



EUSTAFOR position paper¹ on additional EU level regulations concerning the placing on the Community market of timber and timber products: let's fine tune existing mechanisms rather than create new rules

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The European State Forest Association recognise illegal harvesting and timber trade as an important issue and welcomes public and private initiatives to overcome this problem. Being aware of the negative impact of illegal logging to overall sustainable development and climate change, EUSTAFOR promotes sustainable forest management as well as good governance and forest law enforcement. As an observer of the MCPFE- process, EUSTAFOR fully recognise the Vienna Declaration (2003) and affirm its commitment to contribute to national and international efforts to combat illegal harvesting of forest products and related trade.

EUSTAFOR believes, that when additional legislation is prepared, the following principles should be considered (the principles are not presented in any order of importance):

- 1) Only effective measures should be implemented to reduce illegal logging. At the same time maximum effort should be made to avoid rendering the operating environment for the European forestry sector more costly and bureaucratic.
- 2) Proper impact assessment should be carried out when new EU legislation is prepared. Special attention should be given to assess cost-efficiency and cost impact, real impact to illegal harvesting (concerning other reasons for deforestation and trade diversion) and substitution impacts.
- 3) The potential of existing legislation and international processes (like FLEGT, ENA-FLEG) should be fully utilised. Before introducing new initiatives the *ex post* assessment should be done with respect to current regulations to evaluate the efficiency of implementation, real output and possible gaps.

¹ Any statement in this document is to be considered as a reflection of the best available professional expertise and does not necessarily reflect the political commitments of individual member states.

- 4) The definition of legality should be determined clearly and reflect the main objectives of the respective law. From the point of view of reducing the risk of deforestation and loss of biological diversity the focus should be on compliance with legal requirements regarding forest management, tenure rights and environmental legislation.
- 5) Substitution impact should be assessed. Making timber buying in Europe less competitive than outside of Europe, may lead to a preference for substituting, sometimes less environmentally friendly, and materials on which similar requirements are not imposed. Until there are proper sustainability criteria set up for harmful substitutes (like oil, aluminium, iron) then the legislation concerning wood should mainly deal with the legality issue and other policy instruments should be used to promote sustainability.

Considering that the European Commission is preparing additional legislative measures to tackle the problem of illegal logging and the associated trade, **EUSTAFOR advocates following the above mentioned principles and propose not to introduce additional legislation with unclear efficiency and unknown impacts.**

EUSTAFOR believes that efficient implementation of legislation is possible only when the majority of society and key market operators accept the objectives, possible implications and working principles of the new laws. EUSTAFOR recognise the common objective to reduce illegal logging and the associated trade. Currently we are concerned with the choice of tool and therefore call all stakeholders and respective institutions to reconsider the need for new legislation in the EU. Let's fine tune existing mechanisms and promote good governance in and outside EU.

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