Contents

1. Forest Permits – due process
2. Questions for the application of the EUTR
3. Link to Independent Monitoring
Forest Permitting – due process

Following the relevant law and necessary procedures

Examples (administration):

• Respect for timelines in the publication of tenders

• Eligibility of companies to operate permits

• Requirements re supporting documentation

• Land available to have a permit issued
Permits - another sector

- Example: Power plant permit
  - Poland – community consultation
    - Citizen participation is foreseen
    - Unlawful decision making process
    - Permit revoked

- Q: Does the act/omission = invalid permit?
- If so – when is the permit invalid?
Questions for application of EUTR

• When does information indicating failure of due process = risk of illegality?

• Is a failure by the administration to meet due process requirements, ever ok? (corruption vs error?)

• If so: when, and why – what is the threshold?
2 competing ways to understand

The letter of the law has not been followed
 = ’risk’ of illegailty

Vs

’This is how it is done’ by the responsible agencies
EUTR: how can operators/CAs know?

- Requires information 'behind' official documentation
- Independent monitoring = one source
  - ’Formal’ and ’informal’ IM exists
  - Operates differently in different countries