



Nederlandse Voedsel- en  
Warenautoriteit  
*Ministerie van Economische Zaken*

## EUTR and FLEGT

- FLEGT almost a year on
- EUTR, 4,5 years...

Start licensing 15-11-2016

CLIENT and AGS linked

FLEGIT: EU system used in most countries

30-70 licences per day





## Issues:

- HS code classification
- Licences printed on wrong paper
- Wrong licence sent to NVWA
- Licence and goods don't match (weights)

## Next steps:

- working towards solving issues together with EC
- Ghana is working towards the issuance of licences in the coming years
- Study into the effect of FLEGT licences on trade with ID





Focus in 2017 on timber importers and furniture

Furniture: Vietnam, India and China

- Rubberwood and mangowood very popular
- FSC certified timber used

Timber:

- Focus on Myanmar, re-inspections on companies importing
- Request for enforcement from EIA on Myanmar



## Developments

First case concerning timber from Cameroun brought before the administrative court

Court agreed that due diligence was not sufficient

Case concerning actions taken by NVWA on request for enforcement by Greenpeace

Court ruled: NVWA should stick to intervention policy and policy should be stricter in some cases



Steps to be taken:

Preventive measures will be issued against companies

Intervention policy will be adapted and published

Focus on paper and pulp in the coming months





Working together

Shared inspections with other CA's

Developing a common approach at the informal EUTR working group (oa Myanmar)

TREE meetings with other CA's from around the globe







Documentation not complete, especially at the sawmill

*What do the documents tell you, what do they really proof ?*

Risk assessment done but not documented

*High corruption , illegal logging, weak governance structure*

No conclusion and action if risk is non negligible

*Most companies claim a negligible risk- really ???*



Many 'audit ' reports are being presented

Auditing a paper chain is not sufficient due diligence

Usually done retrospectively

Inform yourself as market operator:

- what the report covers
- what it really entails
- Does the report contribute to your dds ?



Preventive measure is mentioned in the administrative law (Algemene wet bestuursrecht)

Government can either:

- Take action to correct situation
- Threaten to forfeit a sum of money if situation is not remedied or to prevent future actions

Not a punitive sanction

## Steps one



Inspector writes report describing the breaches of the law

NVWA sends letter of intention and report to offender

Offender is allowed to send view on situation

View is taken into account

NVWA sends decision with preventive measure to offender

## Steps two



Offender can ask for a preliminary court hearing to lift measure (urgency required)

Offender can object to NVWA

NVWA weighs objection- if decision is sustained

Offender can appeal at the administrative court

Court rules whether decision was just or not



Thank you for your attention

Tip:

[https://twitter.com/NVWA\\_Natuur](https://twitter.com/NVWA_Natuur)

