

## 木材合法來源驗證實務說明會

### 一、背景說明

鑑於當前國際間對於木材來源合法性的議題漸趨重視，除美國、歐盟與澳洲外，不少亞洲國家亦紛紛展開進口木材的合法性管制工作，以圍堵非法木材的跨境流竄，並促進合法木材的貿易，對於木材或林產品產銷鏈上的企業而言，如何採購合法木材，或提供合法性證明，將成為企業社會責任的一部分。本次說明會邀請國際非營利組織 NEPCon 東亞區經理張新欣女士，說明國際上木材貿易管制的趨勢，並分享 NEPCon 在木材合法來源驗證的實務經驗。

### 二、時間:108 年 1 月 9 日(星期三)下午 2 時

### 三、地點:國立嘉義大學新民校區管理學院 D02-326 教室 (嘉義市新民路 580 號) 電話:052732872

### 四、說明會議程表:

時間/地點	2019/1/9 (三) 嘉義大學新民校區管理學院 B 棟 D02-326 教室
1330-1400	簽 到
1400-1415	【開場介紹】 李俊彥 台灣森林認證發展協會 常務理事 國立嘉義大學生物事業管理學系 教授
1415-1530	【國際木材貿易管制暨木材合法性驗證實務介紹】 NEPCon 東亞區域經理 張新欣 女士
1530-1630	意見交流與討論
1630	活動結束

主辦單位：台灣森林認證發展協會

協辦單位：國立嘉義大學生物事業管理學系，行政院農業委員會林務局

# 木材合法來源驗證實務說明會-簡報資料

- 講者簡介：

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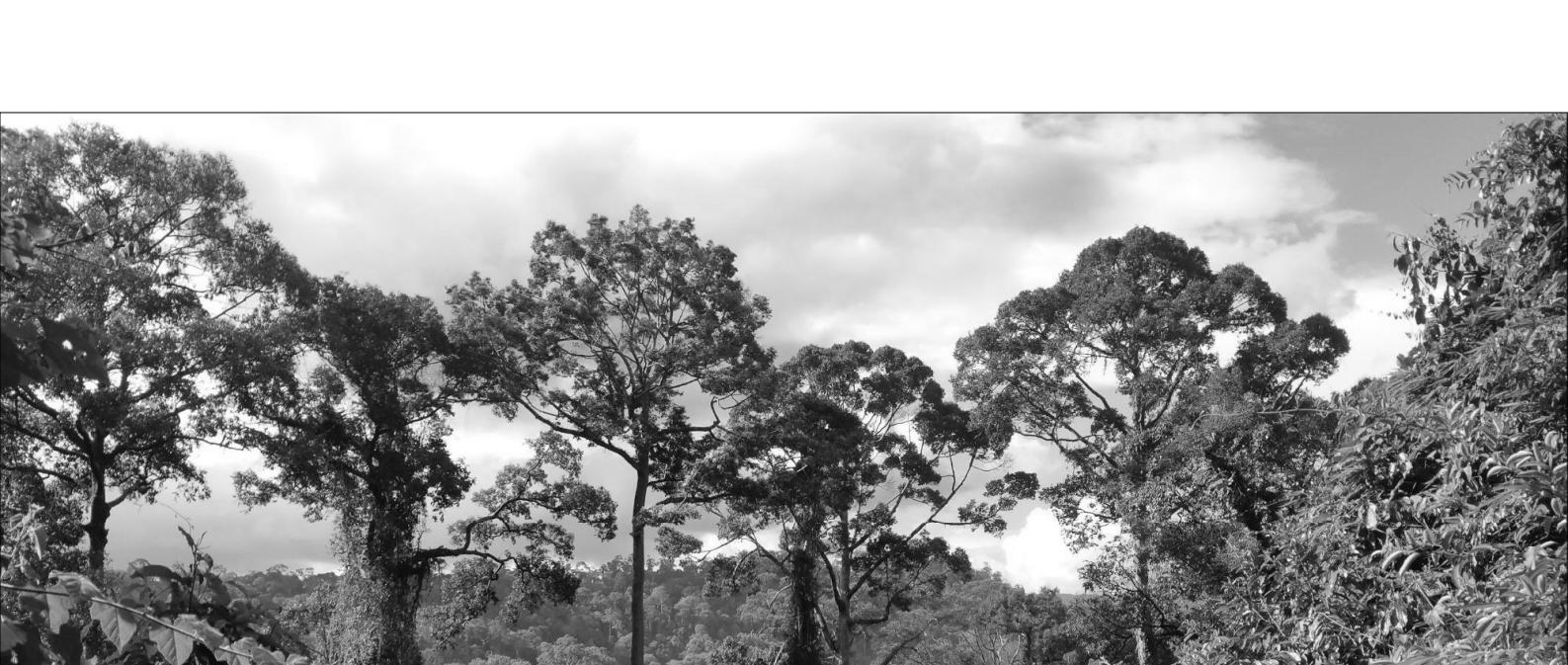
Tel: +86 13811546619

NEPCon 東亞區域經理，畢業於德國哥廷根大學，英國威爾士大學，獲得森林資源與自然管理專業雙碩士學位。從事森林永續經營、森林認證、木材合法性貿易的推廣和項目管理 10 年以上工作經驗。FSC 認證認可的 NEPCON FSC 森林經營主審員，歐盟木材合法性 LEGAL SOURCE 培訓員。

- NEPCon 組織簡介：



NEPCon 是國際非營利機構，全球員工超過 220 人，成立 25 年來，透過開發創新項目、能力建構和永續服務，致力於推動永續土地使用和負責任林產品貿易。2018 年底，NEPCon 正式收購雨林聯盟認證部門，成為全球最大的 FSC 森林認證機構。服務項目包括：自運行的 NEPCon 驗證項目負責可持續性認證、雨林聯盟可持續旅遊認證、雨林聯盟可持續農業認證、可持續生物質能源專案、合法來源標準、RSPO、PEFC 等。



## 國際木材貿易管制暨木材合法性驗證實務介紹



## NEPCon 簡介

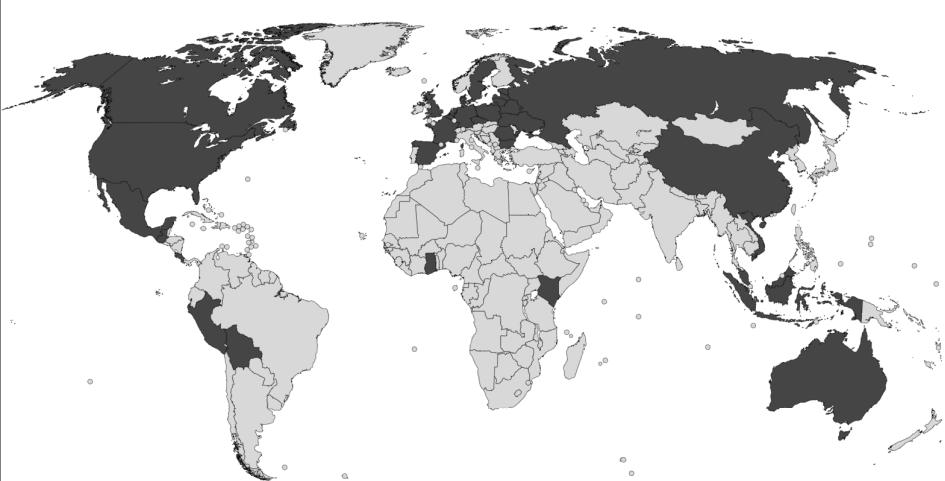
國際非盈利機構



我們在土地可持續利用和負責任林產品貿易方面有超過  
25年的實踐經驗



## 全球各地的團隊



**225** staff

**34** countries

**44** nationalities

**200+** consultants

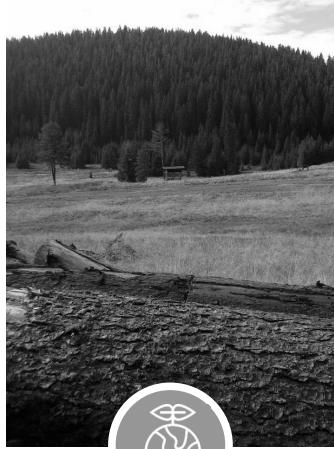


**25** registered offices





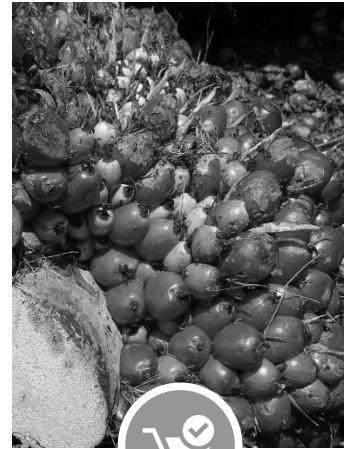
土地保護



土地使用



追溯性



負責任采購



## 國際木材貿易管制

- 什麼導致非法木材采伐？
- 如何應對非法木材貿易？
- 全球盡職調查法規



# 什麼導致非法木材采伐與貿易？



A brief history of WWF >

WWF Scotland >

About WWF Scotland >

WWF Cymru >

About WWF Cymru >

The Living Planet Centre >

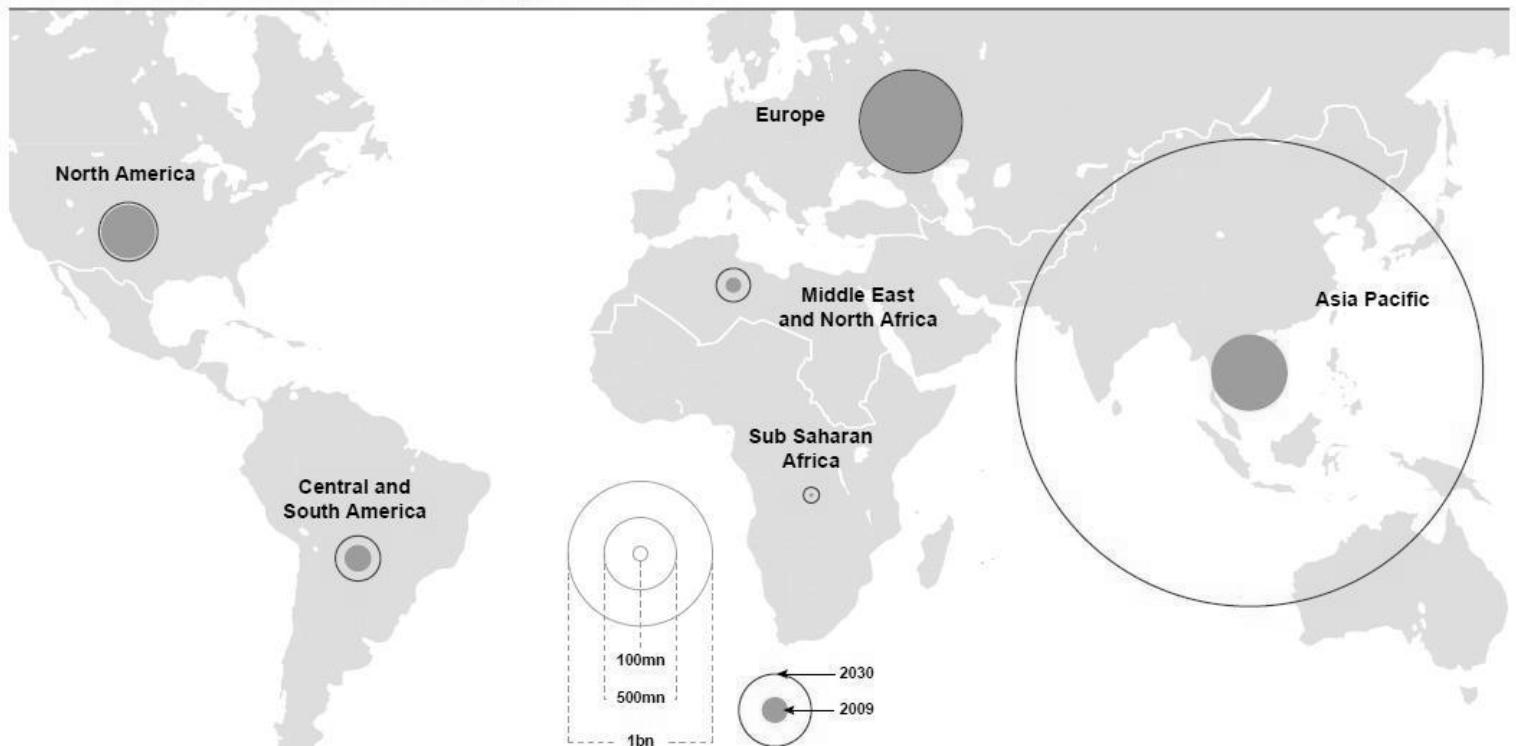
## How many planets do you need?

20 August 2013

Today, 20 August, is Earth Overshoot Day. To mark the day WWF has launched [an online app](#) that helps fast track people to a greener lifestyle. It works out how many planets you currently rely on to support your lifestyle, as well as giving you advice on a number of easy steps to help reduce your impact on the planet. The average person uses 1.6 Earths.

如果地球上所有人都生活在英國，我們需要3.5 個地球...

Chart 9: Global middle class in 2009 and prediction for 2030



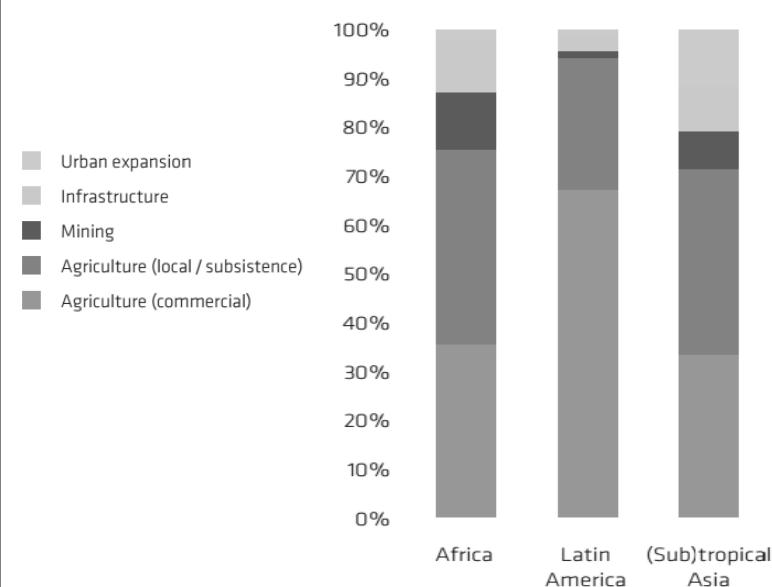
Sources: OECD, Standard Chartered Research



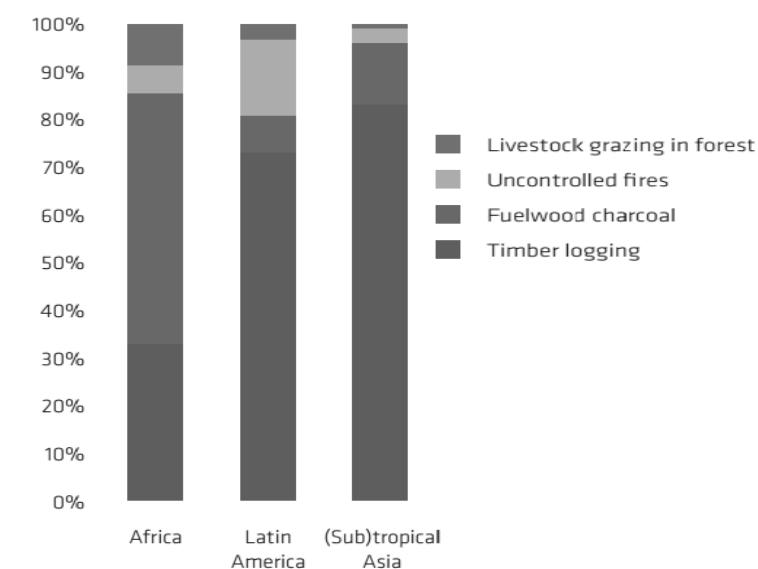
## 2000-2010 年间森林退化和森林消失的主要原因



**a) Proportion of deforestation drivers**



**c) Proportion of forest degradation drivers**



Source: Kissinger et al., 2012

- 每年1300萬公頃的森林被破壞. (Rainforest Alliance, 2010)
- 全球40%的森林消失，是因為農業商業開發，包括大豆、牛肉、棕櫚油、甘蔗等 (Allianz, 2015)
- 采伐是森林退化的主要原因。在拉丁美洲和亞洲，超過70%的森林發生退化 (ibid)
- 在非洲，48%的森林退化是因為木炭生產和薪材收集 (ibid).
- 每年大約100萬公頃的森林被轉化為商業人工林 (WWF, 2017).

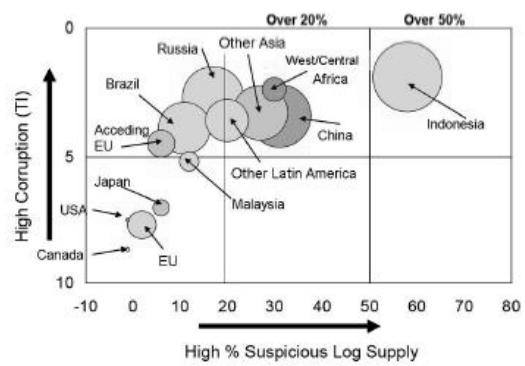
## 非法木材采伐和貿易的嚴重負面影響



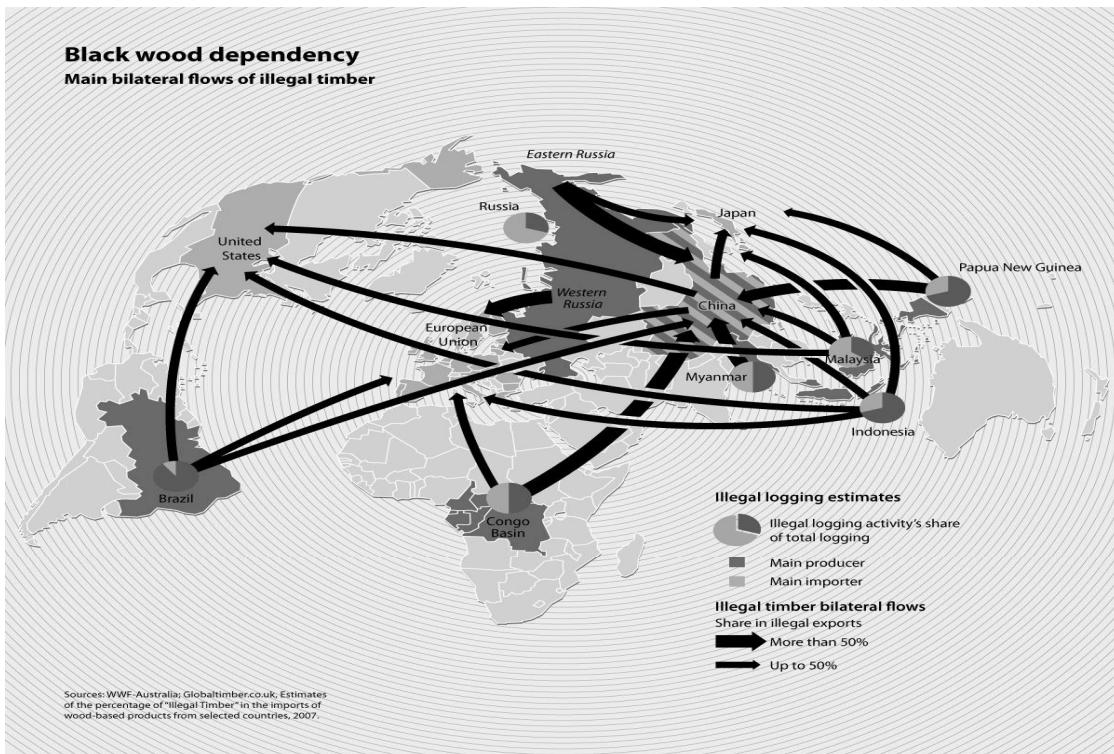
非法木材占了全球工業木材生產的20-40% (EEAS, 2011)

非法采伐和貿易額 300-1000 億美金/年 (UNEP)

在壹些國家，90%以上的森林采伐是非法的 (World Bank, 2012)



# 非法木材采伐和貿易的嚴重負面影響



# 非法木材采伐和貿易的嚴重負面影響

## EU在非法木材贸易中的角色

20%的非法木材最終流通到歐洲進行銷售



歐洲進口木材國家比例:

俄羅斯: 30%

中國: 30%

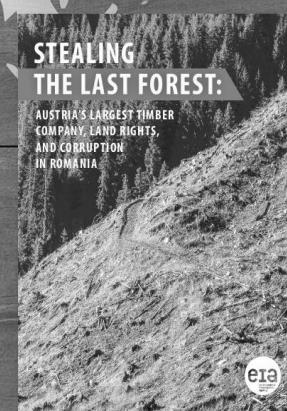
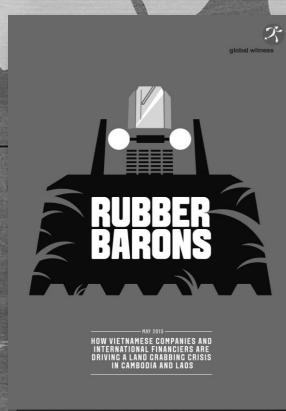
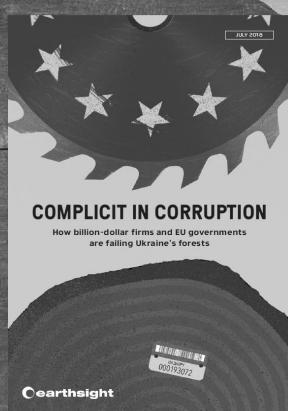
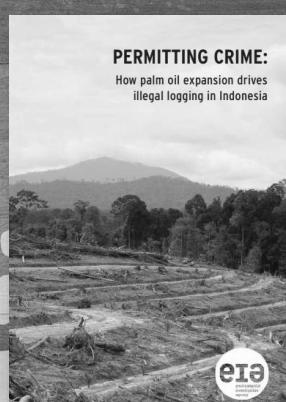
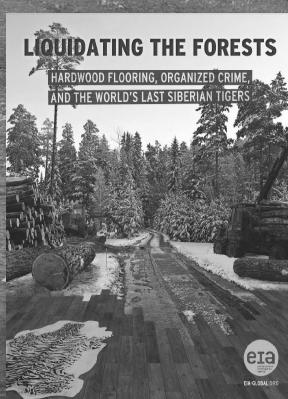
巴西: 46%

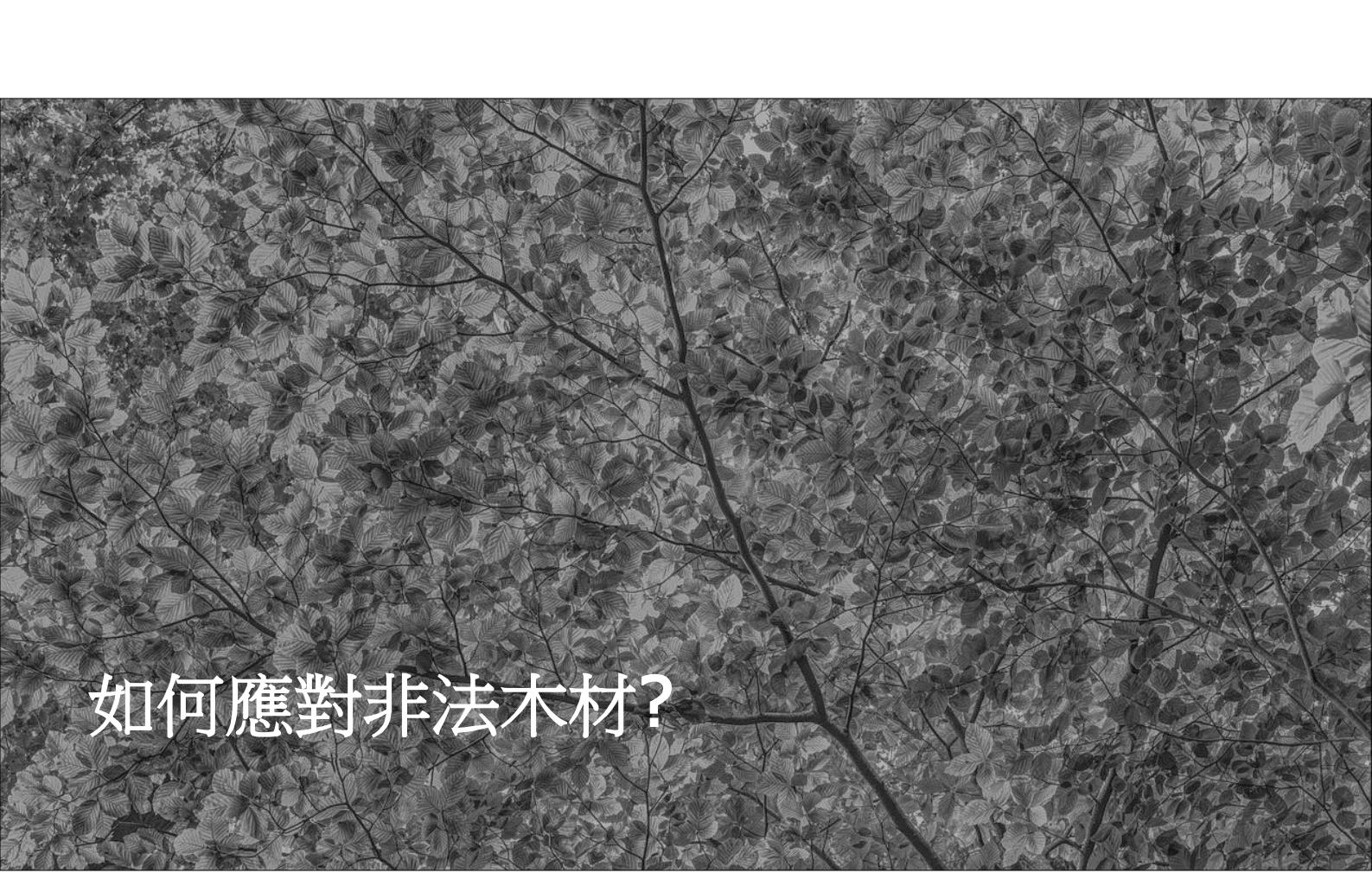
印度尼西亞: 28%

Sources: EU and UN Comtrade Database/ LEI of Wagening University and Research Centre

# 非法木材采伐和貿易的嚴重負面影響

- 森林消失和退化；
- 不公平競爭；
- 政府稅收減少；
- 社會不公平；
- 有組織的犯罪；
- 腐敗。





# 如何應對非法木材？

如何應對非法木材？



NGOs



Consumers



Private Sector



Political

- 社會各界的行動：
  - 政府
  - 私有商業部門
  - 非政府組織
  - 消費者（社會關注）
- 采取各種方法
  - 政府（公共采購政策）
  - 法規（禁令：雷斯法案，歐盟木材法案）
  - 基於市場的方法（自願性驗證，FSC, LegalSource）
- 各種倡議已經正在改變木材貿易和推動木材合法性驗證領域的發展。



## 私有商業的行動：木/紙制品采購政策



MAERSK

KINGFISHER

Time Inc.

# 私有商業的行動：木/紙制品采購政策



可追溯性也許是今天零售行業存在的最重要問題。

Jamie Lawrence, Corporate Responsibility Manager at Kingfisher and FSC board member

我們不能期待消費者選擇購買對的商品，我們需要為消費者提供對的商品。

Mike Berry, Head of sustainable business



YOUR M&S

## 基於市場機制的方法/工具



- 合法性驗證的產品的貿易逐漸增長；
- 認證產品的貿易預計會以更快的速度增長。



## 政策

歐盟FLEGT行動計劃

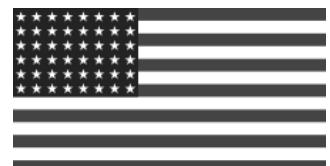
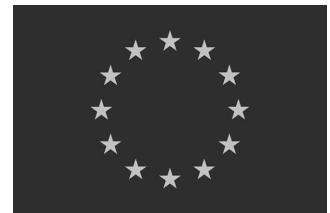
國家木材采購政策

## 法規要求

美國雷斯法案

歐盟木材法案

澳大利亞非法采伐禁令



## 欧盟的应对

### Incentive

Forest Law Enforcement  
Governance and Trade (FLEGT)  
Action Plan  
(2003)

### Instruments

Voluntary Partnership  
Agreements (VPA)

### Main Features

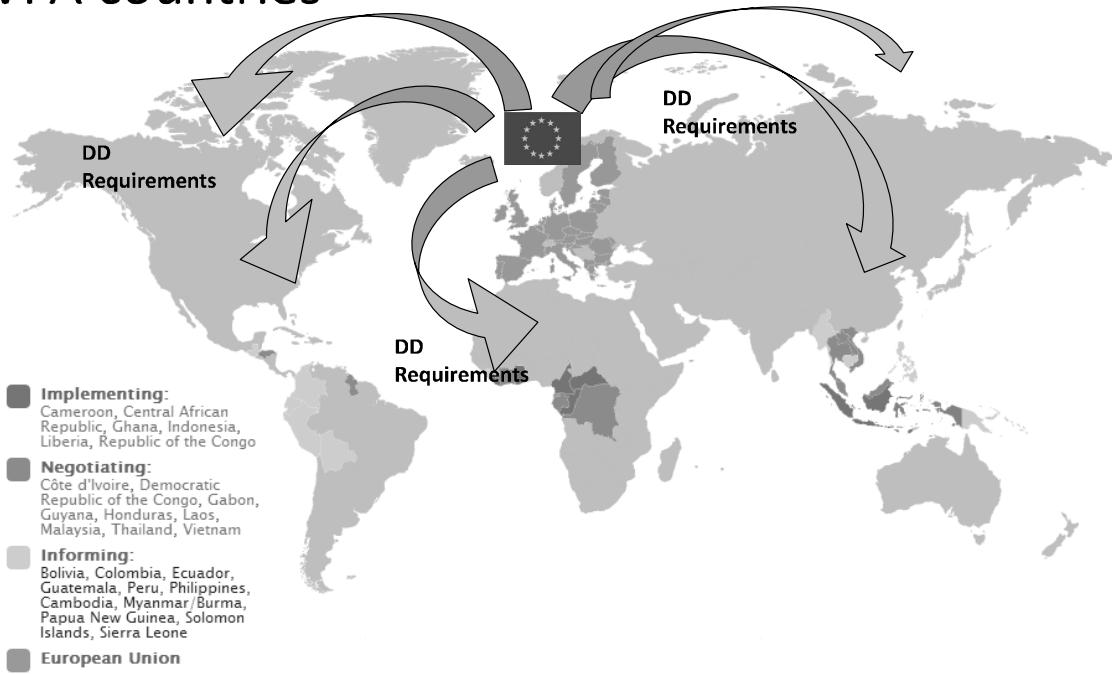
- Bilateral **trade agreements** between the EU and selected **producer countries**
- Not a **legislative act** but a **voluntary** agreement
- If ratified, they become **legally binding**

European Union Timber  
Regulation (EUTR)  
(2013)

- Focuses on **EU importing countries** (European operators)
- A **legislative act** under which EU operators are held accountable



## VPA countries



全球范围内的尽职调查法规

## EU's response EU Timber Regulation 995/2010



12.11.2010

EN

Official Journal of the European Union

L 295/23

### REGULATION (EU) No 995/2010 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 October 2010

laying down the obligations of operators who place timber and timber products on the market

(Text with EEA relevance)

## EUTR适用范围

- 含有纸、硬纸板、木质纤维或木材的产品。
- 法案995的附录里有完整的清单
- 以欧盟海关标识码为基础进行界定



# EUTR适用范围



不包含在内的产品

- 废品
- “座椅”
- 藤编制品和纸浆以及由竹子做的纸
- 包装材料（作为包材使用时）
- 印刷品

<http://www.nepcon.org/eutr-which-products-are-covered>

The screenshot shows the NEPCon website with the URL <http://www.nepcon.org/eutr-which-products-are-covered>. The page title is "Products exempt from the EUTR". It includes a sidebar with links to FSC, LegalSource, and other resources, and a main content area with a list of exempt products.

**Products exempt from the EUTR**

This list represents our best overview of products exempt from the EU Timber Regulation. Figures in brackets indicate the chapters or individual classification numbers of the EU Combined Nomenclature for products.

**LIST OF PRODUCTS EXEMPT FROM THE EUTR**

- **Waste products:** Timber products or components of such products manufactured from timber or timber products that have completed their lifecycle and would otherwise be disposed of if wastes are not covered by the EU Timber Regulation, e.g. timber from buildings that are demolished in non EU countries
- **Wood charcoal** (4402)
- **Hoopwood: split poles; piles, pickets and stakes of wood**, pointed but not sawn lengthwise; wooden sticks; roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking sticks; umbrellas, tools handles or the like; chipwood and the like (4404)
- **Wood wool and wood flour** (4405)
- **Tools**, tool bodies, tool handles, broom or brush bodies and handles, of wood; boot or shoe lasts and trees, of wood (4417)
- **Wood marquetry and inlaid wood; caskets and cases for jewellery or cutlery**, and similar articles, of wood; statuettes and other ornaments, of wood; wooden articles of furniture not falling in Chapter 94 (4420)
- **Clothes hangers** (4421)
- **Cork and articles of cork** (chapter 45)

# 欧盟木材法案EUTR



各自的义务是什么？

- 监察机构

欧盟委员会



成员国  
(主管部门)

行业  
(运营商& 贸易商)

## 规定的义务 欧盟委员会的角色

1  
2

规划/制定并执行法案 (995)

认可和控制监察机构



## 涉及哪些机构？

欧盟委员会

监查机构



成员国(主管机构)

行业  
(运营商&贸易商)

## 规定的义务

For 主管机构

**1** 每个成员国都指定了一个或多个主管机构

**2** 主管机构负责欧盟木材法案的在本国的实施和监管

**3** 各个成员国向欧盟委员会提交本国主管机构的名称和地址

List of CAs: [http://ec.europa.eu/environment/forests/timber\\_regulation.htm](http://ec.europa.eu/environment/forests/timber_regulation.htm)

## 涉及哪些机构？

欧盟委员会

监查机构

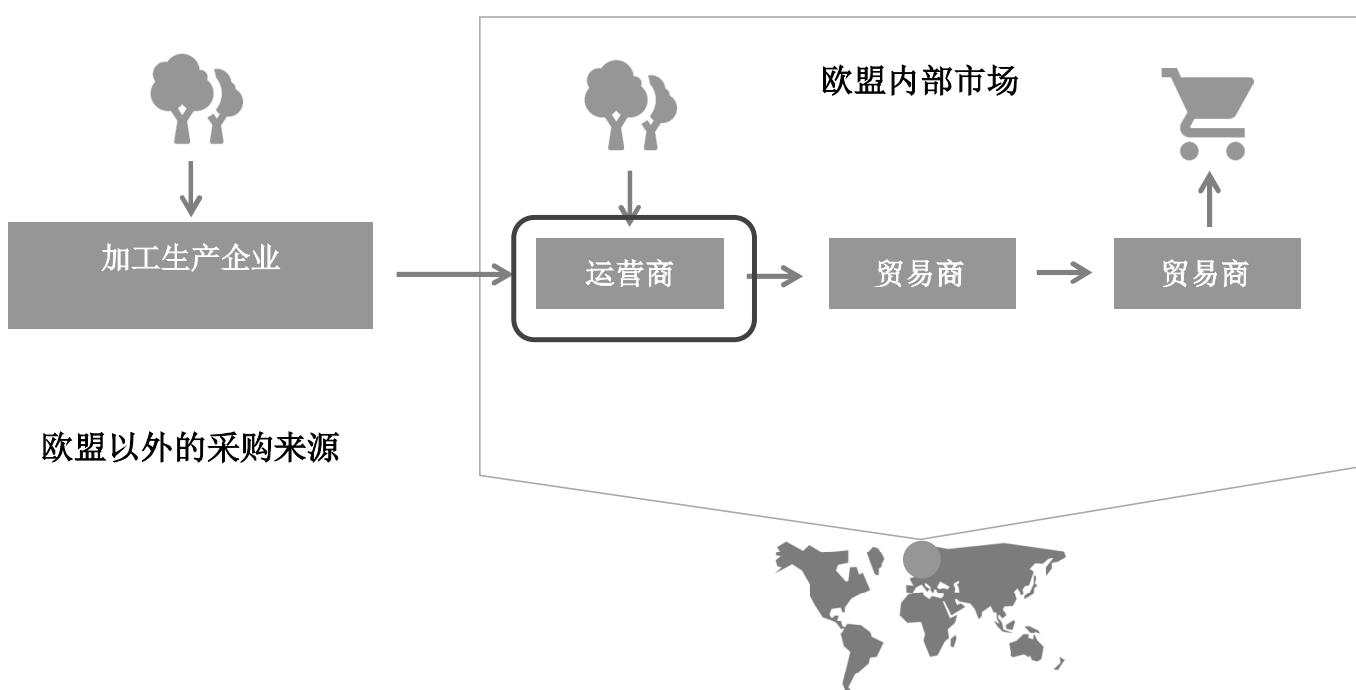


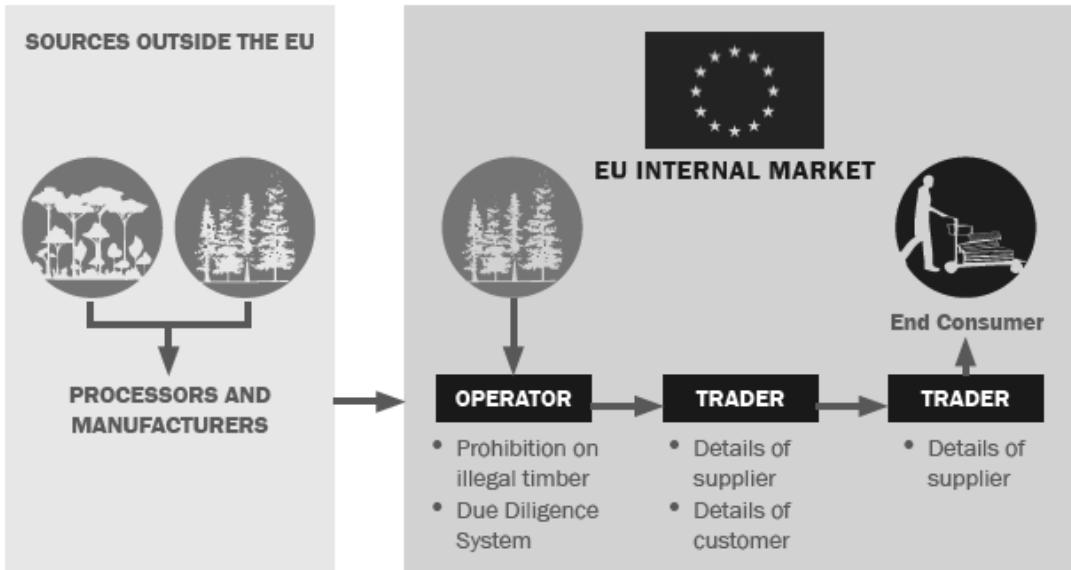
成员国  
(主管机构)

 NEPCon  
Preferred by Nature™

行业  
(运营商&贸易商)

## 涉及哪些机构？





Source: ProForest

## 什么是‘投放至市场’?

a) 对于欧盟成员国内采伐的木材，输送或使用采伐后木材的实体（组织）就是运营商。

### a) 向欧盟进口的进口商

- (i) 在欧盟以外采伐的木材，欧盟海关清关以后，木材可以自由流通，作为进口商的实体就是运营商。
- (ii) 对于进口至欧盟的木材或木制品，运营商的定义是独立于产品的所有者，或其它合约安排的。

# 什么是‘投放至市场’?

- 欧盟的进口商
  - “大部分情况下，海关报关单（欧共体统一单证）上第8栏的“收货方”的名称或编码就是运营商。
- 投放至欧盟市场（物理性的）
- 首次
- 商业行为的方式使用产品
  - 不论是否进行了销售

EUROPEAN COMMUNITY		1 2 3 4 5 6 7	1 DECLARATION	
1	2 Consignor/Exporter	No	3 Forms	4 Loading lists
			5 Items	6 Total packages
			7 Reference number	
8 Consignee		No	9 Person responsible for financial settlement No	
			10 Country/first destin.	11 Trading country
			12 CAP	
14 Declarant/Representative		No	15 Country of despatch/export	16 Country of origin
			a <sub>1</sub> b <sub>1</sub>	a <sub>1</sub> b <sub>1</sub>
			17 Country of destination	
18 Identity and nationality of means of transport at departure		19 Cr.	20 Delivery terms	
21 Identity and nationality of active means of transport crossing the border			22 Currency and total amount invoiced	23 Exchange rate
25 Mode of transport at the border		26 Inland mode of transport	27 Place of loading	28 Financial and banking data
29 Office of exit		30 Location of goods		
31 Packages and description of goods	Marks and numbers—Container No(s)—Number and kind			
	32 Item No	33 Commodity Code		
			34 Country origin Code	35 Gross mass (kg)
			a <sub>1</sub> b <sub>1</sub>	
			37 P R O C E D U R E	38 Net mass (kg)
				39 Quota
40 Summary declaration/Previous document				
41 Supplementary units				

# EUTR: 合法性的定义

欧盟定义：合法采伐是指遵守 **采伐国家所有适用法规** 的采伐”

相关法规包括：	
	合法采伐权
	采伐权的支付
	木材采伐
	第三方权利
	贸易与海关



# 尽职调查：基于风险评估的方法



Anvari.org

## 什么是禁止调查体系？

1

收集信息



获得供应链和来源信息

2

风险评估



评估非法木材进入供应链的风险

3

风险规避



规避识别出的风险

**Global Timber Forum**

RAINFORESTS OCEANS ANIMALS

Mongabay Series: Conservation Biology

FSC-certified timber shipment from

News

by John C. Cannon on 19 March 2015

**German importers' appeal**  
23RD FEBRUARY 2015



- Hardwood Dimensions, a timber import company, has filed an appeal against a court decision that found it had violated EU Timber Regulation by importing Cameroon teak.
- A judge ordered Hardwood Dimensions to pay a fine of \$5,570 plus court costs in the case.
- The case calls into question whether the Forest Stewardship Council certification held since 2000 is valid.



News > Business > Business News

## Designer furniture retailer Lombok becomes first UK company to be fined under illegal logging laws

Authorities twice warned upmarket furniture firm after it failed to carry out required due diligence

Ben Chapman (@b\_c\_chapman) Wednesday 1 November 2017 19:14 14 comments



Like Click to follow The Independent On

## Swedish ECA raises questions over timber imports from Myanmar

A Swedish court has ruled that the government was in breach of the law by failing to undertake sufficient checks on imports of teak from Myanmar.

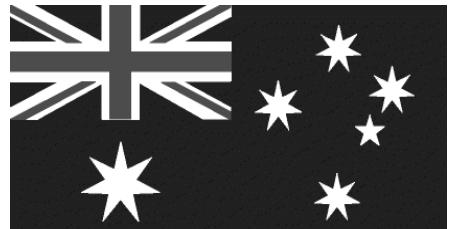


## EUTR的执法情况？



- UK CA microscopic wood anatomy testing project on Chinese plywood.
- Skogsstyrelsen, the Swedish CA, fined Almtra Nordic 17,000 Swedish krona (approximately £1,500) Teak from Myanmar
- Danish CA requires 7 Operators to improve due diligence on Burmese Teak (more inspections in BE, IT, NL, SP, UK)
- Dutch CA sanctions Fibois BV over purchase of Azobe (*Lophira alata*) from CCT in Cameroon upheld by Dutch court. (Potential fine for future issues = € 1800/m<sup>3</sup>)
- German court rules that German CA (BLE) was correct to confiscate Wenge timber imported in 2013 from RoC, due to falsified documents.

- **January 2018:** End to the “soft start” took effect, meaning that importers of regulated timber products into Australia, and processors of domestically grown raw logs, now face penalties for failing to comply with the Act.
- **February 2018:** Green lane for certified products disallowed - parties dealing with FSC and PEFC products will still need to carry out the full due diligence process described in the Regulation.



## 美国雷斯法案



The Environmental Investigation Agency (EIA) website header features a large circular logo with the letters "eia" in white. To the right of the logo, the text "environmental investigation agency" is written in a smaller, sans-serif font. At the top right of the header are links for "CONTACT EIA" and "Search". Below the header, there are four navigation links: "home", "about EIA", "campaigns", and "news & media".

[Home](#) > [The Laundering Machine](#) > [Table of Contents](#) > [Here](#)

US agents confiscated the wood on grounds that the shipment violated Lacey declaration requirements because the buyer's import broker classified the pallets containing finished wood products when, in fact, the pallets contained raw wood. This misclassification, which the courts deemed to be intentional, enabled the importer to have to fill out more detail about the shipment. In addition, there was substantial evidence that the employee exporter did not have legal title to the shipment.

## Gibson Guitar settles probe into illegal wood imports

Tim Ghianni

3 MIN READ

NASHVILLE, Tennessee (Reuters) - Gibson Guitar Corp, which makes some of the world's most prized guitars, will pay a \$300,000 penalty under a criminal enforcement agreement with federal prosecutors, after it admitted to possible illegal purchases of ebony from Madagascar, authorities said on Monday.



# NEPCon解决方案

## 我们的服务



培训



体系支持



验证/评估



测试

# 1、培训



FSC

合法性

碳汇



## NEW! Training Calendar 2019

Course topic	Location	Starts	Ends	
FSC Chain of Custody	Vancouver, Canada	29 January	31 January	Registration open
FSC Chain of Custody	Jurmala, Latvia	30 January	01 February	Registration open
FSC Forest Management	Jurmala, Latvia	04 February	08 February	Registration open
RA Sustainable agriculture	Accra, Ghana	04 February	12 February	Registration open
Ecosystem Services	Jurmala, Latvia	11 February	13 February	Registration open
RA Sustainable agriculture	Jurmala, Latvia	26 February	28 February	Registration open
FSC Controlled Wood	Burlington (VT), United States	05 March	06 March	Registration open
FSC Forest Management	British Columbia, Canada	18 March	22 March	Registration open
LegalSource	London, United Kingdom	02 April	04 April	Registration open
FSC Controlled Wood	Charlotte (NC), United States	02 April	03 April	Registration open
FSC Chain of Custody	Uppsala, Sweden	02 April	04 April	Registration open
FSC Controlled Wood	Minneapolis (MN), United States	07 May	08 May	Registration open
FSC Controlled Wood	Montreal, Canada	05 June	06 June	Registration open
FSC Controlled Wood	Ottawa or Toronto, Canada	11 June	12 June	Registration open
LegalSource	Peru	10 September	12 September	Registration open
FSC Forest Management	Jurmala, Latvia	07 October	11 October	Registration open
FSC Chain of Custody	Berlin, Germany	08 October	10 October	Registration open
FSC Controlled Wood	Jurmala, Latvia	22 October	24 October	Registration open

## 2. 体系支持

为您发展或提高木材合法性以及可持续保证体系提供专业支持，你可以向客户显示你可靠的方法：

- **差距分析：**为您的现有的可持续体系提供改进方案。
- **体系建立：**实施有力的可持续政策和尽职调查程序。
- **IT平台支持：**指导建立供应链绘图体系。

“

*Our due diligence system has helped us define minimum sourcing requirements that are communicated to all our suppliers globally. We chose third-party evaluation of our system in order to ensure the level of assurance that our customers seek.*

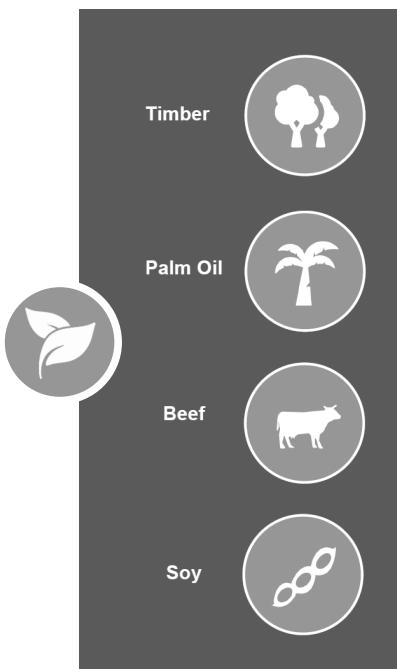
”



Ave Saksen  
Compliance Manager  
JELD-WEN Northern Europe

## 3. 验证、风险评估

<https://www.nepcon.org/sourcinghub>



CHINA - TIMBER

Risk evaluation: Open Peat Risk

Information - what definition of the term 'peat risk' do you have in mind? (checkmark)

Risk Assessment

Risk Mitigation

How to mitigate the risks?

Information Gathering

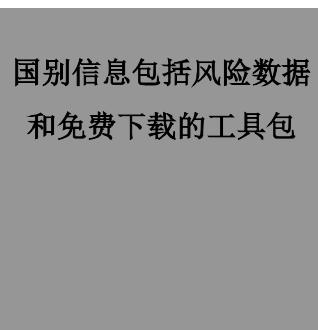
Risk Assessment

Risk Mitigation

Download Risk Mitigation Guide

Download Risk Mitigation Book

Link to full risk assessment



国别信息包括风险数据  
和免费下载的工具包

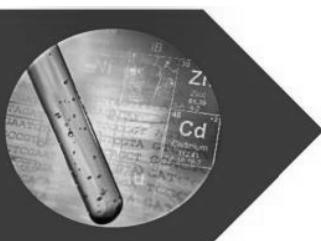
The Sourcing  
Hub 采购中心帮  
助企业确保负责  
任的采购世界上  
65个国家的木材、  
畜牧业产品、大  
豆和棕榈油

## 4、木材检测

Wood  
Anatomy



Stable  
Isotope

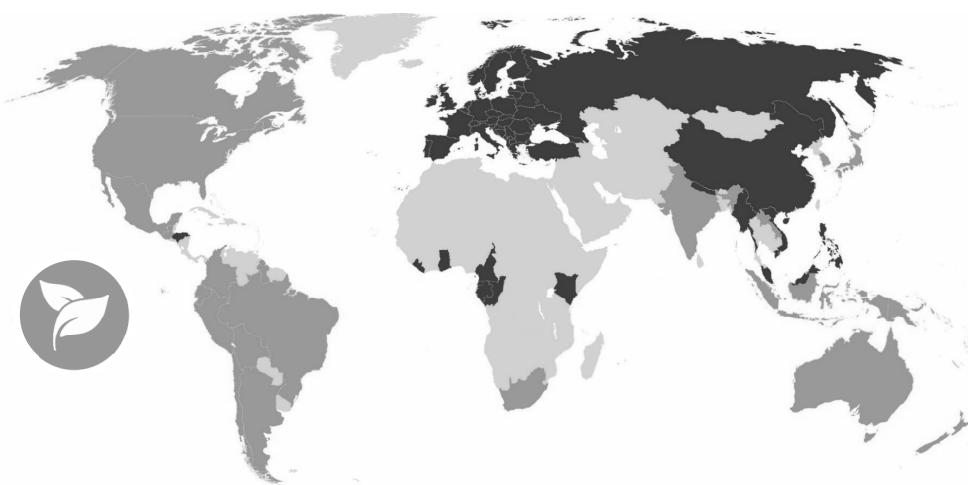


NEPCon 分享学习和研究资源

- <https://traininghub.nepcon.org/>
- <https://www.nepcon.org/sourcinghub>
- <https://www.nepcon.org/library>

# 我们的工作 项目

## 项目



我们参与建立 **100+** 个保护区和开发实施 **70+** 经营方案



我们开展非盈利的项目

超过 **23 年** 内的历史



我们开展超过  
**100+** 自然资源利用项目



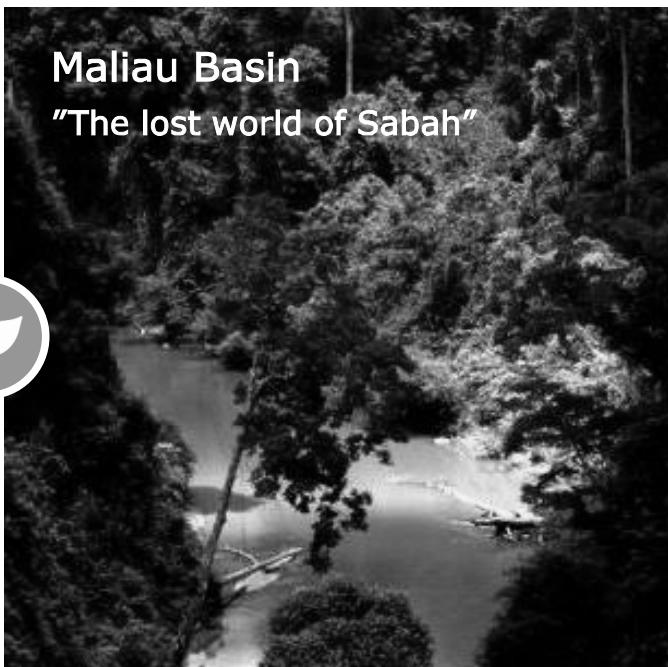
## Projects 项目



越南和喀麦隆中  
小企业合法木材  
能力建设项目



## Projects 项目



NEPCon与沙巴  
政府和人民在过  
去20多年的时间  
内合作建立了  
Maliau流域保  
护区：  
婆罗洲生态多样  
性热点区域

## 资助者和合作伙伴



MINISTRY OF FOREIGN AFFAIRS OF DENMARK  
**DANIDA** | INTERNATIONAL DEVELOPMENT COOPERATION



**SBP**  
Sustainable Biomass Program



Food and Agriculture Organization  
of the United Nations



**CHATHAM HOUSE**  
The Royal Institute of International Affairs



**YAYASAN SABAH GROUP**



## 我们的工作 体系建设



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ISEAL and Chinese government partner co-host International certification forum

我们的工作  
认证

## 认证服务



FSC成员

与雨林联盟建议伙伴关系

第一张LegalSource certificate

第一张RSPO certificate

1996

1999

2014

2017

1998

第一张FSC证书

2013

EUTR 监管机构

2015

第一张SBP certificate

2018

收购RA-Cert-领域  
扩展到雨林联盟可  
持续农业认证、可  
持续旅游认证  
全球最大的FSC认  
证机构

## 认证服务



SBP  
Sustainable Biomass Program



6-0044-16-100-00

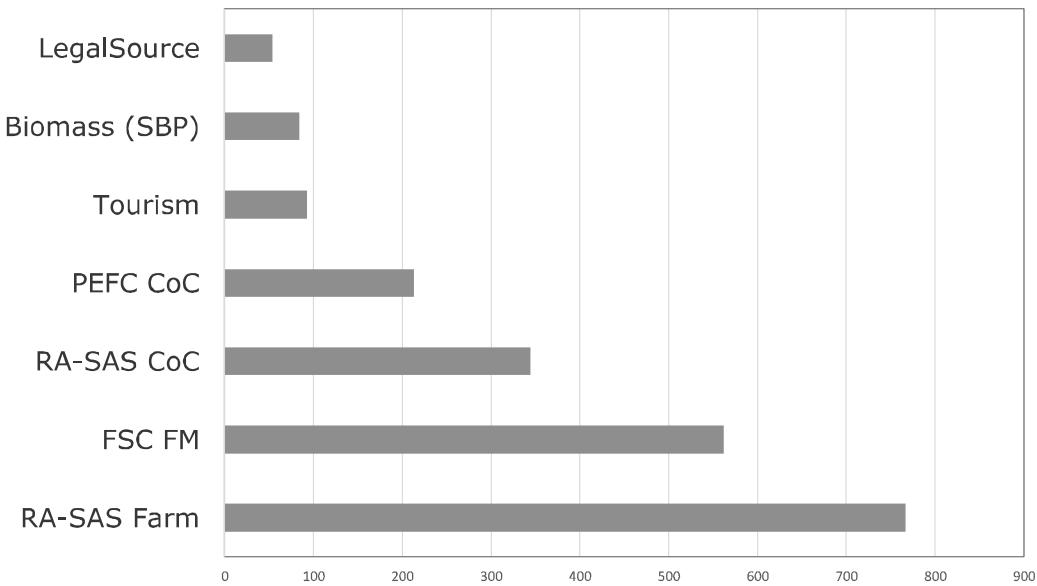
LegalSource™  
by NEPCon



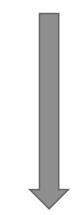
# New NEPCon Certification Stats 认证证书数量



Main Certification Services – Active Certs



Total active certs across all programs offered in NEPCon



5400+  
>95 国家

## Q&A



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NEPCon

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