

**Impact Assessment for the
Revision of the Product Scope of the EU Timber Regulation
(Regulation (EU) No 995/2010)**

Consultation Strategy

1. Introduction

The EU Timber Regulation (EUTR) prohibits the placing on the EU market for the first time of illegally harvested timber and products derived from such timber. For that purpose, it also regulates the responsibilities of "operators" (those who first place timber products on the EU market) and "traders" (those further down the supply chain). The EUTR applies to both domestically produced and imported timber and timber products that are listed in the Annex to the EUTR according to the Combined Nomenclature (CN) codes and description of products.

The Commission has carried out an evaluation of the effectiveness and functioning of EUTR, covering its first two years of application. The findings were presented in February 2016 in a report to the Council and the European Parliament available at http://ec.europa.eu/environment/forests/eutr_report.htm. The evaluation noted that the EUTR covers a significant number of timber products, but not all are included in its scope. Consultations with stakeholders have shown that many do not consider the current EUTR product scope optimal and feel it should include more timber products. However, others consider that the product coverage should not be expanded before the EUTR is fully implemented and effectively applied. The European Commission is therefore undertaking an impact assessment to ascertain if the product scope needs to be changed, and if so, to what extent. As a part of this impact assessment process and in line with the European Commission's Better Regulation Guidelines, an extensive consultation of stakeholders through a public consultation will be undertaken.

For more information on why the Commission is carrying out this impact assessment, please consult the [Inception Impact Assessment](#).

More information on the EUTR evaluation and the related documents can be found on: http://ec.europa.eu/environment/forests/timber_regulation.htm

2. Stakeholder mapping

The relevant stakeholders may be grouped as follows:

Operators under the EUTR (defined as a natural or legal person that first place timber or timber products on the EU market). Each operator is responsible for exercising "due diligence" when placing timber and timber products for the first time on the EU market to minimise the risk of placing illegally harvested timber. The due diligence system includes a set of measures that enable operators to assess, on the basis of information provided to them, the risk of placing illegally harvested timber on the market and to mitigate that risk. Operators also include forest owners when they are placing on the EU market the timber they had harvested¹. Experience of operators with exercising "due diligence" under the current product scope is highly important to assess the impacts of potential changes to the EUTR product scope.

Traders dealing with timber products covered by the EUTR (defined as a natural or legal person that in the course of a commercial activity sells or buys on the internal market timber or timber products already placed on the internal market). These stakeholders have the obligation of "traceability", i.e. to keep records of their suppliers and customers. Their views are important as a possible extension of the EUTR product scope could result in expanding of the traceability obligation, as it would cover more products.

Other businesses potentially concerned by an enlarged EUTR product scope. If the product scope is amended in a way that will include more products, additional businesses will fall under the definition of an "operator" according to the EUTR, meaning they would be responsible for exercising due diligence as described above.

Industry and/or trade associations with members dealing with timber products currently under the EUTR product scope or that may be dealing with such products following a possible enlargement of the EUTR product scope. They are usually well positioned to provide a coordinated and elaborated input both at national level, based on the experience they collect through their members, and at European level for those that have a relevant

¹ Available in all languages on the following link: http://ec.europa.eu/environment/forests/pdf/eutr_guidance.zip

cross-border structure.

Member States' EUTR Competent Authorities. They are responsible for the implementation and enforcement of the EUTR at national level.

Monitoring Organisations under the EUTR. As entities recognised by the European Commission for this purpose, they develop and provide the operators with ready-made due diligence systems and are subject to checks by the Competent Authorities. Monitoring organisations thus have the experience and knowledge that will be important for the impact assessment process.

Civil society organisations (CSOs). The contribution of CSOs is of high interest as they follow closely the EUTR implementation, the issues of illegal logging and associated trade in general and thus have the expertise on the topic.

Non-EU timber-producing countries. Both public authorities and businesses from these countries are concerned with the products covered by the EUTR when they are exported to the EU. Businesses that sell those products to EU importers should provide them upon request with the information that helps them to carry out due diligence. Business from these countries could in turn revert to their public authorities in order to gather some of the required information.

General public. Although not directly affected by changes to the EUTR product scope, their views may provide insight into perceived impacts of potential changes to the EUTR product scope, especially social and environmental impacts.

3. Methods and tools

The main aim of the public consultation is to gather views and evidence on possible changes to the EUTR product scope. The consultation is structured around the main question whether the current product scope of the EUTR should be amended or not - and if yes, to what extent. To that end the questionnaire gives the stakeholders the opportunity to identify products that they consider most relevant for inclusion in and/or exclusion from the EUTR product scope. This may be done either by freely describing the products concerned or by providing codes and/or product descriptions based on the latest version of the EU's Combined Nomenclature available [here](#). Finally, in order to benefit from the technical expertise that many of the stakeholders have, an option is provided to further explain perceived environmental, social and economic impacts of these changes. The respondents will also be able to upload relevant documents and position papers at the end of the questionnaire.

An internet-based public consultation of 12 weeks will be launched in January 2018 on the dedicated Consultation portal of the European Commission (https://ec.europa.eu/info/consultations_en). The questionnaire will be available in all EU official languages.

In order to ensure a large number of responses from a wide range of stakeholders, awareness about the public consultation will be raised by several means. Besides being promoted on the European Commission websites and newsletters, the link to the public consultation will also be shared with appropriate representatives from all Member State competent authorities, who will be encouraged to reach out to national stakeholders. Stakeholders that are identified as associations from the timber industry and trade associations will also be requested to encourage their members that are active in timber trade under the EUTR as well as those who are not presently active, but may be affected under an enlarged product scope, to participate in the consultations.

If the answers received from experts require further follow-up, they will be contacted by way of emails, Skype calls and telephone calls to clarify responses or gather further information using the survey responses as a basis.