EUTR Implementation and domestic forest legislation
Czech Republic – 2015
Jan Doubal
Forest Management Institute
Content of the presentation

1. Checks on operators – Overview

2. Act.226 – Czech EUTR implementation

3. Checks on domestic producers
Overview of competent authorities

- Ministry of Agriculture

- Forest Management Institute
  - a government organization established by the Ministry of Agriculture of the Czech Republic.
Who runs checks on operators?

- **Forest Management Institute:**
  1. Sets one year-plan of checks.
  2. Is responsible for the checks.
  3. Responds to a substantiated concern.
  4. Reports to Regional Authority if operator is not compliant with Czech Act.226 (EUTR).
What categories of operators we deal with?

**Domestic producers**
- According to Act.226 (EUTR) - domestic production.

**Importers**
- Imports from non-EU countries.
- Placing on the market.
How do we identify domestic operator?

- Based on information from our Institute’s Information and Data Centre (IDC)
- IDC Contains all Forest management plans in the Czech Republic
How do we identify importing operator?

- Checks on importers are based on information from Customs.

- The Customs Administration of the Czech Republic provides FMI with tables containing identification of the operator, country of origin and a description of declared timber products.
How do we choose an operator to check?

- One year plan of checks.
- Risk analysis
  - Possible illegal logging identified from aerial imagery
  - Substantiated concerns
- Considering:
  - Type of forest owner (state forests, municipality, private owners, military forests…)

Domestic producers
How do we choose importing operator to check?

- One year plan of checks.
- Risk analysis
  - CPI
  - Internet sources research
- Considering:
  - Country of origin
  - Timber products as classified in the Annex
  - Also location of importing company (Prague, other)
Act.226 – Czech EUTR implementation

- EUTR implementation for domestic producers in accordance with the Act.226
- Act.226 – national legislation handling domestic producers
Forest production

- Timber harvested in forests and timber products derived from such timber.

Other production

- Timber harvested outside of the forest.
Forest production

- Forest areas are managed according to Forest law
- Large forests need to set up Forest management plan (over 50 Hectare)
- Smaller forests are managed using Forest management guidelines under state's administration (usually private owned forests up to 50 Hectare).
Illegality of timber production:

- **Violation of the Forest law:**
  - exceeding the logging area (only up to 1 Ha clear felling is allowed)
  - exceeding the annual (or other) allowed logging
  - main planned felling in forests under 80 years

- **Criminal activities:**
  - Stealing timber, deliberate violation of the Forest law
Act.226 – Other domestic production

Other production

- Urban areas (town parks, gardens, alleys)
- Requires permission according to Act on Nature protection
Act.226 – Other domestic production

Other production

- Areas around roads, highways, railways, watercourses…
- Requires permission according to Act on Nature protection
Checks on domestic producers

- Risk based
- Substantiated concern (e.g. Czech Environmental Inspectorate)
- Based on the ownership, type of production:
  - Forest production
  - Other production
  - The Railway Infrastructure Administration
  - Road and Highway Administration
Checks on domestic producers

- Upon performing checks we proceed in line with the Inspection Code.
- Planned checks are announced by registered letter or data box.
- Planned date of the check can be changed, if required by operator.
- Opened check can be postponed so the operator can enhance DDS.
Assistance for domestic producers

- Forest management institute shall provide technical assistance and consultancy to operators (according to Act.226)
- Basic information on EUTR is available on our web pages.
- We are prepared to assist the operators via email or phone or consultations.
EUTR guidelines for domestic producers

- We have prepared basic guideline for the operators.
- They can use it as a template for the DDS.
- It contains information on legislation and the list of the obligations set by EUTR legislation.
- Also reflects the requirements of Forest law and its consequences to timber legality.
EUTR guidelines for domestic producers
Control record – closing the check
Check based on substantiated concern - example

- Substantiated concern by Czech Environmental Inspectorate:

![Image of a document](image_url)
Check based on substantiated concern - example

- On site inspection:
Check based on substantiated concern - example

- Eventually we can estimate harvested volume from stumps:
Check based on substantiated concern - example

- Note of inspection to the operator:
Check based on substantiated concern - example

- Check on the company‘s headquarters – no sign of the company...
Check based on substantiated concern - example

- legal and technical means to seize the suspicious timber not in place yet
Check based on substantiated concern - example

- We report to Regional authority for violating EUTR legislation (not cooperating with CA, no DDS, probably placing of illegal timber on the market…). Regional authority imposes fine.

- We also can report company to Trade licensing office for incorrect identification of company’s headquarters.

- …or to a Business register court for using fake adress.
Thank you for your attention.

Jan Doubal

Forest Management Institute
EUTR Competent Authority
Czech Republic
+420 725 456 297
+420 321 021 441
doubal.jan@uhul.cz