



Updated Information on Market Access (2019)

ITTO Secretariat

ITTC-56th

9-14 November 2020, Yokohama

Updates of Four major legislative instruments:

- [EU Timber Regulation](#)
- [Lacey Act Amendments](#)
- [Australia Illegal Logging Prohibition Act](#)
- [Japan Clean Wood Act](#)

Attention on developments:

- Republic of Korea
- China
- Viet Nam
- CITES



EUTR



- Published a **guidance document** for the **EUTR** in May 2019 on ‘Consideration of prevalence of armed conflict and sanctions in due diligence systems’.
- Published the **Annual Synthesis Report** in June 2019 on the implementation of the **FLEGT** licensing scheme for 2017.
- The latest **WWF Enforcement Review** of the **EUTR** was published in December 2019, which identifies implementation gaps and good practices.
- Released **latest report** in January 2020, providing an overview of the **EUTR** compliance checks performed, and penalties imposed by **EU** Member States.

Lacey Act



- **APHIS** (Animal and Plant Health Inspection Service) of **USDA** invited public comment on the proposed exception to the declaration requirements for products containing a minimal amount of plant material. **APHIS** published a final rule, effective April 1, 2020, to establish a “de minimis” exception to the declaration requirement for products that meet the de minimis criteria.
- **APHIS** worked for the implementation of phase six of the Lacey Act enforcement schedule.
- **APHIS** published a notice in March 2020, announcing plans to add products that will require a Lacey declaration. Phase six was scheduled to be effective on October 1, 2020. However, APHIS announced that they would delay implementation of phase six. As a result, stakeholders will not be required to file declarations for products on phase six until April 1, 2021.



Australian Act

- In January 2019, the final report of the ‘**Statutory review** of the Illegal Logging Prohibition Act 2012’ was published, which considered and assessed the first five years operation.
- In August 2019, the review was provided to the Forest Industry Advisory Council (FIAC), and **FIAC** recommended the Act be further reviewed in 2 to 3 years and that no significant legislative changes be made at this stage.
- The **Australian Government** agreed that it will not make significant legislative changes until a further comprehensive review.



Japan Clean Wood Act

- **Japan Clean Wood Act** entered into force in May 2017, which aims to promote the use of legally-harvested wood products.
- Under the Act, all wood-related business operators are required to carry out checks to ensure that wood has been legally sourced in accordance with the laws and regulation of Japan and/or the countries of origin.
- Regarding to the registering system on a voluntary basis, the Clean Wood Act adopts a voluntary-third party registering system for wood-related operators.
- Registered operators are required to **report annually** on the implementation of measures to ensure the use of legally harvested wood.
- Japanese government has created the **Clean Wood Navi** website to support wood-related operators by providing information on laws and regulations applying to production and trade of timber in key exporting countries:
<https://www.rinya.maff.go.jp/j/riyou/goho/kunibetu/index.html>
- A one-day **seminar** was held in March 2019 in Tokyo to generate information on the legal frameworks for timber production and trade in five tropical timber-producing countries to support implementation of the Act.

Korean Revised Act



- The **Korean Revised Sustainable Use of Timber Act** entered into force in Sep. 2017
- The **implementation** of the revised Act was launched in October 2018 in a one-year trial operation phase.
- Until September 2019, **activities** for supporting entities and education and promotion had been arranged.
- The **official implementation** of the revised Act started from 1 October 2019.

Chinese Forest Law Amendment



- The **third amendment of Chinese Forest Law** was adopted on December 28, 2019 in accordance with decisions of China National People’s Congress (came into force on 1 July 2020).
- The new amendment contains **14 Chapters and 84 Articles** (7 Chapters and 49 Articles in 2009 amendment).
- In Chapter VI Forest Management and Administration, **Article 65** states “Timber processing enterprise should establish an **account for the entry and exit** of raw materials and products. No unit or individual may purchase, process or transport timber that he/she **clearly knows** was **piratically felled** or **indiscriminately felled** in forest regions.”

Vietnam VPA Agreement with EU



- The **VPA agreement** between Vietnam and the EU, which was signed on 18 Oct. 2018, came into force on 1 June 2019.
- Vietnam and the EU **ratified** the VPA agreement in May 2019.
- Implementation of the VPA will take several years, during which Vietnam will develop a timber **legality assurance system**.
- An EU-Vietnam **Joint Implementation Committee (JIC)** will oversee how Agreement provisions are put into practice.
- Once the agreement fully implemented, **FLEGT license** will be expected to issue.

International Legal Instrument

CITES CoP18 – Tropical Trees Related



Convention on International Trade in Endangered Species of Wild Fauna and Flora

- CITES CoP18 (held in August 2019) amended **Appendix II listing** of rosewoods and related tree species.
- **Small finished items**, including musical instruments, parts and accessories, could be without CITES permits.
- **All Latin American cedar** (genus *Cedrela*) were included in Appendix II.
- Broadened Appendix II listing of **African teak** (*Pericopsis elata*) to include plywood and transformed wood.
- An **African rosewood** (*Pterocarpus tinctorius*) was listed in Appendix II.

International Legal Instrument

CITES CoP18 – Other Development



Convention on International Trade in Endangered Species of Wild Fauna and Flora

- The CITES Secretariat published the full **suite of Decisions** adopted at CoP18 on 7 November 2019.
- The CITES Secretariat has launched a **dedicated website** in February, 2020 to introduce the CITES Tree Species Programme (CTSP).
- The **website** is available at www.cites-tsp.org



Thank You!

