

Summary

China has made some progress in its response to illegal logging and the related trade since the previous assessment in 2013. A government review of the Forest Law began in 2016, and an announcement was made in November 2016 that the National Forestry and Grassland Administration (NFGA) would develop Administrative Measures for Strengthening the Legality of Imported Wood. This process of legal reform was still ongoing at the end of 2018 (the end of the period for which this assessment was undertaken). However, in December 2019 amendments to the Forest Law were approved by the government. These include a provision that 'no entities, nor individuals shall buy, process nor transport illegally sourced timber'. While the details of how this is to be implemented are yet to be elaborated, this is a promising step in the country's response to illegal logging and the related trade.

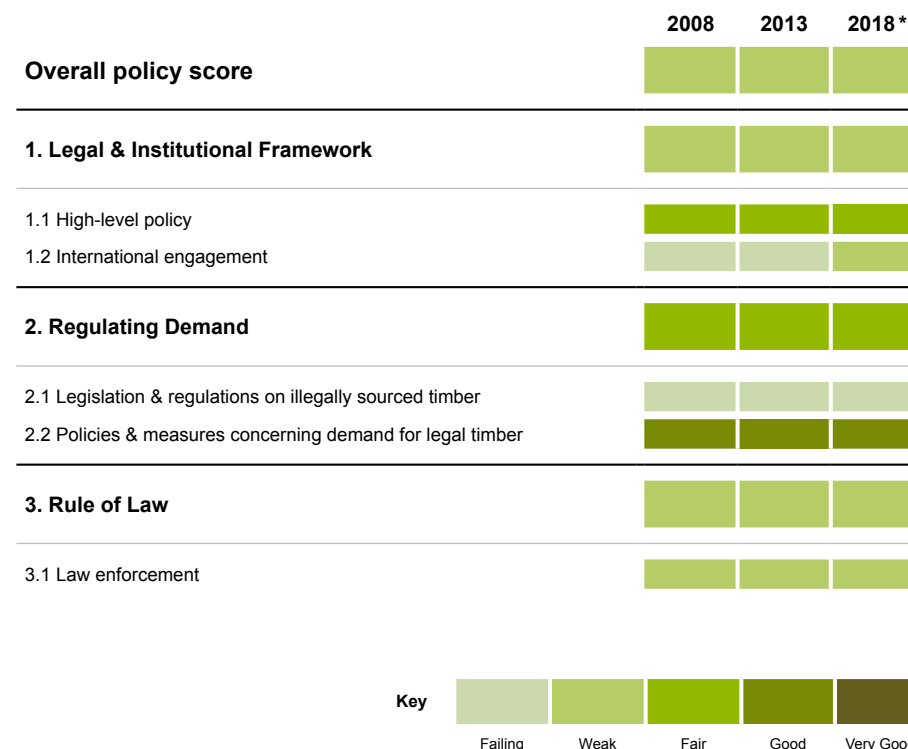
In terms of international engagement on the issue, China signed a number of bilateral MoUs with timber supplier countries between 2015 and 2018. These include the goals of improving cooperation to combat illegal logging and enhancing forest law enforcement and governance, but they lack robust implementation provisions. China has also been active in a number of other bilateral initiatives, including the US-China Bilateral Forum on Combating Illegal Logging and Associated Trade (inactive since its seventh meeting, held in Washington DC in November 2016); the EU and China Bilateral Coordination Mechanism (BCM) on Forest Law Enforcement, Governance and Trade (FLEGT); and the China-UK Collaboration on International Forest Investment and Trade (InFIT) programme. In addition, China has been engaged in the APEC Experts Group on Illegal Logging and Associated Trade (EGILAT).

Multi-stakeholder consultation processes on forest sector issues have continued in China. The China Responsible Forest Product Trade and Investment Alliance, launched in April 2016, builds a platform to strengthen information-sharing and facilitates multi-stakeholder consultation on some forest sector issues with a wide range of representatives, including NGOs, industry associations and the private sector.

There have been some improvements in law enforcement in China. However, while strong law enforcement systems are in place for tackling illegality in China's domestic forest sector, law enforcement for imported forest products is limited to CITES species. Enforcement agents are also insufficiently equipped to address imported timber products.

China has had a green public procurement policy in place since 2006, covering a number of timber and paper products. The policy requires all levels of state bodies, institutions and organizations to give priority to purchasing Environmental Labelled products. The scope of the policy and monitoring of its implementation need improvement. Currently, legality and sustainability criteria are not uniform across the different products included in the policy. Although the Ministry of Finance is responsible for monitoring compliance, it does not have the capacity to verify the legality or sustainability of the wood being purchased.

Figure 1: Summary of the China's forest policy assessment



Key Forest Policies and Resources

Forest Law of the People's Republic of China, amended 28 December 2019, <https://www.atibt.org/wp-content/uploads/2020/01/China-Forest-Law-Amendment-2020-20191228.pdf>.

EU FLEGT Facility, Introduction to China's Timber Legality Verification System, <http://www.euflegt.efi.int/es/publications/introduction-to-china-s-timber-legality-verification-system>.

China National Forest Product Industry Association (2017), Group Standard on Timber Legality Verification in China, <http://www.ttbz.org.cn/Pdfs/Index?type=st&pms=23619>.

* A number of questions were added to the assessment in 2018 (noted in the list of questions below and marked with '-' for 2008 and 2013 where applicable). Consequently, the overall scores for 2018 are not directly comparable with those from the previous assessments.

About

Chatham House is monitoring forest governance to assess the effectiveness of government and private sector efforts to tackle illegal logging and trade. An assessment was undertaken of China's forest policy framework to evaluate the government's response to illegal logging and the related trade. A standard list of questions was used in the policy assessment, and answers were scored against three criteria: existence (scoring between 1 and 2, whereby 1 indicates partial coverage or a policy under development, and 2 indicates a policy is in place); design (scoring between 1 and 5, whereby 5 indicates very well designed); and implementation (scoring between 1 and 5, whereby 5 indicates consistent and comprehensive implementation).

Timeframe for the research

This assessment is based on the situation at the end of 2018, and the scores refer to this date. However, where there have been significant developments in 2019, these have been noted in the text. The research was undertaken in 2019 and finalized in December 2019.

Acknowledgements

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Acronyms and Abbreviations

APEC	Asia-Pacific Economic Cooperation	InFIT	International Forest Investment and Trade
ASEAN	Association of Southeast Asian Nations	MNR	Ministry of Natural Resources
BCM	EU and China Bilateral Coordination Mechanism	MOFCOM	Ministry of Commerce
CAF	Chinese Academy of Forestry	MoU	memorandum of understanding
CEC	China Environmental United Certification Center	NFGA	National Forestry and Grassland Administration
CFCC	China Forest Certification Council	NGO	non-governmental organization
CINFT	Center for International Forest Products Trade	RIFPI	Research Institute of Forestry Policy and Information
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora	TNC	The Nature Conservancy
CNFPIA	China National Forest Product Industry Association	WRI	World Resources Institute
CoC	chain of custody	WWF	World Wide Fund for Nature
EFI	European Forest Institute		
EGILAT	APEC Experts Group on Illegal Logging and Associated Trade		
FLEGT	Forest Law Enforcement, Governance and Trade		
FM	forest management		

Table 1: China's Forest Policy Assessment

1. Legal and Institutional Framework

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
1.1.1 Does the country have high-level political and governmental mechanisms in place to tackle illegal logging?					
<i>a. Has a review been carried out which both assesses the impact of the country's market activities on the problem of illegal logging and related trade and also investigates the extent and sources of potential illegal imports?</i>	2008	1	3	3	<p>Some reviews have been carried out, including:</p> <ul style="list-style-type: none"> September 2018: National Forestry and Grassland Administration (NFGA), response to a recommendation from a deputy to the National People's Congress on Establishing a Regulatory Framework for Imported Timber Legality.¹ 2018: Center for International Forest Products Trade (CINFT) of NFGA, research on policies, mechanisms and practices in terms of forest governance and timber legality in ASEAN, Thailand and Indonesia. 2018: CINFT, research on how Chinese wood enterprises respond to international legality verification requirements and the implications for regime effectiveness. 2018: CINFT sponsored by the European Forest Institute (EFI), analysed the status of high-risk imported wood and the potential impacts if China put in place timber legality policies. <p>Scoring: A score of 3 for design was given because the assessments of the extent and sources of potential illegal imports could have been more comprehensive.</p>
	2013	1	3	3	
	2018	2	3	3	
<i>b. Is a national action plan in place for preventing illegally sourced timber from being imported or sold?</i>	2008	0	n/a	n/a	<ul style="list-style-type: none"> In April 2015, the Research Institute of Forestry Policy and Information (RIFPI) of the Chinese Academy of Forestry (CAF) developed the China Timber Legality Verification Standard, which incorporated a series of due diligence principles. The standard was piloted with two Chinese companies in collaboration with certification company Bureau Veritas's Due Diligence Service. In November 2016, NFGA announced it would develop Administrative Measures for Strengthening the Legality of Imported Wood, which may be a normative document.² The measures are under development, and details remain unknown. It became a priority task for NFGA in 2019. On 1 August 2017, China National Forest Product Industry Association (CNFPPIA) published its Group Standard on Timber Legality Verification in China, which required its members to comply with the standards voluntarily.³ Sixty-two member companies adopted the standard. <p>Scoring: The policy was given a 1 for existence because, as of December 2018, NFGA was developing the Administrative Measures but these were not yet in place. A score of 3 was given for design to reflect the fact that the proposed measures are reportedly intended to be broad in scope and to cover the entire supply chain, although these had yet to be shared with stakeholders.</p> <p>The level of implementation was given a 2 because legality standards have been piloted. However the Administrative Measures are still under development.</p> <p>Developments since 2019: In December 2019, the government approved amendments to China's Forest Law. This included a provision that 'no entities, nor individuals shall buy, process nor transport illegally sourced timber'. The details of how this is to be implemented are yet to be elaborated.</p>
	2013	0	n/a	n/a	
	2018	1	3	2	

¹ See <http://www.forestry.gov.cn/main/4861/20180914/171005128181252.html>.

² Forest Stewardship Council (2018), Legislation to prevent illegal imports into Asian Countries, <https://ic.fsc.org/file-download/legality-legislation-in-asia-fsc-briefing-may-2018-en.a-7490.pdf>.

³ See <http://www.ttbz.org.cn/Pdfs/Index/?ftype=st&pms=23619>.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>c. Does a formal process exist for high-level coordination of action on illegal logging across departments and sectors (e.g. a parliamentary committee or inter-ministerial taskforce)?</i>	2008	2	3	3	<p>In March 2018, the State Council announced an institutional reform decision: a new ministry, the Ministry of Natural Resources (MNR), was established, which oversees NFGA. The Policy and Law Department of NFGA was removed and some functions were merged into a new Department of Policy and Law of the MNR.</p> <p>Cross-sectoral cooperation does occur, including between representatives from the NFGA, the Ministry of Commerce (MOFCOM), the Ministry of Foreign Affairs, and Customs, but it only occurs when relevant issues arise and/or joint actions are needed. These include preparing for, and participating in, bilateral and multilateral events, including:</p> <ul style="list-style-type: none"> The US-China Bilateral Forum on Combating Illegal Logging and Associated Trade, established in 2007.⁴ However, between 2015 and 2018, only one forum was organized, which was held in Washington, DC in November 2016. Representatives from NFGA, MOFCOM and the General Administration of Customs joined the meeting. Since then, the forum has been inactive. Since the establishment of the EU and China Bilateral Coordination Mechanism (BCM) on Forest Law Enforcement, Governance and Trade (FLEGT) in 2009, BCM has been organized nine times (up to the end of 2018). The Chinese delegation comprised officials from NFGA, CAF, MOFCOM and the General Administration of Customs.⁵ In 2014, a steering committee was established for the China-UK Collaboration on International Forest Investment and Trade (InFIT) programme, which consists of representatives from NFGA, MOFCOM and the UK government.⁶ China has regularly joined the Asia-Pacific Economic Cooperation (APEC) Experts Group on Illegal Logging and Associated Trade (EGILAT) meetings since its establishment in 2012. The Chinese representatives for EGILAT are usually from the forest sector, i.e. NFGA and CAF.⁷ <p>Scoring: The policy was given a 2 because cross-sectoral cooperation is in place. The design was given a 3 because representatives at bilateral and multilateral forums are usually from the technical level and thus sometimes lack sufficient decision-making authority. The level of implementation was given a 3 because cross-departmental cooperation needs to be further strengthened.</p>
	2013	2	3	3	
	2018	2	3	3	

⁴ See <https://2001-2009.state.gov/g/oes/ris/fs/2008/106149.htm>.

⁵ See <http://www.euflegt.efi.int/about-china>.

⁶ See https://www.itsi.co.uk/wp-content/uploads/2017/11/1st-Issue_InFIT-Newsletter_ENG.pdf.

⁷ See <https://www.apec.org/Groups/SOM-Steering-Committee-on-Economic-and-Technical-Cooperation/Working-Groups/Illegal-Logging-and-Associated-Trade>.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>d. Are formal consultation processes in place for multi-stakeholder involvement in developing policy and legislation to tackle illegal logging? These processes should ensure that viewpoints of stakeholders affected by legislation are taken into consideration.</i>	2008	1	4	3	<p>There is a procedure for multi-stakeholder involvement in policy development. For example, for the Administrative Measures for Strengthening the Legality of Imported Wood that are being developed, this will entail internal meetings to get advice from key experts and the departments and organizations involved. The deliberations will be made public for wide consultation at a later stage.</p> <p>The China Responsible Forest Product Trade and Investment Alliance was launched in April 2016, hosted by the CINFT of NFGA.⁸ One of the objectives of the Alliance is to serve as a stakeholder consultation platform.</p> <ul style="list-style-type: none"> When RIFPI developed its 2015 China Timber Legality Verification Standard and CNFPIA developed its 2017 Group Standard on Timber Legality Verification in China, several stakeholder meetings were convened to collect comments on the draft standards from timber companies, government departments, industry associations, NGOs and research institutions. Those standards were also pilot tested in a few selected enterprises. Drafts of the Administrative Measures for Strengthening the Legality of Imported Wood have not yet been shared with wider stakeholders. However, RIFPI has organized stakeholder meetings to collect ideas and insights on how to formulate the measures. <p>Scoring: The policy was given a 1 because the consultation processes are not formalized. The design was given a 4 because stakeholder consultation, most of the time, includes a wide range of representatives, including NGOs, industry associations and the private sector. The level of implementation was given a 3, in part because little feedback is given to stakeholders after the consultations.</p>
	2013	1	4	3	
	2018	1	4	3	
<i>e. Are formal processes/policies in place aimed at ensuring a balanced participation of men and women in the development and implementation of forest sector policies? (Question added in 2018)</i>	2008	–	–	–	<p>Gender balance has not been taken into account as a part of the policy development process. However, a few international programmes, such as InFIT, have started to consider gender issues in their programme design and implementation.</p>
	2013	–	–	–	
	2018	0	n/a	n/a	
<i>f. Is illegal logging/trade considered in the country's climate change strategy (NDC or other climate change national policies – e.g. in relation to embedded deforestation in imports)? (Question added in 2018)</i>	2008	–	–	–	<p>In 2016 the China Council for International Cooperation on Environment and Development published a report entitled China's Role in Greening Global Value Chains.⁹ One of the report's recommendations was to use the 'South-South Cooperation Fund on Climate Change' to support China's major commodity supplier countries in improving the sustainability of commodity production and trade.</p> <p>Although China's climate change strategy does not address illegal logging and the impact of Chinese imports of forest commodities, NGOs such as The Nature Conservancy (TNC), World Resources Institute (WRI), World Wide Fund for Nature (WWF) and EFI have discussed the importance of linking timber legality into China's climate change solutions.¹⁰</p>
	2013	–	–	–	
	2018	0	n/a	n/a	

⁸ See <http://www.crfa.net.cn/en/>.

⁹ China Council for International Cooperation on Environment and Development (2016), China's Role in Greening Global Value Chains: CCICED Special Policy Study Report <http://www.cciced.net/cciceden/POLICY/rr/pr/2016/201612/P020161214521503400553.pdf>.

¹⁰ See <https://forestlegality.org/blog/2-ways-china-play-bigger-role-protecting-global-forests> and https://forestlegality.org/sites/default/files/2017_Forest_Legality_Week_Event_Summary.pdf.

1.2 International engagement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
1.2.1 What level of international cooperation is shown by the country?					
<i>a. Does the country have formalized trade or customs arrangements with major trading partners e.g. FLEGT VPAs or free-trade agreements (FTAs) which include specific provisions on illegal logging?</i>	2008	0	n/a	n/a	Although China has not formalized such arrangements with any major trading partners, the government has continued to make and implement political commitments through bilateral and multilateral cooperation mechanisms.
	2013	0	n/a	n/a	Between 2015 and 2018, a number of bilateral MoUs were signed between China and timber supplier countries. These documents include the goals of improving cooperation to combat illegal logging and associated trade, and enhancing forest law enforcement and governance. The agreements include MoUs with the following countries: Cambodia, ¹¹ Russia ¹² , Uruguay ¹³ and Vietnam ¹⁴ (in 2016); Laos ¹⁵ and Myanmar ¹⁶ (2017); and Mozambique ¹⁷ (2018). Scoring: The policy was given a 1 because the government has continued to develop and implement political commitments through bilateral and multilateral cooperation mechanisms. The design was given a 2 because the MoUs tend to be general and lack implementation provisions. The level of implementation was given a 2 because implementation of the MoUs is sometimes not robust.
	2018	1	2	2	
<i>b. Does the country have a formalized system in place for sending and receiving enforcement alerts regarding illegal shipments in transit to destination countries?</i>	2008	0	n/a	n/a	To support forest law enforcement in the Asia-Pacific region, APEC EGIAT proposed to develop a Law Enforcement Points of Contact list, and in 2018 China submitted the contact point which will help direct questions and inquiries from other APEC economies regarding illegal logging and associated trade. Scoring: The policy was given a 1 because there is a point of contact in place under APEC. The design was given a 1 because the contact list is voluntary within APEC and the responsibilities of the points of contact are not well defined. The level of implementation was not scored because the effectiveness of the points of contact has not been seen yet in China or in the Asia-Pacific region.
	2013	0	n/a	n/a	
	2018	1	1	n/a	

¹¹ See <http://www.forestry.gov.cn/ghs/4610/20181113/194435370385729.html>.

¹² See https://www.forestry.gov.cn/sites/main/main/govpublic/html/main/main_5071/20181113194543411735088/file/20181113194717495447512.pdf.

¹³ See <http://www.forestry.gov.cn/ghs/4610/20181114/132020556634993.html>.

¹⁴ See <http://www.forestry.gov.cn/ghs/4610/20181113/194435370385729.html>.

¹⁵ See https://www.forestry.gov.cn/sites/main/main/govpublic/html/main/main_5071/20181113193234151687380/file/20181113193525746435002.pdf.

¹⁶ See <http://www.forestry.gov.cn/ghs/4610/20181112/200933580447692.html>.

¹⁷ See <http://www.forestry.gov.cn/ghs/4610/20181102/180657611948455.html>.

2. Regulating Demand

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
2.1.1 Does the country have adequate legislation and regulations in place to prevent illegally sourced timber from being imported or sold?					
<i>a. Has the country analysed its existing legislation and regulations on preventing imports and sales of illegally sourced timber?</i>	2008	0	n/a		<p>Analysis of how to construct and implement the Administrative Measures is ongoing. Some analysis of legislation and regulations has been done, including the following:</p> <ul style="list-style-type: none"> In 2017, TNC and Vermont Law School developed a report on regulatory options to prevent illegal timber imports to China. The results were shared with CINFT and EFI and discussed during the 2018 EU-China BCM. In 2018, CINFT analysed the gaps in legislation and regulations between China and regulated markets (e.g. Australia, the EU and the US), and proposed options for a new policy that would be consistent with the laws and regulations in these markets. To support the legal timber trade between APEC members and provide greater transparency and clarity, in 2015 members of the APEC EGILAT agreed to develop a review of illegal logging and associated trade for each economy, including China. A review of the laws and regulations in China was compiled and evaluated between 2016 and 2018, and submitted to APEC in February 2019, including a section titled 'Regulation of the import and export of timber and timber products in China'.¹⁸ However, it is divided into only two categories, non-CITES-controlled and CITES-controlled timber. Non-CITES-controlled timber only needs to comply with the customs clearance system, which does not require verification of legality; for CITES-controlled timber, there is an extra step to apply for an import and export permit from the CITES management office in the country of export. <p>Scoring: The policy was given a 1 because analysis is ongoing. The design was given a 3 because the analysis is not very transparent.</p>
	2013	0	n/a		
	2018	1	3		
<i>b. Has additional legislation been enacted and regulations put in place to prevent illegally sourced timber from being imported or sold?</i>	2008	0	n/a	n/a	<p>No additional legislation or regulations have yet been enacted or put in place. However, China has been reviewing its Forest Law since 2016.</p> <p>Developments since 2019: The new Forest Law, approved in December 2019, includes an article to prohibit the purchase, processing and transport of illegally sourced timber. The details of how this would be implemented are to be developed, but include the Administrative Measures under development by NFGA.</p>
	2013	0	n/a	n/a	
	2018	1	n/a	n/a	
<i>c. If legislation is in place to prevent the import of illegal timber, how broad is the product scope of this legislation?</i> <i>(Question added in 2018)</i>	2008		n/a		No such legislation is in place.
	2013		n/a		
	2018		n/a		

¹⁸ APEC EGILAT (2019), Timber legality guidance template for China, https://www.apec.org/-/media/Files/Groups/EGILAT/China_Timber-Legality-Guidance-Template_Feb-2019.doc.

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>d. If legislation is in place to prevent the import of illegal timber, does it apply only to importers or to all those along the supply chain?</i> (Question added in 2018)	2008		n/a		No such legislation is in place.
	2013		n/a		
	2018		n/a		
<i>e. If legislation is in place to prevent the import of illegal timber, does it include a requirement for businesses to implement due diligence?</i> (Question added in 2018)	2008		n/a		No such legislation is in place.
	2013		n/a		
	2018		n/a		
<i>f. Is implementation of the policy systematically monitored and assessed?</i> (Question added in 2018)	2008		n/a		No such legislation is in place.
	2013		n/a		
	2018		n/a		

2.2 Policies & measures concerning demand for legal timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
2.2.1 Is there a public procurement policy in place excluding illegal (and/or unsustainable) timber products from government purchasing?	2008	2		2	Sustainable procurement is implemented through the Recommendations on the Implementation of Environmental Labelling Products in Government Procurement issued in 2006 by the Ministry of Finance and the former State Environmental Protection Administration (now the Ministry of Ecology and Environment), as well as the List for Environmental Labelling Products, which has been updated over time. The policy is being applied to only a few wooden products, as specified below.
	2013	2		2	
	2018	2		2	
<i>a. What level of adherence does the policy require?</i>	2008		5		The procurement policy requires state bodies, institutions and organizations to give priority to purchasing products with environmental labelling.
	2013		5		The technical requirements for environment labelling for furniture and culture paper (paper used for printing and writing) were updated in 2016 and 2017 respectively. For furniture, the previous version (2006) required that wood does not come from protected natural forests or precious species except for Forest Stewardship Council-certified materials; it did not distinguish between domestic or imported timber. The updated version (2016) ¹⁹ requires that domestic timber is certified by the China Forest Certification Council (CFCC) for forest management (FM) or chain of custody (CoC), and that it complies with regulations on nature reserves and protection of wild plants. Imported timber must comply with China's wood import regulations and CITES requirements. For culture paper (this includes paper for printing, books, artworks, etc.), the previous version (2007) required that domestic wood materials comply with China's laws and regulations and that imported timber comes from sustainably managed forests. The updated version (2017) ²⁰ requires that domestically sourced pulp and wood is CFCC FM or CoC certified and should comply with China's wood import regulations.
	2018		5		
<i>b. Does the policy cover all timber products, including paper?</i>	2008		3		The policy covers a number of categories of timber products, including wood-based panels and finishing products, ²¹ furniture, ²² culture paper, ²³ wooden toys, ²⁴ and wooden and steel doors. ²⁵
	2013		3		
	2018		3		

¹⁹ See <http://www.mepcec.com/upload/201707/18/201707181154148625.pdf>.

²⁰ See <http://kjs.mee.gov.cn/hjbhzbz/bzwb/other/hjbz/201712/W020171219348332986858.pdf> and <http://www.mepcec.com/upload/201801/20/201801201001453434.pdf>.

²¹ See <http://kjs.mee.gov.cn/hjbhzbz/bzwb/other/hjbz/201005/W020130204567628160066.pdf> and <http://www.mepcec.com/upload/201707/18/201707181135508833.pdf>.

²² See <http://kjs.mee.gov.cn/hjbhzbz/bzwb/other/hjbz/201701/W020170123561883132984.pdf> and <http://www.mepcec.com/upload/201707/18/201707181154148625.pdf>.

²³ See <http://kjs.mee.gov.cn/hjbhzbz/bzwb/other/hjbz/201712/W020171219348332986858.pdf> and <http://www.mepcec.com/upload/201801/20/201801201001453434.pdf>.

²⁴ See <http://kjs.mee.gov.cn/hjbhzbz/bzwb/other/hjbz/201003/W020130201559129195875.pdf> and <http://www.mepcec.com/upload/201707/18/201707181133485727.pdf>.

²⁵ See <http://kjs.mee.gov.cn/hjbhzbz/bzwb/other/hjbz/200902/W020111114414380716447.pdf> and <http://www.mepcec.com/upload/201707/18/201707181130320563.pdf>.

2.2 Policies & measures concerning demand for legal timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>c. Does the policy rest on independent certification or verification schemes (or equivalent) for identifying legal products?</i>	2008		3		Independent certification or verification schemes are required for some wood products. The legality and sustainability requirements are not uniform for different product categories. Also, there is little guidance in the Technical Requirements for Environmental Labelling Products on how to verify the legality of wood products. Requirements for materials of domestic origin and imported materials respectively are as follows: <ul style="list-style-type: none"> Furniture: Domestic – CFCC FM/CoC certification; imports – must comply with relevant timber import policies and regulations. Culture paper: Domestic – CFCC FM/CoC certification; imports – must comply with relevant timber import policies and regulations. Wood-based panels: Domestic – must comply with relevant national laws and regulations; imports – must come from sustainably managed forests (but detailed requirements are not specified). Wooden toys: must come from forests with sustainability certification or comply with relevant national laws and regulations. Wooden doors: must use materials meeting national laws and regulations and preferably use materials from secondary forest, small wood, fuelwood and artificial board.
	2013		3		
	2018		3		
<i>d. Is assistance offered to government purchasers (advice, guidance, training, etc.)?</i>	2008		3		NGOs and a few Chinese institutions help to promote and refine the government's green procurement policies. For example, in 2018, NGOs WRI and TRAFFIC cooperated with the China Environmental United Certification Center (CEC) to develop guidelines for the verification and auditing of environmental labelling of wooden products, with the aim of helping CEC auditors. In 2015, the International Workshop on Promoting Green Timber Procurement and Utilization in Beijing was co-organized by the Beijing Forestry Society, TNC, EFI and WWF. The workshop sought to enable sharing of the details of other countries' public procurement policies, and to discuss how to incorporate other countries' experiences into China's policies.
	2013		3		
	2018		3		
<i>e. Is implementation of the policy systematically monitored and assessed?</i>	2008		3		The Ministry of Finance and Ministry of Ecology and Environment are responsible for deciding on the government procurement inventory and issuing the List of Products for Environmental Labelling. The list is updated every six months. The Ministry of Finance is responsible for monitoring government purchasing of environmental labelled products, which is done through document verification. Regarding wood products, the ministry does not have the capacity to check the legality or sustainability of the wood being purchased.
	2013		3		
	2018		3		
<i>f. Does the procurement policy apply to subnational (provincial, regional, local) government?</i>	2008		5		The green procurement policy requires all levels of state bodies, institutions and organizations to give priority to purchasing Environmental Labelled products. If a purchasing agency does not meet the above requirement, this is reported on, and financial departments at all government levels can refuse to pay for the product.
	2013		5		
	2018		5		

3. Rule of Law

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
3.1.1 Do government institutions and agencies have sufficient capacity and resources to monitor trade in timber products and detect and suppress any related crime?					
<p><i>a. Are the relevant law enforcement staff sufficiently resourced for monitoring and enforcement? (Relevant resources include budgets; numbers of staff; communications; equipment; salaries; as well as training in understanding of regulatory framework and knowledge of techniques for monitoring and enforcement.)</i></p> <p><i>i.e. competent authorities for legislation to prevent illegally sourced timber from being imported.</i></p> <p><i>(Question added in 2018)</i></p>	2008		–	–	<p>For domestically produced timber products, China is implementing a strict forest governance system. Forestry and grassland authorities and forest police have been set up at national, provincial, city and county levels to supervise, manage and conserve domestic forest and grassland resources and the related trade.</p> <p>For imported timber products, monitoring and controlling of the trade in illegal products is focused on CITES species. Between 2016 and 2018, the Endangered Species Import and Export Management Office under NFGA partnered with the Anti-Smuggling Bureau of the General Administration of Customs and Forest Police Bureau to conduct joint campaigns to crack down on trade in endangered wildlife.</p> <p>Scoring: The design was given a 2 because law enforcement is limited to CITES species. The level of implementation was given a 2 because although local enforcement agents have been involved in the campaigns, resources remain insufficient.</p>
	2013		–	–	
	2018		2	2	
<p><i>b. Are the following officials who are involved in forest sector enforcement trained and kept up to date on relevant forest sector issues? (Question added in 2018)</i></p>					
<p><i>i. Customs officials</i></p>	2008	1			<p>Training has been provided to the following groups:</p> <ul style="list-style-type: none"> Customs officials: The Anti-Smuggling Bureau of the General Administration of Customs organized a series of workshops on combating the smuggling of endangered species of fauna and flora and associated trade, with support from the Endangered Species Import and Export Management Office, TRAFFIC and WWF. These took place in 2016 in Beihai City, with 60 participants; in 2018 in Tianjin City with 150 participants; and in 2019 in Suzhou City with 130 participants. Officers from the forest police, including anti-smuggling police and border-control police: Nanjing Forest Police College and TRAFFIC co-organized a series of training workshops on cracking down on smuggling of endangered species of fauna and flora. These took place in Nanjing, with 50 participants in 2016, 60 in 2017, and 80 in 2018. In 2015, the Guangxi Provincial CITES Law Enforcement Coordination Group organized a training event for 60 law enforcement officers on the smuggling of endangered wildlife. Law enforcement officers in the industrial and commercial sectors: The State Administration for Industry and Commerce organized training for national and local law enforcement officers on CITES and combating the illegal trade in endangered species of fauna and flora. This took place in December 2015 in Shenzhen, with 96 participants.²⁶ <p>Scoring: The policy was given a 1 because training is focused on CITES enforcement and suppression of smuggling of precious species. Officials from customs have taken part in bilateral and multilateral events and provided inputs to policy discussions on preventing illegal timber trade.</p>
	2013	1			
	2018	1			

²⁶ See <http://www.trafficchina.org/node/250>.

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>ii. Judges and prosecutors</i>	2008	–			A group of judges went on a study tour on environmental law to the US in 2017, in partnership with the Vermont Law School's Environment Law Center, and then to the UK in 2018. As part of the latter visit, Client Earth hosted a workshop on timber regulations, including examples from other countries. However, such training has not been institutionalized or normalized.
	2013	–			
	2018	0			
3.1.2 Are the penalties/sanctions for non-compliance with legislation to prevent illegally sourced timber from being imported (if in place) proportionate & dissuasive? (Question added in 2018)	2008		–	–	The Criminal Law and Forest Law include penalties for non-compliance with legislation to prevent illegal timber harvesting and trade. More specifically:
	2013		–	–	<ul style="list-style-type: none"> The criminal indictment is prescribed under Article 345 of the Criminal Law,²⁷ which stipulates: 'those who have engaged in illegal logging of forest or other trees in relatively large quantity are to be sentenced to not more than three years of fixed-term imprisonment, criminal detention or control, and in addition be sentenced to a fine'. However, the law applies to illegal logging in China, and it is difficult to interpret these laws as applying to imports.
	2018		n/a	n/a	<ul style="list-style-type: none"> Forest Law, Article 43, provides for the following:²⁸ 'knowingly purchasing trees which have been unlawfully or wantonly cut in forest districts, the competent forestry authorities shall order the termination of the law-breaking activities, confiscate the illegally purchased trees unlawfully or wantonly cut or income from selling such trees, and may impose a fine amounting to between one times and three times the payment for the illegally purchased trees; if a criminal offence is found to exist, the legal responsibilities shall be investigated and dealt with'. <p>For smuggling precious and rare species of plants (and products made from them), the import and export of which is forbidden by the State, according to Article 151 of Criminal Law, the sentence includes fixed-term imprisonment of not less than five years, and fines.</p>

²⁷ See <http://www.chinalawedu.com/new/23223a23228a2010/20101222shangf111042.shtml>.

²⁸ See <http://www.chinalawedu.com/new/23223a23228a2010/20101221shangf113213.shtml>.