



MEMBER STATES OF THE EUROPEAN UNION: Your obligations to implement the new EU Deforestation Regulation start today

The new EU Regulation on deforestation-free products, known as the EU Deforestation Regulation, **enters into force today**. This ground-breaking law is intended to tackle global deforestation and forest degradation driven by EU consumption. However, this can only be achieved if all 27 EU Member States implement and enforce the Regulation properly, thoroughly and consistently. To deliver on your legal obligations, you need to take the following actions now.

First and foremost, you must designate one or more “competent authorities” responsible for implementing and enforcing the Regulation **by 30 December 2023**. These authorities must have “adequate powers, functional independence and the resources” necessary to properly perform their functions under the Regulation.

This means you must guarantee that your competent authorities:

- have secure and stable access to all the resources they need to properly implement and enforce the Regulation;
- have the powers necessary to enforce the Regulation, including investigating and sanctioning non-compliance; and
- are functionally independent and that national legal and institutional frameworks guarantee they are not subject to any formal or informal influence that may undermine the enforcement of the Regulation or the performance of their functions.

Within 18 months, when the Regulation will become binding on commercial actors, you must also ensure that your national regulatory and institutional frameworks enable proper implementation and enforcement. This means that **by 30 December 2024 at the latest** you must:

- Adopt national rules that establish “effective, proportionate and dissuasive” penalties for non-compliance that include: confiscation of non-compliant products and revenues from transactions concerning non-compliant products; fines up to at least 4% of total EU-wide turnover; temporary exclusion from public procurement processes and access to public funding; prohibition from exercising the ‘simplified due diligence’ procedure; and temporary prohibition from importing, trading or exporting relevant products. You must take “all measures necessary” to ensure that these rules are implemented;

- Have national administrative and judicial procedures in place that ensure prosecution of non-compliance, guarantee the right of natural and legal persons to submit “substantiated concerns” about potential non-compliance, including measures to protect their identity, and provide any sufficiently interested person with access to administrative or judicial procedures to review the legality of your competent authorities’ decisions and actions;
- Develop an annual plan to ensure that checks are carried out from 30 December 2024 that meet the relevant requirements in both quantitative and qualitative terms and continuously monitor patterns of trade to identify any potential circumvention of the Regulation and exchange this information with other Member States and the Commission;
- Authorise your customs authorities to control declarations concerning relevant products, exchange information and cooperate with competent authorities regarding shipments of relevant products, and to suspend the release of such shipments until appropriate checks are completed;
- Ensure law enforcement procedures allow your competent authorities to independently carry out checks on operators and traders and take immediate action where products present a high risk of non-compliance and prevent their circulation on the internal market or export until checks are completed and compliance is verified, and require records of checks and reports of their results to be disclosed to third parties upon request; and
- Establish procedural arrangements to allow information exchange, cooperation and coordination between your competent authorities and customs authorities within your territory and in other Member States and with the Commission.

Your legal obligations to start implementing and preparing to enforce the new EU Deforestation Regulation begin today.

We count on you to take the necessary steps to fulfil your obligations and ensure that the Regulation’s goals are achieved.

Signed

A ROCHA
PORTUGAL

AASPIJ-SP
ASSOCIAÇÃO DOS ASSISTENTES SOCIAIS
E FISCALIZADOS DO TRIBUNAL DE JUSTIÇA
DE SÃO PAULO

AbibiNsroma
Foundation 7533

APIIL
Advocates for
Public Interest
Law

Aevis
for wild
nature

AFRI-LAW
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AMAZON WATCH
SVERIGE

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la Tierra**

ARPADEC
CAMEROON

Amigos del Tejo
y las Tejedat

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Desde 1978
Consevando a Natureza

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ONG
Fundada en 1976. Conservación ambiental. www.adda.org

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**Associação Alternativa
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**Biodiversity
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B P
Boreal Action Project

BOS+

Both ENDS
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manser
fonds**
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BROC

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le Développement**

cerai
centro de estudos rurais e
de agricultura internacional

ClientEarth

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**COMITÉ
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COMERCIO JUSTO**

KCC
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Cooperation
and Global Church
Coordination office of the Austrian Bishops' Conference

Deutsche Umwelthilfe

**DOGWOOD
ALLIANCE**

CearthSight

EcoCare
GHANA

EcoOdev
Ecosystèmes et développement
Pour un développement éco

**eco
trópica**
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à vida nos trópicos

EKÖ

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akademie**

eiä environmental
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 Associação Angá
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 Auriga Nusantara
 Biodiversity Conservation Center
 BirdLife Sweden
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 BOS+
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 Canopy
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 Comite Schone Lucht (Clean Air Committee)
 Conservation International Europe
 Coordinadora Ecoloxista d'Asturies
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 Co-ordination office of the Austrian Bishops` conference
 Deutsche Umwelthilfe
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 EcoCare Ghana
 Ecosystèmes et Développement
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 Ekumenická akademie (Ecumenical Academy)
 Environmental Investigation Agency (EIA)
 Environmental Justice Foundation
 Envol Vert
 Eurogroup for Animals
 Fair Trade Advocacy Office
 Federación de Consumidores y Usuarios CECU
 Fern
 FIRE
 Focsiv italian federation christian organisations international voluntary service
 Fondation Camerounaise de la Terre Vivante (FCTV)
 Forest Peoples Programme
 Forêts et Développement Rural (FODER)
 Forum Ökologie & Papier
 Friends of Fertó lake Association
 Friends of the Earth (England, Wales, Northern Ireland)
 Friends of the Earth Europe
 Fundación Entreculturas
 GEOTA
 GLOBAL 2000 - Friends of the Earth Austria
 Global Forest Coalition (GFC)
 Global Witness
 Global Youth Biodiversity Network European Chapter
 Great Lakes and Wetlands Federation
 Green Development Advocates (GDA)
 Green Transition Denmark
 Greenpeace
 IDEF
 Imaflora
 Inades-Formation Côte d'Ivoire
 Instituto Jane Goodall España
 Instituto Sociedade, População e Natureza (ISPN)
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 Jane Goodall Institute Belgium
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 Jordens Vänner / Friends of the Earth Sweden
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Klimabevægelsen i Danmark (350 Denmark)
 La Coordinadora de ONGD
 Landelijk Netwerk Bossen- en Bomenbescherming
 Latvian Ornithological Society
 Lliga per a la defensa del patrimoni natural, DEPANA
 Mater Natura - Instituto de Estudos Ambientais
 Mighty Earth
 Milieudéfense - Friends of the Earth Netherlands
 MODrzew - Civic Monitoring of Trees
 Mouvement Ecologique
 Nativus
 Natural Resources Defense Council (NRDC)
 Nature Canada
 Nature et développement
 Nature Nova Scotia
 Naturefriends Greece
 Non-Timber Forest Products Exchange Programme (NTFP-EP)
 NTFP-EP Philippines
 Nyt Europa
 Observatório do Clima (Brazilian Climate Observatory)
 One tree one nose
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 OroVerde
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 Plataforma por um Comércio Internacional Justo (TROCA)
 Plateforme Ivoirienne pour le Cacao Durable
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 Profundo
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 Rainforest Alliance
 Rainforest Foundation Norway
 Rainforest Foundation UK
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 Réseau Ressources Naturelles (RRN)
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 Romero Initiative (CIR)
 Sascha Gabizon
 Satya Bumi
 Save Estonia's Forests
 Service d'Appui aux Initiatives Locales de Développement (SAILD)
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 Südwind
 Sustainable Development Institute
 Swedish Society for Nature Conservation
 Synaparcam
 The Finnish Association for Nature Conservation
 The Wilderness Society
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 U-landsforeningen Svalerne
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 Vogelbescherming Nederland
 vzw Climaxi
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