

Summary

The United Kingdom has continued to be actively engaged at the national level and internationally in efforts to tackle illegal logging and related trade.

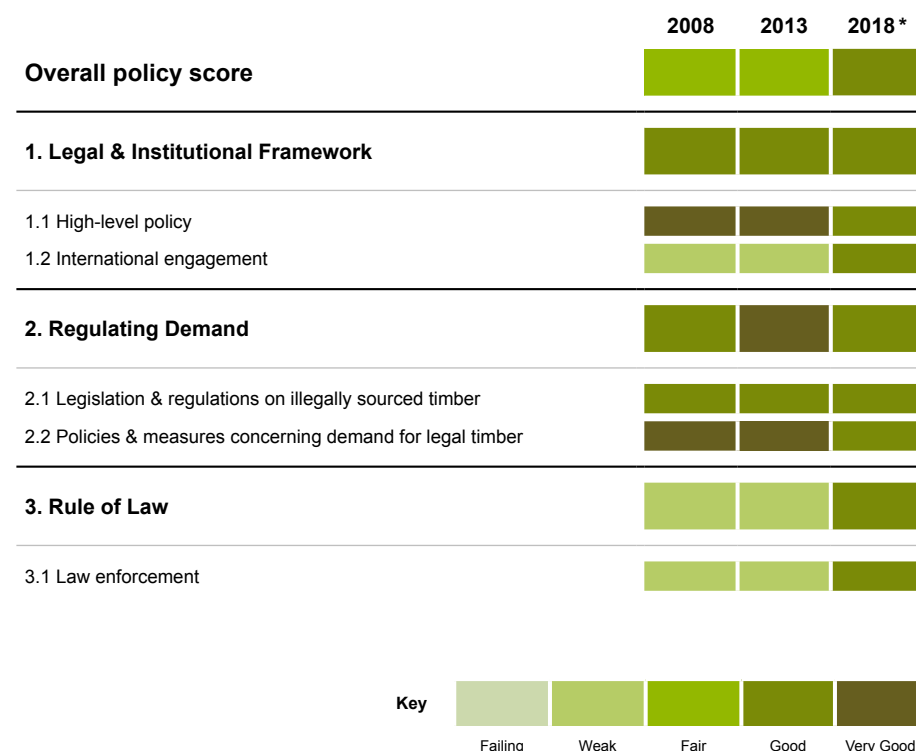
Implementation of the UK’s legal and institutional framework remains strong; the government continues to support a wide range of research activities on the forest sector through the Forest Governance, Markets and Climate (FGMC) programme and has been actively engaged in global and EU-level efforts to combat illegal logging and promote sustainable trade. The UK’s 25 Year Environment Plan, published in 2018, introduces the idea of a ‘global footprint’ and highlights the need for the UK to protect forests around the world and reaffirms its commitment to halting illegal logging and combating deforestation.

The UK has been actively supporting the negotiation and implementation of Voluntary Partnership Agreements (VPAs) in Ghana, Liberia, Indonesia, Guyana, Vietnam and the Republic of the Congo. Although the UK has ceased to be involved in the EU VPA processes on leaving the EU, the government has stated its ongoing support for national reforms framed by the agreements and signalled its intention to replicate agreements with partner countries to take legal effect in the UK after exiting the EU. The first such agreement was agreed with Indonesia in March 2019 which will come into force after the end of the transition period when the UK leaves the EU.

Over the period 2013–18, enforcement of the EU Timber Regulation (EUTR) shifted from a soft approach, involving sector-specific seminars and outreach to companies, to hard enforcement, resulting in the issuance of notices of remedial action and court cases. The UK government has stated its commitment to continue its efforts to tackle illegal logging and related trade through regulatory measures aimed at incentivising responsible trade and has transferred the EUTR into UK law.

The UK has a strong public procurement policy, but progress on implementation has slowed since 2013, with a decline in reporting on public procurement by government departments and little change in levels of compliance with the policy between 2012 and 2016. The closure both of the Sustainable Procurement Working Group, which sought to share good working practices across government, and of the Central Point of Expertise on Timber Procurement (CPET), an independent advice service on public procurement, may have contributed to a decline in reporting and compliance.

Figure 1: Summary of the UK’s forest policy assessment



Key Forest Policies and Resources

The Timber and Timber Products (Placing on the Market) Regulations 2013 EUTR (2010/995), http://www.legislation.gov.uk/uksi/2013/233/pdfs/ukxi_20130233_en.pdf.

Department for Environment, Food & Rural Affairs (2018), Timber and Timber Products (Placing on the Market) Regulations 2013: Post Implementation Review, <https://www.gov.uk/government/publications/timber-and-timber-products-placing-on-the-market-regulations-2013-post-implementation-review>.

UK Timber Procurement Policy, <https://www.gov.uk/guidance/timber-procurement-policy-tpp-prove-legality-and-sustainability>.

The Timber and Timber Products and FLEGT (EU Exit) Regulations 2018 (2018/1025), <http://www.legislation.gov.uk/uksi/2018/1025/made>.

The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019 (2019/473), <http://www.legislation.gov.uk/uksi/2019/473/made>.

* 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 the UK'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 2019–20, these have been noted in the text. The research was undertaken in 2018–19 and finalized in March 2020.

Acknowledgements

The 2018 policy assessment for the UK was carried out by Alison Hoare (Chatham House), and the results were peer reviewed by independent experts. The author is responsible for the final text and scores.

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Note: This assessment was updated on 4/6/2020 to correct an error in Section 3.1.2, it now reads: 'Eight fines were issued and one business was prosecuted between March 2017 and December 2018.'

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Acronyms and Abbreviations

BEIS	Department for Business, Energy & Industrial Strategy
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
CPET	Central Point of Expertise on Timber
DEFRA	Department for Environment, Food & Rural Affairs
DFID	Department for International Development
EUTR	EU Timber Regulation
FGMC	Forest Governance, Markets and Climate programme
FLEGT	Forest Law Enforcement, Governance and Trade
NGO	non-governmental organization
NMO	National Measurement Office
OPSS	Office for Product Safety and Standards
TPP	UK Timber Procurement Policy
UNEP–WCMC	UN Environment Programme World Conservation Monitoring Centre
VPA	Voluntary Partnership Agreement

Table 1: United Kingdom'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	4	No such review has been undertaken. However, the Department for International Development (DFID) has continued to support a wide range of research activities on the forest sector through the Forest Governance, Markets and Climate (FGMC) programme.
	2013	1	3	4	The aim of the FGMC programme, which began in 2011 and will end in 2023, is to support governance and market reforms aimed at reducing the illegal use of forest resources, benefiting poor forest-dependent people and promoting sustainable growth in developing countries. The programme has funded a wide range of research activities that have included investigations into the extent and sources of illegal imports. ¹ At the EU level, the Forest Law Enforcement, Governance and Trade (FLEGT) Independent Market Monitor (IMM) ² undertakes related work. The objective of the IMM is to assess the impact of the FLEGT Voluntary Partnership Agreements (VPA) in the EU and partner countries, and as part of this, the EU and wider international timber trade and market is monitored.
	2018	1	3	4	
<i>b. Is a national action plan in place for preventing illegally sourced timber from being imported or sold?</i>	2008	2	4	5	A UK action plan on illegal logging was developed in 2002, led by the Department for Environment, Food & Rural Affairs (DEFRA) and DFID. This has not since been updated, however, this reflects the fact that the UK has been actively engaged at the EU level since the EU FLEGT Action Plan was launched in 2003. Thus, the UK government has engaged in regular coordination at EU level through the FLEGT Committee and European Council Working Parties, and was involved in implementing and responding to the EU-level evaluation of the FLEGT Action Plan (see question 1.1.1d). The EUTR, which has been in place since 2013, provides the legal framework for preventing the import and sale of illegal timber.
	2013	2	4	5	
	2018	2	4	5	
<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	5	5	There are a number of formal and informal processes for coordination on forest governance and illegal logging issues across government departments and sectors, and these function well. These include a cross-Whitehall working group on forests and a steering committee for the FGMC programme. The latter committee includes officials from DFID, DEFRA and the Department for Business, Energy & Industrial Strategy (BEIS). There is also regular communication between these three government departments to ensure coordination with respect to the UK's International Climate Finance commitment. There is also ad hoc coordination, especially between DFID, DEFRA, BEIS and the UK's delivery body for the EU Timber Regulation (EUTR) (a role undertaken by the National Measurement Office (NMO) until the end of 2017, and subsequently the Office for Product Safety and Standards (OPSS)).
	2013	2	5	5	
	2018	2	5	5	

¹ See <https://devtracker.dfid.gov.uk/projects/GB-1-201724>.

² See <https://www.flegtim.eu/>.

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	2	5	5	Mandatory public consultations are held on all new policies and regulations. The government also holds ad hoc consultations with stakeholders on various issues.
	2013	2	5	5	Relevant public consultations in the period 2013–18 have included:
	2018	2	5	5	<ul style="list-style-type: none"> 2012–13, implementation of the EUTR in the UK³ 2014, guidance on complying with the Sustainable Forest Management Criteria for woodfuel⁴ 2014, sustainability provisions for biomass⁵ 2014, options for implementing EU reporting requirements on large companies engaged in the extractive industries⁶ 2014, compliance of timber certification schemes for their review of their use as evidence for the UK's timber procurement policy.⁷ <p>The UK government played a significant role in supporting the public consultations that were implemented as part of the EU-level evaluation of the FLEGT Action Plan between 2014-15, the results of which were published in 2016.⁸</p> <p>DFID has also funded stakeholder update meetings on illegal logging and forest governance since 2002. Initially held every six months, these have been held annually since 2015. Organized by Chatham House, they have provided a forum for discussion among government, private sector and non-governmental organization (NGO) stakeholders from around the world.</p>
<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?</i> <i>(Question added in 2018)</i>	2008	–	–	–	Gender equality has been prioritized by the government, although domestically most focus has been on ensuring equality in the workplace.
	2013	–	–	–	The Equality Act 2010 bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society. A roadmap for achieving gender equality in the workplace was published in 2019. ⁹
	2018	2	3	3	<p>DFID published a Gender Equality Action Plan in 2007 aimed at mainstreaming gender in its work, including through better leadership, reporting on gender equality outcomes, and working with its development partners. A review in 2010 found that this had resulted in progress.¹⁰</p> <p>In 2018, DFID published its strategic vision for gender equality. This identifies women's political empowerment as one of five foundations through which DFID will work to transform the lives of girls and women.¹¹ All DFID policies and programmes are required to have a gender strategy and this is monitored and reported on regularly.</p>

³ See <https://www.gov.uk/government/consultations/timber-and-timber-products-placing-on-the-market-regulations-2013>.

⁴ See <https://www.gov.uk/government/consultations/woodfuel-guidance-for-providing-bespoke-evidence>.

⁵ See <https://www.gov.uk/government/consultations/biomass-sustainability>.

⁶ See <https://www.gov.uk/government/consultations/extractives-industries-reporting-implementing-the-eu-accounting-directive>.

⁷ See <https://www.gov.uk/government/consultations/cpet-stakeholder-review-on-forest-certification-schemes>.

⁸ See <http://www.euflegt.efi.int/es/eu-flegt-evaluation>.

⁹ HM Government (2019), Gender Equality at Every Stage: A Roadmap for Change, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/821889/GEO_GEEE_Strategy_Gender_Equality_Roadmap_Rev_1_1_.pdf.

¹⁰ Social Development Direct (2010), Gender Equality Action Plan (GEAP) Light Touch Review: Summary Document, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/214128/gen-eq-act-plan-lght-tch-rev-sum-dcmt.pdf.

¹¹ DFID (2018), DFID Strategic Vision for Gender Equality: A Call to Action for Her Potential, Our Future, <https://www.gov.uk/government/publications/dfid-strategic-vision-for-gender-equality-her-potential-our-future>.

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>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)?</i> <i>(Question added in 2018)</i>	2008	–	–	–	The UK's response to climate change was set out in the 2008 Climate Act ¹² and the 2017 Clean Growth Strategy. ¹³ While these do not consider illegal logging or trade, the government's 25 Year Environment Plan, published in 2018, includes a chapter on 'Protecting and Improving our Global Environment'. This highlights the need for the UK to intensify its efforts in this area. Priorities include supporting and protecting international forests and sustainable global agriculture and leaving a lighter footprint on the global environment. Actions listed to achieve these goals include: ensuring deforestation remains a priority when targeting future Official Development Assistance spend; remaining firmly committed to halting illegal logging and combating deforestation, and devising new solutions to support and recognize improvements in forest governance; working in partnership with industry to explore the possibility of developing additional tools that support businesses to identify sustainable supply chains; and establishing a cross-government global resource initiative to identify actions across supply chains that will improve the sustainability of products and reduce deforestation. ¹⁴
	2013	–	–	–	
	2018	1	3	not applicable (n/a)	
					Developments since 2019: The UK Global Resources Initiative began work in 2019 with the establishment of a taskforce made up of representatives of the private sector and civil society. The focus of its work has been on agricultural commodities (rather than timber) and deforestation (rather than illegal activities). A series of working groups have been established, and in 2020 the initiative published a report setting out recommendations for actions to address the impacts of the UK's global commodity supply chain footprint. ¹⁵

¹² See <https://www.theccc.org.uk/tackling-climate-change/the-legal-landscape/the-climate-change-act/>.

¹³ See <https://www.gov.uk/government/publications/clean-growth-strategy>.

¹⁴ HM Government (2018), A Green Future: Our 25 Year Plan to Improve the Environment, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf.

¹⁵ See <https://www.efeca.com/uk-global-resource-initiative-gri/>.

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	1	5	n/a	For the period 2013–18, the UK’s trade arrangements derived from those of the EU.
	2013	1	5	n/a	The UK was actively engaged in helping negotiate and implement the EU FLEGT VPAs. It provided support across all VPA countries and participated in the Joint Implementation Committees (JICs) for these agreements. Support has been particularly focused in Ghana, Guyana, Indonesia, Liberia, the Republic of the Congo and Vietnam, this provided through the FGMC programme.
	2018	2	5	4	Developments since 2019: Since its departure from the EU, the UK is no longer party to the EU VPAs. However, the government has stated its ongoing support for the VPA processes and its intention to replicate agreements with partner countries. ¹⁶ To date, one such agreement has been made, with Indonesia. This was agreed in March 2019 and will come into force after the end of the transition period when the UK leaves the EU. ¹⁷
<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	1	n/a	n/a	There is no formalized system for alerts regarding illegal shipments. However, the customs authorities receive notifications through their own information system, and the OPSS has also been active in the network of EU competent authorities.
	2013	1	n/a	n/a	
	2018	1	3	3	

¹⁶ See <https://www.gov.uk/government/publications/international-agreements-if-the-uk-leaves-the-eu-without-a-deal/environment#cameroon-forest-law-enforcement-governance-and-trade-flegt>.

¹⁷ See <https://www.gov.uk/government/publications/cs-indonesia-no12019-ukindonesia-voluntary-partnership-agreement-on-forest-law-enforcement-governance-and-trade-in-timber-products>.

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	2	5		The government commissioned reviews of legislative options for the UK in 2005. These aimed at exploring the need for EU legislation under the FLEGT Action Plan. No further studies have been undertaken since then, as legislative options were pursued at EU level. ¹⁸
	2013	2	5		
	2018	2	5		
<i>b. Has additional legislation been enacted and regulations put in place to prevent illegally sourced timber from being imported or sold?</i>	2008	1	n/a	n/a	The Timber and Timber Products (Placing on the Market) Regulations 2013, which came into force on 3 March 2013, provide for the enforcement of the EUTR in the UK. ¹⁹
	2013	2	5	4	The UK has been actively enforcing the EUTR. The Secretary of State is the competent authority for the EUTR (and FLEGT) with DEFRA leading policy. The delivery body is the OPSS (the NMO had this role until the end of 2017). Over the period 2013–18, its activities shifted from outreach and soft enforcement (for example, organizing sector-specific seminars and outreach to companies) to harder enforcement.
	2018	2	5	4	The NMO undertook an investigation into plywood imports from China and published a report in 2015. ²⁰ This resulted in 16 companies being investigated. Between March 2017 and December 2018, a total of 81 checks were undertaken by the competent authority, out of an estimated 6,000 operators placing imported timber on the market. This resulted in the issuance of 23 notices of remedial action, two court cases and the issuance of eight fines ²¹ (as reported by the UN Environment Programme World Conservation Monitoring Centre (UNEP–WCMC), which has been compiling data from EU member states since March 2017). Between January and June 2019, 19 checks were carried out. ²²
Developments since 2019: In preparation for the UK leaving the EU, the government incorporated both the FLEGT Regulations and the EUTR into UK law through the Timber and Timber Products and FLEGT (EU Exit) Regulations 2018 (2018/1025) ²³ and the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019 (2019/473). ²⁴					

¹⁸ Saunders, J. (2005), Improving due diligence in forestry investments: Restricting legitimate finance for illegal activities, London: Royal Institute of International Affairs; and Brack, D. (2006), EU FLEGT Initiative: Analysis of national legislation of relevance to excluding illegal timber from EU markets – UK study, London: Royal Institute of International Affairs.

¹⁹ See http://www.legislation.gov.uk/uksi/2013/233/pdfs/uksi_20130233_en.pdf.

²⁰ Pillet, N. and Sawyer, M. (2015), EUTR: Plywood imported from China, National Measurement Office, <https://www.gov.uk/government/publications/eutr-assessment-of-plywood-imported-from-china>.

²¹ UNEP–WCMC (2018), Overview of Competent Authority EU Timber Regulation checks, March – May 2017, https://ec.europa.eu/environment/forests/pdf/Overview_of_CA_checks_March_May_2017_FINAL.pdf;

UNEP–WCMC (2018), Overview of Competent Authority EU Timber Regulation checks, June – November 2017, https://ec.europa.eu/environment/forests/pdf/Overview_of_CA_checks_June-Nov2017_FINAL_30_04_2018.pdf; UNEP–WCMC (2018), Overview of Competent Authority EU Timber Regulation checks, December 2017 - June 2018, https://ec.europa.eu/environment/forests/pdf/Overview%20of%20CA%20checks_Dec17-Jun18_30.1.19.pdf; and UNEP–WCMC (2019), Overview of Competent Authority EU Timber Regulation checks, July - December 2018, <https://ec.europa.eu/environment/forests/pdf/UNEP%20WCMC%202019%20Overview%20of%20CA%20checks%20July-December%202018%20FINAL.pdf>.

²² UNEP–WCMC (2020), Overview of Competent Authority EU Timber Regulation checks, January - June 2019, https://ec.europa.eu/environment/forests/pdf/UNEP%20WCMC%202019_Overview%20of%20CA%20checks%20January-June%202019_FINAL_17.01.2020.pdf.

²³ See <http://www.legislation.gov.uk/uksi/2018/1025/made>.

²⁴ See <http://www.legislation.gov.uk/uksi/2019/473/made>.

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>c. If legislation is in place to prevent the import of illegal timber, how broad is the product scope of this legislation? (Question added in 2018)</i>	2008		–		The EUTR's product scope includes solid wood products, flooring, plywood, and pulp and paper. The following products are not included: printed publications, cellulose, rosin and resin acids, feminine hygiene products, seats with wooden frames, charcoal, fireworks, artificial yarns, toys and games, musical instruments, furniture, ships and boats, tools and umbrellas. ²⁵
	2013		–		
	2018		3		
<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? (Question added in 2018)</i>	2008		–		Under the EUTR, the exercise of due diligence is mandatory for those that place timber on the EU market for the first time (referred to as 'operators' in the legislation). Other traders and retailers along the supply chain have an obligation to ensure traceability.
	2013		–		
	2018		5		
<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? (Question added in 2018)</i>	2008		–		The EUTR makes the exercise of due diligence mandatory for operators that place timber on the EU market for the first time.
	2013		–		
	2018		3		
<i>f. Is implementation of the policy systematically monitored and assessed? (Question added in 2018)</i>	2008		–		Monitoring and assessment are ensured at EU level, through the European Commission's EUTR/FLEGT Expert Group which meets several times a year. Data collection and analysis has been subcontracted to UNEP–WCMC, which produces briefing notes every two months as well as twice-yearly analyses of EUTR compliance checks performed and penalties imposed by EU member states. ²⁶ Primary information is compiled by the delivery body, the OPSS in the UK.
	2013		–		
	2018		n/a		

²⁵ WWF (2016), Position Paper: The EU Timber Regulation and Product Scope, http://assets.wwf.org.uk/downloads/wwf_position_paper_eutr_product_scope.pdf.

²⁶ See <https://www.unep-wcmc.org/featured-projects/eu-timber-regulations-and-flegt>.

²⁷ DEFRA (2018), Timber and Timber Products (Placing on the Market) Regulations 2013: Post Implementation Review, <https://www.gov.uk/government/publications/timber-and-timber-products-placing-on-the-market-regulations-2013-post-implementation-review>.

²⁸ See <https://www.documents.clientearth.org/library/download-category/eutr-newsletters/>.

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		4	The UK Timber Procurement Policy (TPP) was first issued in 1997. It became mandatory in 2000 and was further amended in 2013 to reflect the EUTR definition of legal timber. ²⁹
	2013	2		4	Sustainable procurement was prioritized in construction projects for the London Olympics in 2012, and 100 per cent of the timber used was sustainable. The focus on sustainable procurement resulted in increased understanding and capacity to implement sustainable procurement within government and among service providers, both for the timber sector and more broadly. DEFRA published a report on the lessons learned, to help ensure the long-term impact of this process. ³⁰
	2018	2		3	The NGO World Wide Fund for Nature (WWF) has been monitoring implementation of the TPP and conducted surveys in 2013 and 2017. The most recent survey found that, over the period 2012–16, there had been a decline in reporting on public procurement by government departments, and that there had been little change in levels of compliance with the policy. This performance is also in stark contrast to the other 'greening commitments' on which the government reports, as there have been high levels of reporting and improvements in performance for reducing paper consumption, waste, air travel, etc. Factors underlying this have been the closure of the cross-government Sustainable Procurement Working Group, which sought to share good working practices across government, and also the removal of the requirement that departments report on TPP compliance and on sustainable procurement more broadly (see 2.2.1e). ³¹
<i>a. What level of adherence does the policy require?</i>	2008		5		The policy is mandatory.
	2013		5		
	2018		5		
<i>b. Does the policy cover all timber products, including paper?</i>	2008		5		The TPP covers 'all virgin timber and wood-derived products' and applies to directly purchased goods and relevant service contracts, such as office and facilities management. Products covered include construction materials, furniture, stationery, horticultural products and catering consumables. Also included are wood used temporarily (such as hoardings or plywood shuttering) as well as recycled timber. For recycled products, evidence of legality and sustainability is focused on its previous use, rather than its forest source.
	2013		5		
	2018		5		
<i>c. Does the policy rest on independent certification or verification schemes (or equivalent) for identifying legal products?</i>	2008		5		The policy states that timber and wood-derived products must originate from 'an independently verifiable Legal and Sustainable source (which can include from a licensed FLEGT partner)'.
	2013		5		The policy sets out standards for the types of evidence that can be used to meet the requirements of the policy. Certification and verification schemes are assessed for their compliance against these standards and were last assessed in 2014. ³²
	2018		5		

²⁹ DEFRA (2013), Definition of Legal and Sustainable for Timber Procurement: Fifth Edition, June 2013, <https://www.gov.uk/government/collections/timber-procurement-policy-tpp-guidance-and-support> and https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/320982/2013_05_08_-_CPET_Def_Legal_Sustainable_5th_ed_-_Final.pdf.

³⁰ DEFRA (2013), London 2012 Olympic and Paralympic Games, The Legacy: Sustainable Procurement for Construction Projects, A Guide, <https://www.gov.uk/government/publications/london-2012-legacy-sustainable-procurement-for-construction-projects>.

³¹ WWF-UK (2018), Buying right? Implementation of the UK's Timber Procurement Policy 2017, https://www.wwf.org.uk/sites/default/files/2018-06/Buying_Right_Implementation_UK_Timber_Procurement_Policy_2017.pdf.

³² See <https://www.gov.uk/government/consultations/cpet-stakeholder-review-on-forest-certification-schemes>

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>d. Is assistance offered to government purchasers (advice, guidance, training, etc.)?</i>	2008		5		In 2005, the UK established an independent advice service, the Central Point of Expertise on Timber (CPET), which ran training courses and maintained a website and a dedicated helpline and was effective in supporting implementation of public procurement policy. However, funding for CPET ended in 2016. Since then, DEFRA has provided assistance to government purchasers, but it has limited capacity to do so.
	2013		5		
	2018		3		
<i>e. Is implementation of the policy systematically monitored and assessed?</i>	2008		3		<p>CPET undertook some monitoring of the TPP until it was closed in 2016. Under the Greening Government Commitments, which have been in place since 2011, departments are required to report on their procurement practices. The Greening Government Commitments policy papers for 2011–15 and 2016–20 state the government's commitment to continuing to buy more sustainable and efficient products. The earlier paper included a requirement to report on implementation of the TPP, but this was removed in the later paper, which included a general commitment to report on the systems in place and the action taken to buy sustainably.³³</p> <p>The annual report for 2015–16 (the last one which includes data on compliance with the TPP) stated that of the 26 contracts reported on by government departments, all included clauses in line with this policy, and that 24 showed evidence of compliance with it. However, of the 14 departments listed, half did not provide any data.³⁴</p> <p>The annual report for 2017–18 found that the majority of government departments do have a sustainable procurement policy in place, exceptions being the Food Standards Agency and the Treasury. It reported that training for staff was largely ad hoc, although there were some good examples.³⁵</p>
	2013		3		
	2018		2		
<i>f. Does the procurement policy apply to subnational (provincial, regional, local) government?</i>	2008		3		<p>The policy applies to all central government departments, executive agencies and non-departmental public bodies. However, it does not apply to Northern Ireland, Wales or Scotland, although both Northern Ireland and Wales have chosen to adopt the policy. Scotland only requires legal timber and encourages the purchasing of sustainable timber.</p> <p>The policy does not apply to local government or the broader public sector (schools, the health service, etc.). Local authorities, other public bodies and the private sector are encouraged to adopt sustainable timber procurement policies, but this is not mandatory.</p>
	2013		3		
	2018		3		

³³ See <https://www.gov.uk/government/collections/greening-government-commitments>.

³⁴ DEFRA (2017), Greening Government Commitments Annual Report April 2015 to March 2016, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609529/greening-government-commitments-annual-report-2015-2016.pdf.

³⁵ DEFRA (2019), Greening Government Commitments Annual Report: April 2017 to March 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/802388/ggc-annual-report-2017-2018.pdf.

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?					
<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> <i>i.e. competent authorities for legislation to prevent illegally sourced timber from being imported. (Question added 2018)</i>	2008		–	–	The delivery body for the EUTR – the OPSS and previously the NMO – is well resourced. Over the period 2014–18, five full-time equivalent staff were allocated to enforcement of the EUTR, as well as a team manager with oversight of EUTR enforcement and other areas. Ad hoc support was provided by OPSS's intelligence unit and legal team. Staff were actively engaged in exchanges between enforcement agencies in the EU and other parts of the world. In the review of the UK regulations (see question 2.1.1f), it was noted that more extensive powers would enable the OPSS to carry out test purchases covertly. Respondents to the survey undertaken for this review considered that the competent authority was one of the most effective in the EU. ³⁶ However, there are a large number of operators in the UK – the number of timber importers was estimated at 6,000 in 2013. ³⁷ Given this, a risk-based approach is followed, and investigations are targeted accordingly.
	2013		–	–	
	2018		4	4	
<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>					
<i>i. Customs officials</i>	2008	1			Customs officials receive regular training on enforcement of Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) timber listings. No specific training was provided on the EUTR, as enforcement takes place after customs clearance.
	2013	1			
	2018	1			
<i>ii. Judges and prosecutors</i>	2008	–			No specific training was provided to the judiciary on the EUTR.
	2013	–			
	2018	0			

³⁶ DEFRA (2018), Timber and Timber Products (Placing on the Market) Regulations 2013: Post Implementation Review, <https://www.gov.uk/government/publications/timber-and-timber-products-placing-on-the-market-regulations-2013-post-implementation-review>.

³⁷ UNEP–WCMC (2018), Overview of Competent Authority EU Timber Regulation checks, July - December 2018, <https://ec.europa.eu/environment/forests/pdf/UNEP%20WCMC%202019%20Overview%20of%20CA%20checks%20July-December%202018%20FINAL.pdf>.

³⁸ See <https://www.unep-wcmc.org/resources-and-data/overviews-of-competent-authority-eu-timber-regulation-checks/>.

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
3.1.2 Are the penalties/sanctions for non-compliance with legislation to prevent illegally sourced timber from being imported (if in place) proportionate & dissuasive? <i>(Question added in 2018)</i>	2008		–	–	Penalties under the UK legislation are as follows:
	2013		–	–	<ul style="list-style-type: none"> For placing illegal timber on the market or failing to comply with the due diligence requirements: a fine, not exceeding the statutory maximum, or a prison sentence of up to two years, or both.
	2018		5	4	<ul style="list-style-type: none"> For failing to comply with the traceability and record-keeping obligations: a fine, not exceeding level 5 on the standard scale. (Since 2015, fines became unlimited in England and Wales; the maximum fine is £10,000 in Scotland.)
					Eight fines were issued and one business was prosecuted between March 2017 and December 2018. ³⁸
					In the review of the UK regulations (see question 2.1.1f), it was noted that there is a significant jump between issuing a notice of remedial and taking a case to court, and it can be challenging to satisfy the public interest test for the latter. It suggested that a greater range of civil sanctions could be introduced to enable the adoption of a more flexible and proportionate approach. ³⁹

³⁹ DEFRA (2018), Timber and Timber Products (Placing on the Market) Regulations 2013: Post Implementation Review, see the section 'Competent Authority views on the Regulations', <https://www.gov.uk/government/publications/timber-and-timber-products-placing-on-the-market-regulations-2013-post-implementation-review>.