



EUDR Community of Practice

Core Group Session 1

March 31st 2026

AGENDA

Time	Agenda Item
10.00-10.30	Welcome and introductions
10.30-11.15	Core group scope and modalities
11.15-11.35	Priorities from stakeholder survey <ul style="list-style-type: none">- Survey highlights- Priority topics: proposal for the 2026 core group sessions (discussion at the end)
11.35-11.45	Break
11.45-12.30	Challenge in focus: gathering systematic evidence for compliance (esp. on legality) & the use of risk-based approaches Presentation & Discussion
12.30-13.00	Discussion on priorities (cont'd), closing and next steps + confirmation of dates of next meetings



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.

Introductions

Core Group Scope and Modalities

Success vision

- Remaining challenges and solutions identified
- Stronger alignment *across* and *among* stakeholder groups on how to implement the EUDR
- Clarity on how to present the information for successful inspections
- “*Communauté des bonnes pratiques*”

Success factors

- Pre-compliance spirit: being relax, open about challenges and blindspots
- Ready to dive in concrete cases and share specific info/data (use secretariat as needed)
- Time commitment and personal implication (limited use of alternates) & limited group size

Failure factor

- Belief that sharing specific methods will generate competition or cheating

CoP credibility risks (general)

Risk	Response
The CoP is seen to be promoting certain solutions or service providers	<ul style="list-style-type: none">- Facilitators can flag promotional content and remove from CoP documents (minutes...)- Focus will be given to methodologies & open source / free solutions. Proprietary solutions can inspire, be discussed... avoiding an exclusive focus on one single solution
The CoP is perceived as a lobbying group to influence EU or MS policy (in one direction or another)	<ul style="list-style-type: none">- CoP discussions should remain within the scope of the EUDR 'as it stands today' (at the time of the discussion). Reference to existing guidance (FAQ...) is made whenever relevant.- Advocacy by members of the CoP is not done in the name of it (other channels in place for that)- CoP supports effective and pragmatic EUDR implementation
Other risks?	

CoP added value will be reassessed by end 2026 (no current commitment to extend beyond 2026)

Core Group conditions (code of conduct)

The Community of Practice is a neutral forum within the context of EUDR implementation

- No recommendations or calls to action
- No pushing any commercial solution

All members of the core group are equal

- Please participate fully, but do not dominate the discussions
- Show respect for other members, contribute positively, no attacks
- Be open to views you disagree with

Discussions should be as open as possible

- Chatham House rule: can report what was said at the meeting, but not who said it
- On zoom: camera on, no promotional content visible, recording only for note taking

Respect anti-trust rules

- No discussion of any matter that relates to competitive issues between the participants

Feedback from the core group selection process

- 108 applications received
- Strict selection that excluded service providers, federations,
- certification initiatives - ad hoc engagement
- Balance across the 7 sectors
- Challenge to get producers (capacity to engage)

Category	Organisation
Operators (7 seats)	Sucafina, Ferrero, Bunge, Corrie MacColl Europe bv, Mars, IKEA, AAK
Traders, SMEs, Producers (8)	Walter Matter, Tony's Chocolonely, Marks & Spencer, Tatwin, Nestlé, Danzer, Grupo Garnica Plywood SAU, LIPSA
NGOs (3 seats)	Earthsight, EIA, WWF, FERN (rotational) Voice Network
Competent Authorities	Belgium, Czech Republic, Finland, France, Germany, Netherlands, Portugal, Slovenia, Spain, Sweden
EC	DG Env and DG Intpa
Co-facilitators	EFI and Sustainable Supply Chains Coalition

Building linkages with other Communities of Practice



- Linkages with the EU Multistakeholder Platform
- other Communities of Practice especially those who have expressed interest
- To promote **collaborative exchange and synergies**
- To be updated (not exhaustive)

Links with wider CoP

- Dedicated webpage in the TEI Hub (publication of minutes and presentations...) & CoP mailbox
- Active dissemination of reports
 - CoP mailing list
 - Via sector federations
 - Each core group member's own engagement with other stakeholders
- Midterm stock-take: public online seminar in September (tbc)
- Joint presentations at external events (e.g. MSP)
- Possible use of survey

CoP 'deliverables'?

- Core Group meetings: summaries and presentations
- Documentation of inter-session specific dry runs or deep dives
- Possible inputs to inform technical guidance (eg FAQ)
- Joint presentations at external events, upon requests (eg MSP)

Other ideas?

Core Group Internal Communication

**Needs: documents, channels, notifications
(brief demo)**

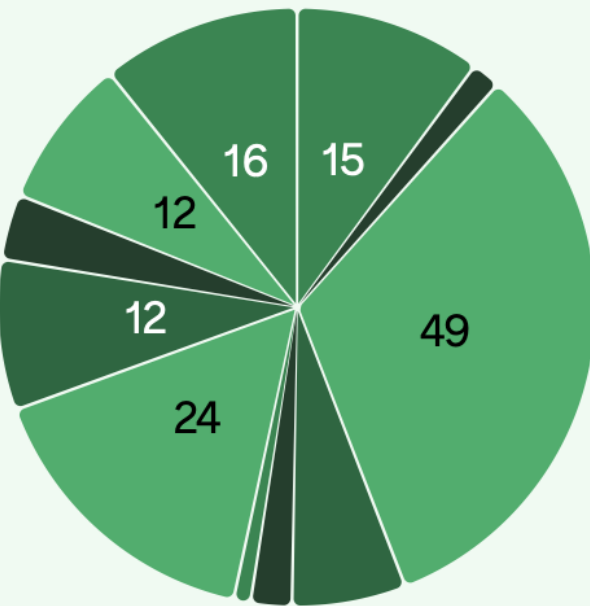
Priorities from stakeholder survey

Who answered?

176 answers

59% of the answers are from actors from EU (62% from Europe as a whole)

What best describes your organisation?



- 15 Government (EU)
- 2 Government (Non-EU)
- 49 Private Sector - Multinational companies
- 9 Private Sector- other (SMEs, local traders...)
- 3 Producer / Cooperative
- 1 Research / Academia
- 24 NGO / Civil Society
- 12 International Organisation / Development Partner
- 5 Certification scheme
- 12 Service providers
- 16 Other

Which Sectors?

Which commodities are you primarily involved in?

75



Cocoa

80



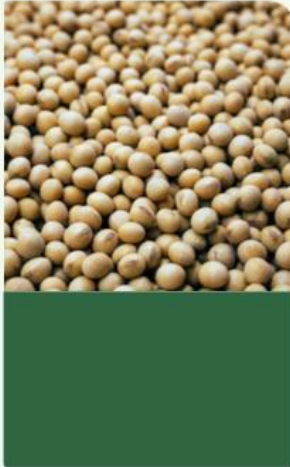
Coffee

65



Palm oil

44



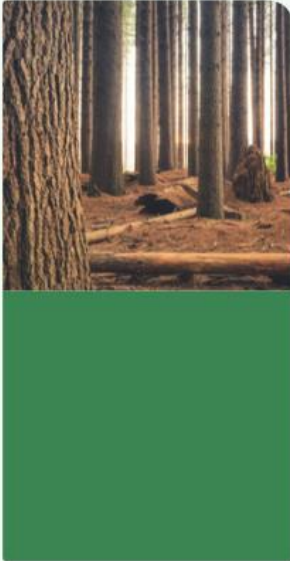
Soy

37



Cattle

69



Wood

42



Rubber

Survey Highlights

How ready is your organization to comply with / implement the EUDR as it currently stands?



32%

NGOs / civil societies

19%

Private Sector

Sectors:

- 55% Cocoa
- 45.2% Coffee
- 42% Soy



64%

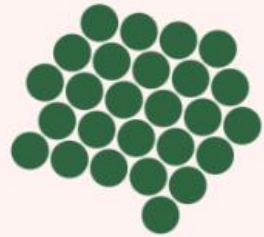
Private Sector

Sectors:

- 50% Coffee
- 47.2% Cocoa
- 36% Palm Oil

Survey Highlights

How ready is your organization to comply with / implement the EUDR as it currently stands?



26 I will be ready in Dec 2026

50%

Private Sector

Sectors:

- 50% Cocoa
- 42% Palm Oil
- 42% Wood



21 I will be mostly ready in Dec 2026

28%

Private Sector

Sectors:

- 52.3% Coffee
- 48% Wood
- 43% Cocoa



17 I will not be ready in Dec 2026

29%

Private Sector
And

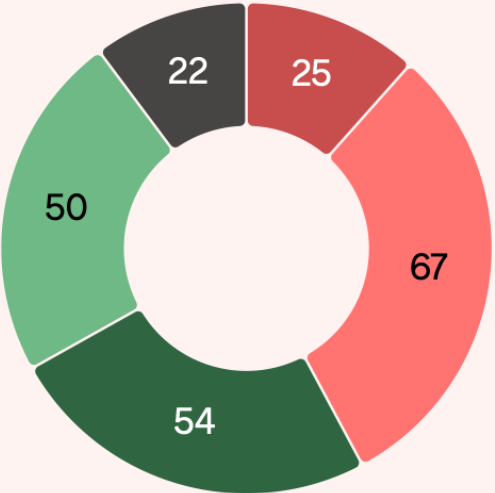
29%

NGO / civil society

Sectors:

- 53% Wood
- 35% Rubber
- 35% Coffee

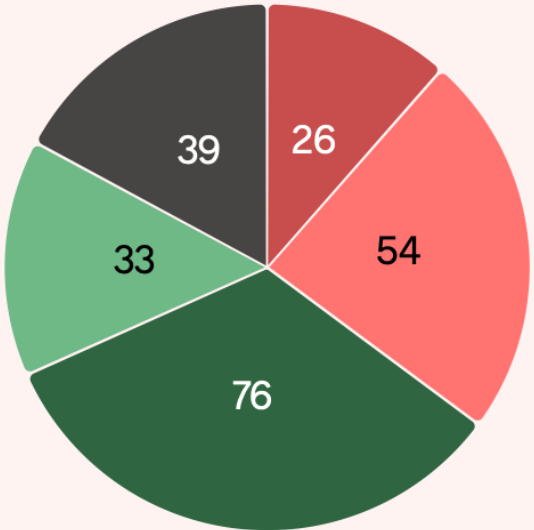
Priority Topics



- 25 Collection
- 67 Quality verification and validation
- 54 Sharing - legal and regulatory constraints
- 50 Sharing - challenges with supply chain actors / competitors
- 22 Upload on the EUDR IT system
- 0 N/A

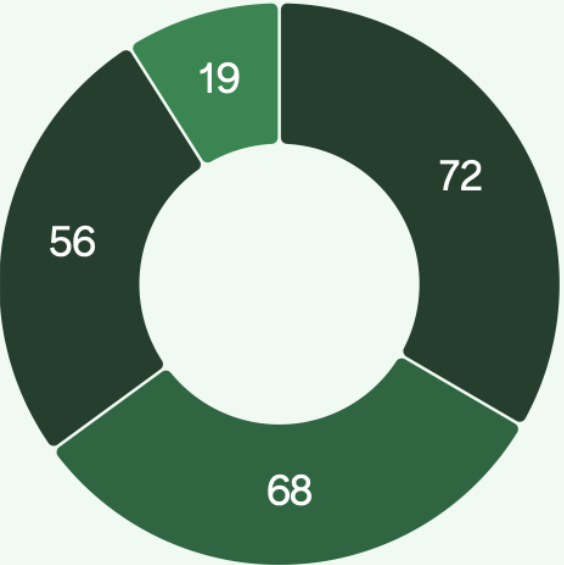
Traceability

Geolocation



- 26 Access to affordable & user-friendly tools
- 54 Verification of traceability information
- 76 First-mile traceability challenges involving intermediaries & smallholder suppliers
- 33 Segregation challenges
- 39 The use of declaration in excess
- 0 N/A

Priority Topics

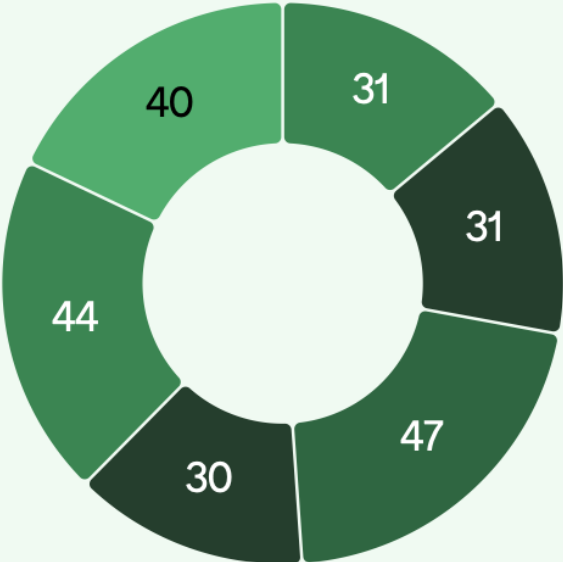


- 72 Robust risk assessment & mitigation measures
- 68 How to present information to competent authorities during inspection
- 56 Role of certification &/or third-party service providers in supporting due diligence
- 19 Data management issues
- 0 N/A



Deforestation Checks

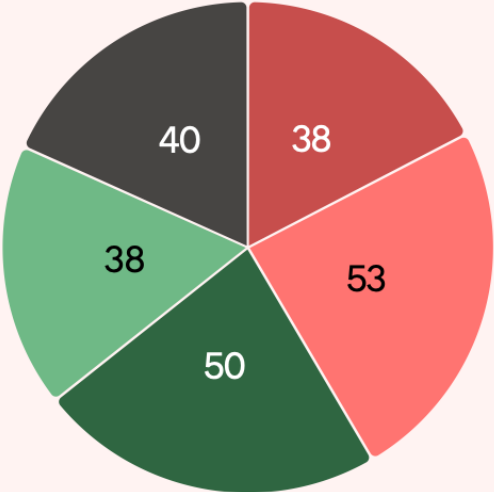
Due Diligence System



- 31 Availability & accessibility of mapping data
- 31 Access to cost-effective & user-friendly tools
- 47 Transparency of data sources and methods used by service providers
- 30 Challenges related to forest definition
- 44 Limitations of spatial analysis in agroforestry systems
- 40 How to address false positives
- 0 N/A



Priority Topics



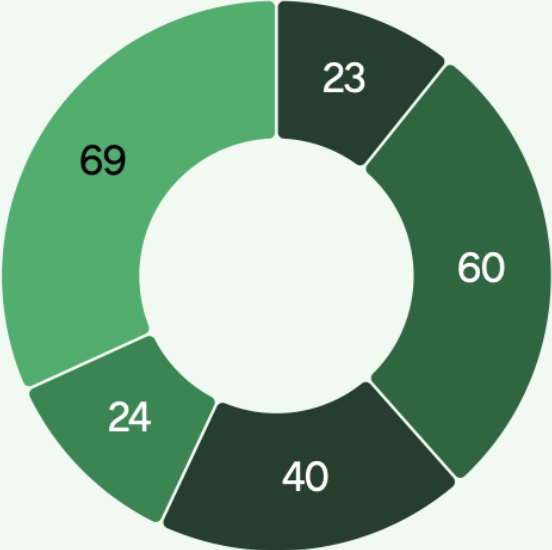
- 38 Scope of legality in a given country
- 53 Lack of documentary evidence to prove compliance
- 50 Informality of many smallholder producers
- 38 Lack of centralized national databases to support due diligence and substantiated concerns
- 40 Granularity of legality risk assessment (national, subnational, production area)
- 0 N/A



Legality

For Session 1

Other topics



- 23 Penalties and fines
- 60 Substantiated concerns
- 40 EUDR Impact monitoring
- 24 Data security issues
- 69 Risk-based approaches
- 0 N/A



Priority challenges

Legality

- Challenges in gathering evidence and the use of risk-based approaches
- Granularity of legality risk assessments
- Scope of legality in a given context

Traceability

- First-mile traceability challenges, risks of mixing
- Verification of traceability claims (from suppliers...)
- The use of declaration in excess

Geolocation data

- Data quality issues (data received from suppliers...)
- Data sharing issues (data transfer, data management, interoperability)

Downstream issues

- Data management (number of DDS...)
- tbc

Mitigation measures

Reliance on external data & service providers

- Use of certification, national databases and service providers
- Transparency of data sources and methods used by service providers

Deforestation checks in complex environments

- Agroforestry systems
- False positives, contradicting maps and non spatial evidence

Challenge 1

Operators struggle to gather systematic evidence to demonstrate compliance, especially on legality

The Challenge

Why Operators struggle to gather systematic evidence in demonstrating legality or deforestation free?

Is it because...

- Many operators and stakeholders approach EUDR compliance by looking for:
 - “Proof” of legality / deforestation free
 - Complete documentation (interpreting ‘evidence’ as ‘document evidence’)
 - 100% certainty of compliance

The reality on the ground – many supply chains in the EUDR scope are:

- Fragmented and multi-layered
- Often informal at origin
- Characterised by limited or inconsistent data / records

Possible way forward [Challenge 1]

Increased clarity on the application of Risk Based Due Diligence under the EUDR

The EUDR combines a prohibition and a due diligence obligation

What?



How?



The prohibition is an *obligation of results* that applies to relevant commodities and relevant products

The due diligence obligation is an *obligation of means* that applies to operators and non-SME traders.

EUDR Due Diligence: 3-Step Process



The first step focuses on gathering “**information, data and documents,**” - serves as the evidentiary basis for the subsequent risk assessment.

Steps 2 & 3 are explicitly risk-based, confirming EUDR compliance cannot be reduced to possession of documents.

How to reconcile the **strict prohibition** in the EUDR with prevailing conceptions of **risk-based due diligence** as a flexible instrument that allows for uncertainty?

Need to appreciate the legal text in its entirety

Risk-based due diligence (Arts. 8–11) is the process to achieve compliance (Art. 3)

If properly applied, it is expected to result in compliant products being placed on the market.

Legal Foundation of Due Diligence

- **Due diligence under the EUDR is not new** – it is based on long-standing legal doctrine
- It aligns with established interpretations in **international and EU laws** where:

Due diligence = obligation of means, not an obligation of results

- International courts and tribunals have consistently interpreted due diligence as requiring actors to

“to employ all means reasonably available, in light of the circumstances and the information available at the relevant time, without any obligation to guarantee a particular outcome” - International Court of Justice

- Available information
- Specific circumstances
- Not perfection !

What does “risk-based” Due Diligence really mean?

The Court of Justice of the European Union (CJEU) has no formal definition of “due diligence,” its case law gives clear guidance on how to understand it in practice.

- Due diligence is about
 - **how an operator behaves**, not about achieving perfect results.
- The key question:
 - Did the operator act with the **level of care** that could reasonably be expected from a **prudent and responsible business**, given the specific situation?
- A “risk-based” approach means that:
 - The **higher the risk**, the more thorough the checks and precautions should be.
 - The **lower the risk**, the lighter the checks can be.
- Importantly, the CJEU has clarified two limits:
 - Operators are **not required to do more than what is reasonably expected** based on the risks they face.
 - They are **not expected to obtain information or documents they cannot legally or practically access**.

Type of evidence: what is 'reasonable' depends on the context (examples)

Legality of land use (coffee smallholders)	Brazil	Indonesia	Ethiopia
Possible good practice <i>Examples</i>	Check for absence of overlapping claims in CAR	Bupati Statement letter (Village Head / Authority) (if STDB unavailable)	Request to the national cadaster to check for the absence of land conflicts
Type of evidence (relevant to the specific sourcing area/plots)	Database extract	Proxy document	Documented process

Integrating risk management principles into EUDR legality assessments

Collection of information on legal compliance in the supply chain

Article 9

1. “Operators shall collect **information, documents** and **data** which demonstrate that the relevant products comply with Article 3”.

(g) adequately **conclusive and verifiable information** that the relevant commodities have been produced in accordance with the relevant legislation of the country of production.

Information



Documents

- Information recorded on a **physical object**, making it **difficult to replicate, manipulate** and/or **transfer** to others.
- Challenges to manage paperwork at large scale
- Important for risk mitigation



Data

Public data-sets can provide an overview of **legal compliance in a country / geographical sub-unit**

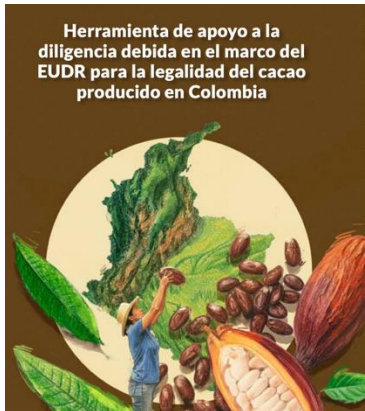
In the **absence of public information, or as a complement**, the private sector can collect its own data on legality (including from NGOs and / or service providers).


Key insights from EUDR dry runs

- Competent Authorities have stressed that compliance isn't necessarily guaranteed through documents, certifications, checklists, standard procedures **alone** (though they are important).
- **The search for such 'guarantees' of compliance** reduces the process to a procedural 'box-ticking' or heavy 'document-gathering' exercise.
- Risk assessment under the EUDR is a
 - dynamic,
 - context-specific exercise,
 - using creativity, judgment and
 - adaptation to ever-changing circumstances in the field.

Context-specific guidelines

Example of the Colombia cocoa sector



Requisito legal	Contexto	Nivel de implementación	Recomendaciones de Debida Diligencia
 <p>Derechos de uso del suelo</p> <p>1.2.</p> <p>El agricultor ejerce el derecho a la producción en la parcela a través de contratos de arrendamiento, usufructo, aparcería o contratos de asignación provisional</p>	<p>En Colombia el mercado de arriendo de tierra rural agropecuaria es muy dinámico para cultivos de ciclo corto, para cultivos como el cacao, no es común esta práctica, solo el 5,6% de las UPA y el 6% de la producción declararon estar en arriendo frente al 83,4% de las UPA y el 71,2% de la producción que declararon ser propiedad privada o directa por parte de quien ejerce la tenencia</p>		<p>Consultations with stakeholders</p> <p>It must be confirmed that there are no complaints or litigation regarding the production lands of the cocoa value chain (national or international press, NGOs, among others), through interviews with stakeholders, and consultation with official channels regarding complaints and reports. In rural areas, the National Land Agency (ANT) can be consulted to determine if there are any formalization or adjudication processes for public lands, or any reports of irregular land occupation.</p> <p>If there are indications of complaints or litigation, the following actions could be taken:</p> <p>Collection and verification of documents</p> <p>Formal titles: Request the Certificate of Title and Freedom from the Superintendency of Notaries and Registry.</p> <p>Informal titles: unregistered purchase and sale or unformalized inheritance.</p> <p>Regular possession: with proof of occupation and improvements (for eventual adjudication).</p>

Some key point for consideration

1. Risk inherently involves uncertainty

- We don't have complete information → **uncertainty** is unavoidable

2. Purpose of risk assessment

- Not to eliminate uncertainty
- But to **understand and manage it**

3. Why it matters

- Helps us **make decisions**
- Helps us **balance trade-offs**
(cost vs. risk reduction)

Discussion

Increased clarity on the practice of Risk Based Due Diligence under the EUDR

Discussion on future priority topics

Legality

- Challenges in gathering evidence and the use of risk-based approaches
- Granularity of legality risk assessments
- Scope of legality in a given context

Traceability

- First-mile traceability challenges, risks of mixing
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Downstream issues

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Deforestation checks in complex environments

- Agroforestry systems
- False positives, contradicting maps and non spatial evidence

Other key challenges / priorities (from the discussion)

- Understanding of roles for different supply chain actors
- Downstream DDS: data transfers with clients, consistency, consolidation of DDS, transfer on DDS numbers with re-imports/re-exports; customer standard setting on how to receive and transfer data
- The use of species analysis in risk assessments and mitigation (potential beyond timber)
- DD-System structure in multinational groups relying on subsidiaries in producing countries

Closing and next steps

Sessions planned

- Tuesday March 31st 10am to 1pm online
- Tuesday May 12th 10am to 1pm online
- **Monday June 29th 9am to 5pm in person in Barcelona (+ afterwork)**
/ Alternative date 18th of June
- Tuesday 8th of September 10am to 1pm online
- Tuesday 20th October 10am to 1pm online
- Tuesday 1st of December 10am to 1pm online

Mid Term Stock Take (public session) date tbc

- Thursday 17th of September
- Monday 28th of September
- Tuesday 29th of September
- Wednesday 30th of September

Thank you!