

I.I. Competent Authorities

Fields marked with * need to be filled in before the form can be submitted to the next level.

I. Application context

I.I. Competent Authorities (ref. EUTR Article 7)

- *1 How many Competent Authorities have been designated at national and sub-national level for the application of the EUTR in your country?

34

- *2 Which national legislation designates the Competent Authority/ies (please also provide the Article number)?

Real Decreto 1088/2015, de 4 de diciembre, para asegurar la legalidad de la comercialización de madera y productos de la madera, artículo 3.2.

Ley Orgánica 2/1986, de 13 de marzo, de Fuerzas y Cuerpos de Seguridad en el que se establece el carácter de agente de la autoridad a efectos legales este Cuerpo de Seguridad, artículo 7.

Please provide a hyperlink to the national legislation or/and upload PDF. If available, please provide this in English, if this is not available, please provide it in your national language.

- 3 Hyperlink(s) to the national legislation:

<https://www.boe.es/buscar/doc.php?id=BOE-A-2015-13437>

<https://www.boe.es/buscar/act.php?id=BOE-A-1986-6859>

- 4 Upload PDF(s) with the national legislation:

The maximum file size is 5 MB

Only files of the type pdf are allowed

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I.II. Collaboration

Fields marked with * need to be filled in before the form can be submitted to the next level.

I. Application context

I.II. Collaboration with other Competent Authorities, the Commission, authorities of third countries or between authorities within a Member State to ensure the implementation and enforcement of the EUTR (ref. EUTR Articles 8(4)), 10(2), 12 and 19(3))

The implementation and enforcement of the EUTR nationally and across implementing countries requires the effective collaboration of different authorities to ensure comprehensive risk based planning of checks and successful enforcement measures.

'Collaboration' refers to the **active exchange** (i.e. the reception from and provision to other authorities) of **raw data** (e.g. customs or tax declaration data) or of **more processed information** (e.g. operator names or information on particular risks in countries of origins) that can be used for the planning of checks, performance of ad hoc checks or the coordination of EUTR implementation or enforcement action. It also refers to working together on **joint checks or coordinated implementation or enforcement action**. Collaboration frequency, partners, subjects and related legal constraints serve as indicators for assessing the intensity, quality, and scope of the collaboration.

1 Select the frequency with which the Competent Authority collaborates with other authorities through the **exchange of data/information** to implement and/or enforce the EUTR in relation to the obligations for operators, traders and monitoring organisations (duty-holders):

	Frequently (at least monthly)	Occasionally (less frequently than monthly)	Never
* European Commission	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* EUTR Competent authorities of other Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Authorities of Third countries	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* National or sub-national authorities: Customs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* National or sub-national authorities: Police	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* National or sub-national authorities: Tax authorities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* National or sub-national authorities: Business inspectorate or similar	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
National or sub-national authorities: Other	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

2 Please specify 'Other':

Entre autoridades competentes, autonómicas y estatal, y entre estas y las policías autonómicas. Con otras administraciones públicas (CITES, SOIVRE). Con asociaciones y cluster de la madera.

3 The **exchange of data/information**, relates to the obligations of the following duty holders (domestic and importing operators, traders, and monitoring organisations):

	Operators - domestic timber/ timber products	Operators - imported timber/ timber products	Traders	Monitoring organisations
* European Commission	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
* EUTR Competent authorities of other Member States	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Authorities of Third countries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Customs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Police	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Tax authorities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Business inspectorate or similar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

4 Select the frequency with which the Competent Authority collaborates with other authorities through **joint checks/ inspections/ enforcement actions** to implement and/or enforce the EUTR in relation to the obligations for operators, traders and monitoring organisations (duty-holders):

	Frequently (at least monthly)	Occasionally (less frequently than monthly)	Never
* European Commission	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* EUTR Competent authorities of other Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Authorities of Third countries	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
National or sub-national authorities: Customs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
National or sub-national authorities: Police	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
National or sub-national authorities: Tax authorities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
National or sub-national authorities: Business inspectorate or similar	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
National or sub-national authorities: Other	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

5 The **joint inspections/ enforcement actions** relate to the obligations for the following duty holders (domestic and importing operators, traders, and monitoring organisations):

	Operators - domestic timber/ timber products	Operators - imported timber/ timber products	Traders	Monitoring organisations
* European Commission	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
* EUTR Competent authorities of other Member States	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Authorities of Third countries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

National or sub-national authorities: Customs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Police	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Tax authorities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Business inspectorate or similar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National or sub-national authorities: Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

8 Comments:

En un Estado Miembro con múltiples Autoridades Competentes, como España, la casuística de colaboraciones es muy variada, pudiéndose dar casi todos los casos. En este apartado, en las preguntas 1 y 4 sólo está permitida una respuesta, por lo que al tener que indicarse sólo una, no puede considerarse un reflejo fiel de la realidad.

Asimismo, en estas preguntas, el intercambio de información y las acciones de implementación pueden ser genéricas, no enfocadas a una tipología específica de agente/comerciante/entidad de supervisión, por lo que no creemos que las respuestas puedan ser analizadas de forma coherente a nivel de la Unión Europea. Entre las acciones de implementación que se han considerado tanto controles conjuntos como acciones de formación, comunicación, y otras.

Asimismo, aunque se consigue intercambio de información con las autoridades aduaneras de forma puntual y ocasional, Aduanas determina que no puede proporcionar datos por temas normativos, específicamente por: artículo 12.1 del Reglamento (UE) nº 952/2013 del Parlamento Europeo y del Consejo, de 9 de octubre de 2013, por el que se establece el código aduanero de la Unión <https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex%3A32013R0952>; artículo 95 de la Ley 58/2003, de 17 de diciembre, General Tributaria. <https://www.boe.es/buscar/act.php?id=BOE-A-2003-23186#a34>; artículo 6 del Reglamento (UE) 2016/679 del Parlamento Europeo y del Consejo, de 27 de abril de 2016, relativo a la protección de las personas físicas en lo que respecta al tratamiento de datos personales y a la libre circulación de estos datos <https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A32016R0679>

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I.III Records of checks

Fields marked with * need to be filled in before the form can be submitted to the next level.

I. Application context

I.III. Records of checks (ref. EUTR Article 11)

Keeping records of checks is necessary for carrying out effective inspections and enforcement actions, and facilitates check planning and reporting, as well as for giving access to environmental information to the general public or upon request. Data related to checks under the EUTR kept in the records are considered environmental information. As a rule, access to environmental information has to be granted to anyone requesting it, unless this information falls under one of the exceptions to this rule, such as confidentiality of proceedings protected by law, ongoing proceedings, commercial information and personal data.

1 Please specify which of the information on the following duty holders (operators, traders, and monitoring organisations) is not retained in the Competent authorities (CA's) records. Of the information retained, indicate, which is made available under Article 11(2) and Directive 2003/04/EC on access to environmental information, (i.e. when none of the exceptions apply) and in which way:

	This information is not retained in the CA's record	This information is (partially) made publicly available	This information is (partially) made available only upon request	None of this information is made available due to restrictions under the provisions of national legislation going beyond the EU legislation
* Name and address of the company	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Reason for check (e.g. risks identified in check plan, proximity to other operator, substantiated concern, bi-annual check)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Nature of the check /inspection (e.g. purely desk-based, desk-based and onsite, joint inspections)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Concerns/ infringements identified during check (e.g. potential/confirmed placement of non-negligible risk timber on the market)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Enforcement action decisions (e.g. Notice of Remedial Action or similar Interim measures, or penalties)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

* Name and address of the supplier company/ies (<i>applies to operators and traders only</i>)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Name and address of the buyer company/ies (<i>applies to operators and traders only</i>)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Name and address of operators using MO services (<i>applies to MO's only</i>)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (please specify in comments below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 Comments:

En un Estado Miembro con múltiples Autoridades Competentes, como España, la casuística de cómo se puede hacer pública cierta información varía, por lo que las respuestas no puede considerarse un reflejo fiel de la realidad.

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I.IV. Reaching, raising awareness and building capacity

Fields marked with * need to be filled in before the form can be submitted to the next level.

I. Application context

I.IV. Reaching, raising awareness and building capacity of different target audiences regarding EUTR (ref. EUTR Article 13)

For an effective and efficient application of the EUTR, the awareness and capacity of the duty-holders (operators, traders, and monitoring organisations), as well as of those involved in compliance verification and enforcement is crucial. Also civil society, in particular consumers, should be aware of the risk of illegally harvested timber/timber products being placed on the market and of the measures taken to address this issue. The type of information campaign, the level of involvement of the audience and estimated size of the audience can serve to assess, in how far which audience is reached, made aware and/or its capacity to comply with or verify compliance with the EUTR.

For the purpose of reporting, three levels of attaining audiences are differentiated:

Reaching an audience means information is being received by that audience. It is a necessary first step of awareness-raising and can indicate possible awareness raising. However, proof of reaching an audience, like reception of mails, visits of a website, viewing of an emission, cannot serve as a proof of awareness raising.

Raising awareness of an audience means ensuring that the audience reached becomes conscious of a concept, here the EUTR or one of its components, but not necessarily fully grasping it or retaining the details. Proof of interaction with an audience regarding the EUTR, direct e-mail exchanges, chats or other interactive communication can be considered proof of awareness raising. Awareness raising includes having been reached.

Building capacity of an audience means providing or improving skills and knowledge, thus enabling the audience to actively and autonomously use them. Proof of participation in a targeted, interactive activity for a closed audience like participation in a training course, seminars, conferences or meetings can be considered proof that capacity building has been achieved. Capacity building includes awareness raising and thus also reaching the audience.

Please use the form below to record details of particular actions/campaigns/events/emissions/press releases during the reporting period to increase awareness of the EUTR and/or the capacity to apply it. For each campaign fill in a new form throughout the reporting period.

1 Description or name of action/campaign/event/emission/press release:

Curso "Diligencia Debida en España: Cumplimiento en la práctica de las obligaciones EUTR" Co-organizada entre el MITECO y Preferred by Nature. Virtual, 17 y 19 de febrero de 2021.

Curso "El papel de la certificación en el EUTR" Preferred by Nature y ATIBT, en coordinación con MITECO. Virtual, 7 de abril de 2021.

Jornada de "Difusión de los Reglamentos EUTR y FLEGT". Co-organizada entre el MITECO y la CEOE. Virtual, 11 de mayo de 2021.

Curso "Identificación macroscópica de especies de maderas CITES" Impartido por la UPM dirigido al personal del SEPRONA y Resguardo Fiscal. MITECO, Madrid, 31 mayo-11 junio 2021.

Curso de Sanidad Vegetal en Frontera - "Sistema de Licencias FLEGT: Actividades de control. Principios"

Curso virtual: "Trazabilidad de especies forestales en el control del comercio de la madera y productos derivados". Impartido por el INIA y la AECID. Del 18 al 22 de octubre

Jornada de presentación de "Lignum Data: Sistema de Información Estadística FLEGT y EUTR". MITECO. Virtual, 13 de octubre de 2021

Curso "Diligencia Debida en España: Formación Práctica EUTR" Co-organizada entre el MITECO y Preferred by Nature. Virtual, 21 de octubre de 2021.

Jornada de "Difusión del Día de la Naturaleza COP26". Embajada Británica. Presencial y retransmitida, 5 de noviembre de 2021.

Jornada sobre la "Contribución española al Partenariado de la Declaración de Ámsterdam y la lucha contra la deforestación". MITECO, en colaboración con la Fundación Biodiversidad. Presencial y retransmitida, 10 de noviembre de 2021.

*2 Which types of communication tools were used in this case to reach, raise awareness, or build capacity of the target audience(s)?

- Training courses, seminars, conferences, meetings (counts as capacity building, awareness raising and reaching the participants)
- Direct e-mail exchanges, chats or other interactive communication, contacts at fairs, inspections (counts as awareness raising and reaching the persons interacting)
- Information emails, newsletters, flyers (counts as reaching the recipients)
- Website, social media, publicly available webinars, downloadable information material (counts as reaching the users counted)
- TV, radio programmes (counts as reaching the estimated audience)

*3 Please specify the topic (select all that apply):

- EUTR overall purpose, obligations, and implementation
- EUTR traceability obligations
- EUTR due diligence obligation in general
- EUTR specific risks and related risk assessment and/or mitigation measures
- Other EUTR related issues (please specify under 'Description')

*4 Please specify the audience(s), which was/were targeted for reaching/raising awareness/building capacity:

- Operators of domestic timber/timber products (general)
- Operators of imported timber/timber products/traders (general)
- Small and Medium Sized Enterprise operators/traders
- Federations of operators/traders
- Own staff, staff of other national authorities, judiciary
- Other EUTR Competent authorities
- Third country Competent authorities
- Civil society organisations/Scientific bodies
- Monitoring organisations
- General public/consumers

Please specify the estimated/known number of individuals of the targeted audiences.

5 Operators of domestic timber/timber products (general)

150

6 Operators of imported timber/timber products/traders (general)

200

7 Small and Medium Sized Enterprise operators/traders

50

8 Federations of operators/traders

5

9 Own staff, staff of other national authorities, judiciary

50

10 Other EUTR Competent authorities

75

11 Third country Competent authorities

5

12 Civil society organisations/Scientific bodies:

10

13 Monitoring organisations:

2

14 General public/consumers

50

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I.IV. Reaching, raising awareness and building capacity

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I. Application context

I.IV. Reaching, raising awareness and building capacity of different target audiences regarding EUTR (ref. EUTR Article 13)

For an effective and efficient application of the EUTR, the awareness and capacity of the duty-holders (operators, traders, and monitoring organisations), as well as of those involved in compliance verification and enforcement is crucial. Also civil society, in particular consumers, should be aware of the risk of illegally harvested timber/timber products being placed on the market and of the measures taken to address this issue. The type of information campaign, the level of involvement of the audience and estimated size of the audience can serve to assess, in how far which audience is reached, made aware and/or its capacity to comply with or verify compliance with the EUTR.

For the purpose of reporting, three levels of attaining audiences are differentiated:

Reaching an audience means information is being received by that audience. It is a necessary first step of awareness-raising and can indicate possible awareness raising. However, proof of reaching an audience, like reception of mails, visits of a website, viewing of an emission, cannot serve as a proof of awareness raising. **Raising awareness** of an audience means ensuring that the audience reached becomes conscious of a concept, here the EUTR or one of its components, but not necessarily fully grasping it or retaining the details. Proof of interaction with an audience regarding the EUTR, direct e-mail exchanges, chats or other interactive communication can be considered proof of awareness raising. Awareness raising includes having been reached. **Building capacity** of an audience means providing or improving skills and knowledge, thus enabling the audience to actively and autonomously use them. Proof of participation in a targeted, interactive activity for a closed audience like participation in a training course, seminars, conferences or meetings can be considered proof that capacity building has been achieved. Capacity building includes awareness raising and thus also reaching the audience.

Please use the form below to record details of particular actions/campaigns/events/emissions/press releases during the reporting period to increase awareness of the EUTR and/or the capacity to apply it. For each campaign fill in a new form throughout the reporting period.

1 Description or name of action/campaign/event/emission/press release:

Resolución de dudas y consultas en la implementación del reglamento y de la aplicación EUTR a través de los buzones de correo y el teléfono.
Participación en seminarios y encuentros internacionales.
Contacto en las inspecciones.

*2 Which types of communication tools were used in this case to reach, raise awareness, or build capacity of the target audience(s)?

- Training courses, seminars, conferences, meetings (counts as capacity building, awareness raising and reaching the participants)
- Direct e-mail exchanges, chats or other interactive communication, contacts at fairs, inspections (counts as awareness raising and reaching the persons interacting)

- Information emails, newsletters, flyers (counts as reaching the recipients)
- Website, social media, publicly available webinars, downloadable information material (counts as reaching the users counted)
- TV, radio programmes (counts as reaching the estimated audience)

*3 Please specify the topic (select all that apply):

- EUTR overall purpose, obligations, and implementation
- EUTR traceability obligations
- EUTR due diligence obligation in general
- EUTR specific risks and related risk assessment and/or mitigation measures
- Other EUTR related issues (please specify under 'Description')

*4 Please specify the audience(s), which was/were targeted for reaching/raising awareness/building capacity:

- Operators of domestic timber/timber products (general)
- Operators of imported timber/timber products/traders (general)
- Small and Medium Sized Enterprise operators/traders
- Federations of operators/traders
- Own staff, staff of other national authorities, judiciary
- Other EUTR Competent authorities
- Third country Competent authorities
- Civil society organisations/Scientific bodies
- Monitoring organisations
- General public/consumers

Please specify the estimated/known number of individuals of the targeted audiences.

5 Operators of domestic timber/timber products (general)

150

6 Operators of imported timber/timber products/traders (general)

250

7 Small and Medium Sized Enterprise operators/traders

50

8 Federations of operators/traders

5

9 Own staff, staff of other national authorities, judiciary

100

10 Other EUTR Competent authorities

100

11 Third country Competent authorities

100

12 Civil society organisations/Scientific bodies:

10

13 Monitoring organisations:

2

14 General public/consumers

50

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For the purpose of reporting, three levels of attaining audiences are differentiated:

Reaching an audience means information is being received by that audience. It is a necessary first step of awareness-raising and can indicate possible awareness raising. However, proof of reaching an audience, like reception of mails, visits of a website, viewing of an emission, cannot serve as a proof of awareness raising.

Raising awareness of an audience means ensuring that the audience reached becomes conscious of a concept, here the EUTR or one of its components, but not necessarily fully grasping it or retaining the details. Proof of interaction with an audience regarding the EUTR, direct e-mail exchanges, chats or other interactive communication can be considered proof of awareness raising. Awareness raising includes having been reached.

Building capacity of an audience means providing or improving skills and knowledge, thus enabling the audience to actively and autonomously use them. Proof of participation in a targeted, interactive activity for a closed audience like participation in a training course, seminars, conferences or meetings can be considered proof that capacity building has been achieved. Capacity building includes awareness raising and thus also reaching the audience.

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1 Description or name of action/campaign/event/emission/press release:

Comunicaciones con los agentes EUTR y Autoridades competentes vía correo electrónico sobre cursos o información relevante EUTR (campaña declaraciones responsables, actualizaciones de las herramientas de implementación, cambios en la aplicación EUTR, propuesta normativa UE, etc.).

Envío correos informativos a agentes por correo electrónico y a veces carta (normativa, folleto divulgación, etc.), sobre obligaciones EUTR, presentación declaraciones responsables, etc.

Envío correos informativos a Gestores de Biomasa (agentes 2) recordando la normativa.

Actualización de folletos FLEGT y EUTR y su distribución en varias jornadas, seminarios, etc.

Gráfico informativo (<http://www.navarra.es/NR/rdonlyres/5F785687-98C8-4D4A-A5AA-D4BEC0D5BC36/403621/Ademangraficov5.pdf>)

Boletín de noticias Madera Legal (semestral): Enero-junio 2021 y Julio-diciembre 2021.

Nota de prensa sobre curso EUTR y noticias elaboradas para la Web sobre diferentes asuntos de interés.

*2 Which types of communication tools were used in this case to reach, raise awareness, or build capacity of the target audience(s)?

- Training courses, seminars, conferences, meetings (counts as capacity building, awareness raising and reaching the participants)
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- TV, radio programmes (counts as reaching the estimated audience)

*3 Please specify the topic (select all that apply):

- EUTR overall purpose, obligations, and implementation
- EUTR traceability obligations
- EUTR due diligence obligation in general
- EUTR specific risks and related risk assessment and/or mitigation measures
- Other EUTR related issues (please specify under 'Description')

*4 Please specify the audience(s), which was/were targeted for reaching/raising awareness/building capacity:

- Operators of domestic timber/timber products (general)
- Operators of imported timber/timber products/traders (general)
- Small and Medium Sized Enterprise operators/traders
- Federations of operators/traders
- Own staff, staff of other national authorities, judiciary
- Other EUTR Competent authorities
- Third country Competent authorities
- Civil society organisations/Scientific bodies
- Monitoring organisations
- General public/consumers

Please specify the estimated/known number of individuals of the targeted audiences.

5 Operators of domestic timber/timber products (general)

700

6 Operators of imported timber/timber products/traders (general)

900

7 Small and Medium Sized Enterprise operators/traders

500

8 Federations of operators/traders

40

9 Own staff, staff of other national authorities, judiciary

100

10 Other EUTR Competent authorities

120

11 Third country Competent authorities

100

12 Civil society organisations/Scientific bodies:

10

13 Monitoring organisations:

2

14 General public/consumers

30

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I. Application context

I.IV. Reaching, raising awareness and building capacity of different target audiences regarding EUTR (ref. EUTR Article 13)

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Raising awareness of an audience means ensuring that the audience reached becomes conscious of a concept, here the EUTR or one of its components, but not necessarily fully grasping it or retaining the details. Proof of interaction with an audience regarding the EUTR, direct e-mail exchanges, chats or other interactive communication can be considered proof of awareness raising. Awareness raising includes having been reached.

Building capacity of an audience means providing or improving skills and knowledge, thus enabling the audience to actively and autonomously use them. Proof of participation in a targeted, interactive activity for a closed audience like participation in a training course, seminars, conferences or meetings can be considered proof that capacity building has been achieved. Capacity building includes awareness raising and thus also reaching the audience.

Please use the form below to record details of particular actions/campaigns/events/emissions/press releases during the reporting period to increase awareness of the EUTR and/or the capacity to apply it. For each campaign fill in a new form throughout the reporting period.

1 Description or name of action/campaign/event/emission/press release:

Mantenimiento y actualización página Web del Ministerio sobre temas EUTR (recursos de formación, documentos de implementación, actualización de información, noticias, ...). <https://www.miteco.gob.es/es/biodiversidad/temas/internacional-especies-madera/madera-legal/default.aspx>
Noticias y tuits publicados.
Mantenimiento y actualización página Web http://www.navarra.es/home_es/Temas/Medio+Ambiente/Montes/Comercializacion+legal+de+la+madera.htm.
Creación de documentos y contenido: resumen de datos de actuaciones realizadas en la publicación "Diagnóstico Ambiental 2021" (datos de 2020) en Madrid; publicación de "La madera: Conceptos clave para su identificación botánica"; etc.

*2 Which types of communication tools were used in this case to reach, raise awareness, or build capacity of the target audience(s)?

- Training courses, seminars, conferences, meetings (counts as capacity building, awareness raising and reaching the participants)
- Direct e-mail exchanges, chats or other interactive communication, contacts at fairs, inspections (counts as awareness raising and reaching the persons interacting)
- Information emails, newsletters, flyers (counts as reaching the recipients)
- Website, social media, publicly available webinars, downloadable information material (counts as reaching the users counted)
- TV, radio programmes (counts as reaching the estimated audience)

*3 Please specify the topic (select all that apply):

- EUTR overall purpose, obligations, and implementation
- EUTR traceability obligations
- EUTR due diligence obligation in general
- EUTR specific risks and related risk assessment and/or mitigation measures
- Other EUTR related issues (please specify under 'Description')

*4 Please specify the audience(s), which was/were targeted for reaching/raising awareness/building capacity:

- Operators of domestic timber/timber products (general)
- Operators of imported timber/timber products/traders (general)
- Small and Medium Sized Enterprise operators/traders
- Federations of operators/traders
- Own staff, staff of other national authorities, judiciary
- Other EUTR Competent authorities
- Third country Competent authorities
- Civil society organisations/Scientific bodies
- Monitoring organisations
- General public/consumers

Please specify the estimated/known number of individuals of the targeted audiences.

5 Operators of domestic timber/timber products (general)

3400

6 Operators of imported timber/timber products/traders (general)

3500

7 Small and Medium Sized Enterprise operators/traders

6000

8 Federations of operators/traders

40

9 Own staff, staff of other national authorities, judiciary

50

10 Other EUTR Competent authorities

120

11 Third country Competent authorities

10

12 Civil society organisations/Scientific bodies:

50

13 Monitoring organisations:

2

14 General public/consumers

800

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II.I. Facilitation of checks

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.I. Facilitation of checks - Access to documentation and obligation to facilitate checks related to the obligations under the EUTR (ref. EUTR Art. 10(4), 10(1) and (3))

1 How does your legislation grant the Competent Authority and other authorities involved access to operators'/traders'/monitoring organisations' premises and the documentation or records necessary for checks/ inspections/ enforcement measures?

	Unrestricted access (with or without informing them in advance)	Only with their consent	Only with a warrant
* Operators - domestic timber/ timber products	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Operators - imported timber/ timber products	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Traders	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring organisations	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

2 Comments:

En un Estado Miembro con múltiples Autoridades Competentes, como España, la casuística de cómo las Autoridades Competentes pueden tener acceso a instalaciones y documentación es múltiple. Se ha indicado la opción mayoritaria, aunque no puede considerarse un reflejo fiel de la realidad. En cualquier caso, el Real Decreto 1088/2015 especifica que los agentes y comerciantes deberán facilitar a las autoridades competentes la realización de los controles. Sobre los controles a las Entidades de Supervisión, deberán ajustarse en todo caso a lo establecido en el Reglamento de Ejecución 607/2012.

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II.II. Resources

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.II. Resources for EUTR compliance verification and enforcement

The resources available for the verification of compliance and enforcement are key for ensuring the application of the EUTR and thus the reduction of illegally harvested timber or derived products being placed on the EU market and the improvement of traceability of timber throughout the supply chain in the EU. It is therefore important to understand, how much resources are at the disposal of the authorities implementing the EUTR and how much resources they need per compliance verification check. For a better understanding of the resources needed for compliance verification of operators placing imported timber/timber products, it is also important to understand, whether there are specific countries of harvest or origin, for which the verification of compliance with the EUTR it is particularly complex and thus resource-consuming.

Resources available for compliance verification and enforcement

Please specify the staff and resources dedicated to EUTR implementation and enforcement over the reporting period. Please **only count staff with a strong focus on EUTR**, not additional support staff or customs staff, unless customs is one of the Competent Authorities.

*1 **Staff and budgets** dedicated to EUTR implementation and enforcement for **domestic timber** and **imported timber** are:

- Separated
 Combined

For **domestic and imported timber combined** (including operators, traders and monitoring organisations, if relevant)

*6 What is **the staff's approximate combined total time** spent on EUTR implementation/ enforcement?

Provide as **full-time equivalents (FTE)**, e.g. 10 part-time staff who each work 50%, and 50% of that time is spent on EUTR = 2.5 FTE

20

*7 What was the total annual budget for EUTR implementation and enforcement over the reporting period (e.g. travel costs, workshop costs, costs for sample analysis, costs for issuing penalties, legal fees etc., but excluding staff salary costs)?

420000

EUR

8 It is assumed that the implementation of the EUTR in relation to traders and monitoring organisations is included in the above. If this is not correct, please clarify this here:

--

Resources needed on average for compliance verification per type of check

9 What is the **average time spent** on each type of check on operators placing **domestic** timber/timber products on the market (including preparation, transport, inspection onsite, follow-up, administrative procedure, but **not** including pursuing enforcement actions, preparation of replies to complaints and court cases)?

Purely desk based check can consist of **multiple** document reviews. Desk- and onsite check can consist of **multiple** document reviews and visits.

	Up to 1 day	1-2 days	3-4 days	1 week	Longer than 1 week
Purely desk based checks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Desk- and onsite checks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

10 What is the **average time spent** on each type of check on operators placing **imported** timber/timber products on the market (including preparation, transport, inspection onsite, follow-up, administrative procedure, but **not** including pursuing enforcement actions, preparation of replies to complaints and court cases)?

Purely desk based check can consist of **multiple** document reviews. Desk- and onsite check can consist of **multiple** document reviews and visits.

	Up to 1 day	1-2 days	3-4 days	1 week	Longer than 1 week
Purely desk based checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Desk- and onsite checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

11 What is the **average time spent** on each type of check on operators placing **unspecified** timber/timber products on the market (including preparation, transport, inspection onsite, follow-up, administrative procedure, but **not** including pursuing enforcement actions, preparation of replies to complaints and court cases)?

Purely desk based check can consist of **multiple** document reviews. Desk- and onsite check can consist of **multiple** document reviews and visits.

	Up to 1 day	1-2 days	3-4 days	1 week	Longer than 1 week
Purely desk based checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Desk- and onsite checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

12 What is the **average time spent** on each type of check on **monitoring organisations**?

Purely desk based check can consist of **multiple** document reviews. Desk- and onsite check can consist of **multiple** document reviews and visits.

	Up to 2 days	3-5 days	Longer than 5 days
Purely desk based checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Desk- and onsite checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Resource-intensive compliance verification for certain Non-Voluntary Partnership Agreement countries (non-VPA countries)

13 For particularly resource intensive compliance verification of operators placing imported timber/timber products on the market, which are linked to the Non-VPA country of harvest or origin, from which the operator imported them, please indicate the name of the country/ies and the reason(s) for the particular resource intensity:

	Country/ies of harvest or origin	Reason(s) for complexity (e.g. complex applicable legislation on country of harvest; language; documents not reliable due to corruption; processing country with no/low traceability to country of harvest)
1	China	Idioma.
2	Brasil	Idioma, complejidad normativa.
3	Ucrania	Idioma, complejidad normativa.
4	Rusia	Idioma, complejidad normativa.
5	Rusia	Idioma, complejidad normativa.
6		
7		
8		
9		
10		

Comments

14 Comments:

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II.III. Voluntary Partnership Agreement (VPA) countries

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.III. FLEGT VPA countries – FLEGT VPAs contribution to the objectives of the EUTR (ref. EUTR Article 3 and 20(2))

This chapter gathers information on whether the FLEGT VPA processes leading to the conclusion and operation of VPAs are having beneficial effects on EUTR implementation and enforcement, e.g. because access to information on the applicable legislation, its implementation and enforcement, and on supply chains in these countries becomes more transparent in the course of negotiations and implementation of the Legality Definitions and Timber Legality Assurance Systems of the VPAs. This would be reflected in a reduced complexity of checks. Another important aspect is whether there is evidence that illegal trade from these countries is reducing, indicated by a reduction of the perceived risk of illegally harvested timber and derived products originating in these countries over time. Relevant information is also gathered in other sections of the national report and will be taken into consideration during analysis.

1 What **level of risk** does the Competent Authority assign to each of these VPA countries in their risk based planning?

	high risk	medium risk	low risk	risk not assessed	no imports
* Cameroon	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Central African Republic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Côte d'Ivoire	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Democratic Republic of the Congo	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Gabon	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Ghana	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Guyana	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Honduras	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Indonesia (non-FLEGT HS codes only)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Laos	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Liberia	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Malaysia	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Republic of the Congo	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Thailand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

* Vietnam	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
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2 Please assess the **complexity of checks** relating to imports from below VPA countries. To do so, **compare** the average time spent on checks of these countries to the the average time spent on checks relating to non-VPA countries which are considered to be of the same risk level and estimate the related **workload**:

	More time required	Similar time required	Less time required	Unknown (please explain in comment box)
* Cameroon	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Central African Republic	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Côte d'Ivoire	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Democratic Republic of the Congo	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Gabon	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Ghana	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Guyana	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Honduras	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Indonesia (non-FLEGT HS codes only)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Laos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Liberia	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Malaysia	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Republic of the Congo	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Thailand	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Vietnam	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 Comments:

En la pregunta 1 hay que matizar que el Plan Nacional de control de la legalidad de la madera comercializada establece el nivel de riesgo en función del IPC (Índice de Percepción de la Corrupción) del país, no de si tiene un AVA establecido o no. Asimismo, en la pregunta 2, recomendamos que las respuestas se consideren con el debido cuidado al hacer el análisis a nivel europeo, ya que la complejidad de los controles no depende sólo del país exportador, y un análisis simplificado podría dar nociones erróneas del funcionamiento de los AVA.

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II.IV. Implementation of the exemption for CITES under the EUTR

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.IV. Implementation of the exemption for CITES under the EUTR (ref. EUTR Article 3)

*1 During checks on operators or traders, did you identify any products covered under Annex A, B or C to [Regulation \(EC\) No 338/97](#) which did not comply with that Regulation and its implementing provisions?

Yes No

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II.V. Planning – identification of the duty holders

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.V. Planning –identification of the duty holders (ref. EUTR Article 10 and EUTR Article 8 (4))

In view of the great number of operators placing timber/timber products on the market, the EUTR underlines the need of effective planning. Before establishing a check plan, the Competent authorities need to estimate, how many operators placing domestic and/or imported timber/products on the market and know, how many monitoring organisations are active in their country.

Estimation of the number of operators

*1 In your estimate of the total number of operators, does the Competent authority differentiate between operators placing domestic and imported timber on the market?

Yes No

*2 Please provide an estimate of the number of operators who have been placing **domestic** timber/timber products on the market over the reporting period:

Operators within the meaning of the EUTR are natural or legal persons that place timber or timber products on the internal market in the course of a commercial activity for the first time (Article 2 of the EUTR). For timber harvested in the internal market, an entity becomes an operator when it harvests the timber for distribution or use through its own business. ([Guidance document for the EU Timber Regulation of 12 February 2016](#), pp. 3 and 18f.). Data on forest owners and entities, which have acquired the right to harvest standing trees, and which actually harvested timber for their own commercial purposes in a given year may not be readily available in all Member States. It is therefore acceptable to use available data, e.g. on forest owners or timber harvesting companies as a proxy. However, these data should not be 'corrected' ex ante by excluding from the number of potential operators some that are unlikely to be commercially active, e.g., natural persons.

1200

*3 Specify the basis of the estimated number of operators placing **domestic** timber/timber products on the market:

- Number of registered forest owners
- Number of registered logging companies
- Number of domestic operators in a register established to implement the EUTR
- Number of all operators in a register established to implement the EUTR (no differentiation)
- other

4 Please specify other:

Información recopilada de las autoridades competentes autonómicas, con la información que recogen en diferentes registros o expedientes administrativos.

*

5 Please provide an estimate of the number of operators placing **imported** timber/timber products on the market over the reporting period:

Operators within the meaning of the EUTR are natural or legal persons that place timber or timber products on the internal market in the course of a commercial activity for the first time (Article 2 of the EUTR). For timber harvested outside the EU, an entity becomes an operator when it imports timber or timber products into the EU. ([Guidance document for the EU Timber Regulation of 12 February 2016](#), p. 3). Data on importers importing in the course of commercial activity may not be readily available in all Member States. For the purposes of reporting and to ensure comparability, where the exact number of importing operators cannot be established, please base your estimation on the total number of importers of timber and timber products covered by the EUTR as a proxy, independent of the company size or the amount imported per year, or whether the importer is a natural person or not.

11100

*6 Specify the basis of the estimated number of operators placing **imported** timber/timber products on the market:

- Number of importers of timber or timber products covered by the EUTR according to customs data
- Number of importing operators in a register established to implement the EUTR
- other

*8 Please provide an estimate of the number of operators placing **undifferentiated** timber/timber products on the market over the reporting period:

Operators within the meaning of the EUTR are natural or legal persons that place timber or timber products on the internal market in the course of a commercial activity for the first time (Article 2 of the EUTR). For timber harvested outside the EU, an entity becomes an operator when it imports timber or timber products into the EU. ([Guidance document for the EU Timber Regulation of 12 February 2016](#), p. 3). Data on importers importing in the course of commercial activity may not be readily available in all Member States. For the purposes of reporting and to ensure comparability, where the exact number of importing operators cannot be established, please base your estimation on the total number of importers of timber and timber products covered by the EUTR as a proxy, independent of the company size or the amount imported per year, or whether the importer is a natural person or not.

0

*9 Specify the basis of the estimated number of operators placing **undifferentiated** timber/timber products on the market:

- Number of operators in a register established to implement the EUTR (no differentiation domestic/imported timber)
- other

Identification of monitoring organisations

10 Are **monitoring organisations** active in your country?

- Yes No

11 Which monitoring organisations are active in your country and how?

	Actively providing services as monitoring organisations	Actively providing services as consultants	Unknown
AENOR International S.A.U.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BM Trada Latvija	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bureau Veritas Certification Holdings SAS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consorzio Servizi Legno-Sughero (Conlegno)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Control Union Certifications	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIN CERTCO	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

GD Holz Service GmbH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICILA S.R.L	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Le Commerce du Bois	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NEPCon	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SGS United Kingdom Limited	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Soil Association Woodmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TimberChecker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

12 Comments:

La Autoridad Competente Estatal ha preguntado a las Entidades de supervisión sobre su actividad en España. Han respondido todas las Entidades que pueden operar en España menos dos y, en total, han supervisado a 3 importadores.

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II.VI. Planning - Risk-based approach

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.VI. Planning - Risk-based approach for planning of checks on operators (ref. EUTR Article 10)

The criteria used in the risk-based planning determine the efficiency and effectiveness of the identification of operators meeting one or more risk criteria. Operators fulfilling one or more criteria are considered at risk of breaching the EUTR. For the establishment of the check plan, the Competent authority needs to dispose of additional criteria for identifying the operators to be included in the actual check plan. The better these criteria serve to identify those operators with the highest risk of non-compliance, the higher are the chances that the Competent authority can take measures to prevent that timber with a non-negligible risk of having been illegally harvest or products derived therefrom are placed on the market, and if necessary, to impose effective, dissuasive, and proportionate penalties.

1 What is the basis for the establishment of the risk based planning at the national level?

	EUTR Art. 10	National law/Regulation/Circular	Other
* Operators - domestic timber/ timber products	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
* Operators - imported timber/ timber products	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

2 Please specify other:

Los establecidos en el Plan Nacional de control de la legalidad de la madera comercializada; y los establecidos en los Programas Regionales de Control, que desarrolla cada comunidad autónoma.

*3 For the risk-based planning, the Competent authority differentiates between operators placing domestic timber /timber products or imported timber/products on the market:

Yes No

*4 Which **criteria are used in the preparation of the risk based planning** of checks of operators placing **domestic** timber /timber products on the market, to identify those for which there is a risk of breaching the EUTR? Select all that apply:

- Operator with antecedents (e.g. prior breaches of the EUTR or other wood/wildlife trade laws, applicable forest laws, accounting, tax, social security, or customs laws)
- Type of timber product (e.g. fuel wood)
- Type of business (e.g. forest owner, timber mill)
- Area/Region of harvest (e.g. areas/regions subject to high levels of corruption or illegal logging)
- Type of forest of harvest (e.g. primary/natural forest, Natura 2000 or national nature protected area, biosphere park)
- Timber types (e.g. broad leaf) or species (e.g. oak)
- Size of forest property of harvest
- High volume/weight of timber/timber products placed on the market
- High value of timber/timber products placed on the market
- Unusual value/volume ratio of timber/timber products placed on the market

- Other

5 Please specify other:

La presentación y la información contenida en la declaración responsable que tienen que presentar de forma anual los agentes.
Directrices/indicaciones del Grupo de Trabajo de la Madera.
Indicaciones de los grupos de la Unión Europea sobre EUTR y FLEGT.
Información de terceros, incluyendo preocupaciones justificadas.
Información de otras autoridades competentes a nivel nacional.
Existencia de un plan de gestión o instrumento equivalente.
Existencia de certificaciones de gestión forestal sostenible o de cadena de custodia.
Existencia de certificados de madera procedentes de fuentes controladas legalmente.
Ejercicio de la diligencia debida bajo una entidad de supervisión.
Existencia de certificados anuales de aprovechamiento maderero.
Ámbito de actuación del negocio de los agentes y la actividad económica realizada.
La combinación de tipos de negocio.
Pertenencia a una asociación.
Indicios de posibles reincidencias en prácticas incorrectas.
Controles realizados en años anteriores.
Distribución geográfica de las entidades dentro de la comunidad.

*6 Which **criteria are used in the preparation of the risk based planning** of checks of operators placing **imported** timber/timber products on the market, to identify those for which there is a risk of breaching the EUTR? Select all that apply:

- Operator with antecedents (e.g. prior breaches of the EUTR or other wood/wildlife trade laws, applicable forest laws, accounting, tax, social security, or customs laws)
- Type of timber product (e.g. composite wood)
- Type of business (e.g. builder's merchant, boatyard)
- Country of harvest (e.g. countries with high corruption, internal armed conflicts, track record of illegal logging, export bans)
- Area/Region of harvest (e.g. areas/regions with high corruption, internal armed conflicts, a track record of illegal logging)
- Type of forest of harvest (e.g. primary/natural forest, national nature protected area, biosphere park)
- Timber types (e.g. tropical, broad leaf) or species (e.g. teak)
- Complexity or type of supply chain (e.g. trade involving transit or processing countries)
- High volume/weight of timber/timber products placed on the market
- High value of timber/timber products placed on the market
- Unusual value/volume ratio placed on the market
- Other

7 Please specify other:

La presentación y la información contenida en la declaración responsable que tienen que presentar de forma anual los agentes.

Directrices/indicaciones del Grupo de Trabajo de la Madera.

Indicaciones de los grupos de la Unión Europea sobre EUTR y FLEGT.

Información de terceros, incluyendo preocupaciones justificadas.

Información de otras autoridades competentes a nivel nacional.

Existencia de certificaciones de gestión forestal sostenible o de cadena de custodia.

Existencia de certificados de madera procedentes de fuentes controladas legalmente.

Ejercicio de la diligencia debida bajo una entidad de supervisión.

Ámbito de actuación del negocio de los agentes y la actividad económica realizada.

En productos importados cubiertos por una Licencia FLEGT: riesgos asociados a los envíos; asociados a los operadores y análisis de mercados.

Análisis de mercados, situaciones de tensión de la demanda y exigencias de consumidores e industria.

Controles realizados en años anteriores y por otros servicios como el SOIVRE.

Indicios de posibles reincidencias en prácticas incorrectas.

Tamaño de la empresa importadora.

Aquellas empresas en las que se decida el control por interés de la Guardia Civil (SEPRONA).

*10 After having identified the operators placing **imported, domestic or unspecified** timber/timber products on the market which fulfill one or more risk criteria, which of the following **criteria** are used **to prioritize the operators to be included in the inspection/check plan**? Select all that apply:

- Checks carried over from the prior reporting period
- Substantiated concerns
- Number of risk criteria fulfilled (the higher the number, the higher the priority)
- Ranking specific risk criteria higher than others (e.g. antecedents are considered more risky than harvest of a risk species)
- Using one criterion, to choose among operators, where the risks are considered equivalent (weighting)
- Geographic proximity to other operators to be checked
- Random choice among those fulfilling one or several risk criteria
- Other

11 Please specify other:

Entre otras consideraciones están: el análisis en su conjunto de los riesgos detectados; errores reiterados en las declaraciones responsables presentadas; el no llevar a cabo las acciones que le obliga la normativa (como presentar la declaración responsable o solicitar certificados de corta); denuncias reiteradas.

12 How often are the risk criteria, risk level or prioritization of risks reassessed?

	Annually	Monthly	When new relevant information becomes available	Other
* Operators - domestic timber/ timber products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Operators - imported timber/ timber products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

13 Please specify other:

El Plan Nacional de Control y los programas regionales de control se modificarán cuando surja la necesidad y/o cuando aparezca nueva información relevante.

14 Comments:



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II.VII Checks planned and performed in the reporting period

Fields marked with * need to be filled in before the form can be submitted to the next level.

II. Verification of compliance - context and implementation

II.VII Checks planned and performed in the reporting period

The Enforcement of the EUTR, i.e. taking the effective, dissuasive and proportionate measures against the different duty-holders (operators, traders and monitoring organisations) is only possible, when compliance is verified by the authorities. For operators, the efficiency of compliance verification is supported by the risk based planning of checks. Information on the operators identified as fulfilling one or more risk criteria and thus being at risk of breaching the EUTR and the operators planned to be checked allows to appreciate the challenge faced in relation to the resources and expertise needed and available. The relationship of operators planned to be checked versus operators checked and checks performed informs on possible complications, which cannot be planned, such as substantiated concerns, issues with accessing the premises or documentation needed, or complications like the need to carry out scientific testing. The type of checks performed and the declared countries of origin and types or timber/timber products provide valuable additional information for a better understanding the size and complexity of the compliance verification task.

The insertion of the number zero (0) in reply to any of the questions in this Tab requires an explanation in the Comment box.

For countries, which do not distinguish between operators placing domestic or imported timber on the market, '0' should be introduced in questions 1. and 2. and the combined numbers should be introduced under questions 3. and 4.

- *1 How many of the estimated operators placing **domestic** timber/timber products on the market were identified as fulfilling one or more risk criteria and thus considered **at risk of having breached the EUTR**?

0

- *2 How many of these operators were **planned to be checked** under the EUTR?

44

- *3 How many of the estimated operators placing **imported** timber/timber products on the market were identified as fulfilling one or more risk criteria and thus considered **at risk of having breached the EUTR**?

0

- *4 How many of these operators were **planned to be checked** under the EUTR?

240

- *5 How many **traders** of timber/timber products were planned to be **checked** under the EUTR?

0

*6 How many **monitoring organisations** were **planned to be checked**?

0

Operators - domestic timber/ timber products

7 Were any **checks based on the EUTR performed** on operators placing **domestic** timber/timber products on the market?

Yes No

*8 How many operators placing domestic timber/timber products on the market were checked?

28

*9 How many separate checks (check cases) does this correspond to?

One check (check case) may consist of desk-based work and several onsite visits. For one operator there may be several check cases, e.g. if a check case was closed, but a new concern arises.

29

*10 How many of the checks (check cases) remain open?

0

*11 How many checks (check cases) were based on substantiated concerns?

1

*12 For how many checks (check cases) were there any issues accessing premises or documentation?

0

13 How many checks (check cases) were purely desk-based?

This serves to estimate the workload involved.

12

14 How many checks (check cases) were both desk-based and onsite?

This serves to estimate the workload involved.

17

Operators – imported timber/timber products

*15 How many operators placing imported timber/timber products on the market were checked?

90

*16 How many separate checks (check cases) does this correspond to?

One check (check case) may consist of multiple desk-based document reviews and several onsite visits, which may include multiple sample takings.

97

*17 How many of the checks (check cases) remain open?

0

*18 How many checks (check cases) were based on substantiated concerns?

4

*19 For how many checks (check cases) were there any issues accessing premises or documentation?

1

20 How many checks (check cases) were purely desk-based?

This serves to estimate the workload involved.

21

21 How many checks (check cases) were both desk-based and onsite?

This serves to estimate the workload involved.

76

*22 For how many checks (check cases) was scientific testing used?

2

*23 For how many of these checks (check cases) were mismatches found compared to the declared information?

0

*24 Did the Competent authority record, by check (check case), the declared country/countries of harvest/origin of the timber/timber products on which the check (check case) focused?

Yes No

25 Please specify how many of the checks (check cases) primarily focused on one of the below declared countries of harvest/origin of timber/timber products:

The list contains the countries with which the EU concluded Voluntary Partnership Agreements and/or regarding which Competent authorities expressed a particular interest. It also provides 'other' for other single-country of harvest/origin products the check (check case) focused on, 'multiple focus countries' for checks focusing on several countries of harvest /origin (e.g. products of mixed origin), and 'no focus country/ies', where checks (check cases) did not focus on a specific country or countries

	Number of checks
--	------------------

No focus country/ies	
Multiple focus country/ies	
Albania	
Belarus	
Bosnia & Herzegovina	
Brazil	
Cameroon	
Central African Republic	
Chile	
China	
Côte d'Ivoire	
Democratic Republic of Congo	
Gabon	
Ghana	
Guyana	
Honduras	
India	
Indonesia	
Laos	
Liberia	
Malaysia	
Myanmar	
Papua New Guinea	
Peru	
Philippines	
Republic of Congo	
Russia	
Serbia	
Solomon Islands	
South Africa	
Suriname	
Thailand	
Turkey	
Ukraine	
Uruguay	
Vietnam	
Other	76

*26 Did the Competent authority record, by check (check case), the types of timber/timber product (HS Code /denomination) checked?

Yes No

27 Please select the main HS codes which were subject to checks (check cases):

- * **4401** Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
- 4403** Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared
- 4406** Railway or tramway sleepers (cross-ties) of wood
- 4407** Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
- 4408** Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for other similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or endjointed, of a thickness not exceeding 6 mm
- 4409** Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed
- 4410** Particle board, oriented strand board (OSB) and similar board (for example, waferboard) of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances
- 4411** Fibreboard of wood or other ligneous materials, whether or not bonded with resins or other organic substances
- 4412** Plywood, veneered panels and similar laminated wood
- 4413 00 00** Densified wood, in blocks, plates, strips or profile shapes
- 4414 00** Wooden frames for paintings, photographs, mirrors or similar objects
- 4415** Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood (Not packing material used exclusively as packing material to support, protect or carry another product placed on the market.)
- 4416 00 00** Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves
- 4418** Builders' joinery and carpentry of wood, including cellular wood panels, assembled flooring panels, shingles and shakes
- Chapters 47 and 48** Pulp and paper of the Combined Nomenclature, with the exception of bamboo-based and recovered (waste and scrap) products
- 9403 30** Wooden furniture
- 9403 40** Wooden furniture
- 9403 50 00** Wooden furniture
- 9403 60** Wooden furniture
- 9403 90 30** Wooden furniture
- 9406 10 00** (formerly 9406 00 20) Prefabricated buildings

Traders

*28 Were any traders of timber/timber products checked on the basis of the EUTR?

Yes No

*29 How many traders of timber/timber products were checked?

140

*30 To how many separate checks (check cases) does this correspond?

One check (check case) may consist of desk-based work and several onsite visits. For one operator there may be several check cases, e.g. if a check case was closed, but a new concern arises.

156

*31 How many of the checks (check cases) remain open?

0

*32 How many checks (check cases) were based on substantiated concerns?

1

*33 For how many checks (check cases) were there any issues accessing premises or documentation?

1

34 How many checks (check cases) were purely desk-based?

This serves to estimate the workload involved.

44

35 How many checks (check cases) were both desk-based and onsite?

This serves to estimate the workload involved.

112

Monitoring organisations

*36 Were any monitoring organisations checked in the reporting period?

Yes No

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III.I Remedial actions and immediate interim measures

Fields marked with * need to be filled in before the form can be submitted to the next level.

III. Enforcement - context and implementation

III.I Remedial actions and immediate interim measures (ref. EUTR Article 10(5))

The enforcement of the EUTR requires Member States to put in place national measures which provide a robust framework to be able to take effective, dissuasive and proportionate enforcement action and sanction different duty-holders (operators, traders and monitoring organisations) for infringements of the Regulation. The information on the legal frameworks used, the range of potential national penalties and their uppermost levels provide valuable information to assess the consistency of potential enforcement actions across the EU. This section is structured by duty-holders' obligations under the EUTR (prohibition to place illegal timber on the market for operators; due diligence and reporting obligations for operators and monitoring organisations; traceability for traders, and reporting obligation for monitoring organisations) and the provisions for remedial actions or similar and immediate interim measures, which are applicable in case of or to prevent infringements to each obligation.

1 Please specify for which breaches of the EUTR Notices of remedial actions or similar measures, and Immediate Interim Measures (ref. EUTR Article 10(5)) can be applied in your country:

	Notice of remedial action in cases of breaches of:	Other national measures which are similar to Notices of remedial action in cases of breaches of:	Immediate interim measures [1] in cases of breaches of:
* Prohibition (operators)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
* DD obligation (operators and monitoring organisations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
* Traceability obligation (operators/traders)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
* Reporting obligation (monitoring organisations)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

[1] These are measures that can be issued or applied with immediate effect to prevent trade in contravention of the EUTR and may be of temporary nature, until penalties in line with Article 19 are applied.

*2 Does the same legislation apply for infringements relating to domestic timber and for imported timber?

Yes No

*5 Which legislation provides for **measures to react to breaches of the EUTR** (please select all that apply)?

- EUTR-specific legislation
 Forest (management) law

- General Administrative law
- Penal (Procedural) code
- Other

*7 Which authority can issue **Notices of remedial actions or similar measures** (please select all that apply)?

- Competent authority/ies
- Customs (if not Competent authority)
- Police
- Court
- Other

*9 Which authority can issue **Immediate interim measures** (please select all that apply)?

- Competent authority/ies
- Customs (if not Competent authority)
- Police
- Court
- Other

11 Does/do the Competent Authority/ies carry out follow-up checks after having applied a **notice of remedial action or similar measure**?

- always
- sometimes
- never

12 Does/do the Competent Authority/ies carry out follow-up checks after having applied an **immediate interim measure**?

- always
- sometimes
- never

Notices of remedial actions or similar measures, and Immediate interim measures in cases of breaches of **prohibition**

Notice of remedial actions or similar measures in cases of breaches of **prohibition**

*14 What is the timeframe within which an operator needs to take action following a Notice of remedial action or similar measure being applied?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

6m

Immediate interim measures in cases of breaches of **prohibition**

*15 Specify which immediate interim measures can be applied:

- Seizure of timber/timber products
- Suspension of authority to trade
- Lifting of the suspensive effect of a complaint against the enforcement measure until final decision is reached
- Other measures applied as an immediate interim measure

16 Please specify other measures:

Las que la administración competente, o sus agentes de la autoridad, estimen necesarias.

*17 For how long can the immediate interim measures be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

not set

Notices of remedial actions or similar measures, and Immediate interim measures in cases of breaches of **DD obligation**

Notice of remedial actions or similar measures in cases of breaches of **DD obligation**

*19 What is the timeframe within which an operator/ monitoring organisation needs to take action?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

6m

Immediate interim measures in cases of breaches of **DD obligation**

*20 Specify which immediate interim measures can be applied:

- Seizure of timber/timber products
- Suspension of authority to trade
- Lifting of the suspensive effect of a complaint against the enforcement measure until final decision is reached
- Other measures applied as an immediate interim measure

21 Please specify other measures:

Las que la administración competente, o sus agentes de la autoridad, estimen necesarias.

*22 For how long can the immediate interim measures be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

15d

Notices of remedial actions or similar measures, and Immediate interim measures in cases of breaches of **traceability obligation**

Notice of remedial actions or similar measures in cases of breaches of **traceability obligation**

*24 What is the timeframe within which a trader needs to take action?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

6m

Immediate interim measures in cases of breaches of **traceability obligation**

*25 Specify which immediate interim measures can be applied:

- Seizure of timber/timber products
- Suspension of authority to trade
- Lifting of the suspensive effect of a complaint against the enforcement measure until final decision is reached
- Other measures applied as an immediate interim measure

26 Please specify other measures:

Las que la administración competente, o sus agentes de la autoridad, estimen necesarias.

*27 For how long can the immediate interim measures be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either **d** for days or **y** for years or **m** for months. If it is not prescribed use **not set**. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

15d

Notices of remedial actions or similar measures, and Immediate interim measures in cases of breaches of **reporting obligation**

Notice of remedial actions or similar measures in cases of breaches of **reporting obligation**

*28 Please describe which similar measures your country can take (instead of Notices of remedial action)?

Se sigue la legislación nacional general de las administraciones públicas para regir el control de todas las obligaciones de las entidades de supervisión, sin haber una norma específica establecida.

*29 What is the timeframe within which a monitoring organisation needs to take action?

Please enter a whole number followed by a unit of time without spaces. Use either **d** for days or **y** for years or **m** for months. If it is not prescribed use **not set**. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

not set

Comments

33 Comments:

Los periodos en los que se pueden imponer medidas correctoras o medidas provisionales dependen de cada tipo de medida y de la complejidad del control, por lo que las respuestas correctas a las respuestas indicadas son:

Pregunta 14: 3-6 meses

Preguntas 17: De 15 días a indefinido - sin límite (a criterio de la Autoridad Judicial)

Pregunta 19 y 24: de 10/15 días a 6 meses

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III.II Penalties

Fields marked with * need to be filled in before the form can be submitted to the next level.

III. EUTR Enforcement - context and implementation

III.II Penalties (ref. EUTR Article 19)

The enforcement of the EUTR requires Member States to put in place national measures which provide a robust framework to be able to take effective, dissuasive and proportionate enforcement action and sanction different duty-holders (operators, traders and monitoring organisations) for infringements of the Regulation. The information on the legal frameworks used, the range of potential national penalties and their uppermost levels provide valuable information to assess the consistency of potential enforcement actions across the EU. This section is structured by duty-holders' obligations under the EUTR (prohibition to place illegal timber on the market for operators; due diligence and reporting obligations for operators and monitoring organisations; traceability for traders, and reporting obligation for monitoring organisations) and the provisions for penalties which are applicable to infringements to each obligation.

1 Please specify for which breaches **penalties** (ref. EUTR Article 19) are applied in your country:

	Administrative fines in cases of breaches of:	Criminal fines in cases of breaches of:	Seizure of timber or timber products as a penalty in cases of breaches of:	Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of:	Imprisonment in cases of breaches of:	Other penalties in cases of breaches of:
* Prohibition (operators)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* DD obligation (operators and monitoring organisations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Traceability obligation (operators/ traders)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Reporting obligation (monitoring organisations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*2 Does the same legislation apply for infringements relating to domestic timber and for imported timber?

Yes No

*3 Which legislation provides for **penalties** for infringements of the EUTR?

Please select all that apply.

- EUTR-specific legislation
- Forest (management) law
- General Administrative sanctions law
- Penal code
- Other

6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation:

Ley 21/2015 de Montes, art. 67, 68, 69 y 74

Penalties in cases of breaches of prohibition

Administrative fines in cases of breaches of prohibition

*7 Fine is expressed as:

other unit (e.g. percentage of income)

*9 What is the maximum fine?

1000000 EUR salvo que el importe de la madera indebidamente comercializada, o el doble de reposición del daño causado, fueran superiores al 1000000 EUR. En ese caso, la sanción será equivalente al importe mayor.

*10 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Police
- Court
- Fine imposing agency
- Other

11 Please specify other:

Administración instructora

Seizure of timber or timber products as a penalty in cases of breaches of prohibition

*17 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Prosecutor
- Police
- Court

- Seizure imposing agency
- Other

18 Please specify other:

Administración instructora

*19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- Competent authority/ies
- Customs
- Police
- Court
- Other

20 Please specify other:

Enajenados por subasta pública realizada por la administración responsable

Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of prohibition

*21 For how long can the suspension of the authorisation to trade be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

not set

*22 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Customs
- Police
- Court
- Business inspectorate
- Other

23 Please specify other:

Administración instructora

Penalties in cases of breaches of DD obligation

Administrative fines in cases of breaches of DD obligation

*31 Fine is expressed as:

other unit (e.g. percentage of income)

*33 What is the maximum fine?

1000000EUR salvo que el importe de la madera indebidamente comercializada, o el doble de reposición del daño causado, fueran superiores al 1000000EUR. En ese caso, la sanción será equivalente al importe mayor.

*34 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Police
- Court
- Fine imposing agency
- Other

35 Please specify other:

Administración instructora

Seizure of timber or timber products as a penalty in cases of breaches of DD obligation

*41 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Prosecutor
- Police
- Court
- Seizure imposing agency
- Other

42 Please specify other:

Administración instructora

*43 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- Competent authority/ies
- Customs
- Police
- Court
- Other

44 Please specify other:

Enajenación por subasta pública realizada por la administración responsable

Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of DD obligation

*45 For how long can the suspension of the authorisation to trade be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

not set

*46 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Customs
- Police
- Court
- Business inspectorate
- Other

47 Please specify other:

Administración instructora

Penalties in cases of breaches of traceability obligation

Administrative fines in cases of breaches of traceability obligation

*55 Fine is expressed as:

other unit (e.g. percentage of income)

*57 What is the maximum fine?

1000000EUR salvo que el importe de la madera indebidamente comercializada, o el doble de reposición del daño causado, fueran superiores al 1000000EUR. En ese caso, la sanción será equivalente al importe mayor.

*58 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Police
- Court
- Fine imposing agency
- Other

59 Please specify other:

Administración instructora

Seizure of timber or timber products as a penalty in cases of breaches of traceability obligation

*65 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Prosecutor

- Police
- Court
- Seizure imposing agency
- Other

66 Please specify other:

Administración instructora

*67 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- Competent authority/ies
- Customs
- Police
- Court
- Other

68 Please specify other:

Enajenación por subasta pública realizada por la administración responsable

Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of traceability obligation

*69 For how long can the suspension of the authorisation to trade be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

not set

*70 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Customs
- Police
- Court
- Business inspectorate
- Other

71 Please specify other:

Administración instructora

Penalties in cases of breaches of reporting obligation (monitoring organisations)

Other penalties in cases of breaches of reporting obligation

95 Please describe the penalty:

No están tipificadas infracciones y sanciones para esta obligación específica.

96 What is the maximum level of this penalty?

97 Which authority can impose this penalty?

Please select all that apply.

- Competent authority/ies
- Police
- Court
- Business inspectorate
- Other

Comments

99 Comments:

En las preguntas 21, 45 y 69 no hay un tiempo definido, sino que está establecido por lo que la autoridad instructora considere necesario acorde con la Ley.

En relación a la imposición de penas por infracciones de todas sus obligaciones, como Entidades de Supervisión, relacionadas en los Reglamentos europeos, se sigue la normativa y jurisprudencia genéricas de las administraciones públicas a nivel nacional.

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III.III Enforcement action decisions taken

Fields marked with * need to be filled in before the form can be submitted to the next level.

III.III Enforcement action decisions taken in the reporting period

Please specify the number of stakeholders that were considered by the Competent Authority to be in breach of their obligations under the EUTR.

*1 Operators, domestic timber:

4

*2 Operators, imported timber:

16

*3 Operators, unknown timber:

0

*4 Traders:

0

*5 Monitoring organisations:

0

6 If you have not used Declare-as-you-go to submit enforcement decisions taken in the reporting period, please use the Excel template below to report on enforcement decisions taken in the reporting period, and upload this file instead.

The maximum file size is 5 MB

Only files of the type xls,xlsx,ods are allowed

71092262-201b-4932-8268-8d1d57ba3919/EUTR_III_III_Enforcement_action_decisions_taken_ES.xlsx

7 Excel template:

[EUTR_III_III_Enforcement_action_decisions_taken_EN.xlsx](#)

*8 Were any complaints/appeals against any enforcement decisions submitted?

Yes No

How many complaints/appeals were received?

*9 Operators, domestic timber:

0

*10 Operators, imported timber:

1

*11 Operators, unknown timber:

0

*12 Traders:

0

*13 Monitoring organisations:

0

*14 Did any court cases relating to EUTR enforcement decisions take place during the reporting period?

Yes No

17 Comments:

Para las preguntas 1 a 5, se considera que un agente o un comerciante no cumple con sus obligaciones EUTR sólo cuando tiene una sanción en firme

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IV. Other relevant information

IV. Other relevant information

1 Please provide any other relevant information related to the implementation or enforcement of the EUTR that may not have been fully captured elsewhere in the national report:

Comentarios al Apartado I.IV: Se ha rellenado este apartado por grupos de acciones, al ser el número de éstas elevado no se considera que se sea necesario el plasmarlas una a una. Se han estructuradas por la tipología de herramientas de comunicación relacionadas en la pregunta 2, ya que esta pregunta sólo deja escoger una de las opciones, aunque alguna de las acciones utiliza varias de dichas herramientas.

Comentarios al Apartado II.VII: Las preguntas 1 y 3: Esta información no se recoge de forma sistemática, esto conllevaría un esfuerzo administrativo superior al valor de daría esta información. Asimismo, no se considera unos datos que puedan ser de valor a nivel europeo.

La pregunta 5: Esta información no se recoge en el Plan Nacional de Control de la legalidad de la madera comercializada. En el propio Reglamento EUTR, el plan basado en criterios de riesgo se define sólo para el control de las obligaciones de los agentes.

Pregunta 6: En el Plan Nacional de Control de la legalidad de la madera comercializada se establece el control de las Entidades de Supervisión cada dos años.

Preguntas 10, 17 y 31: Se ha determinado a nivel nacional que sólo se consideran los controles cerrados en el año de referencia.

Pregunta 25: El foco de los controles no se realiza únicamente a nivel de país de aprovechamiento y/o de origen, por lo que se ha indicado para todos 'Otros'.

España es un país con 34 autoridades competentes regionales, encargadas de la aplicación del reglamento en su territorio, y las respuestas del cuestionario de este informe nacional pueden no reflejar fielmente como es la implementación del reglamento EUTR en el país.

Comentarios al apartado II.VII: Además de los controles realizados por las autoridades competentes indicados en este apartado, la Guardia Civil ha realizado 10 inspecciones en frontera de contenedores en los puertos del país en el marco del control de la madera legalizada EUTR, FLEGT y CITES. En una de estas inspecciones se incautaron dos contenedores de palo de rosa (*Pterocarpus erinaceus*), especie de madera estrictamente protegida por CITES, y se ha abierto una causa penal.

2 Please provide any suggestions you may have that could improve the implementation and/or enforcement of the EUTR :

El alcance de los productos cubiertos por el reglamento EUTR se debería ampliar a todos los productos derivados de la madera, con excepción del papel impreso. Asimismo, debe existir acceso directo a la información de aduanas.

Eximir de sus obligaciones a agentes con unas cantidades mínimas domésticos y para importación por productos y países.

Al procederse al despacho en aduanas, se podría informar a los agentes de las cantidades económicas que comportarían las posibles sanciones de no cumplirse las obligaciones.

Aprovechamiento de sinergias con inspecciones fitosanitarias del Reglamento (UE) 2016/2031 relativo a las medidas de protección contra plagas de los vegetales.

Se debería reflejar en la normativa de manera explícita las importaciones consideradas ilegales, o existir vetos temporales.

Definir una vía para establecer clara y legalmente especies/productos de madera ilegal según origen (Ejemplo la Teca de Myanmar, el Iroko en tronco de Camerún), publicitando dicha información para que esté al alcance de los importadores.

Incremento en la armonización de criterios de inspección entre las Autoridades competentes de los Estados Miembros. Mayor concreción a nivel de la Unión Europea en los documentos de mitigación de riesgo y normas más objetivas y claras sobre el Sistema de Diligencia Debida.

Incrementar la coordinación entre administraciones dedicadas a CITES/FLEGT/EUTR y a los servicios de inspección fitosanitaria.

Mayor comunicación entre la Secretaría CITES y EUTR a nivel de la Comisión Europea, debido a las sinergias existentes entre ambas temáticas.

Promover la inclusión de especies afectadas por el comercio desde países de riesgo en listados internacionales de especies protegidas, de tal forma que se dé la posibilidad de realizar mayor número de investigaciones en el ámbito penal.

Aumento en el número de fichas de países con información relacionada con especificación concreta y clara de los documentos requeridos para importadores.

Mejorar y aumentar la publicidad del Reglamento EUTR. Establecer una estrategia de comunicación multisectorial del reglamento EUTR, teniendo en cuenta la diversificación de agentes existentes y lo desestructurado que pueden llegar a estar el sector.

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