

# EUTR: UNION-WIDE OVERVIEW FOR THE YEAR 2020

Overview based on the analysis of information on the application of the EU Timber Regulation (Regulation EU No. 995/2010), submitted by EUTR Member States



European  
Commission



## Introduction

The [EU Timber Regulation \(EUTR\)](#) applies in EU Member States and European Economic Area countries (here referred to as EUTR Member States (EUTR MS)) and prohibits the placing of illegally harvested timber or timber products derived from such timber on the internal market.

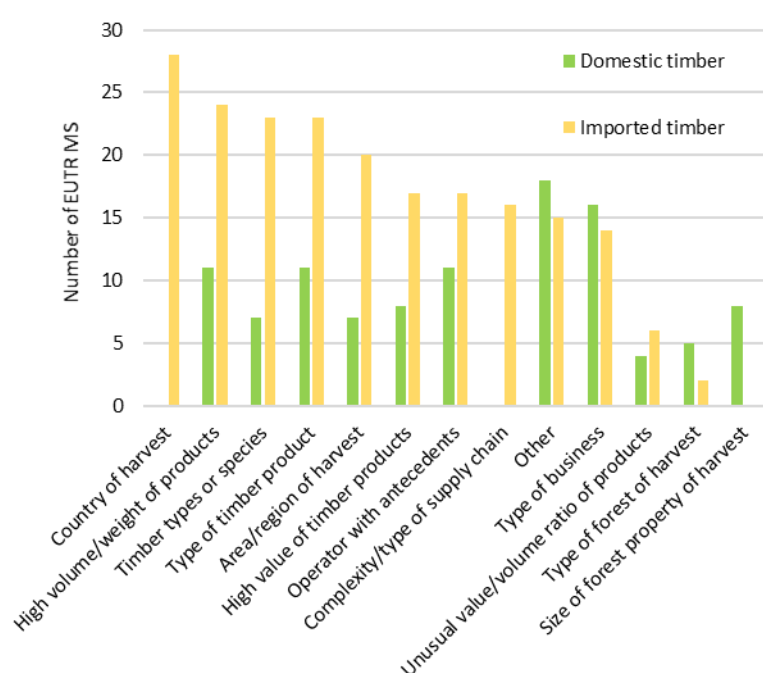
EUTR MS are required to make available to the public information on the application of this Regulation during the previous calendar year. This information is a means to assess the status and the level of consistency of implementation achieved across EUTR MS. In particular, this relates to the [effectiveness of the prohibition of the placing on the market of illegally harvested timber and timber products derived from such timber](#) as well as of the checking of due diligence systems set out in Article 6 (Articles 4(1) and 20(4) of the EUTR as amended by the [Reporting Alignment Regulation 2019](#)). The Commission makes public this annual EU-wide overview based on the information provided by [EUTR Member States](#). This overview should also have regard to the [contribution of the FLEGT Voluntary Partnership Agreements \(VPAs\)](#) to minimising the presence of illegally harvested timber and timber products on the internal market (Article 20(2) of the EUTR as amended by the Reporting Alignment Regulation 2019).

Twenty-eight out of 30 EUTR MS submitted information on the application of the EUTR to the Commission in April 2021 (Iceland and Liechtenstein did not provide nor publish information on the application of the EUTR in their country in 2020).

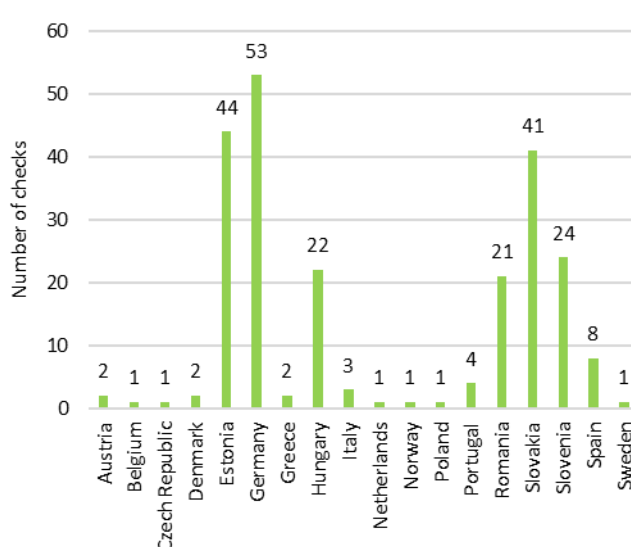
## Effectiveness of the implementation of the EUTR in 2020

The effectiveness of the risk-based checks and enforcement actions by the EUTR MS is crucial to ensure the effectiveness of the EUTR in fighting illegal timber harvest worldwide (Figure 1, 2 and 3) with regard to the obligations of operators, traders and monitoring organisations. EUTR MS need to ensure that:

- the prohibition to place on the internal market illegally harvested timber and timber products derived thereof for the first time (Article 4(1) of the EUTR) is observed;
- the due diligence obligations are effectively implemented so as to exclude timber, for which the risk of illegal harvest is non-negligible, as well as the products derived therefrom to enter the internal market (Articles 4 (2) and (3) and 6 of the EUTR); and
- timber and timber products within the internal market are traceable (Articles 5 and 6 (1) of the EUTR).



**Figure 1: Risk criteria considered by EUTR MS, by number of EUTR MS using them in their risk-based planning for 2020, for checks on domestic and imported timber and timber products.** No information was submitted by Iceland or Liechtenstein.



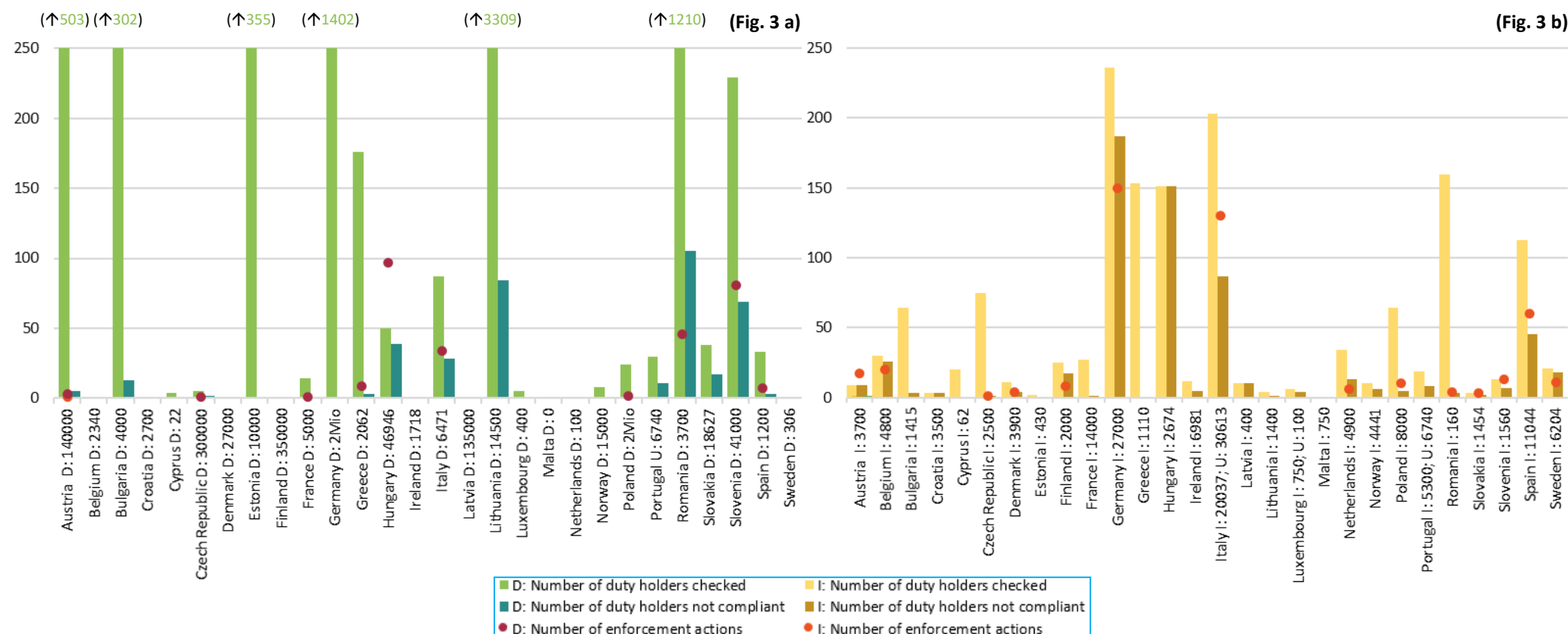
**Figure 2: Overview of checks based on substantiated concern in 2020, by EUTR MS.** No information was submitted by Iceland or Liechtenstein.

### Domestic timber and timber products:



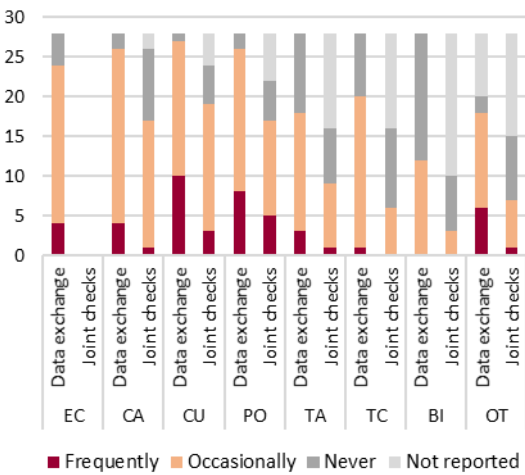
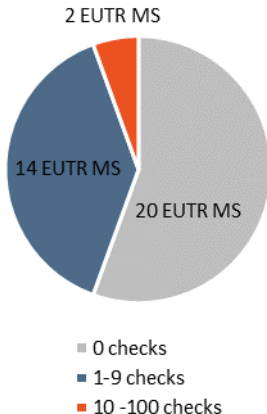




















- 7865 operators were checked by 19 EUTR MS and 381 (4.8%) were found not to be compliant with EUTR obligations.
- 16 EUTR MS issued 130 notices of remedial action, 2 temporary seizures, 2 temporary suspensions of the authority to trade/injunctions, 194 administrative financial penalties, 6 permanent seizures, 11 suspensions of the authority to trade as a penalty and 42 other penalties.
- 6 EUTR MS reported court cases (EL, HU, IT, LT, SI, SK); 13 were decided in favour of the authorities, 1 in favour of the operator, and 4 cases were still ongoing.

### Imported timber and timber products:

- 1478 operators were checked by 27 EUTR MS and 606 (41%) were found not to be compliant with EUTR obligations.
- 24 EUTR MS issued 404 notices of remedial action, 2 temporary seizures, 11 temporary suspensions of the authority to trade/injunctions, 1 lifting of the suspensive effect of a complaint/appeal, 15 other interim measures, 244 administrative and 1 criminal financial penalties, 3 permanent seizures, 6 suspensions of the authority to trade as a penalty and 10 other penalties.
- 6 EUTR MS reported court cases (AT, DK, IT, NL, PT, SE); 7 were decided in favour of the authorities, 2 in favour of the operator, 2 had a different outcome, and 24 were still ongoing.



**Figure 3: Number of operator checks relating to (a) domestic and (b) imported timber and number of which found to be in breach of the EUTR, and enforcement actions taken in 2020, by EUTR MS.** The estimated number of operators operating in each EUTR MS is provided below each EUTR MS' name (I: imported timber, D: domestic timber, U: unknown; operator estimates where U equaled the sum of I and D or where they were the same as I were excluded). Latvia's checks and enforcement actions relating to domestic timber were excluded as they appear to cover checks that are not specific to EUTR. Enforcement actions/penalties which have not been applied were excluded (including those which were appealed). No information was submitted by Iceland or Liechtenstein.

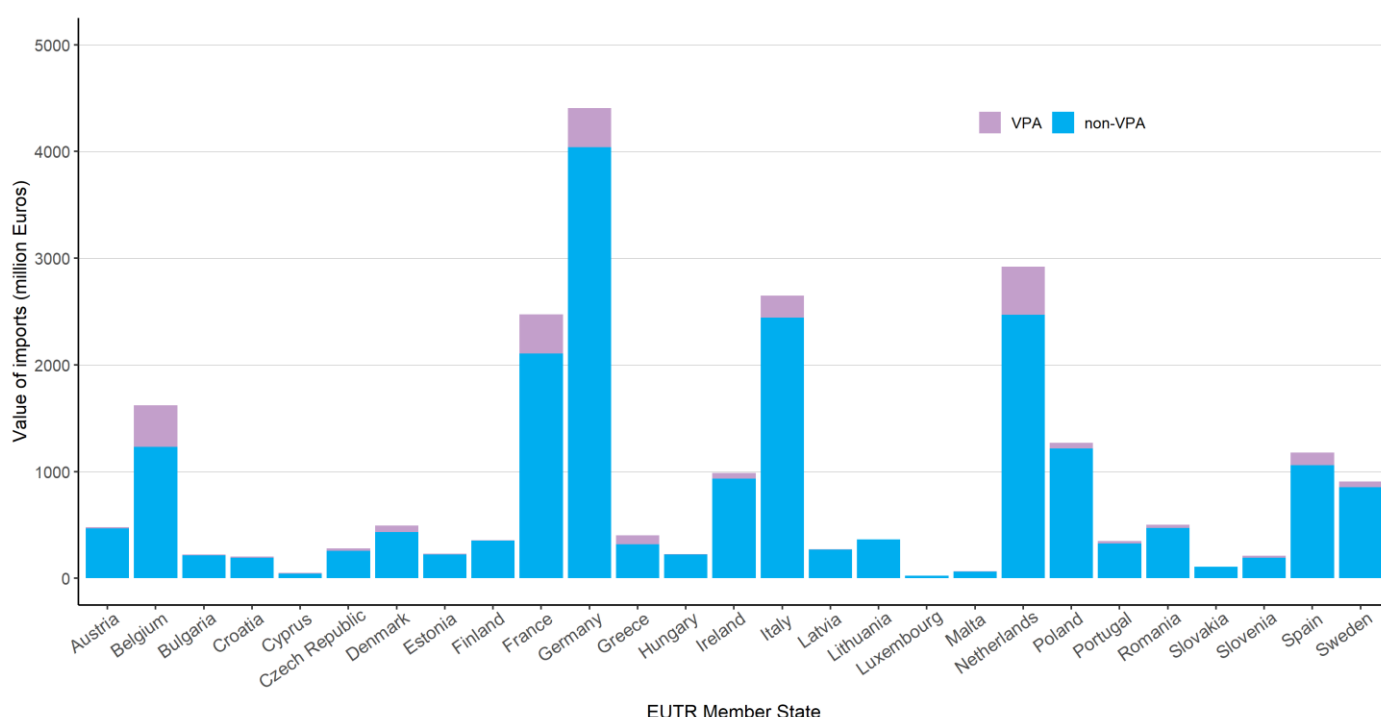
	Collaboration (Art. 8(4)), 10(2), 12 and 19(3) of the EUTR)  Active exchange of raw data or of more processed information (e.g. operator names) for EUTR implementation or enforcement. It also refers to joint checks or coordinated implementation or enforcement action	Reaching, raising awareness and building capacity of different target audiences regarding EUTR (Art. 13 of the EUTR)		Number of check cases for imported timber where scientific testing was used	
Collaboration regarding: D: domestic timber I: imported timber, C: combined timber, T: traders, M: monitoring organisations	Collaboration with: EC (European Commission), CA (Competent Authorities of other Member States), CU (Customs), PO (Police), TA (Tax authorities), TC (Third countries), BI (Business inspectorate), OT (Other)  Collaboration frequency: Underlined: frequently; Normal: occasionally	 Outreach intensity: R: reaching RA: raising awareness CB: capacity building	 Audience type: A: authorities D: duty holders P: public / consumers / other  Audience size (if known): <10, <100, <1000, 1000+		
	Collaboration type:				
	Exchange of data / information				Joint inspections / enforcement
Graphical summary (by total number of EUTR MS submitting information on the application of the EUTR)					
Austria	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>PO</u> <u>TC</u> <u>OT</u> D: <u>OT</u> T: <u>EC</u> <u>CA</u> <u>PO</u> M: <u>EC</u> <u>CA</u>	I: <u>CA</u> <u>CU</u> T: <u>CA</u>	 CB	 D <10, <100 P <100	0
Belgium	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>PO</u> <u>TC</u> D: <u>OT</u> T: <u>CA</u> M: <u>EC</u>	I: <u>CA</u> <u>CU</u>	 CB	 A <10 D <10, 1000+	0
Bulgaria	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>PO</u> <u>TA</u> <u>TC</u> <u>BI</u> <u>OT</u> D: <u>EC</u> <u>CU</u> <u>PO</u> <u>TA</u> <u>BI</u> <u>OT</u> T: <u>CU</u> <u>PO</u> <u>TA</u> <u>BI</u> <u>OT</u>	I: <u>CU</u> <u>PO</u> <u>TA</u> D: <u>PO</u> <u>TA</u> T: <u>PO</u> <u>TA</u>	 CB	 A <100 D <100, <1000	0
Croatia	I: <u>EC</u> <u>CU</u> <u>PO</u> <u>TA</u> D: <u>EC</u> <u>CA</u> <u>PO</u> <u>TA</u> T: <u>EC</u> <u>PO</u> <u>TA</u> M: <u>EC</u> <u>PO</u> <u>TA</u>	I: <u>CA</u> <u>CU</u> <u>PO</u> <u>TA</u> D: <u>CU</u> <u>PO</u> <u>TA</u> T: <u>CA</u> <u>CU</u> <u>PO</u> <u>TA</u> M: <u>CU</u> <u>PO</u> <u>TA</u>	 RA	 D <100	0
Cyprus	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>TA</u> D: <u>PO</u> <u>TA</u> T: <u>EC</u> <u>CA</u> <u>CU</u> <u>TA</u>	D: <u>CU</u> <u>PO</u>	 RA	 D <10, <100	0
Czech Republic	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>PO</u> <u>TC</u> D: <u>EC</u> <u>OT</u> T: <u>EC</u> <u>BI</u>	I: <u>CA</u> <u>CU</u>	 CB	 A <100, <1000 D <100 P <100	3
Denmark	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>PO</u> <u>TA</u> <u>TC</u>	I: <u>CU</u> <u>PO</u>	 RA	 D <10, <1000	0
Estonia	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>TA</u> D: <u>EC</u> <u>PO</u> T: <u>EC</u> <u>TA</u> M: <u>EC</u>	I: <u>CU</u> D: <u>PO</u> <u>TA</u> T: <u>TA</u>	 RA	 D <10	0
Finland	I: <u>EC</u> <u>CA</u> <u>CU</u> <u>TC</u> <u>OT</u> D: <u>EC</u> <u>TC</u> <u>OT</u> T: <u>EC</u> <u>CA</u> <u>TC</u> M: <u>EC</u>	I: <u>CA</u> <u>CU</u> <u>TC</u> D: <u>TC</u> <u>OT</u>	 R	 D <1000	3
France	I: <u>CU</u> <u>PO</u> <u>TA</u> D: <u>CU</u> <u>PO</u> <u>TA</u> T: <u>CU</u> <u>PO</u> <u>TA</u> M: <u>CA</u> <u>CU</u> <u>PO</u> <u>TA</u>	I: <u>CU</u> <u>PO</u> D: <u>CU</u> <u>PO</u> T: <u>CU</u> <u>PO</u> M: <u>CA</u> <u>CU</u> <u>PO</u>	 CB	 A <100 D <10, <100	1

	<b>Collaboration (Art. 8(4)), 10(2), 12 and 19(3) of the EUTR)</b> Active exchange of raw data or of more processed information (e.g. operator names) for EUTR implementation or enforcement. It also refers to joint checks or coordinated implementation or enforcement action		<b>Reaching, raising awareness and building capacity of different target audiences regarding EUTR (Art. 13 of the EUTR)</b>	<b>Number of check cases for imported timber where scientific testing was used</b>
Germany	I: EC CA CU T: EC M: EC	I: CA	 CB  A D P	52
Greece	I: EC CA PO D: PO T: PO M: EC	-	 RA  A D P	0
Hungary	I: EC CA CU PO TA TC BI OT D: EC CA PO TA BI OT T: EC CA PO TA BI OT M: EC CA PO TA BI OT	I: CA CU PO TA TC OT D: PO TA OT T: CA PO TA OT M: PO TA OT	 R  D P	0
Ireland	I: EC CA CU PO TA TC OT D: EC CA PO TA BI T: EC CA PO M: EC CA	I: CA	 RA R  A D P	0
Italy	I: EC CA CU PO TA TC BI D: EC PO TA BI T: EC CA PO TA BI M: EC	I: CA T: CA	 CB RA R  A <100 D <10, 1000+	0
Latvia	I: EC CA CU TA TC D: PO TA OT T: EC CA TA OT M: EC CA	I: CA D: PO TA OT T: TA	 CB RA R  A D P	0
Lithuania	I: CA CU D: CA PO TA BI T: BI	I: CU D: PO T: BI	 CB RA R  D <10, <100 <1000, 1000+ P <10, 1000+	0
Luxembourg	I: CU	I: CU	 RA  A <100 D <10	0
Malta	I: EC CA CU PO	I: CU	 RA  D	0
Netherlands	I: EC CA CU PO TA TC T: CA PO M: EC CA	I: CA CU PO TC T: CA PO	 R  D 1000+ P	1
Norway	I: EC CA CU PO TC OT D: EC CA PO T: EC CA CU PO TC OT	I: CA CU OT T: CA CU OT	 RA  D <10, <100	1
Poland	I: EC CA CU PO TA TC OT D: EC CA CU PO TA TC OT T: EC CA CU PO TA TC OT M: EC CA CU PO TA OT	I: CU PO TA OT D: CU PO TA OT T: CU PO TA OT M: CU PO TA OT	 R  A D P	0
Portugal	I: EC CA CU PO TC BI OT D: EC CA PO BI OT T: EC CA PO BI OT	I: CA PO OT D: CA PO OT T: CA PO OT	 CB RA R  A <1000 D <1000 P <1000	0
Romania	I: CA CU PO TA D: PO BI T: PO M: EC TC OT	I: CU TC BI D: PO M: CA	 RA  D <1000	0
Slovakia	I: EC CA CU PO TA TC D: PO TA BI OT T: PO TA M: EC TC OT	I: PO D: PO T: PO	 CB  A <10, <1000 D <10, <100 P <100	0
Slovenia	D: PO TA OT	D: PO TA	-	0
Spain	I: EC CA CU PO TA TC BI OT D: CU PO TA BI OT T: EC CU PO BI OT M: EC OT	I: CA CU PO OT D: PO OT T: CU PO OT	 CB RA R  A <10, <100, <1000 D <10, <100, <1000, 1000+ P <10, <100, <1000	16
Sweden	I: EC CA CU PO D: EC CA PO T: EC CA OT	I: CA PO	 CB  D <10, <100	5

## FLEGT VPA processes contribution to the objectives of the EUTR (Articles 3 and 20(2) of the EUTR)

The EUTR and FLEGT Regulation are linked in that a timber product covered by a VPA and with a valid FLEGT licence is deemed legally harvested under the EUTR and therefore operators do not need to exercise further due diligence on imports of such timber. Only one VPA country (Indonesia) out of the [7 that ratified a VPA with the EU](#) is issuing FLEGT licences after 17 years of [FLEGT Action Plan](#) implementation (2 initialled their VPAs and negotiations are ongoing with 6 other countries). Imports from all other VPA countries are covered by the EUTR, since their implementation has not reached the level of operational readiness necessary to fully and effectively assure that timber exported from these countries in the form of timber or timber products was legally harvested in the country of harvest. In the reporting period, the Viet Nam Timber Legality Assurance System Government Decree was adopted in September 2020 (though important gaps remain), whilst signature of the VPA with Honduras was postponed until February 2021.

The importance of VPA countries as compared to other countries exporting timber and timber products covered by VPA-specific HS codes into the EU is reflected in Figure 4.



**Figure 4: Trade context - Overview of imports into the EU-27 in 2019 of products covered by FLEGT VPA-relevant HS codes from VPA countries, compared to imports of these products from non-VPA countries.** HS codes in the dataset include those outlined in [Commission Delegated Regulation \(EU\) 2016/1387](#) amending Annex III to [Council Regulation \(EC\) No 2173/2005](#), and further amended according to [Commission Implementing Regulation \(EU\) 2016/1821](#), following amendments to HS Nomenclature by the World Custom Organization (WCO). Source: Produced using data from [EUROSTAT](#), accessed 13.05.2021. Graphs use 2019 data as for the planning of checks for 2020, EUTR MS would have only had access to 2019 data. Note that this figure is based on direct trade data: i.e., trade between the EU-27 and trading partners, which can be the country of origin of a product or the country of last re-export. Consequently, a proportion of imports into the EU-27 last exported from a non-VPA country could have originated in a VPA country, and vice versa. Although still a member of the EU in 2019 (EU-28), imports into the United Kingdom (UK) were excluded and trade from the UK and UK overseas territories (Gibraltar, British Indian Ocean Territory) to the EU-27 were treated as “International trade”.

	Value of imports of VPA-HS code covered products into the EU from VPA countries (EUROSTAT, accessed on 13.05.2021)	Perceived level of risk assigned to VPA countries overall and individually, (recognising that the level of risk assigned to a country can vary e.g. regionally or depending on products, supply chains) by % (number) of EUTR MS	Total number of penalties applied due to breaches of EUTR obligations / total performed checks relating to VPA countries (where country information was reported)	Perceived contribution of the VPA processes (average time spent on checks related to VPA countries as an indicator of complexity of checks, compared to checks relating to non-VPA countries with an equivalent risk level, by % (number) of EUTR MS)	Indicator for perceived contribution of the VPA processes
<b>Graphical summary</b> (by total number of EUTR MS reporting)					<p>✓ contribution perceived (less time + high/medium risk)</p> <p>✗ no contribution perceived (more time + high/medium risk)</p> <p>? contribution unclear</p>
Cameroon	EUR 242 549 416	High: 36% (10); Medium: 11% (3); Low: 4% (1); N/A: 50% (14)	4 penalties / 5 checks	More: 20% (4); Similar: 45% (9); Less: 5% (1); Unknown: 30% (6)	?
Central African Republic	EUR 1 827 134	High: 14% (4); Medium: 14% (4); Low: - (0); N/A: 71% (20)	1 penalty / 1 check	More: 31% (4); Similar: 23% (3); Less: 8% (1); Unknown: 38% (5)	✗
Côte d'Ivoire <sup>2</sup>	EUR 56 485 058	High: 25% (7); Medium: 11% (3); Low: 4% (1); N/A: 61% (17)		More: 13% (2); Similar: 53% (8); Less: 7% (1); Unknown: 27% (4)	?
Democratic Republic of the Congo <sup>2</sup>	EUR 10 382 781	High: 29% (8); Medium: 7% (2); Low: - (0); N/A: 64% (18)	3 penalties / 3 checks	More: 31% (5); Similar: 25% (4); Less: 6% (1); Unknown: 38% (6)	✗
Gabon <sup>2</sup>	EUR 162 270 181	High: 25% (7); Medium: 11% (3); Low: 7% (2); N/A: 57% (16)	5 penalties / 4 checks	More: 18% (3); Similar: 47% (8); Less: 12% (2); Unknown: 24% (4)	?
Ghana	EUR 28 543 277	High: 14% (4); Medium: 29% (8); Low: 11% (3); N/A: 46% (13)	1 penalty / 2 checks	More: 15% (3); Similar: 45% (9); Less: 15% (3); Unknown: 25% (5)	?
Guyana <sup>3</sup>	EUR 1 619 625	High: 4% (1); Medium: 11% (3); Low: 7% (2); N/A: 79% (22)		More: 20% (2); Similar: 30% (3); Less: 10% (1); Unknown: 40% (4)	?
Honduras <sup>3</sup>	EUR 984 817	High: 11% (3); Medium: 18% (5); Low: 7% (2); N/A: 64% (18)		More: 15% (2); Similar: 46% (6); Less: 8% (1); Unknown: 31% (4)	?
Indonesia (timber not covered by the VPA)	EUR 823 003 025	High: 4% (1); Medium: 43% (12); Low: 18% (5); N/A: 36% (10)	1 penalty / 2 checks	More: 4% (1); Similar: 38% (10); Less: 35% (9); Unknown: 23% (6)	?
Lao PDR <sup>2</sup>	EUR 25 505	High: 11% (3); Medium: 11% (3); Low: 7% (2); N/A: 71% (20)		More: 15% (2); Similar: 38% (5); Less: 8% (1); Unknown: 38% (5)	?
Liberia	EUR 78 778	High: 18% (5); Medium: 7% (2); Low: - (0); N/A: 75% (21)	1 penalty / 1 check	More: 44% (4); Similar: 33% (3); Less: 11% (1); Unknown: 11% (1)	✗
Malaysia <sup>1</sup>	EUR 324 389 197	High: 21% (6); Medium: 25% (7); Low: 18% (5); N/A: 36% (10)	4 penalties / 11 checks	More: 12% (3); Similar: 42% (11); Less: 12% (3); Unknown: 35% (9)	?
Republic of the Congo	EUR 59 513 781	High: 32% (9); Medium: 11% (3); Low: - (0); N/A: 57% (16)	3 penalties / 3 checks	More: 38% (6); Similar: 31% (5); Less: 6% (1); Unknown: 25% (4)	✗
Thailand <sup>2</sup>	EUR 103 444 169	High: 25% (7); Medium: 25% (7); Low: 11% (3); N/A: 39% (11)	1 penalty / 1 check	More: 8% (2); Similar: 46% (12); Less: 15% (4); Unknown: 31% (8)	?
Vietnam <sup>3</sup>	EUR 546 904 356	High: 29% (8); Medium: 21% (6); Low: 18% (5); N/A: 32% (9)	9 penalties / 8 checks	More: 19% (5); Similar: 41% (11); Less: 11% (3); Unknown: 30% (8)	?

<sup>1</sup>negotiations on hold; <sup>2</sup> negotiations ongoing; <sup>3</sup>gaps remain in the TLAS decree (see [Summary Record](#)).

Published July 2021

Copyright European Commission 2021

Citation European Commission, 2021. EUTR: Union-wide Overview for the year 2020. Overview based on the analysis of information on the application of the EU Timber Regulation (Regulation EU No. 995/2010), submitted by EUTR Member States.