



# EUDR Community of Practice

Core Group Session 2

12 May 2026

EU Sustainable  
Supply Chain Coalition



# EUDR Core Group Session II – Agenda

Monday, 12 May | 09:30–13:00 (CEST)

09:30–09:45 Welcome & Introductions

09:45–09:50 Community of Practice update

09:50–10:50 Simplification Package – Highlights & Discussion

10:50–11:35 Downstream Due Diligence – Remaining Issues

11:35–11:45 Break

11:45–12:10 Legality – Survey Insights & June Priorities

12:10–12:35 Small Groups – Format & Next Steps

12:35–12:55 June In-Person Meeting – Agenda & Logistics

12:55–13:00 Wrap-Up & Next Steps

# Anti-trust statement

Participants in this discussion meeting are reminded that they must not discuss any matter that relates to competitive issues between the participants. In particular, each participant must strictly avoid any discussions of confidential or competitively sensitive information about its business, including, but not limited to: prices, price levels, pricing strategy, price lists, trends, interest or exchange rates, rebates, discounts, margin changes, percentage price changes or methods of determining or implementing prices; costs, profits, margins; sales conditions, sales volumes/values, market shares; customer and competitor details, such as names, types, importance; allocations/limits (on territories, customers, activities, services, etc.); commercial output, know-how, strategy, developments, innovations. In addition, competitors must not discuss any suggestion of a boycott of third parties or bid-rigging.

# Welcome & Introductions

# Community of Practice Update

Wider CoP subscribers: 1090

# Presentations to wider CoP

## **The EUDR CoP has been presented and referenced in the following fora:**

1. EU Multi-Stakeholder Platform on Protecting and Restoring the World's Forests
2. Global Palm Oil Community - Community of practice for palm oil producing companies and countries
3. Team Europe Initiative (TEI) Eurotrip – Asia & Pacific (Brussels) - Engagement with representatives from producer countries in Asia and the Pacific
4. Workshop: “EUDR – Triggering Systemic Changes” - CoP presented by Marta Angoloti (Spanish Competent Authority)
5. TEI partners meeting - Participation alongside partners including ITC, FAO, GIZ, and IDH
6. International Coffee Organisation (ICO) - TW3 meeting

# Feedback after 1st core group session

## Legal clarity on risk based due diligence

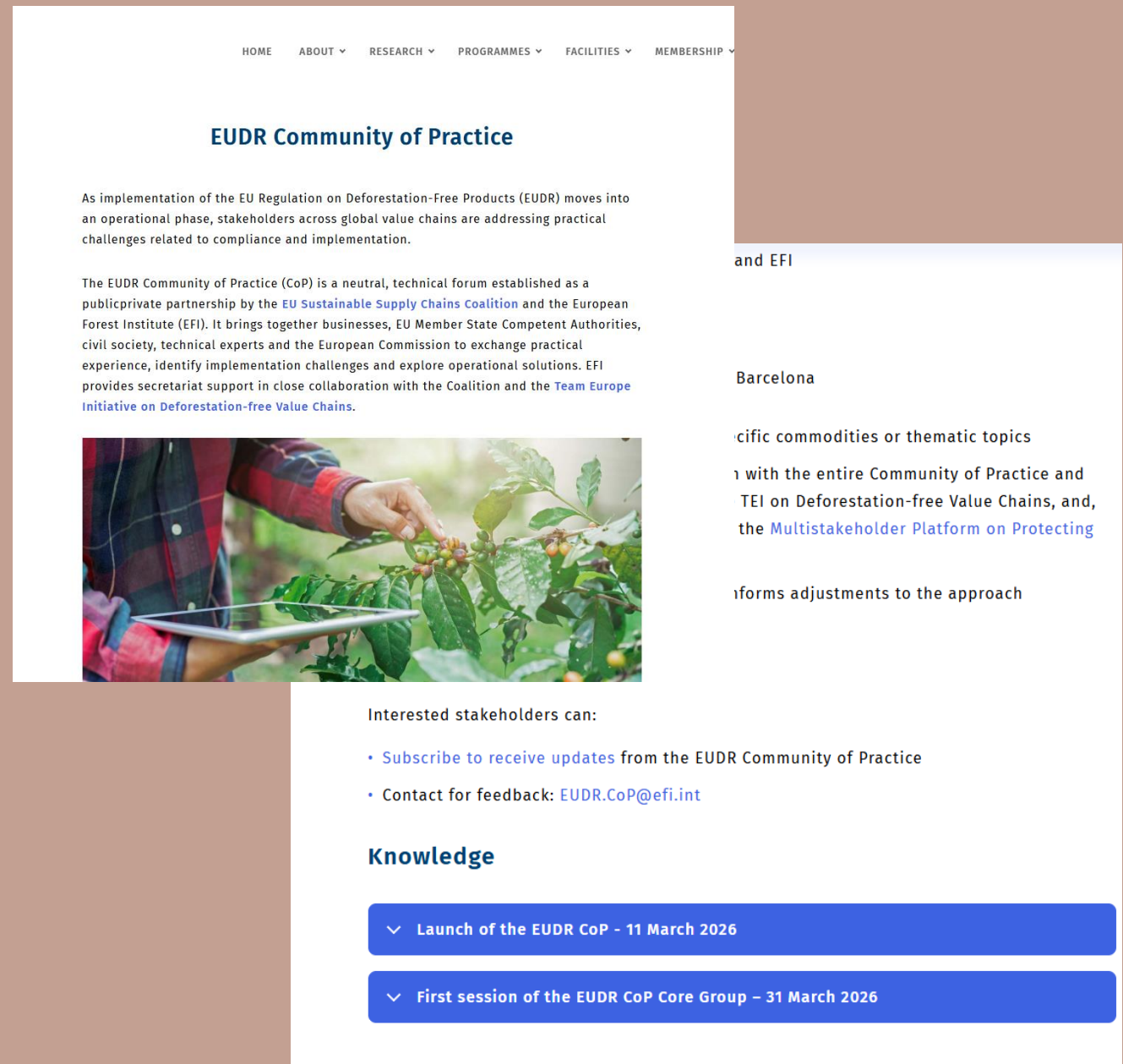
Competent authorities requested for additional information/ reference on CJEU case law

## Downstream DDS

A couple operators wrote in response to the point being highlighted in the summary of the 1st COP session. Highlighting similar concerns on their side and suggesting industry alignment in carrying out downstream due diligence

## Positive feedback

Participants valued the practical framing of due diligence obligations, noting added value of the EUDR CoP beyond existing legal advice.

A screenshot of the EUDR Community of Practice website. The page has a white background with a blue navigation bar at the top containing links for HOME, ABOUT, RESEARCH, PROGRAMMES, FACILITIES, and MEMBERSHIP. The main heading is 'EUDR Community of Practice' in blue. Below it, there is a paragraph of introductory text. A second paragraph describes the CoP as a neutral, technical forum established as a public-private partnership by the EU Sustainable Supply Chains Coalition and the European Forest Institute (EFI). An image of a person in a plaid shirt holding a tablet next to coffee plants is shown. Below the image, there is a section for interested stakeholders with a list of actions: 'Subscribe to receive updates' and 'Contact for feedback: EUDR.CoP@efi.int'. A 'Knowledge' section follows, with two blue buttons: 'Launch of the EUDR CoP - 11 March 2026' and 'First session of the EUDR CoP Core Group - 31 March 2026'. On the right side of the screenshot, there is a vertical list of items including 'and EFI', 'Barcelona', 'specific commodities or thematic topics', 'with the entire Community of Practice and TEI on Deforestation-free Value Chains, and the Multistakeholder Platform on Protecting', and 'forms adjustments to the approach'.

<https://efi.int/partnerships/EUDRCoP>

# Simplification Package Highlights

# New/updated documents

1. Report from the Commission to the European Parliament and the Council
2. Updated FAQ
3. Updated Guidance Document for the Regulation on Deforestation-free Products
4. Delegated Regulation on EUDR list of relevant commodities and products
5. Annex to Delegated Regulation on EUDR list of relevant commodities and products
6. Commission Staff Working Document
7. 4th edition of the EUDR Supply Chain Infographics

# Highlights

- **New category of Micro or Small Primary Operators (MSPO)** with ‘simplified declaration’
- **Simplifications for downstream operators and traders**, no DD except for non-SME when cases of substantiated concerns
- **Risk-proportionate legality due diligence**
- **Update of the Information System** (reopening as of June 2026) introducing new functions to reflect changes of the EUDR text such as registration of new roles
- **Refining of the product scope :**
  - introduce certain horizontal exemptions (samples, waste products, etc.) + removing certain products (e.g. retreated tyres, cattle skins and hides) and
  - including others (e.g. soluble coffee, certain palm oil derivatives and frozen cattle tongues) as outlined in the draft Delegated Act published for public feedback.
- **Repositories of relevant legislation of producing countries and certification schemes** by end of 2026.

# Micro or small primary operators (MSPO)

- A **one-time simplified declaration** instead of repeated due-diligence statements
- May use **postal address instead of geolocation coordinates** (if on plot)
- Must still ensure compliance with Article 3 (deforestation-free & legal)

## Eligibility Criteria

- Be a micro or small enterprise (EU SME definition)
- Be a primary producer
- Place on the EU market only products they have produced themselves
- Must be established in low-risk countries
- Cooperatives and associations may qualify
- Size is reassessed if thresholds are exceeded for two consecutive years

# Downstream operators and traders

- no longer need to conduct due diligence themselves, except in cases of substantiated concerns
- must retain traceability information (supplier & customer) (sending DDS/SD reference number to first downstream is responsibility of upstream operator)
- non-SME downstream operators and traders must register in the information system

**Re-importation (FAQ 5.4):** V5 now explicitly addresses re-importers as downstream operators, not upstream operators, provided they can demonstrate the product was previously placed on the EU market.

# Substantiated concerns

A substantiated concern must be:

- Duly reasoned
- Based on objective and verifiable information
- Case-specific (not general allegations)

## Obligations triggered

### All downstream actors:

If directly linked to their sourcing: immediate notification to Competent Authorities

### Non-SME downstream operators have ‘verification duties’ (FAQ 3.11):

- Verification of due diligence
- Confirmation of negligible risk before placing on the market

→ Verification is reactive, not systematic

Table 1: Overview of the ‘level’ of due diligence obligations by company role, supply chain position and size

Key: ■ Upstream operator (Text Box 1) ■ Upstream MSPO (Text Box 5) ■ First downstream operator/trader (Text Box 4)  Subsequent downstream operator/trader

Company role	Action	Applicable Products	Due diligence obligations	Engage with the Information System	Responsibility for compliance in relation to due diligence	Action when information suggests product non-compliance	Record keeping requirement	Communicate DDS reference number or declaration identifier to downstream operators/traders	Public reporting requirement
Upstream operator	Places on or exports from Union market	Relevant products	✓✓ Exercise Art. 4(1)	✓✓ Submit DDS Art. 4(2)	✓✓ Assume and retain Art. 4(3) and 6(1)	✓ Inform (Art. 4(5))	✓✓ Keep record of DDS Art. 4(3)	✓✓ Art. 4(7)	✓✓ Art. 12(3) <sup>3</sup>
Upstream micro or small primary operator (MSPO)	Places on or exports from Union market	Relevant products that the operator itself has grown, harvested or obtained from or raised on relevant plots of land <sup>1</sup>	✓✓ Exercise Art. 4(1)	✓ Submit one-time simplified declaration Art. 4a(2)	✓✓ Assume and retain Art. 4(3) and 6(1)	✓ Inform (Art. 4(5))	✗	✓✓ Art. 4(7)	✗
First downstream operator or trader (non-SME)	Places on or exports from Union market (operators) or makes available on the Union market (traders)	Relevant products <sup>2</sup>	✗	✓ Register Art. 5(2)	✗	✓✓ Inform and verify (Art. 5(6)) <sup>4</sup>	✓✓ Collect and keep incl. DDS reference number / declaration identifier Art. 5(3) (4) and recital 6	✗	✗
First downstream operator or trader (SME)	Places on or exports from Union market (operators) or makes available on the Union market (traders)	Relevant products <sup>2</sup>	✗	✗	✗	✓ Inform (Art. 5(5))	✓✓ Collect and keep incl. DDS reference number / declaration identifier Art. 5(3) (4) and recital 6	✗	✗
Subsequent downstream operator or trader (non-SME)	Places on or exports from Union market (operators) or makes available on the Union market (traders)	Relevant products <sup>2</sup>	✗	✓ Register Art. 5(2)	✗	✓✓ Inform and verify (Art. 5(6)) <sup>4</sup>	✓ Collect and keep Art. 5(3) (4) and recital 6	✗	✗
Subsequent downstream operator or trader (SME)	Places on or exports from Union market (operators) or make available on the Union market (traders)	Relevant products <sup>2</sup>	✗	✗	✗	✓ Inform (Art. 5(5))	✓ Collect and keep Art. 5(3) (4) and recital 6	✗	✗

**Legend:** ✓✓ = Yes (Company must fulfil the obligation)  
 ✓ = Yes (Company must fulfil reduced obligations)  
 ✗ = No (Company does not need to fulfil the obligation, or it is not applicable)

**Notes:** 1. Or, as regards cattle, on establishments located in that country (Art. 2 (15a) and see FAQ 1.26).  
 2. For downstream operators this would include relevant products made using relevant products, all of which are covered by a DDS or by a simplified declaration (see FAQ 3.1).  
 3. Large operators only (see FAQs 5.14 and 9.9).  
 4. Verification of due diligence is required only in the case of substantiated concerns (Art. 5(6) and see FAQ 3.6.2).

Updated overview of DD obligations by actor/role

# Repositories

## **2 repositories:**

“relevant legislation of the country of production”

“certification schemes applicable to EUDR-relevant commodities.”

Launch both repositories **before the entry into application** (by end-2026), intended as trade facilitation tools.

Operators may use the repository to **assist in meeting the information requirements** under Article 9(1)(h).

Certification/third-party verification as supporting evidence in due diligence, but operators remain responsible for meeting Articles 9–11; the repositories are intended to facilitate access to information, **not to create a “green lane.”**

# Legality

1. Further clarity on narrowing the scope of “relevant legislation”
2. Risk-proportionate approach to information collection
3. Clarity on the relevant ‘area of production’ in case of illegality: the real estate property, not just the ‘plot’ (FAQ 1.15)

# Legality

## 1. Narrowing the scope of “relevant legislation”

Laws are relevant where they are “**directly linked**” to halting deforestation and forest degradation.

Signals desire to focus legality mainly on: land-use; forest; environmental legislation.

→ Under which circumstances, operators may still be expected to look at other categories explicitly listed in Article 2(40)? (labour rights; human rights; FPIC).  
Note the focus on Indigenous Peoples in guidance document

# Legality

## 2. Risk-proportionate approach to information collection

Introduction of a two-tier approach:

### Higher-risk situations

Operators expected to conduct: in-depth legality checks, broader evidence collection

### Negligible-risk situations:

Operators are explicitly relieved from collecting exhaustive legal documentation, obtaining all individual land titles, etc.

Possible sources for the initial examination: Article 29 benchmarking; public reports ; World Bank Governance Indicators ; publicly available information

→ Note the ‘obligation of explanation’: operators should be able to explain the presence of certain documents and the absence of others.

## Discussion

Which key elements of the simplification package deserve to be examined through concrete cases in this group?

# Downstream Due Diligence

## Follow up from 1<sup>st</sup> Core Group Session

# Key issue highlighted\* (1<sup>st</sup> Core Group Session):

- Downstream actors are requesting information beyond legally required
  - Duplication of effort and increased administrative burden
- Downstream operators' uncertainty for what / how much to request - mixed roles and re-import scenarios
- Data transfer challenges (e.g. products with multiple commodities)
- **Follow up discussion with 4 Core group members**

\*Discussions were held just before V5 (April package) was announced / analysed

# Some discussion points:

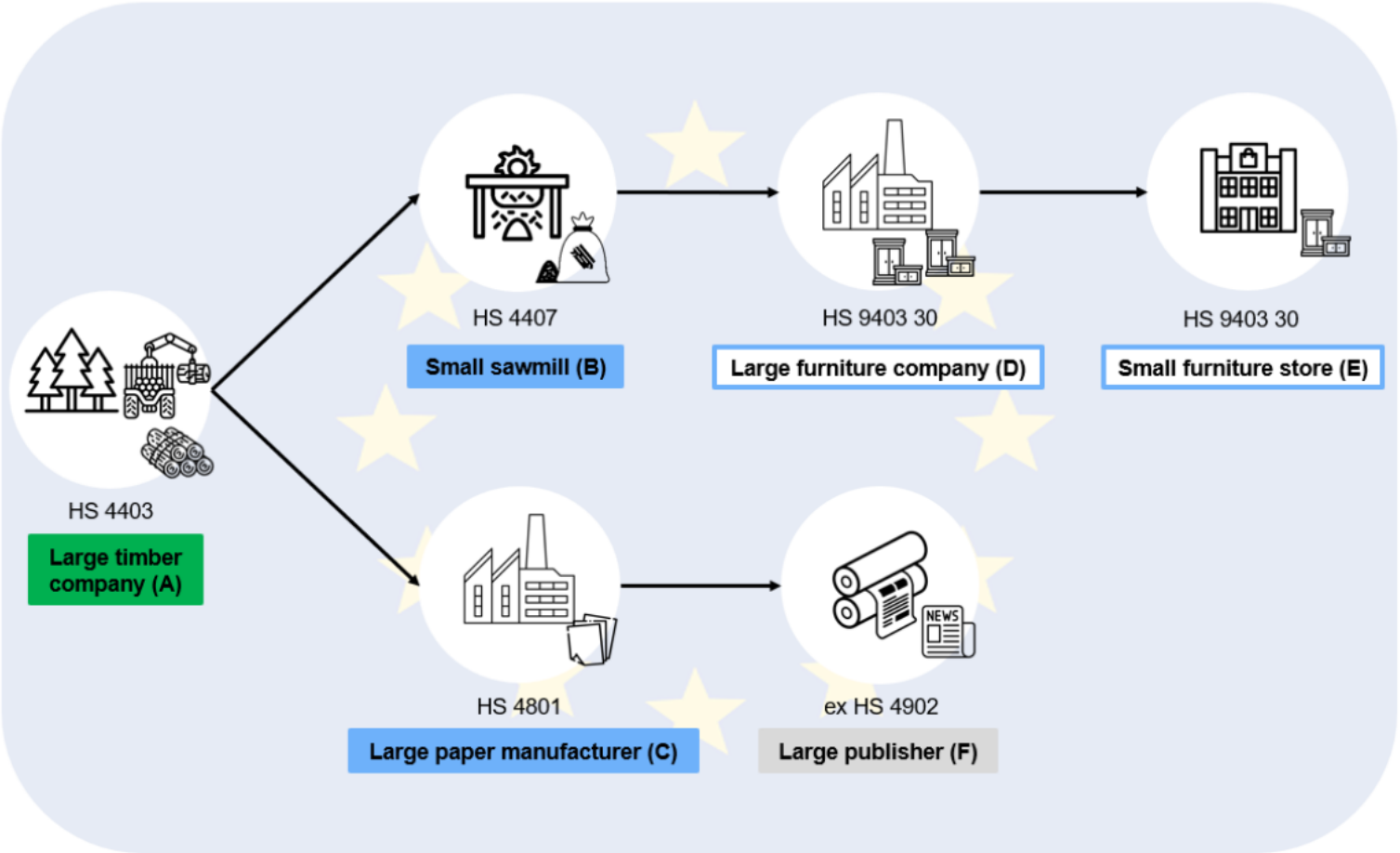
- Some clients consider the **FAQ not legally binding** – how can this group help?
- Secondary DDS issues for **timber sector** quite distinct from agriculture – a CoP timber small group?
- Clearer **role definitions** & clarity on when information needs to be shared – Downstream Dry-runs? Additional infographic scenarios?
- **Data transfer challenges** for certain products remains a challenge (e.g. Chocolate)

## Points of clarification with CAs:

- Does simplification package change their approach on checks? E.g. less checks on retail / downstream operators?
- If a DDS is found to be ‘non-compliant’ – how will they trace down the supply chain?
- How will the process of substantiated concerns work with this simplification?

**Invite four core group members to provide their input – 2-3 mins each**

# Scenario 1: Supply chain for domestic timber (1)



Break (10 mins)

# Legality

## Survey Insights & June Priorities

# Inputs from the EUDR Community of Practice on Legality Due Diligence – Survey results

1. Two surveys conducted:
  - Core Group members
  - Wider Community of Practice members
2. Focus: legality due diligence challenges under the EUDR
3. Combined responses:
  - Wider CoP: approx. 120 respondents
  - Core Group: 19 respondents
4. Participants included:
  - Private sector (approx. 80%)
  - NGOs / Civil society (approx. 20%)
  - Competent Authorities (n=15)
  - Trade associations and others
5. Most respondents source substantially from smallholders and indirect sourcing\*

# Confidence in identifying relevant legislation

**Key finding:** Overall confidence levels are moderate to high.

Most actors feel only moderately confident in identifying relevant national laws

Continued uncertainty regarding:

- scope of relevant legislation
- interpretation of legality obligations
- access to legal instruments

# Most challenging aspects of legality due diligence

**Key finding:** The main challenge is not identifying laws — it is obtaining and assessing evidence.

## Key issue is evidencing legality in complex sourcing contexts

Particularly relevant for:

- smallholder supply chains;
- informal tenure systems
- weak administrative systems

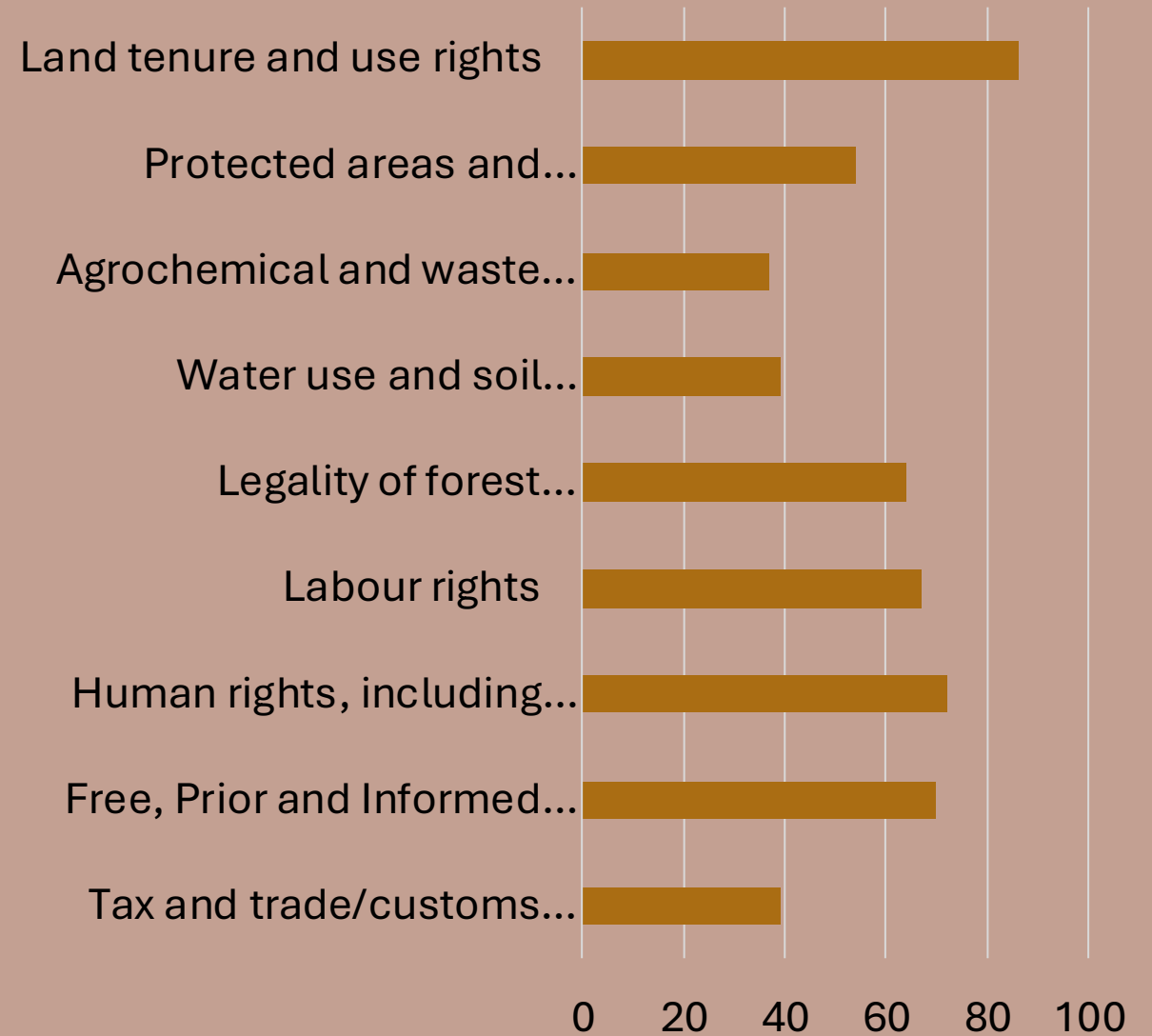


# Most challenging legal domains

**Key finding:** Land tenure and rights emerged as the most difficult area across both questionnaires.

Followed by:

- Human rights / labour rights
- Legality of forest conversion
- FPIC / indigenous and local community rights
- Protected areas and land-use restrictions



# Reliance on external service providers

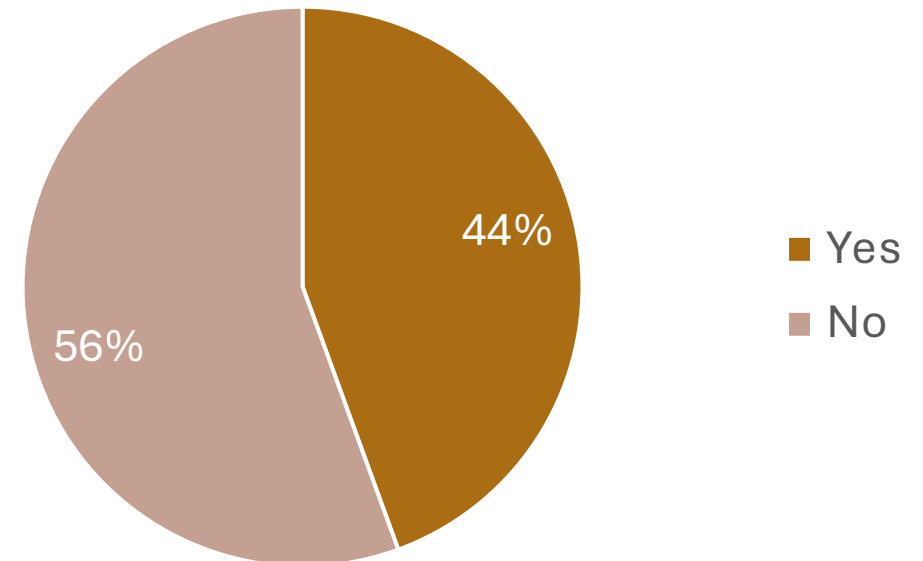
## Key Findings

External expertise plays an important role in legality due diligence

Transparency regarding **methodologies** remains uneven - roughly **half** do not know which methodologies are used.

**Potential risk:** Operators rely on opaque legality assessments, exposing themselves to liability if they cannot adequately justify their conclusions to competent authorities.

Do you rely on an external service provider in relation to legality?



# Use of external reports and monitoring

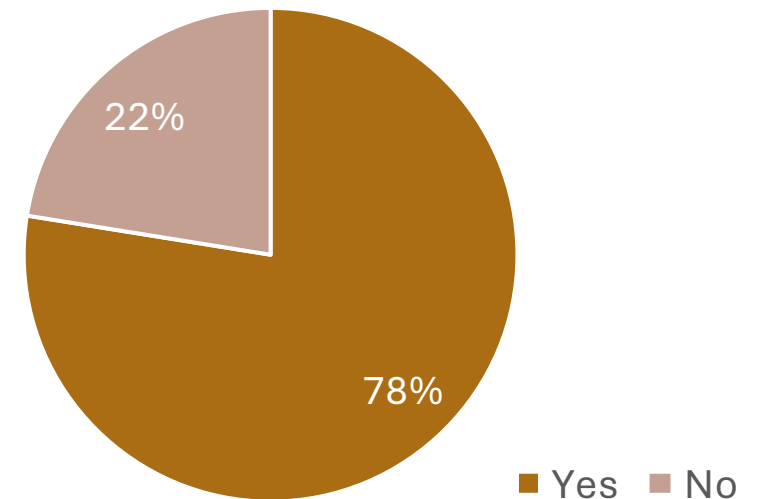
## Key finding

Most respondents (**over 90%**) already use NGO/media/external reports in legality due diligence.

NGOs and media reports are viewed as relevant risk indicators, confirming growing importance of:

- desk-based monitoring
- civil society alerts
- substantiated concerns

Do you look at external reports, e.g. from NGOs, media, on potential cases of illegal behaviour in the source of origin?



# Use of certification

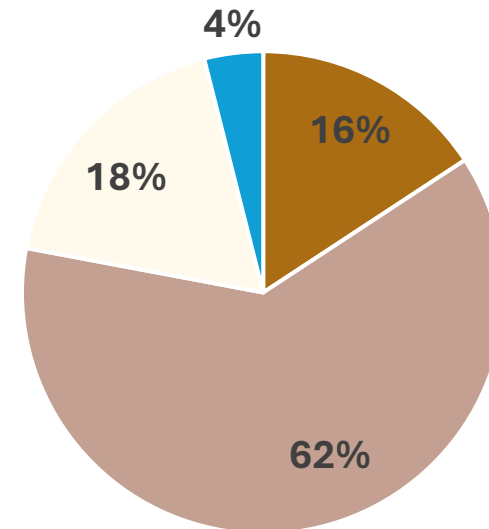
## Key findings

Certification is a **major** element of respondent's legality work however; it is rarely considered sufficient on its own.

Highlighting the need for clearer understanding of how certification can be effectively integrated into due diligence processes.

## What is your approach to third-party certification?

- Certification is not part of our legality work
- Certification is one major element in our legality work
- Certification is one minor element in our legality work
- Certification is the only element in our legality work



# Format of the June session

1 = 11a  
2 =

Which of the following would be most valuable to you for the EUDR CoP to work on (regarding legality due diligence)?

9 out of 19 people answered this question.

Highest ranked

#1 Case studies by commodity and country

#2 Peer exchange on how operators are addressing legality due diligence

#3 Understanding how to handle missing documentation

#4 Specific legal domain deep-dives

#5 Guidance on what Competent Authorities will examine

# Legality case studies (to be refined with you)

Case Study 1:  
Cocoa, Côte  
d'Ivoire

Smallholder land tenure, the agricultural frontier,  
the role of country tools, and child labour as a  
legal domain

Case Study 2:  
Palm Oil, Malaysia  
(Sabah)

Native Customary Rights, mill-level aggregation,  
certification scope, and migrant labour as a legal  
issue (with comparative notes on rubber)

Case Study 3:  
Timber, Romania

EUDR applicability within the EU, SUMAL integrity,  
illegal logging risk in an EU member state, and  
proportionality for smaller operators

Case Study 4:  
Beef/Soy,  
Paraguay

Gran Chaco deforestation, indigenous territorial  
rights, SENACSA traceability, and due diligence  
without a published country tool (with  
comparative notes on soy)

# Legality case study - example

*A European chocolate manufacturer sources cocoa through a network of cooperatives in Côte d'Ivoire. The cooperatives aggregate from approximately 3,000 smallholder members, each farming between 1 and 4 hectares. The sourcing areas span a region where the agricultural frontier between farming land and classified forests is particularly contested. The operator has submitted a due diligence statement under EUDR and is now subject to a check by a competent authority.*

- 1.** The operator cannot obtain land titles (titres fonciers) for the majority of its 3,000 suppliers. Many hold only a certificat foncier rural or rely entirely on customary recognition. Does this mean they cannot demonstrate legality of land tenure under EUDR? What should the operator do instead, and how should they document their approach?
- 2.** 47 plots fall within or immediately adjacent to classified forest boundaries (within 100m) with recent encroachment. What does the operator do with this information?
- 3.** A civil society report published eight months ago identifies significant land tenure disputes between farming communities and logging concessions in one of the cooperative sourcing zones, with smallholders alleging their plots were incorporated into a forest concession without consultation. The operator was unaware of this report. What does this mean for their due diligence — and what should they do now?

**Etc.**

# Small Groups and ad hoc meetings

## Format and next steps

# Small groups

- Deeper dives on specific issues
- 5 to 15 people, meet in between core group sessions
- Some may be only for core group members
- Voluntary participation
- 2 facilitators for each group (from the core group or the CoP facilitators)
- Report back to CoP core group
- Publication of insights by CoP co-facilitators

# Proposed small groups to start in May/June

## **For core group members + external resource persons:**

- Small group on smallholders [Co-facilitators: Sebastien + Duncan]
- Actors' roles in different scenarios: review and possible enrichment of latest infographics (missing scenarios...)
  - Timber group

## **For core group members only:**

- Targeted dry run on due diligence by downstream operator (involving a substantiated concern)
- Targeted dry run on risk-proportionate approach in the timber sector (Europe sourcing) tbc

# Ad hoc meetings

One-off session, wider meetings open to all core group members and a relevant type of actors from the wider CoP. Insights of discussion documented by CoP co-facilitators (Chatham House rule).

## **Proposed sessions (1h30)**

- June 16<sup>th</sup> (12pm CEST) with service providers
- July 15<sup>th</sup> (2pm CEST) with certification initiatives

## **Sessions structure:**

1. Summary of relevant issues (2 core group members or co-facilitators). Eg. with service providers the challenges regarding transparency of methods used; the tendency of clients to ask for more information than required, etc.
2. Questions from core group members to participants
3. Questions from participants to core group members

# June In-Person Meeting

## Agenda & Logistics

# Proposed Agenda

Monday 29  
June

Time	Session
09:00	Welcome & ice breaker
09:20	Latest CoP updates
09:40	<b>Deep dive 1: Legality</b>
10:10	Coffee Break
10:30	Breakout Groups – Legality due diligence case studies (4 groups)
12:00	Plenary debrief – key insights
13:15	Lunch
14:15	<b>Deep dive 2: topic tbc (interactive session)</b> <i>(substantiated concerns?)</i>
15:45	Coffee break
16:00	Breakout Groups – EUDR supply chain scenarios (understanding multiple roles)
16:45	Next steps – key CoP outputs, products
17:30	Cocktail & networking

# Optional

## Tuesday 30 June

Time for small  
groups

EFI meeting rooms  
available 9am-2pm

# Guide: How to reach us 2026

- Office Location Details
- Visitor Registration and Security Protocol
- Transport -Airport to the city, within the city
- Hotel options



Recinte Modernista Sant Pau Barcelona

# Wrap-Up & Next Steps