



## Core Group Meeting Summary

### First Session – 31 March 2026

*Disclaimer: this meeting summary was prepared by the co-facilitators of the EUDR Community of Practice (CoP). It is intended to share the key points discussed in the core group with the wider community of practice. This document was not reviewed nor validated by members of the CoP core group and it is not meant to capture only consensual points, but all key points discussed. As such, its content does not necessarily reflect the views of Core Group as a whole, nor of any particular core group member.*

#### 1. Overview

The session introduced the objectives, structure, and working modalities of the Core Group, and initiated technical discussion on key implementation challenges under the EU Deforestation Regulation (EUDR), with a first deep dive on the challenge of gathering systematic evidence for compliance—particularly on legality—and the application of risk-based approaches.

The EUDR Community of Practice (CoP) is intended as a collaborative, non-prescriptive platform. The objective is to:

- Support practical implementation of the EUDR
- Enable peer learning across sectors and actors
- Identify key challenges and workable solutions

#### 2. Core Group introduction, scope and modalities

Participants from the technical core group introduced each other in pre-assigned pairs. Introductions highlighted the diversity and technical depth of the group. Key insights from introductions:

- Most companies are dealing with multi-commodity exposure
- Strong emphasis on operational implementation challenges
- High relevance of traceability systems, IT integration, and data flows
- Civil society organisations underscored the importance of avoiding “box-ticking” compliance and ensuring smallholder inclusion
- Competent Authorities highlighted the need for harmonised interpretation and expressed interest in understanding real-world company challenges

## Purpose and expected outcomes

Sessions of the core group aim to generate:

- Greater clarity on implementation challenges, particularly where interpretations diverge
- Improved consistency in approaches, including within stakeholder groups
- Practical insights on how to present information during compliance checks

A key emphasis is placed on:

- Open exchange during the pre-compliance phase
- Use of real-world cases and data
- Sharing of good practices beyond minimum compliance

## Governance principles

The Core Group functions as:

- A neutral (within the context of EUDR implementation), non-advocacy platform
- A forum focused strictly on implementation of the EUDR as it currently stands

Core group members agree to:

- Engage constructively and respectfully as equals
- Observe the Chatham House Rule
- Avoid promotional or commercially sensitive discussions
- Adhere to anti-trust principles

## Credibility considerations

Potential risks and mitigating measures include:

- Perceived endorsement of specific solutions → focus on methodologies rather than service providers, and prioritisation of open or freely accessible approaches.
- Perception as a lobbying platform → strict neutrality and discussions confined to the EUDR “as it stands today”.

## Core group composition and selection process

The Core Group was selected through a competitive process, with over 100 applications received. Selection prioritised individual expertise and willingness to engage actively, while aiming for balanced representation across sectors and commodities. Certification schemes were not included in the Core Group given the diversity of commodities but will be engaged through complementary CoP activities.

Category	Organisation
<b>Operators (7)</b>	Sucafina, Ferrero, Bunge, Corrie MacColl Europe bv, Mars, IKEA, AAK
<b>Traders, SMEs, Producers (8)</b>	Walter Matter, Tony’s Choccolony, Marks & Spencer, Tatwin, Nestlé, Danzer, Grupo Garnica Plywood SAU, LIPSA
<b>NGOs (3)</b>	Earthlight, EIA, WWF, FERN ( 2 seats rotational) ; Voice Network
<b>Competent Authorities</b>	Belgium, Czech Republic, Finland, France, Germany, Netherlands, Portugal, Slovenia, Spain, Sweden, Italy
<b>EC (observers)</b>	DG Environment and DG INTPA
<b>Co-facilitators</b>	EFI and Sustainable Supply Chains Coalition

### **Structure:**

- Six core meetings per year, supported by ad hoc deep dives
- Engagement with a wider community of 500+ stakeholders
- Linkages with the EU Multistakeholder Platform and other Communities of Practice to promote collaborative exchange and synergies

### **Expected outputs:**

- Core group meeting summaries and presentations
- Technical exchanges and case-based insights
- Non-binding contributions to guidance and FAQs

## **3. Results from the stakeholder survey on priority implementation challenges**

Questions related to readiness showed uneven preparedness:

- A small group (mainly NGOs) reported readiness by the end of 2023
- Most stakeholders anticipate readiness between 2025 and 2026

Priority challenges identified included:

- **Legality:** lack of verifiable evidence (identified as highest priority for the CoP)
- **Geolocation:** data sharing and verification of quality
- **Traceability:** First mile traceability & risk of mixing
- **Due diligence systems:** need for clearer methodologies on mitigation measures, presenting information to CAs and inclusion of certification / 3<sup>rd</sup> party providers
- **Deforestation checks:** spatial analysis limitations and false positives

A full analysis report from the stakeholder survey is available as a separate document.

## **4. Technical deep dive: evidence, legality, and risk-based due diligence**

This section of the meeting examined why operators perceive ‘legality’ as a particularly challenging aspect of EUDR implementation.

### **4.1 Presentation**

EFI introduced the topic with a brief presentation to trigger exchange among core group members. The presentation suggested that this may in part be due to a tension between how certain stakeholders approach compliance and the risk-based approach of a due diligence regulation. Operators often look for definitive proof, complete documentation, and full certainty. In practice, however, supply chains are frequently fragmented, informal, and characterised by limited or inconsistent data, making such expectations difficult to meet and potentially misaligned with the regulation’s intent.

### **Key presentation points:**

1. Due diligence builds on established legal principles and is understood as an obligation of means, not results. It requires operators to use all reasonably available measures based on the circumstances and available information, without guaranteeing a specific outcome.
2. The Court of Justice of the European Union (CJEU) 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. Importantly, the CJEU has clarified two limits:
  - a. One cannot be required to do more than what is reasonably expected based on the risks faced.
  - b. One cannot be expected to obtain information or documents that cannot be legally or practically accessed.
3. The EUDR combines a prohibition (Art 3) and a due diligence obligation (Art 8-11):
  - 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.

Due diligence consists of 3 steps: Information collection, Risk assessment & Risk mitigation. 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 – it requires demonstration of negligible risk, not absolute certainty. Operators are expected to act with reasonable care, based on available information and context to demonstrate negligible risk of non-compliance

A central tension was highlighted between:

- (1) The need for **clear and demonstrable compliance**, and
- (2) The reality of a **flexible, risk-based system operating under uncertainty**

Considerations on documentation and relevant evidence:

- Documentation is one form of evidence, but not sufficient on its own. Evidence may also include other data sources e.g. proxy indicators or documented verification processes
- A key risk identified is the emergence of a purely document-based (“box-ticking”) approach to due diligence, which transforms an obligation of means into an obligation of results.

## 4.2 Discussion highlights

The discussion revealed quite different views on this topic.

<b>Perspectives supporting a risk-based approach</b>	<b>Critical perspectives and legal certainty concerns</b>
Participants supporting a risk-based approach stressed that it better reflects the	Other participants raised concerns centred on legal clarity and enforceability:

<p>realities of global supply chains than uniform, document-driven models. Key points included:</p> <ul style="list-style-type: none"> <li>• Fit with real-world supply chains - fragmented, multi-layered, and informal supply chains are not well served by checklist-based compliance, making risk-based assessments more appropriate.</li> <li>• Proportionate allocation of efforts - risk-based due diligence allows operators to prioritise resources where risks are higher, rather than applying identical requirements across all contexts.</li> <li>• Operational flexibility: flexibility in due diligence design—based on company experience, commodities, and sourcing regions—was seen as essential for practical implementation.</li> <li>• Smallholder relevance: strict documentation requirements can disproportionately impact smallholders, who often face: <ul style="list-style-type: none"> <li>○ Limited access to formal documentation (e.g. land titles)</li> <li>○ Persistent structural risks (e.g. land tenure and human rights)</li> <li>○ Heightened risk of exclusion due to compliance burdens. An explicit risk-based application of the EUDR could reduce unintended exclusion while still meeting regulatory objectives.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Unclear legal basis - doubts were expressed about whether risk-based flexibility is sufficiently grounded in the regulation, particularly given Article 9’s specific documentation requirements.</li> <li>• Risk of over-interpretation: excessive nuance in risk assessments may undermine legal certainty and lead to inconsistent application.</li> <li>• Implementation inconsistency: greater discretion could result in divergent interpretations among operators and Competent Authorities, affecting enforcement consistency.</li> <li>• Preference for prescriptive standards - some participants, including from the private sector, favoured clearer, standardised evidentiary expectations to improve predictability and comparability.</li> </ul> <p>Interpretation-driven evidence collection - the extent of information gathered under a risk-based approach depends on how the EUDR is interpreted, which some viewed as problematic from a legal certainty perspective.</p>
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In this first conversation, despite the lack of consensus on this topic, several points emerged as particularly important for implementation:

- Need for practical alignment: importance of prioritising practical implementation, ensuring that due diligence systems align with customs processes, data requirements, and operational realities, and that partnerships with suppliers reflect how supply chains function in practice.
- Guidance needs: a broad recognition of the value of including clearer explanations of risk-based due diligence in EUDR guidance, particularly on (1) how to analyse legality risks and (2) on how to explain and document due diligence decisions
- Legal reference points - clarification was provided that Article 13, rather than Article 9, is the more relevant reference when considering risk-based approaches, and that risk assessment is to be conducted by the operator (not derived from country benchmarking).

## Learning from EUTR experience

- Risk-based approaches have precedent in practice. Existing methodologies could inform EUDR implementation.
- There was a shift observed in the EUTR from structured formats (e.g. checklist) to more narrative, written analysis. EUTR enforcement became more sophisticated and adaptive over time, shifting from basic document checks to a case-by-case, maturity-based assessment of the effectiveness of due diligence systems.
- There is a need for clearer guidance for CAs on (1) what format information should take and (2) how to assess and request due diligence information

## Additional points

- Some participants highlighted the need to strengthen national data systems and avoid over-reliance on NGO reporting as a proxy or substitute for official datasets (noting that NGO resources are limited and that absence of NGO reporting on a particular issue should not be systematically interpreted as absence of issue).
- Benchmarking process so far has addressed deforestation risk only, not legality.
- Human rights risks cannot be treated as static - a finding of low or negligible risk does not imply the absence of issues.
- Where risks exist, due diligence should prioritise mitigation and continuous improvement rather than exclusion.
- Scientific verification tools may complement due diligence. Suggestion to include species & origin analyses (genetic testing) to strengthen evidence.

## 5. Emerging priorities for future work

Here are some of the key topics extracted from the stakeholder survey and further points discussed among core group members:

<b>Legality</b> <ul style="list-style-type: none"><li>• <a href="#">Challenges in gathering evidence and the use of risk-based approaches</a></li><li>• Granularity of legality risk assessments</li><li>• Scope of legality in a given context</li></ul>	<b>Traceability</b> <ul style="list-style-type: none"><li>• First-mile traceability challenges, risks of mixing</li><li>• Verification of traceability claims (from suppliers...)</li><li>• The use of declaration in excess</li></ul>
<b>Geolocation data</b> <ul style="list-style-type: none"><li>• Data quality issues (data received from suppliers...)</li><li>• Data sharing issues (data transfer, data management, interoperability)</li></ul>	<b>Downstream issues</b> <ul style="list-style-type: none"><li>• Data management (number of DDS...)</li><li>• tbc</li></ul>
<b>Reliance on external data &amp; service providers</b> <ul style="list-style-type: none"><li>• Use of certification, national databases and service providers</li><li>• Transparency of data &amp; methods used by service providers</li></ul>	<b>Mitigation measures</b>
<b>Deforestation checks in complex environments</b> <ul style="list-style-type: none"><li>• Agroforestry systems</li><li>• False positives, contradicting maps and non spatial evidence</li></ul>	
<b>Other key challenges / priorities (from the discussion)</b> <ul style="list-style-type: none"><li>• Understanding of roles for different supply chain actors</li><li>• 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</li><li>• The use of species analysis in risk assessments and mitigation (potential beyond timber)</li><li>• DD-System structure in multinational groups relying on subsidiaries in producing countries</li></ul>	

The discussion underscored three fundamental implementation challenges:

### ***Risk-based due diligence requires further discussion and clarification***

Significant differences exist in how stakeholders interpret and apply risk-based approaches, contributing to uncertainty and inconsistent implementation practices across sectors and jurisdictions. Effective due diligence under the EUDR requires combining documents with systems, contextual analysis, and verified processes to demonstrate negligible risk.

### ***Learning from EUTR experience is underutilised***

Past experience under the EU Timber Regulation offers practical lessons—particularly the shift from checklist-based compliance to system-based assessment—that could support more effective EUDR implementation.

### ***Downstream information demands tend to exceed legal requirements***

Uncertainty around liability and is driving risk-averse downstream actors to request more data than the regulation – and its latest simplification package – requires, creating duplication, inefficiencies, and administrative burden across supply chains. This uncertainty is particular high for mixed roles and re-import scenarios. The timing of due diligence remains unclear to some supply chain actors in practice: when evidence should be assembled and assessed (e.g. at import versus post-import), especially in relation to customs procedures and trade flows.

## **6. Co-facilitators' proposed next steps**

As a follow-up to the first Core Group meeting, the EUDR co-facilitators will engage with relevant Core Group members to advance work in the following priority areas (other priority areas mentioned above will be dealt with later):

### **1. Secondary Due Diligence (DD) Challenges**

- Map common scenarios where secondary or downstream due diligence is creating operational bottlenecks or duplication.
- Identify examples of information requests that exceed EUDR requirements and assess their drivers (e.g. legal uncertainty, risk aversion).
- Clarify how responsibilities and expectations differ across supply-chain roles, including mixed or changing roles.
- Develop practical considerations for proportionate information sharing between upstream and downstream actors.

### **2. Learning from EUTR experience on risk-based approaches**

- Compile key lessons from EUTR implementation, particularly the evolution from document-based checks to system-based assessments.
- Examine how risk-based due diligence was interpreted and operationalised by companies and Competent Authorities under EUTR.
- Identify elements of existing methodologies that could inform EUDR implementation without creating parallel or duplicative frameworks.
- Explore how narrative and system-based explanations of due diligence could support more consistent compliance assessments.