



EU FOREST CRIME INITIATIVE

Gap Analysis: France

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EXECUTIVE SUMMARY

BACKGROUND AND PRESENTATION OF THE PROJECT

Illegal logging accounts for as much as 10–30 % of the total logging worldwide, with some estimates as high as 20–50 %¹ when laundering of illegal wood is included, with a growing involvement of organized crime. Criminals responsible for forestry crime are not just destroying biodiversity, but also threaten livelihoods, deprive states from incomes and undermine stable governance.

The European Union Timber Regulation (EUTR) came into force in 2013 to stop illegal wood and paper products being placed on the European market, but has up to now not been implemented with full effect due to different gaps and obstacles, as for other laws related to forestry crime.

The project “EU Forest Crime Initiative” aims to enable effective law enforcement by stimulating networks that are able to detect forestry crime and respond to it.

The project is carried out in 6 countries: Belgium, Bulgaria, France, Romania, Slovakia and Ukraine. This analysis aims to better understand forestry crime in the different countries by analyzing gaps and identifying challenges along the enforcement chain. It is based on responses to a survey by stakeholders from the environmental crime enforcement chain and on the outcomes of two online workshops in October and November 2020. Due to Covid-related restrictions, the workshop was held online rather than as part of a two-day workshop as was the case in the other participating countries. A separate recommendations report will collate best practices from target countries.

KEY FINDINGS OF THE GAP ANALYSIS

Survey answers and inputs from workshop participants show that there are numerous challenges, gaps and obstacles that can jeopardize the proper enforcement of the EU Timber Regulation and CITES, and hamper the fight against forestry crime in France. Obstacles listed by stakeholders indicate that forestry crime on imported timber in France needs to be approached at different levels of the enforcement chain and by different government agencies, to effectively tackle the problem.

→ **Gaps with resources, knowledge and tools:** There is a structural lack of staff considering investigations are time consuming. Experience and capacity still need to be built up. A clear framework is missing that could guide authorities in determining when a sanction should be issued and to define adequate fines to ensure dissuasive administrative penalties, which tend to be low compared to the maximum fines defined in the French laws.

→ **In-country and international cooperation:** Cooperation exists but does not rely on formal or institutionalized structure or agreements. As a result, there is no established and shared strategy, protocols and standards on how the different nodes of the enforcement chain should detect and combat forestry crime from a French perspective. Authorities also miss counterpart contacts in countries of origin, which hinders acquisition of legal documents and information in e.g. the framework of an investigation.

¹ Nellemann, C. (Editor in Chief); Henriksen, R., Kreilhuber, A., Stewart, D., Kotsova, M., Raxter, P., Mrema, E., and Barrat, S. (Eds). 2016. The Rise of Environmental Crime – A Growing Threat To Natural Resources Peace, Development And Security. A UNEP INTERPOL Rapid Response Assessment. United Nations Environment Programme and RHIPTO Rapid Response–Norwegian Center for Global Analyses, www.rhipto.org - accessible [here](#)

→ **Legislation and judiciary:** The legislative framework can present challenges. If a case is being prosecuted under criminal law, collecting and preparing evidence to prove the “intentional element” is a challenging and complex process. The lack of awareness and interest by judges for environmental crime is seen as an additional challenge, in addition to the apparent complexities of environmental laws. From a judicial perspective, there is an apparent lack of success concerning serious forestry crime cases involving criminal activities. Related criminal offences in the case of illegal timber imports (tax fraud, document forgery) are not investigated.

WWF analysis of gaps

Respondents most notably agreed on the importance of cooperation along the enforcement chain but admitted that present cooperation can be improved.

In particular, there is an apparent gap in the depth of analysis of actors involved in illegal timber trade and their modus operandi. (Some) modus operandi are known by French enforcement officials but the handful of concrete cases named contrast with the many alleged illegal timber cases raised by NGOs.

Respondents differed in their perception of the usefulness of information provided by NGOs, while WWF considers such information should be considered as a starting point for official investigations. While NGOs often have expertise and good networks in origin countries, French enforcement officials raised the difficulty of knowing forestry laws and practices in those countries and to obtain information from counterparts.

The transposition of the EUTR in French law and its applicability before French courts seriously compromises its effectiveness. Serious consequences for offenders are key to dissuading illegal timber trade and successful court cases in other EU countries form a precedent.

Finally WWF estimates that the fight against forestry crime warrants a governmental approach given the competences associated across the enforcement chain - this government approach is at the moment non-existent. The awareness and recognition of forestry crime as a significant crime area not only for the environment but also for tax evasion, loss of revenues and its links to organized crime - which is visible amongst practitioners - needs to rise to political decision makers.

The present report does not list specific recommendations, although some possible solutions were already identified in the table in annex 3.

In order to strengthen the fight against forestry crime, a manual of recommendations will be made **available by early 2021**, in which all key lessons learnt and best practices identified during the project will be compiled and recommendations formulated.

KEY DEFINITIONS

Forestry crime

According to INTERPOL, “Forestry crime” is an umbrella term to describe criminal activity (carried out in contravention of national or international law) in the forestry sector covering the entire supply chain, from harvest (illegal logging) and transportation to processing, selling, trading, importing and exporting. It also refers to those criminal offenses that facilitate such activity, including document fraud, corruption, and money laundering².

Organized crime

According to the United Nations Convention against Transnational Organized Crime (2004)³:

- a) “Organized criminal group” shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;
- b) “Serious crime” shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.

Corruption

There is no one single definition of corruption. According to INTERPOL, corruption is defined as:

- the misuse of entrusted power for private gain, or
- any course of action or failure to act by individuals or organizations, public or private, in violation of a duty or obligation under law or trust for profit or gain

The annual global cost of corruption in the forestry sector is estimated to be in the order of 29 billion dollars. Bribery is reported as the most common form of corruption in the forestry sector. Other forms of corruption, in order from most to least common after bribery, are the following: fraud, abuse of office, extortion, cronyism and nepotism⁴.

Modus operandi

Modus operandi refers to the methods used to carry out forestry crime (definition above), across the entire supply chain, from illegal harvest to transport.

² <https://www.interpol.int/content/download/5149/file/Global%20Forestry%20Enforcement%20Prospectus%202019-web.pdf>

³ https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOL_S_THERE_TO.pdf

⁴ Uncovering the risks of corruption in the forestry sector, Interpol (2016) 20 pages.

Offence

For the purposes of this report, the term “offence” includes all activities that may be subject to criminal or administrative penalties.

Acronyms

CITES: Convention on International Trade in Endangered Species of Wild Fauna and Flora

CSO: Civil Society Organization

EUTR: European Union Timber Regulation

NGO: Non Governmental Organization

SME: Small & Medium Enterprise



1. METHODOLOGY

ABOUT THIS GAP ANALYSIS

This gap analysis was carried out in the framework of the EU-funded project “EU Forest Crime Initiative” aiming to enable effective law enforcement by stimulating networks that are able to detect forestry crime and respond to it.

The project is carried out in 6 countries: Belgium, Bulgaria, France, Romania, Slovakia and Ukraine. In Belgium and France, the project focuses on high risk imported timber products and/or those with complex supply chains, and aims to motivate existing networks fighting against environmental crime to carry out independent investigations.

TARGET GROUP

The target group for the gap analysis in France includes all stakeholders who are part of the timber enforcement chain.

The gap analysis sought to collect insights from government officials and authorities who are formally accountable to combat forestry crime and from NGOs with expertise in forestry crime related to the French market.

APPROACH

The gap analysis is based on responses of 2 government agencies to a questionnaire and on insights gained during two sessions of an online workshop October and November 2020.

Development of a questionnaire

The project partners developed a questionnaire on forestry crime to capture both quantitative and qualitative information in order to have a comprehensive analysis as well as to reflect the personal views of the target group. The questionnaire was distributed to all key stakeholders identified by project partners.

The survey focuses on 4 main parts:

- General knowledge about forestry crimes, illegal logging and trade on a national level, including modus operandi to commit forestry crimes;
- General knowledge about EU Timber Regulation, CITES and other legislation in relation to forestry crime;
- Cooperation along the enforcement chain;
- Conclusion on challenges in relation to prosecution and potential for more cases.

You can access the complete survey for the enforcement chain in **annex 4**.

Workshop in France

Due to the sanitary situation, the two-day workshop originally planned in Paris could not take place as foreseen. Instead, two sessions of an online workshop took place respectively on October 27 and November 6 2020. Besides WWF and Interpol, 6 stakeholders attended the online workshop. The workshop offered a learning and exchange opportunity on illegal trade in timber, applicable legislation (such as EUTR and CITES) and methods for combating it and aimed to increase capacity and encourage cooperation between the different authorities at national level.

Overview of participants and respondents

SURVEYS			ONLINE WORKSHOP		
Dates	Types of respondents	Number of replies received	Dates	Number of participants who attended	Nature of the participants/ Parts of the enforcement chain represented
<p>Surveys were first circulated to stakeholders in 20/01/2020 .</p> <p>Feedbacks were received no later than 21/10/2020.</p>	<ul style="list-style-type: none"> • Customs • Public agency 	2	27 November and 6 December 2020	6	<ul style="list-style-type: none"> • EUTR Competent Authority • Customs (The Directorate-General of Customs and Indirect Taxes) • Gendarmerie (Office central de lutte contre les atteintes à l'environnement et à la santé publique) • Office Français de la Biodiversité (French Biodiversity Agency)

ANALYSIS

WWF analysed the concurrence between survey outcomes with independent literature or official data. Finally, based on the surveys and the workshop, WWF proposes a critical evaluation of the results.

2. CONTEXT



Disclaimer: the information presented in part 2 on the context describes the situation until **November 30 2020**. Possible changes that came into effect after that date may not be reflected in this report.

Forestry crime, including illegal logging, is one of the major threats to the world's forests. It drives the loss and degradation of forest ecosystems, destroying wildlife habitats and threatening biodiversity. It also impacts on people – particularly local communities and indigenous groups that are directly dependent on forest resources for subsistence, whose livelihoods, rights and security are threatened⁵.

Illegal logging and the related trade also hinder economic development. It's been estimated that developing countries lose more than US\$10 billion per year from illegal logging on public lands alone – eight times the total global development assistance for sustainable forest management. In addition, governments lose an estimated US\$5 billion due to evaded taxes, fees and other revenues associated with legal forestry⁶.

Closely associated with the worst instances of corruption and organised crime, forestry crime and illegal logging also undermine the rule of law, principles of democratic governance, and respect for human rights⁷. In some cases, it is also associated with violent conflict, with profits from illegal exploitation of forests and other natural resources having been used to fund and prolong wars⁸.

With imports of 215,000 tonnes, France was the second largest importer of primary tropical timber products in 2018 in Europe. This quantity represents 17.1% of total EU28 imports of tropical timber⁹. WWF France estimates that an average of 14,7 millions m³ of wood equivalents were imported annually into France between 2012 and 2016. 20% of this volume are furniture, followed by sawn wood (18%), panels (16%) and round wood (6%). 3,2 million hectares of forest worldwide, are needed to supply France's timber and timber product imports. WWF estimates that at least 17% of this forest footprint is located in high risk countries, Russia and China. In addition, 8% of the timber imported is carrying a high risk of deforestation, with origin countries such as Brazil, Gabon or Indonesia¹⁰. Regarding pulp and paper, WWF estimates that an average of 24,7 millions m³ of wood equivalents were imported annually into France between 2012 and 2016, with a 14% estimated risk of deforestation. 4,2 million hectares of forest worldwide, are needed to supply France's pulp and paper imports. WWF estimates that at least 8% of this forest footprint is located in high risk countries, Brazil and China being top two¹¹.

According to a WWF assessment, until June 2018, whilst capacities were strengthened and the number of checks had increased, implementation of the EUTR was not yet at scale and no dissuasive sanctions were applied by French authorities against companies engaging in illegal timber trade or

5 Rosander, MN. 2008. Illegal Logging: Current Issues and Opportunities for Sida/ SENSIA Engagement in Southeast Asia. Regional Community Forestry Training Centre for Asia and the Pacific.

6 INTERPOL/World Bank. 2009. Chainsaw Project – An INTERPOL perspective on law.

7 European Union. 2006. Combating illegal logging and related trade in developing countries. Available from: europa.eu/legislation_summaries/other/r12528_en.htm

8 European Commission (EC). 2003. Communication from the Commission to the Council and the European Parliament Forest Law Enforcement, Governance and Trade (FLEGT): proposal for an EU action plan [COM(2003)251]

9 <http://www.gtf-info.com/wp-content/uploads/2019/12/IDH-Market-Report-GTF-Probos-Nov-2019-FINAL.pdf>

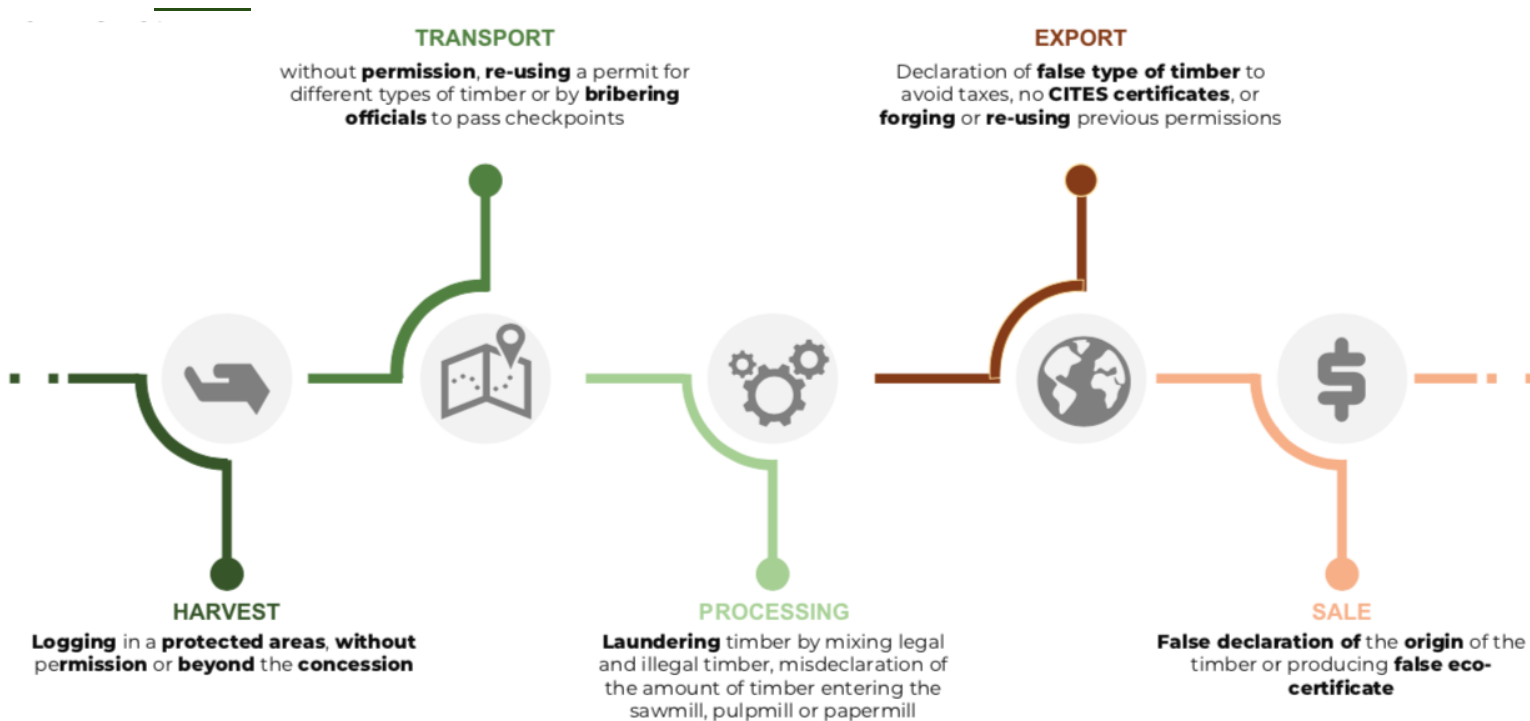
10 "Déforestation importée, arrêtons de scier la branche !" WWF France, 2018

11 "Déforestation importée, arrêtons de scier la branche !" WWF France, 2018

remaining careless about their obligations under the EUTR¹². This contrasts with numerous cases of alleged illegal timber imports to France reported by several NGOs.^{13 14 15 16 17 18 19 20 21 22}

The timber supply chain: forestry crime at different stages²³:

The graph below presents examples of forestry crimes at different stages of the timber supply chain.



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12 https://www.wwf.fr/sites/default/files/doc-2020-04/2019_Country_assessment_sheet_France_WWF%20EUTR_enforcement_review.pdf

13 <https://eia-global.org/blog-posts/20190522-raw-intelligence-wcts-blog>

14 <https://www.greenpeace.org/international/publication/15432/imaginary-trees-real-destruction/>

15 <https://www.greenpeace.org/eu-unit/issues/nature-food/1170/greenpeace-investigation-eu-imports-of-amazon-timber-tainted-by-widespread-fraud-in-brazil/>

16 Greenpeace., 2017. Blood stained timber. Rural violence and the theft of the amazon timber. 14 pages

17 <https://www.greenpeace.org/usa/wp-content/uploads/legacy/Global/usa/planet3/PDFs/SilentCrisisTimberReport.pdf>

18 <https://www.globalwitness.org/en-gb/campaigns/forests/total-systems-failure/>

19 <https://www.globalwitness.org/en/campaigns/forests/bloodtimber/>

20 <https://www.greenpeace.de/sites/www.greenpeace.de/files/publications/trading-in-chaos-20150709.pdf>

21 https://agriculture.gouv.fr/sites/minagri/files/gw_rapport_rdc_mai2015.pdf

22 <https://www.globalwitness.org/en/campaigns/forests/buyers-beware/>

23 Interpol (2019) GLOBAL FORESTRY ENFORCEMENT Strengthening Law Enforcement Cooperation Against Forestry Crime



IMPORT/PLACING ON THE FRENCH MARKET
Importation of timber with forged legality documents
No CITES/forged CITES certificates
Importation without proper documents
Import of tree species whose harvest is prohibited

SALE
Producing false eco-certificate



TRADE ON INTERNAL MARKET
Not keeping documentation on chain of custody





3. MAIN RESULTS

3.1 SURVEY

3.1.1 Forestry crime situation

Disclaimer: Although project partners assume that there is a common understanding of “organized crime” amongst people from the target group, this term was not defined initially in the survey. References to organized crime by respondents may therefore encompass slightly different meanings.

The results below are based on 2 answers from stakeholders belonging to the enforcement chain group as well as from information compiled during the two sessions of the online workshop. Information from participants to the workshop are in blue color.

3.1.1.1 Current trends in forestry crime in France

None of the respondents had an overview of recent trends concerning the import of timber associated with forestry crime based on monitoring and enforcement statistics. One respondent indicated high risk timber exported to France comes more often from South America or Africa, and only after from Asia. He also outlined that concerning domestic wood, some timber trafficking can happen in overseas French territories.

One participant confirmed that products imported from Asia are more processed in general than products from other exporting countries/regions, thus making timber traceability and detection of offences possibly more challenging.

Also, it was mentioned by one participant that to his knowledge, problems of high risk/possibly illegal timber imports can be attributed to unscrupulous operators, rather than organized criminal networks.

3.1.1.2 How important is forestry crime compared to other crimes

Respondents were asked to rank the importance of forestry crime compared to other crimes, concerning:

1) Damages to the environment

1 respondent
Very important

1 respondent
Moderately important

The respondent who picked moderately important explained that the reason is that timber seizures do not represent the most commonly observed frauds.

2) Tax evasion and loss of revenue

1 respondent
Important

3.1.1.3 Key actors involved in forestry crime

Both respondents and participants were not in capacity to provide a detailed answer to this question, highlighting the lack of monitoring of forestry crime and the traffic illegal timber. It shows that accessing, aggregating and analyzing the information on operators known to be suspects, traffic routes, cover-ups (such as wrong codes), modus operandi, timer species most commonly trafficked is either non-existent or insufficient for the moment.

3.1.2 National enforcement chain

3.1.2.1 Knowledge of the enforcement chain, implementation of national legislation and capacity/experience of authorities in tackling forestry crime

How important is the fight against forestry crime for you and your respective unit/agency/authority:

2 respondents
Neutral

How would you grade your knowledge on forestry crime:

2 respondents
Fair

One respondent explains that the detection of forestry crime offences remain low in comparison to other environmentally-related offences.

One participant outlined that the knowledge on forestry crime varies depending on the position in the enforcement chain and that each department has “its own knowledge”, so what we qualify as knowledge is different from one node to the other, and is likely to vary within the same organization. It was also highlighted that good knowledge of the EUTR does not necessarily imply a good knowledge of forestry crime, which is a far reaching definition, encompassing many different aspects.

How would you define the capacity of your organization in dealing with forestry crime?

One respondent explained that they carry out their mission based on an objectives contract, in which forestry crime is not mentioned and identified as such.

One respondent outlines that customs have control units spread over the whole territory and that fighting against forestry crime (both through the EUTR and CITES) is part of their missions. In addition, customs have their own laboratory to test and analyze timber.

Nevertheless, customs do not have a clear mandate (defined into the national transcription of the EUTR into French legislation) to enforce the EUTR.

The recently created French Biodiversity Agency still lacks clarity on performance indicators related to the enforcement of the EUTR, although they should be better defined relatively soon. Before the merge, agents tend to focus more on CITES enforcement than the EUTR

The 2 respondents said they did not attend any training at all related to forestry crime.

Who are relevant agencies/actors/institutions in France involved in fighting forestry crime according to respondents?

-
- **Ministry for the Ecological Transition**

- Ministry of Agriculture and Food
- Ministry of Justice
- EUTR Competent Authority
- CITES Management Authority
- Gendarmerie
- Public Prosecutor Office
- French Biodiversity Agency
- Customs

3.1.2.2 Legislation in relation to forestry crime

How important are national and international legislation to prevent and fight forestry crime for you and your respective unit/agency/authority ?

1 respondent
Very important

1 respondent
Important

How would you grade your knowledge on existing European legislation on forestry crime?

1 respondent
Good

1 respondent
Fair

How efficient are the legislations at discouraging forestry crime in your country?

1 respondent
Efficient

1 respondent
Neutral

Besides legislations, participants made additional explanations on the administrative versus criminal approach to cases under the EUTR. On one hand, it was said that the administrative way is less consuming in terms of time, the final decision is normally issued faster and the Competent Authority can better follow up with it, as they are more familiar with such procedures, compared to criminal cases.

On the other hand, it was stressed that both approaches can co-exist (one does not exclude the other) and work in parallel, although criminal cases will be longer and harder to build.

3.1.2.3 Cooperation along the enforcement chain

How important is the cooperation along the enforcement chain to prevent and fight forestry crime for you and your respective unit/agency/authority:

1 respondent
Neutral

1 respondent
Not important

How would you grade the existing level of cooperation on forestry crime ?

1 respondent
Fair

1 respondent
Poor

One participant explained that the Competent Authority for example does not have access to the customs laboratory. This implies that they would need to get timber analysis done by private laboratories, increasing the cost, thus reducing the use of such techniques. There is agreement between participants that cooperation is rather fair. Although some grey areas exist (for which it may be unclear to decide which jurisdictions applies) counterparts amongst authorities are known.

How is information shared along the enforcement chain ?

One respondent explains that information is shared amongst a dedicated inter-ministerial taskforce, led by the Ministry of Foreign Affairs, during joint training sessions.

3.1.2.4 Cooperation of the enforcement chain with NGOs

How helpful are the substantiated concerns from NGOs in the frame of the EUTR or national law enforcement?

One respondent outlined that substantiated concerns from NGOs are useful sources of information that can alert authorities before further controls.

Participants added that substantiated concerns from NGOs are useful to learn more about modus operandi and main regions facing forestry crimes and trade links with France. One participant praised the thoroughness of investigations led by some NGOs. This is also helpful and supports authorities' investigations by naming operators likely to be in breach of the EUTR. Experience shows that some names of suspicious operators keep coming back, which help to target controls. Nevertheless, it may be still challenging for authorities to find the right approach (from a control perspective, and possibly legally) to successfully build a case.

One participant explained that NGOs can sometimes have more freedom to investigate and do things authorities cannot do, considering their hands may be tied by international legislation or protocols.

3.1.3 Types of forestry crimes: modus operandi and occurrence

Respondents were asked in the questionnaire to list modus operandi in forestry crime that they know are taking place before, or when, timber is being imported into France.

An additional list of modus operandi based on a literature review and cases reported by NGOs is available in **annex 1**.

Recorded modus operandi by respondents are presented below. They are not listed by order of importance:

Conditions for logging

- **Logging in protected areas, on steep slopes, river system buffer areas, protected**

tree species etc.

- Credits issued for more timber than the logging authorisation grants.

Transportation

- Transport of the illegally harvested wood without a transport ticket.

Taxes, fees & royalties

- Manipulation in grading of marked trees

Trade

- Importation of timber with forged legality documents.
- Importation of CITES listed timber species without or with forged CITES permits.
- Importation of timber without proper documents (such as licence/permit of company involved in import and export, fees).
- Imports from suppliers who are unable to provide documentation of legal harvest/transportation/payment of taxes etc.
- Import of tree species whose harvest is prohibited in the country of origin.
- Import of timber under a form which is banned in the country of origin.

3.2. MAIN OBSTACLES FOR EFFECTIVE LAW ENFORCEMENT

- Respondents to the survey were asked to list the main obstacles for effective law enforcement / fighting forestry crime along the enforcement chain²⁴.
- In addition, during the national workshop with representatives from authorities along the enforcement chain, that took place online in October and November 2020, participants identified further obstacles preventing a better fight against forestry crime.

We present all these obstacles below, listed by theme.

1/ Resources: personel, knowledge, capacity, equipment and access to technology

- Assessing and identifying wood species is challenging, which can prevent the detection of possible frauds during controls at customs (comparing timber and supporting/legality documents).
- Customs officers lack training. When clearing timber shipments, they will pay more specific attention or carry out controls on the species they know, but their number is limited.
- At customs level, logs will more likely get checked than processed products.
- Because of the low number of checks carried out per controlling officer, capacity building and gaining experience for controllers is challenging.

²⁴ (The full list of obstacles but also recommendations for improvements listed by respondents can be found in **annex 3**)

- Controllers may feel intimidated when leading checks on middle to large size operators, who may be well connected with local political representatives.
- Common/vernacular names are sometimes used, instead of scientific names, making all types of controls more complex, creating loopholes and additional difficulties.
- Lack of controlling officers along the enforcement chain on investigation and controls in general, from customs level to the fight against fraud and money laundering.
- Difficulties in taking samples and cost of lab testing to identify timber species.
- There are not enough prosecutors specialized in environment crime.

2/ In-country cooperation: Investigation and controls, information exchange, connected crime areas

- Customs are lacking an approach/protocols to organize and carry out targeted investigations and contribute to the EUTR enforcement.
- Tools to exchange the information and intelligence exist (such as i24/7 from Interpol). The issue is more cooperation per se.
- It is unclear for controllers what elements should be compiled and documented in the procès verbal following a control, and what elements/evidence are most relevant and appropriate if the case is to be transferred to court. Defining the limit on what is acceptable and sufficient or not regarding DDS is also very tricky to define.

3/ International cooperation

- There is no centralised EU database on overseas suppliers who were already sanctioned.
- Exchanges on the EUTR happen between Member States, but there are no dedicated tools or space to help share information on EUTR enforcement.
- It is very difficult to check whether or not wood is legally obtained. As each providing country has its own legislation on forestry crime, it is very difficult to check on the origin of the timber and to check the legality, even more when legality documents carry an official stamp, sometimes masking the illegal origins of the timber.
- Lack of direct contacts within government administrations or authorities and direct access to information at the country of origin and/or exporting country.
- Lack of possibilities to exchange information on a legal basis (so the info can be used in court) with the country of origin and/or exporting country
- Difficulties to track the wood until point of origin / extraction.

4/ Legal framework and the judicial system

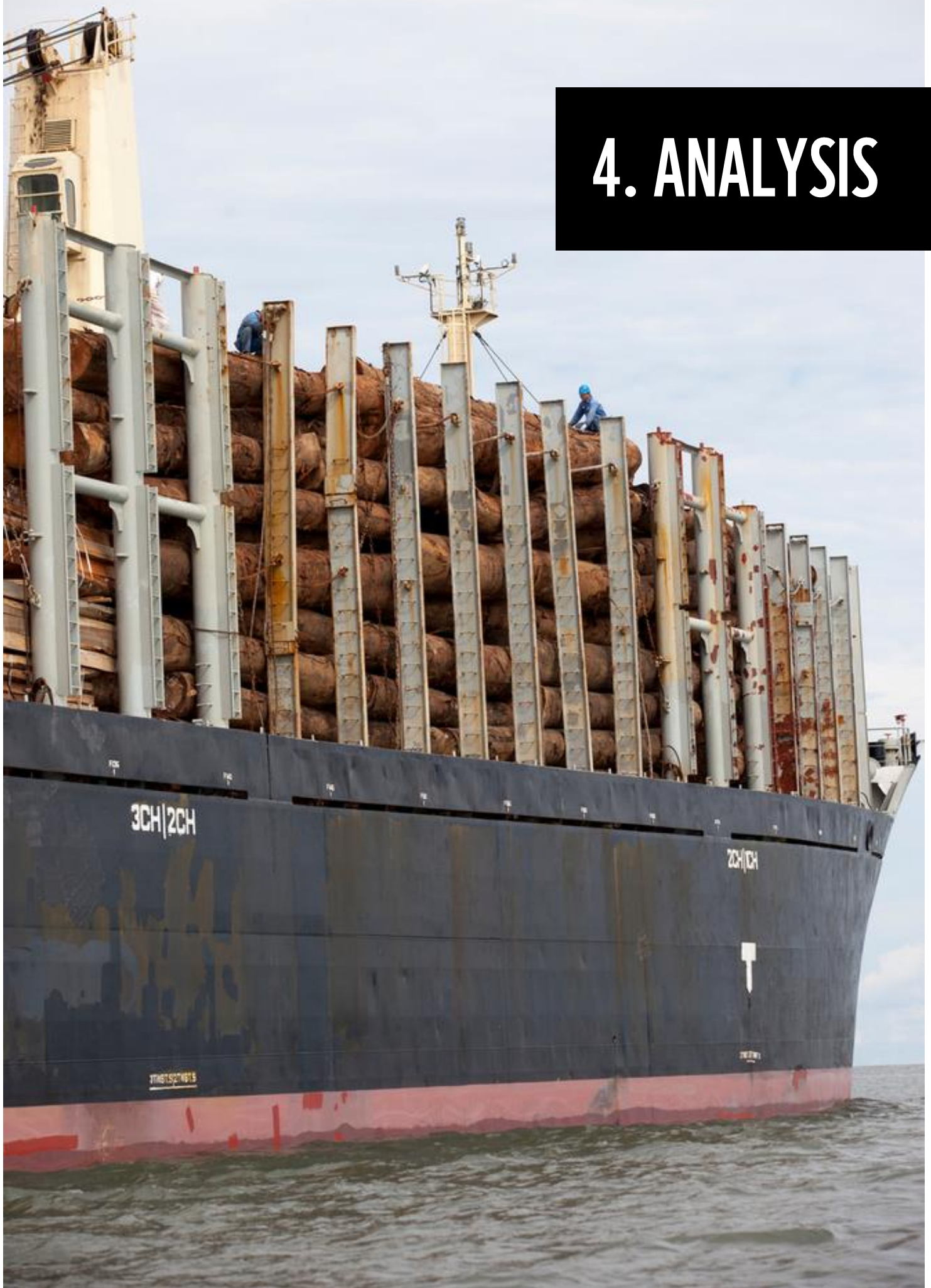
- Lack of training and awareness on environmental and forestry crime from judges.
- The EUTR is too much based on the collection of documents. Before court, an operator could easily claim that the supplier lied.
- It is not clear to what extent third party substantiated concerns can be used in court and further legal advice is needed.
- Harmonized and coherent sanctions are lacking at EU level. Having a specific scale for sanctions would prove useful.
- There is a long delay between the moment the case is being transferred to the relevant authorities and the moment the final decision/ruling is issued. During this time lapse, operators will discuss with one another. Thus, operators possibly operating in breach of the EUTR will have time to “put things in order” or change their approach to avoid sanctions if they were to be controlled.
- The “due diligence system” offers too much space for interpretation and discussions before court. For example, malicious intent is difficult to prove under the EUTR (to what extent the operator acted in good faith when importing illegal/high risk timber). Certain operators take advantage of that, knowingly import high risk timber, saying they did everything they could to mitigate the risk.
- The environmental legislation and the EUTR are complex legislations, and judges can be

- concerned about the potential foreseen difficulties to judge and rule on such cases.
- No public prosecutor office specialized in the environment.
 - There is a lack of interest and awareness by regional prefects about EUTR offences. Although the administrative sanctions are more easily applied (because cases are less complex and the process is faster), operators will usually appeal the decision. In addition, prefects do not need to communicate on the decision.
 - Regarding the prohibition obligation, investigating possible offences is challenging as this goes back to violations of the law in the country of origin and/or exporting countries.
 - Jurisprudence is needed and will help future criminal or administrative cases.
 - Loopholes exist in the legislation in the sense that some operators may use agents/shell companies to import and clear the timber and circumvent operators' obligations under the EUTR.
 - Proving the "intentional element" implies additional evidence, complex to obtain.
 - Sanctions are not proportionate and dissuasive. Fines can be easily "absorbed" by middle/large size operators, who will likely keep doing business as usual even after being sanctioned.
 - Lack of awareness and interest by judges dealing with environmental crime.
 - Legal exchange of information with countries of origin is challenging, even within the EU, although things have improved.
 - Identifying the right counterparts in foreign countries is difficult. As soon as one information request is made outside of France, long delays are to be expected before receiving a reply, if any.

5/ Political will and commitment

- Environmental crime is not a priority.
- Public communication by authorities about environmental crime is deficient, while this is an important tool to increase political awareness, resourcing and funding.

4. ANALYSIS



4.1 PUBLICLY AVAILABLE INFORMATION AND DATA

4.1.1 What are available information and data

WWF is not aware of official or independent assessments of illegal timber imports/high risk timber imports, or assessment of law enforcement, in France, except for NGOs reports that regularly establish the link between fraudulent forestry companies and French operators/traders, or the enforcement review of the EUTR carried out by WWF (all are referenced in part 2 on the context).

4.1.2 How does the publicly available literature compare with the outcomes from the surveys and the workshop

The outcomes from the surveys and the workshop are overall in line with what was found in the EUTR enforcement review of WWF based on interviews with the Competent Authorities of 16 EU countries including France, with a shortness of resources and capacity to fight forestry crime, and existing but still insufficient collaboration in-country between the CA, customs, prosecutors and police investigators. These challenges lie at the root of shortcomings concerning prosecution of infringements, and the fact that illegal timber products have not yet been found, almost 8 years after the EUTR came into force.

4.2 WWF ANALYSIS

Relevance of forestry crime

One of the limitations of the current gap analysis was the low number of questionnaires returned and the lower number of participants compared to other participating countries. This could possibly indicate that forestry crime is not sufficiently prioritized politically or that French authorities are not given sufficient resources to address these important issues.

French government officials and authorities that participated in the survey and online workshops recognize forestry crime as a clear threat to the environment overseas but the existence of criminal networks in France and/or links between french operators/companies and criminal networks operating in forestry have not been acknowledged formally.

This is not in line with official estimates as INTERPOL rates, environmental crime, including forestry crime, is now slightly more lucrative than human trafficking, and is the third largest criminal sector worldwide, moving up from the 4th largest, after drugs, counterfeit goods and human trafficking. Environmental crime amounted to 110-281 billion USD in 2018, in which forestry crime and illegal logging represented 51-152 billion USD²⁵.

Due to the low awareness of potential links between forestry crime and organized crime, such links were not exploited in investigations so far. When there is a lack of proof to prosecute companies/operators breaching the EUTR, indications of fiscal fraud, money laundering or links to organized crime are currently not analysed, despite the opportunities it brings to prosecute a company for offences connected to forestry crime.

INTERPOL outlines that environmental crimes, and associated transnational organized crime, are often deeply embedded in state and non-state armed forces and the political elite, and are therefore directly stimulated by continued or renewed conflict in many of the world's most deadly contexts. Given the large volumes of timber imported by France, including from fragile countries experiencing high corruption levels and internal conflicts²⁶, it cannot be excluded that timber imported by France has passed through the hands of such criminal networks.

So far, no case of illegal timber has been detected or prosecuted under the EUTR in France, hence not permitting an analysis based on the evolution of case numbers.

In the following pages, WWF critically evaluates the points of accordance and discordance raised in this gap analysis.

Resources: knowledge and capacity of the enforcement chain

Respondents concurred about a general lack of resources and knowledge across the enforcement chain to effectively tackle forestry crime in France. Major knowledge gaps exist on the legality frameworks and forestry practices in the large number of origin countries from which France sources timber, although third party substantiated concerns and NGOs reports documenting forestry crimes modus operandi can help building knowledge of the enforcement chain and competent authorities are engaging in further training.

Furthermore, practitioners are not properly equipped with protocols or dedicated guidance on e.g. risk profiling, or available scientific techniques that could support them in efficient controls and fraud detection, despite the existence of a laboratory run by customs where timber can be tested.

At customs level, guidance is missing on how to establish and develop improved risk analysis specifically for timber imports. Besides cases where targeted checks happen, following for example the gathering of intelligence, controls prioritization and decision on what shipments to be checked is too often left to the discretion of the custom officer.

25 Nellemann, C.; Henriksen, R., Pravettoni, R., Stewart, D., Kotsoyova, M., Schlingemann, Shaw, M. and Reitano, T. (Eds). 2018. World atlas of il-licit flows. A RHIPTO-INTERPOL-GI Assessment. RHIPTO -Norwegian Center for Global Analyses, INTERPOL and the Global Initiative Against Transnational Organized crime. www.rhipto.or. www.interpol.int

²⁶ Forest Trends (2017) Timber-Sourcing from Fragile and Conflict-Affected States ; available at: https://www.forest-trends.org/wp-content/uploads/2017/09/doc_5616.pdf

Meanwhile, the low number of staff and low number of checks hinders effective capacity building. Forestry crime in general and the enforcement of the EUTR are not priorities, and some organizations having a mandate and/or a role in enforcing the EUTR do not have clear performance indicators and objectives on the topic.

The capacities are still deemed low in proportion to the importance of the timber flow through France. Due to the low number of staff and the low number of controls, each controller performs very few checks per year. This means that experience and capacity building is slow and still needs to be built up. Dedicated training, including for judicial authorities, will help to raise awareness and build a knowledge foundation. Meanwhile, regular exchange with international practitioner networks, timber and forestry experts and NGOs are good ways to keep up-to-date with latest cases, modus operandi and techniques used by criminals as well as techniques available to uncover cases.

Modus operandi to carry out forestry crimes

Based on the absence of answers on the question to know who are known actors involved in forestry crime in France, in addition to discussions during the online workshop, it appears suspicious operators/risky suppliers have not been fully identified and knowledge is missing. There is no systematic identification of risky actors along French timber supply chains that could enable targeted monitoring.

Despite the fact that several modus operandi are known by French enforcement officials and there are many alleged illegal timber cases raised by NGOs, linked to the importance of France as a timber import hub from countries with documented high levels of illegality in the forestry sector, few detailed cases were reported as examples to illustrate the listed modus operandi.

Cooperation along the enforcement chain and the role of NGOs/CSOs

There is recognition that lack of cooperation internationally is hampering effective fight on forestry crime in France. Respondents and participants indicated that cooperation along the enforcement chain is important but at the same time assessed the level of cooperation as fair to poor, identifying an obvious gap.

The sharing of information, although it exists in practice according to participants, is currently not institutionalised and strategically defined. There is no French interagency timber task force to bring together dedicated focal points from each administration in order to increase cooperation, exchange information and improve enforcement.

Risk indicators are not shared between actors, for example between the customs and the EUTR CA. The information network is still too informal, preventing or jeopardizing the use of the information in court.

Accessing, aggregating and analyzing the information on operators known to be suspects, traffic routes, cover-ups (such as wrong codes), modus operandi, timber species most commonly trafficked is either non-existent or insufficient. When information exists, circulation and dissemination of information is too slow between actors of the enforcement chain. In addition, such intelligence is not aggregated at the moment, making it very difficult to analyze trends and patterns.

Participants acknowledged the usefulness of information exchange and cooperation with NGOs. Participants recognize NGO information as useful (and usually quite robust) to start independent investigations, although it was stressed that turning this information into something concrete to build a case and/or sanction an operator is difficult.

The capacity of French authorities to verify NGO leads or collect supplementary evidence seems limited, due in part to difficult access to international networks and export country authorities. For now, legal and expert guidance is missing on how substantiated concerns from NGOs can be successfully used in court.

The legislative framework & EU Timber Regulation

Participants concurred in their view that the EUTR due diligence obligation leaves too much space for interpretation before court and thus offers poor ground for prosecution. Furthermore, in practice it is difficult for authorities and prosecutors in France to bring evidence on a case of illegal timber due to the difficulty of accessing information and collecting evidence in the country of origin.

While some solution pathways were identified such as a more systematic use of administrative rather than criminal sanctions and the investigation of connected crime areas, in practice, the applicability of the EUTR and its transposition in French law before French courts is a serious gap that needs to be urgently addressed as it undermines the relevance and effectiveness of the EUTR in France.

While the lack of effect of the EUTR likely also arises from the limited number of checks and near absence of administrative sanctions, serious consequences for offenders are key to dissuade the trade of illegal timber. In other EU countries, successful court cases on EUTR breaches demonstrate that it is possible to define what constitutes acceptable evidence to prove the illegality of timber or demonstrate failure to carry out due diligence.

Political backing

Environmental criminality spans the competencies of many ministries (agriculture, environment and justice), just as the enforcement chain spans different government agencies and authorities. This reality calls for a governmental approach to addressing it. WWF estimates that wildlife and forestry crime have not received sufficient political backing at higher government levels.

ANNEXES

Annex 1:

Literature review - modus operandi to carry out forestry crime in France

Disclaimer: Due to the very low number/absence of conviction for illegal logging for companies located in third countries exporting to France, this table also lists cases of alleged illegal logging.

Modus Operandi to conduct illegal logging and forestry crimes (methods used)
BOUNDARY
Illegal logging operations outside of the authorized concession area ²⁷ . Bribes are being paid to authorities in charge for them to turn a blind eye to the crimes.
CONDITIONS FOR LOGGING
Harvesting without a valid logging permit
Forest is logged in violation of the forest management plan (more trees are logged than allowed per year) ²⁸ . Bribes are being paid to authorities in charge for them to turn a blind eye to the crimes.
TRANSPORTATION
TAXES, FEES AND ROYALTIES
Import of timber from a company who deliberately transferred its assets to smaller companies to hide the over harvested timber and make export data look misleadingly smaller in order to owe less taxes to the State. ²⁹
TRADE
<p>Import of timber harvested on the basis of fraudulent forest inventories^{30 31} Investigations by Greenpeace found that 11 EU countries imported 9,775m³ of Ipe timber from forest management plans with indications of fraud between March 2016 and September 2017. France as a whole imported the largest amount (3,002m³) and at least 19 french companies purchased imported timber from these forest concessions were numerous illegalities were detected including:</p> <ul style="list-style-type: none"> ● inventories documents overestimating the volumes of valuable trees; ● misidentification of undesirable trees as commercially valuable species; ● listing non-occurring specimens. <p>Once fraudulent forest management plans are approved, state agencies issue credits for the harvesting of this non-existent timber. Once laundered in this manner, illegal timber becomes indistinguishable from timber that has been harvested legally.</p>
<p>Import of timber from a company (called Norsudtimber) operating in breaching the DRC's laws including by:</p> <ul style="list-style-type: none"> ● operating on concessions without a 25-year management plan five years after the signature of the concession contract. All of these concessions, according to Democratic Republic of Congo (DRC) law, should be returned to the state, and all timber being harvested in these concessions is currently illegal; ● logging activity outside of authorised perimeters; ● logging within the same annual harvest area for four consecutive years.

²⁷ <https://eia-global.org/blog-posts/20190522-raw-intelligence-wcts-blog>

²⁸ <https://eia-global.org/blog-posts/20190522-raw-intelligence-wcts-blog>

²⁹ <https://eia-global.org/blog-posts/20190522-raw-intelligence-wcts-blog>

³⁰ <https://www.greenpeace.org/international/publication/15432/imaginary-trees-real-destruction/>

³¹ <https://www.greenpeace.org/eu-unit/issues/nature-food/1170/greenpeace-investigation-eu-imports-of-amazon-timber-tainted-by-widespread-fraud-in-brazil/>

According to the investigation by Global Witness, timber harvested in 90% of concessions owned by Norsudtimber subsidiaries is illegal³²

Importation of timber from Equatorial Guinea without a proper Due Diligence System and in breach of the EU Timber Regulation. An administrative fine of 15,000€ was imposed on the operator importing the timber although violation of the prohibition obligation was not detected.

Importation of timber from Tunisia without a proper Due Diligence System and in breach of the EU Timber Regulation. An administrative fine of 5,000€ was imposed on the operator importing the timber although violation of the prohibition obligation was not detected.

Import of timber from a Brazilian company (Madeireira Cedroarana) linked to the murder of environmental activists/villagers and/or as a result of a land dispute.³³

Importation from a Brazilian company who was fined over US\$270,000 for stocking and selling wood with no valid documentation³⁴

Importation from suppliers/sawmills whose timber came from forest concessions were numerous illegalities were detected including:

- **Logging authorised in area already harvested or deforested;**
- **Authorised area with no signs of timber extraction;**
- **Credits issued for more timber than the logging authorisation grants;**
- **Credits issued without a logging authorisation or Sustainable Forest Management Plan³⁵**

32 <https://www.globalwitness.org/en-gb/campaigns/forests/total-systems-failure/>

33 [Greenpeace., 2017. Blood stained timber. Rural violence and the theft of the amazon timber. 14 pages](#)

34 <https://www.greenpeace.org/usa/wp-content/uploads/legacy/Global/usa/planet3/PDFs/SilentCrisisTimberReport.pdf>

35 <https://www.greenpeace.org/usa/wp-content/uploads/legacy/Global/usa/planet3/PDFs/SilentCrisisTimberReport.pdf>

Annex 2:
Comprehensive list of modus operandi identified by respondents

Modus Operandi to conduct illegal logging and forestry crimes (methods used)	Additional comments (please add any information/detailed references to public reports linked to the methods you selected)
BOUNDARY	
	/
CONDITIONS FOR LOGGING	
Logging in protected areas, on steep slopes, river system buffer areas, protected tree species etc.	1 respondent
Credits issued for more timber than the logging authorisation grants	1 respondent
TRANSPORTATION	
Transport of the illegally harvested wood without a transport ticket	1 respondent
TAXES, FEES AND ROYALTIES	
	/
LABOUR	
	/
TRADE	
Importation of timber with forged legality documents	1 respondent
Importation of CITES listed timber species without or with forged CITES permits	2 respondents
Importation of timber without proper documents (such as licence/permit of company involved in import and export, fees)	1 respondent
Imports from suppliers who are unable to provide documentation of legal harvest/transportation/payment of taxes etc.	1 respondent
Import of tree species whose	1 respondent

harvest is prohibited in the country of origin	
Import of timber under a form which is banned in the country of origin (such as bans on logs exports).	1 respondent

Annex 3:
Comprehensive list of gaps and recommendations identified by respondents

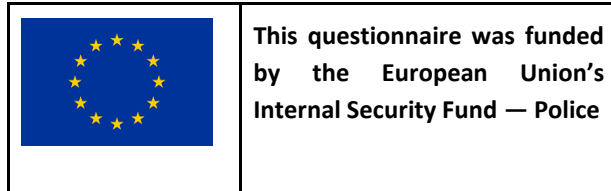
	Key gaps	Recommendations for improvement
Customs/ Borders	<ul style="list-style-type: none"> ● Assessing and identifying wood species is challenging, which can prevent the detection of possible frauds during controls at customs (comparing timber and supporting/legality documents). ● Customs officers lack training. When clearing timber shipments, they will pay more specific attention or carry out controls on the species they know, but their number is limited. ● At customs level, logs will more likely get checked than processed products. ● Common/vernacular names are sometimes used, instead of scientific names, making all types of controls more complex, creating loopholes and additional difficulties. ● Customs are lacking an approach/protocols to organize and carry out targeted investigations and contribute to the EUTR enforcement. 	<ul style="list-style-type: none"> ● Real time information sharing for customs data. ● Develop toolkits and manuals to help customs officers in identifying timber.
	Key gaps	Recommendations for improvement
Forest	<ul style="list-style-type: none"> ● Lack of knowledge. ● Lack of direct contacts at the country of origin. ● Lack of possibilities to exchange information on a legal basis (so the info can be used in court). 	
	Key gaps	Recommendations for improvement
Police/ Investigation	<ul style="list-style-type: none"> ● Because of the low number of checks, capacity building and gaining experience for controllers is challenging. ● Controllers may feel intimidated when leading checks on middle to large size operators, who may be well connected with local political representatives. ● Identifying the right counterparts in foreign countries is difficult. As soon as one information request is made outside of France, long delays are to be expected before receiving a reply, if any. ● Cost of lab testing to identify timber species. ● Environmental crime is not a priority. ● Public communication by authorities about environmental crime is deficient, while this is an important tool to increase political awareness, resourcing and funding. ● It is unclear for controllers what elements should be compiled and documented in the procès verbal following a control, and what elements/evidence are most relevant and appropriate if the case is to be transferred to court. Defining the limit on what is acceptable or not regarding DDS is also very tricky to define. ● There is no centralised EU database on overseas suppliers who were already sanctioned. ● Lack of direct contacts within government administrations or authorities and direct access to information at the country of origin and/or exporting country. ● It is very difficult to check on the origin of the timber and to check the 	<ul style="list-style-type: none"> ● Better train existing capacities.

	<p>legality, even more when legality documents carry an official stamp, sometimes masking the illegal origins of the timber..</p> <ul style="list-style-type: none"> • Exchanges on the EUTR happen between Member States, but there are no dedicated tools or space to help share information on EUTR enforcement. • Tools to exchange the information and intelligence exist (such as i24/7 from Interpol). The issue is more cooperation per se. • Investigating possible offences on the prohibition obligation is challenging as this goes back to violations of the law in the country of origin and/or exporting countries. • Lack of direct contacts and direct access to information at the country of origin. 	
	Key gaps	Recommendations for improvement
Justice/ Prosecution	<ul style="list-style-type: none"> • Jurisprudence is still lacking. • Loopholes exist in the legislation in the sense that some operators may use agents/shell companies to import and clear the timber and circumvent operators' obligations under the EUTR. • There are not enough prosecutors specialized in environment crime, in addition to a lack of awareness and interest by judges. • Controls and offences detected usually do not lead to a case being judged in court. • Malicious intent is difficult to prove under the EUTR. Proving the “mental element” implies additional evidence, complex to obtain. • The EUTR is too much based on the collection of documents. Before court, an operator could easily claim that the supplier lied. • It is not clear to what extent third party substantiated concerns can be used in court and further legal advice is needed. • Harmonized and coherent sanctions are lacking at EU level. Having a specific scale for sanctions would prove useful. • There is a long delay between the moment the case is being transferred to the relevant authorities and the moment the final decision/ruling is issued. During this time lapse, operators will discuss with one another. Thus, operators possibly operating in breach of the EUTR will have time to “put things in order” or change their approach to avoid sanctions if they were to be controlled. • Sanctions are not proportionate and dissuasive. Fines can be easily “absorbed” by middle/large size operators, who will likely keep doing business as usual even after being sanctioned. • Not enough interest from judicial authorities. • EUTR offers poor ground for prosecution. The “due diligence system” offers too much space for interpretation and discussions before court. • Legal exchange of information with countries of origin is sometimes difficult. • The environmental legislation and the EUTR are complex legislations, and judges can be “worried” about the potential foreseen difficulties to judge and rule on such cases. • No public prosecutor office specialized in the environment. • There is a lack of interest and awareness by regional prefects about EUTR offences. Although the administrative sanctions are more easily applied (because cases are less complex and the process is faster), operators will usually appeal the decision. In addition, prefects do not need to communicate on the decision. 	<ul style="list-style-type: none"> • Raise awareness and train magistrates on forestry crime
	Key gaps	Recommendations for improvement

**Anti-
corruption
Anti-fraud
Money
laundering**

- Lack of officers and knowledge on the techniques used.

Annex 4: Questionnaire for the national enforcement chain



Questionnaire: national enforcement chain

Definition of forestry crime

According to INTERPOL, “Forestry crime” is an umbrella term to describe criminal activity (carried out in contravention of national or international law) in the forestry sector covering the entire supply chain, from harvest and transportation to processing, selling, trading, importing and exporting. It also refers to those criminal offences that facilitate such activity, including document fraud, corruption, and money laundering³⁶.

A. General knowledge about forestry crimes, illegal logging and trade on a national level:

1) How important is the fight against forestry crime for you and your respective unit/agency/authority?

Not important	Neutral	Important	Very important
---------------	---------	-----------	----------------

2) How would you grade your knowledge on forestry crime? Please explain.

Poor	Fair	Good	Very good	Excellent
------	------	------	-----------	-----------

.....

3) Is forestry crime a growing problem in your country (both for domestic and imported timber) and what information/data do you have about the current trends related to it?

.....

4) Based on the information at your disposal and using existing data/figures if possible, please rank how important do you consider forestry crime to be compared to other crimes, concerning:

³⁶ <https://www.interpol.int/content/download/5149/file/Global%20Forestry%20Enforcement%20Prospectus%202019-web.pdf>

	Please select between: <ul style="list-style-type: none"> ● Not at all important ● Moderately important ● Important ● Very important 	Comments
Damage to the environment		
Tax evasion and loss of revenues		
Other (please specify)		
Other (please specify)		

5) Who are relevant agencies/actors/institutions in your country involved in fighting forestry crime?

.....
.....
.....

6) How would you define the capacity of your/the above mentioned organizations in dealing with forestry crime? Please explain.

Poor	Fair	Good	Very good	Excellent
------	------	------	-----------	-----------

.....
.....
.....

7) What are the types of illegal logging and forestry crime that you are aware of or that you had worked on personally? (this also includes the import and export of illegal timber)

You can choose from the examples provided by deleting/adding methods relevant to your national context. In case you're referring to publicly reported cases, please provide references. We also invite you to add any types/methods of illegal logging you are aware of which may not be listed in this table.

Please see annex 2

8) Please provide additional information regarding your/your organization's experience in handling these cases or about cases which had been prosecuted? *(Please select one or more between those marked as Yes in the third column and specify under which legislation have prosecutions taken place)*

.....
.....
.....

9) Based on the information at your disposal, who are known actors involved in forestry crime at your country level? *(For example: poor citizens, corrupt officials and businesses, organized crime, small medium enterprises, multinational companies etc.)*

.....
.....
.....

10) According to the information provided above and/or based on actual data, what are the top 3 forestry crime issues that you see in your area of work? Please explain and if possible, classify by order of importance.

1.	
2.	
3.	

B. General knowledge about EU Timber Regulation and other legislation in relation to forestry crime

11) How important are national and international legislation to prevent and fight forestry crime for you and your respective unit/agency/authority ?

Not important	Neutral	Important	Very important
---------------	---------	-----------	----------------

12) How would you grade your knowledge on existing legislation on forestry crime?

Poor	Fair	Good	Very good	Excellent
------	------	------	-----------	-----------

13) How effective are the legislations at discouraging forestry crime in your country? Please explain and provide additional details on the existing legislation, if needed.

Not important	Neutral	Important	Very important
---------------	---------	-----------	----------------

.....

C. Cooperation along the enforcement chain

14) How important is the cooperation along the enforcement chain to prevent and fight forestry crime for you and your respective unit/agency/authority?

Not important	Neutral	Important	Very important
---------------	---------	-----------	----------------

15) Based on your experience, what type of cooperation exists between police, the Competent Authority, prosecutors and judges? (*Collaboration/ arrangements, regular exchange in-country, joint interforce training and with international networks/enforcement agencies*)

.....

16) How would you grade the existing level of cooperation on forestry crime?

Poor	Fair	Good	Very good	Excellent
------	------	------	-----------	-----------

17) In your experience, please list the main obstacles for effective law enforcement / fighting forestry crime at the following levels as well as recommendations for improvement - *Please also list obstacles for better cooperation and explain how do you think cooperation could be improved at each level:*

	Main obstacles (please describe)		Recommendations for improvement (please describe)	
	At country level	At international level	At country level	At international level
Customs/Borders				
Forest (this includes the issuance of permits, preparation of management plans, timber harvesting, processing, transport etc.)				
Police/Investigation				
Justice/Prosecution (this includes the structure/design of relevant laws to fight forest crime)				
Anti-corruption/Anti-fraud/Money laundering				

18) How the information are shared along the enforcement chain (for example: intranet systems, secured communication channels, meetings etc.) and how do you think information sharing could be improved?

19) How do you assess your cooperation with Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs)? (*For example: are NGOs/CSOs more capable than before in identifying forest crimes, how often do they inform you about forest crimes etc.*)

20) How helpful are the substantiated concerns from NGOs in the frame of the EUTR?

21) Have you heard of, or participated in training about forestry crime/the relevant legislation to fight forestry crime? Please provide some information on your experience

22) Are the communication channels provided by INTERPOL (use of I-24/7) appropriate to share information on forestry related investigations?

If Yes, are you sharing forestry related information on a regular basis :

- with INTERPOL General Secretariat?
- with your National Central Bureau?

D. Conclusion

23) What are the challenges in relation to prosecution of forestry related crimes? (*For example: are results from checks by authorities structured in a way so that they could be used in court? are breaches/violations detected by relevant authorities systematically sanctioned in court - if no, why? are fines imposed in court below maximum fines defined in national laws - if yes, why?*)

24) What are the challenges in relation to prosecution of EUTR violations concerning imported timber? *(For example: is it clear what constitutes an acceptable burden of proof? is it difficult to prove in court that a company did not do everything within its reach to mitigate all risks in the frame of their Due Diligence System? Is it difficult to address the fact that operators determine their own thresholds on the level of corruption they accept or tolerate in the frame of their DDS?)*

25) Do you think that there would be a potential for more cases related to forestry crime to be prosecuted under the existing legislations? If yes, what do you think would be necessary to increase the number of cases prosecuted?

**WWF'S MISSION IS TO STOP
THE DEGRADATION
OF THE PLANET'S NATURAL
ENVIRONMENT AND TO BUILD
A FUTURE IN WHICH HUMANS LIVE
IN HARMONY WITH NATURE**



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