



# Updated Information on Market Access (2020)

ITTO Secretariat

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ITTC-57th  
29 Nov-3 Dec 2021, 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



- **Annual EUTR Overview 2019** published in Sept 2020 with key obligations and practical aspects of implementation and enforcement.
- **2 Public Consultations** on EUTR and FLEGT Regulation Fitness Check launched in Sept 2020, for effectiveness, efficiency, coherence, relevance and added value of both regulations.
- **EUTR Country Overviews**, developed by UNEP-WCMC, published for Cameroon, Côte d'Ivoire, Malaysia and Republic of Congo.
- **Notice on withdrawal of UK from EU** published in July 2020: from 2021, imports from UK to EU comply with due diligence obligations.
- **28th FLEGT/EUTR Expert Group** meeting held, updates given on FLEGT VPAs with Côte d'Ivoire, Gabon, Indonesia, Thailand and Viet Nam
- **Multi-Stakeholder Platform** on Protecting and Restoring the World's Forests held 2<sup>nd</sup> meeting in 2020.

# Lacey Act

## Phase 6 Implementation



- USDA-APHIS (Animal and Plant Health Inspection Service) worked for the **implementation of Phase 6** of the Lacey Act enforcement schedule.
- APHIS published a notice in March 2020, announcing the implementation of Phase 6 was **scheduled** to be effective on **October 1, 2020**.
- However, APHIS announced in August to **delay** implementation of phase 6, in response to stakeholder concerns about operational and economic setbacks caused by the COVID-19 pandemic.
- As a result, stakeholders will not be required to file declarations for products until new notice for implementation date announced.
- APHIS **announced in July 2021** that the implementation of Phase 6 of the Lacey Act enforcement schedule would begin on **October 1, 2021**.
- **Declaration** must contain plant scientific name, value of importation, quantity of the plant, and name of the country from which the plant was taken.

# Lacey Act

## “de minimis” Exception



- Since 2018, **APHIS** invited **public comment** on the proposed exception to the declaration requirements for products containing a minimal amount of plant material.
- After reviewing all comments received, **APHIS** decided to adopt an option based on **weight**: a threshold of no more than 5 percent of the total weight of the individual product unit.
- **APHIS** published a **final rule** on **Mar 2, 2020**, to establish a “de minimis” exception to the declaration requirement for products that meet criteria.
- The rule went into effect on **April 1, 2020**.



# Australian Act

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- **Australia Illegal Logging Prohibition Act** came into force in 2013.
- **Australian Department of Agriculture, Water and the Environment** announced in Dec 2020 the initial round of results from a **timber testing program** piloting the use of DNA and chemical isotope for illegal logging compliance.
- The **Department** has published **two new resources** to help importers and processors to understand what is required when establishing a new illegal logging due diligence system.
- The **Department** announce the new and revised **Country Specific Guideline (CSG)** for Chile, and Finland, New Zealand, and Malaysia, to develop documents that clearly describe their forestry laws.



# Japan Clean Wood Act

- Japan Clean Wood Act (CWA) came into force in May 2017.
- CWA is based on a **voluntary-third party registering system**.
- CWA promotes the use of legally-harvested wood products by creating provisions for companies may **apply to a registration body** (6 bodies in operation)
- Register as a “**Registered Wood-related Business Entity**” to carry out legality checks.
- Registered operators are required to **report annually** on the implementation of measures to ensure legality.
- As of March 2021, more than **500 companies** had completed this registration process.
- The scope of the CWA is expected to be **reviewed and revised** in 2022.

# Korean Revised Sustainable Use of Timber Act

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- The **Korean Revised Sustainable Use of Timber Act** entered into force in Sept 2017
- The **official implementation** of the revised Act started from 1 October 2019.
- Under the Act, importers are required to file an import **declaration** stating the products are legally sourced.
- Inspected by the Korea Forestry Promotion Institute (**KoFPI**).
- As of 2020, the government developed around **50** Country Specific Guidelines (**CSGs**) providing information of exporting countries.



# Chinese Forest Law Amendment

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- China Congress adopted **3rd Amendment of Chinese Forest Law** on 28 December 2019.
- The amendment **came into force** on 1 July 2020.
- **Article 65** bans the buying, processing or transporting of illegally sourced timber.
- Government announced **regulations for implementing** the Forest Law included in its plans for legislative work.



# Vietnam VPA Agreement with EU

- The Vietnam-EU **VPA agreement** came into force on 1 June 2019. Implementation will take several years.
- A EU-Vietnam **Joint Implementation Committee (JIC) meeting** was held in June 2020 to oversee agreement implementation.
- Issued on 1 Sept 2020 the on the Timber Legality Assurance System (**TLAS**) **Decree**, effective from 30 Oct 2020.
- Issued **decision** on 27 November 2020 announcing the list of imported timber species, including 322 scientific names of log and sawnwood species.
- Vietnam signs **FTA** with EU, one year after VPA, incentive to implement its VNTLAS.

# International Legal Instrument

## CITES CoP18 Follow-ups



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.
- Broadened **Appendix II** listing of African teak and rosewood as well as Latin American cedar.
- The CITES Secretariat has launched a **dedicated website** in February, 2020 to introduce the CITES Tree Species Programme (CTSP). The **website** is at [www.cites-tsp.org](http://www.cites-tsp.org).
- The CITES Secretariat and 14 CPF members issued a **joint statement** in Oct 2020 calling for SFM efforts towards a global recovery from pandemic.



# Thank You!

