

Brussels, 13 June 2025
(OR. en)

10262/25

DELECT 79
AGRI 274
FORETS 40
ONU 40
FAO 27
RELEX 759
DEVGEN 92
ENV 545

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	12 June 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending Delegated Regulation (EU) 2025/530 as regards its date of application
----------	---

Delegations will find attached document C(2025) 3819 final.

Encl.: C(2025) 3819 final



EUROPEAN
COMMISSION

Brussels, 12.6.2025
C(2025) 3819 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 12.6.2025

amending Delegated Regulation (EU) 2025/530 as regards its date of application

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

During the 12th meeting of the Joint Monitoring and Review Mechanism (JMRM) in Accra on 4 November 2024, Ghana informed on its intention to begin issuing Forest Law Enforcement, Governance and Trade (FLEGT) licenses as of 30 June 2025 ('Go live date'). During this meeting, the EU confirmed that the Delegated Regulation to amend Annexes I and III to Regulation (EC) No 2173/2005 to include the Republic of Ghana and its Timber Industry Development Division under the list of "Partner countries and their designated licensing authorities", and the products covered by the FLEGT licensing scheme had been adopted by the European Commission on 30 October 2024.

Following the non-objection of the EU Council and the European Parliament, the Commission Delegated Regulation 2025/530 was published in the Official Journal on 20 March 2025 and is to apply from 8 July. As of 8 July 2025, timber shipments from Ghana are to be released for free circulation into the EU only if covered by a valid FLEGT license. The EU informed Ghana of the publication of the Delegated Regulation

During their meeting on 23 April 2025, the Minister of Land and Natural Resources of Ghana confirmed the 'Go live date' being 30 June and the EU Ambassador to Ghana recalled that the Delegated Regulation 2025/530 will apply from 8 July 2025.

As the EU and Ghana have been preparing the adoption of the Joint Monitoring and Review Mechanism (JMRM) Recommendation to set the date for the start of FLEGT licensing scheme in the context of the Voluntary Partnership Agreement (VPA) (Article 12) in accordance with the date of 8 July 2025 when the Delegated Regulation 2025/530 is to apply, it was recognised a likely high risk of misalignment between the timeline of this process and the timeline of timber shipment from Ghana to the EU. More specifically, it takes shipments from Ghana between 2 and 8 weeks to reach the EU, which means that shipments leaving Ghana before 30 June 2025 but reaching the EU after 8 July won't be accompanied by a FLEGT license and will thus not be allowed for importation into the EU. Based on trade data of 2024, provided by the Ghana Forestry Commission, this could lead to the blocking of around 150 containers of wood in the EU harbours.

In order to ensure compliance with the trade provisions of the EU-Ghana VPA and the import provisions of the FLEGT Regulation 2173/2005, the application date of Delegated Regulation 2025/530 should be postponed in order to take account of standard shipping timelines of the Ghana-EU timber trade. This will ensure the continuous supply of the EU market and the stability of the EU-Ghana timber supply chain.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The European Commission will inform the Commission Expert Group on Forest Law Enforcement, Governance and Trade (FLEGT), at the beginning of June 2025, of the ongoing process to amend the Delegated Regulation (EU) 2025/230 in so far as the date of application is concerned. This Expert Group is composed of Member States' Competent Authorities.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

- Summary of the action

The Delegated Regulation amends Delegated Regulation (EU) 2025/530 in so far as the date of application is concerned (8 October 2025 instead of 8 July 2025).

- Legal basis

The legal basis should be the same as for the adoption of Delegated Regulation (EU) 2025/530, i.e. Article 10(1) and (3) of Council Regulation (EC) No 2173/2005.

- Objective of the measure

The objective is to avoid disruptions in the trade of timber between Ghana and the EU and ensure the full testing of the Ghana FLEGT licensing scheme before it starts applying.

- Choice of instrument

Given that the amendment of a Delegated Regulation should be done by Delegated Regulation, the instrument is a Delegated Regulation.

- Subsidiarity principle

NA

- Proportionality principle

In accordance with the principle of proportionality, the Delegated Regulation does not go beyond what is necessary to achieve its objective.

4. BUDGETARY IMPLICATION

The Delegated Regulation has no implications for the EU budget.

COMMISSION DELEGATED REGULATION (EU) .../...

of 12.6.2025

amending Delegated Regulation (EU) 2025/530 as regards its date of application

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2173/2005 of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community¹, and in particular Article 10(1) and (3) thereof,

Whereas:

- (1) A Voluntary Partnership Agreement between the European Community and the Republic of Ghana on forest law enforcement, governance and trade in timber products into the Community² (the ‘Agreement’) was ratified by the Parties and entered into force on 1 December 2009.
- (2) Commission Delegated Regulation (EU) 2025/530³ includes the Republic of Ghana and its Timber Industry Development Division in the list in Annex I to Regulation (EC) No 2173/2005, and the list of products covered by the FLEGT licensing scheme in Annex III to that Regulation. Delegated Regulation (EU) 2025/530 is to apply from 8 July 2025.
- (3) Ghana will start issuing FLEGT licenses on 30 June 2025 at the earliest. Considering that standard shipping timelines between Ghana and the Union are between 2 and 8 weeks on average, there is a significant risk that timber shipments arriving in the Union as of 8 July 2025 may not be covered by a FLEGT license as they may have been shipped before Ghana starts issuing FLEGT licenses.
- (4) In the light of Article 12 of the Agreement and Article 4(1) of Regulation (EC) No 2173/2005, the date of the start of the FLEGT licensing scheme is to be set with the aim of accommodating the shipping timelines between Ghana and the Union. This is to ensure compliance with the Agreement and Regulation (EC) No 2173/2005 and to avoid disruption of the timber supply chains and possible deviations of timber trade to non-Union markets which would be detrimental to the Union supply. In addition, trade disruption would undermine the credibility of the Agreement as a trade facilitating instrument and negatively impact economic operators both in Ghana and the Union.
- (5) Therefore, the date from which Delegated Regulation (EU) 2025/530 is to apply should be adapted, in order to allow sufficient time for shipments leaving Ghana before 30 June to reach the Union without the obligation to be covered by a FLEGT license.

¹ OJ L 347, 30.12.2005, p. 1, ELI: <http://data.europa.eu/eli/reg/2005/2173/oj>.

² Voluntary Partnership Agreement between the European Community and the Republic of Ghana on forest law enforcement, governance and trade in timber products into the Community (OJ L 70, 19.3.2010, p. 3).

³ Commission Delegated Regulation (EU) 2025/530 of 30 October 2024 amending Annexes I and III to Council Regulation (EC) No 2173/2005 following a Voluntary Partnership Agreement with the Republic of Ghana for a Forest Law Enforcement, Governance and Trade (FLEGT) licensing scheme for imports of timber into the European Union (OJ L, 2025/530, 20.3.2025, ELI: http://data.europa.eu/eli/reg_del/2025/530/oj).

- (6) Delegated Regulation (EU) 2025/530 should therefore be amended accordingly.
- (7) In order to limit trade disruption, this Regulation should enter into force on the day following that of its publication in the Official Journal of the European Union. For the same reason, it should apply from 8 July 2025.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Delegated Regulation (EU) 2025/530, the second paragraph is replaced by the following:

‘It shall apply from 8 October 2025.’

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 8 July 2025.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12.6.2025

For the Commission
The President
Ursula VON DER LEYEN