemented (checks are planned on about 100 importing operators)

Evaluation of amendments to the current national legislation

Creation of the national register of EUTR operators provided for the national legislation

Raising awareness of operators through workshops, publication of information notes and guidelines, contacts between CA and trade associations, etc.

Raising opportunities of cooperation among the CAs in EUTR implementation
THANK YOU!

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Lisbon, Ministry of Agriculture, Forests and Rural Development

05 - 06 June 2018
IMPLEMENTATION OF THE EUTR IN MALTA

Francesca Saliba
Agriculture Officer
Ministry for the Environment, Sustainable Development and Climate Change

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
SITUATION IN MALTA

• Small enterprises
  (most bring 2 containers per year)
• No harvesting timber occurs in Malta
• No timber trade federations

• Between 2013 -2017 an average of 19,000 tons per year
• Around 700 importers in Malta
Figure: According to weight, top 5 countries; 1: China, 2: Indonesia, 3: South Korea, 4: Russia, 5: United States
IMPLEMENTATION OF EUTR

Legal Aspect:

In 2015, Malta set in place:

Timber and Timber Products (Placing on the Market) Regulation (S.L.549.94) under the Environment Protection Act, Chapter 549;

- The Directorate of Agriculture is the competent authority for the purposes of: (a) Regulation (EU) No 995/2010; (b) the Implementing Regulation; and (c) Commission Delegated Regulation (EU) No 363/2012 on the procedural rules for monitoring organisations

- Check on Operators
- Penalties (Regulation 9)
PLAN OF ACTION

1. **Notice of Remedial Actions (interim measure: prohibition of placing on the market)**

2. **Administrative penalty**

3. **Convictions by court:**
   
   (a) on a first conviction (due diligence, obstruction of officers, misleading information) - a fine of not less than €2,500 but not exceeding €25,000;

   (b) on a first conviction (traceability, record keeping) - a fine of not less than €1,500 but not exceeding €5,000;

   (c) on a second or subsequent convictions, to a fine of not less than €2,500 but not exceeding €50,000
CHALLENGES

• Adaptation to new regulation by operators
• Supplier language barrier and provision of translated documents
• Identification of forged documents
• Specific harvesting location
• FSC certificate and Certificate of origin believed to be enough by operators
• Wood with multiple species
• Island with no forestry sector – limited expertise
BEST PRACTICES

• Enforcement procedure
• Workshop on EUTR
• Raising awareness amongst operators and the general public
PROPOSALS FOR COOPERATION AMONG THE COMPETENT AUTHORITIES FROM THE EU MEDITERRANEAN COUNTRIES

• Common Checklists
• Sharing of information on suppliers
• Coordinated checks: Countries/ Suppliers
• Better communication between Member States on cases
THANK YOU!

TAIEX-EIR Peer 2 Peer Multi-country Workshop on the implementation of the EU Timber Regulation for Mediterranean Member State’s Competent Authorities

Lisbon, Ministry of Agriculture, Forests and Rural Development

05 - 06 June 2018
IMPLEMENTATION OF THE EUTR IN SLOVENIA

Multi-Country – Workshop on the Implementation of the EU Timber Regulation for Mediterranean Member States’ Competent Authorities

June 5, Ministry of Agriculture, Forests and Rural Development, Praça do Comércio, Lisbon
ENFORCEMENT, CHALLENGES, EXAMPLES OF GOOD PRACTICE ON EUTR IMPLEMENTATION IN SLOVENIA

Robert Režonja, MSc
For the **implementation** of the EU Timber Regulation (No. 995/2010) Slovenia has amended the national Forest Act (Official Journal of the Republic of Slovenia No 30/93, 56/99 - ZON, 67/02, 110/02 - ZGO-1, 115/06 - ORZG40, 110/07, 106/10, 63/13, 101/13 - ZDavNepr in 17/14).

On the basis of the amended Forest Act the **competent authorities** are:

- the Ministry responsible for forestry,
- Forestry inspection,
- Customs Administration of the Republic of Slovenia (meanwhile Customs Administration of the Republic of Slovenia has been incorporated into the Financial Administration of the Republic of Slovenia).

Each in accordance with its competences.
The **Annual programme for checks** is made on the basis of data of the Customs Information System (operators - trading with third countries) and risk criteria.

**Risk criteria** such as:

- various timber products
- various countries of origin of timber products
- level of corruption in the Country of timber products (origin) - CPI (Corruption perception index)
On the basis of risk assessment, the Financial Administration of the Republic of Slovenia has performed:

- 15 (fifteen) checks on operators in 2016 - (SI companies) which import wood and wood products from third counties

- 21 (twenty-one) checks on operators in 2017 - (SI companies) which import wood and wood products from third counties
On the basis of risk assessment, the Forestry Inspection of the Republic of Slovenia has performed:

- **193** checks on forest owners and **49** legal persons in **2016** – (domestic timber)

- **203** checks on forest owners and **25** legal persons in **2017** – (domestic timber)
Types of penalties

Forest Act defined:
- fines
- seizure of timber (domestic logs)
- prohibition of placing of the timber on the market

Financial legislation:
- immediate suspension of authorization to trade
Level of the fines

DDS obligation, traceability:

- 1.000 - 30.000 EUR (legal person)
- 200 - 600 EUR (natural person)

Prohibition:

- 2.500 – 50.000 EUR (legal person)
- 300 - 5.000 EUR (natural person)
Three EUTR key implementation challenges:

- applicable legislation
- risk assessment
- cooperation between EU and non-EU competent authorities in field of the forestry, the customs and other relevant sectors.
Good practice in cooperation between EU and non EU competent authorities

Taiex project ETT IND /STUD 58552 organised in co-operation with Ministry of Agriculture, Forestry and Food of the Republic of Slovenia, Ljubljana, 11-13 Mart 2015.
„Study Visit on requirements of the EU Timber Regulation“- beneficiary Serbia

Taiex project ETT IND /STUD 60024 organised in co-operation with Ministry of Agriculture, Forestry and Food of the Republic of Slovenia, Ljubljana, 25-27 August 2015.
„Study Visit on the adoption of the EU regulation regarding trade in timber“- beneficiary - Montenegro
Thank you!

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WORKING GROUPS
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THEME 1
A – CHECKS ON OPERATORS CONCERNING DUE DILIGENCE PROCEDURES (ART. 10 and ART. 11)
B - CONTROL PLAN – RISK-BASED CRITERIA AND CONTENTS

THEME 2
RISK ASSESSMENT INCLUDING SUBSTANTIATED CONCERNS

THEME 3
INFORMATION PROCESSING: INFORMATION ON CHECKS FOR PUBLIC ACCESS, COOPERATION BETWEEN AND AMONG CAs, WITH COMMISSION AND WITH 3rd COUNTRIES (ART. 12)

THEME 4
ASSISTANCE, GUIDANCE AND COOPERATION WITH THE PRIVATE SECTOR (ART. 13)

THEME 5
PENALTIES (ART. 19)

THEME 6
MODALITIES OS ESTABLISHING A EUTR MED CAs NETWORK AND DEVELOPING A WORK PLAN
DINNER

Casa do Alentejo
R. das Portas de Santo Antão 58, 1150-043 Lisboa

Google Maps
https://www.google.pt/maps/place/Casa+do+Alentejo/@38.7160187,-9.1411188,18z/data=!4m5!3m4!1s0xd193386d554e1af:0x4c967680af!8m2!3d38.7158806!4d-9.1400352?hl=pt-PT
DINNER

Praça do Comércio MB, 1100-016 Lisboa
Casa do Alentejo, R. das Portas de Sant

Enviar direções para o seu telemóvel

por R. Áurea
13 min
1,0 km

DETALHES

por R. Áurea e R. 1º de Dezembro
14 min
1,1 km

Todos os trajetos são maioriaitamente planos