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COVER NOTE

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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	Recommendation for a COUNCIL DECISION authorising participation in the negotiations for an international agreement or other instrument to replace the International Tropical Timber Agreement

Delegations will find attached document COM(2026) 454 final.

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Recommendation for a

COUNCIL DECISION

**authorising participation in the negotiations for an international agreement or other
instrument to replace the International Tropical Timber Agreement**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE RECOMMENDATION

• Reasons for and objectives of the recommendation

This recommendation concerns a decision authorising participation in the negotiations for an international agreement to replace the International Tropical Timber Agreement (ITTA) 2006.

The ITTA 2006 aims to promote the sustainable management and conservation of tropical forests and the expansion and diversification of international trade in tropical timber from sustainably managed and legally harvested forests. It is the basis of the International Tropical Timber Organisation (ITTO), which develops internationally agreed guidelines to promote responsible tropical timber trade and sustainable forest management (SFM), assists member countries in adapting and implementing relevant standards, collects and disseminates data on tropical timber production and trade, promotes sustainable supply chains, and builds capacity in tropical forestry. These elements are important to support the proper functioning, transparency, predictability and sustainability of the international tropical timber market.

The ITTA 2006¹ entered into force on 7 December 2011 for a period of ten years, it was extended for a period of five years² and then for a period of another three years³. The ITTA 2006 does not provide for any extension beyond 6 December 2029. The European Union is party to ITTA 2006⁴.

According to Article 44 of the ITTA 2006, the International Tropical Timber Council (ITTC) has the authority to initiate and guide the process of negotiating a new Agreement. On this basis, ITTCs 60 and 61 launched informal consultations. Formal negotiations and conclusion of a new Agreement may be carried out through an intergovernmental negotiation group, under the auspices of the United Nations Conference on Trade and Development (UNCTAD) as has been the case for the current ITTA and its predecessors.

The current ITTO members represent about 80% of the world's tropical forests and over 90% of trade in timber and timber products. On 23 July 2026, however, the United States formally notified the United Nations depository of its withdrawal from the ITTO. This withdrawal makes part of a broader decision to leave many international organisations. The ITTC consists of all the members of the ITTO. ITTO has two categories of membership: producer and consumer.

Members of the ITTC hold 2000 votes in total (producers and consumers hold 1000 votes each). Annual contributions and votes are distributed equally between these two caucuses. Within each caucus, the dues and votes of individual members are calculated based on their shares in tropical timber trade and, in the case of producers on the extent of tropical forests within the country, except for African members, which all have an equal amount of votes and the same assessed contribution. The EU pays the biggest assessed share of contributions (paid by the Commission for all MS) to the administrative budget of the ITTO and has the highest number of votes (as well as the highest number of consumer members).

¹ [ITTA2006 English.doc](#)

² ITTC decision 4(LVII), [topics_id=6960&no=1&disp=inline](#)

³ ITTC decision 1(LIX.1), [topics_id=7862&no=1&disp=inline](#)

⁴ [Decision - 2007/648 - EN - EUR-Lex](#)

Pursuant to Article 7(a), the ITTC can also take decisions without meeting.

Discussions on a new ITTA started already in 2024, including in a ‘Preparatory Working Group’. On the basis of these discussions, the expectation is that many Parties wish to continue the ITTO with broadly speaking unchanged objectives. The 61st ITTC decided that the first meeting of the Preparatory Committee for negotiating the ITTA will be held in person in conjunction with the 62nd ITTC, which will take place on 9-14 November 2026 in Yokohama, Japan. This Preparatory Committee will conduct further informal discussions ahead of formal negotiations, probably under the auspices of UNCTAD.

This recommendation is for a Council Decision authorising participation in the negotiations within the International Tropical Timber Council for an international agreement to replace the ITTA 2006. Should the negotiations on a successor agreement conclude successfully, the Commission may submit proposals for Council decisions pursuant to Article 218(5) and (6) of the TFEU authorising the signature and conclusion of the new ITTA on behalf of the Union. Such proposals may, however, depend on appropriate reassurances (in or outside the content of the negotiated Agreement) obtained on key outstanding issues, notably the non-payment of a significant group of countries and low participation levels in the ITTC. Such reassurances may make part of the negotiated outcomes, as well as outside the legal text.

The ITTC62 or negotiating body may wish to explore the option of achieving the ITTO’s objectives through an alternative, e.g. non-treaty-based, instrument, which would be outside the scope of the present recommendation.

The recommendation contains negotiating directives in the Addendum.

- **Consistency with existing policy provisions in the policy area**

The proposed position is consistent with Union policies and legislation, such as:

EU Trade Policy⁵, in particular in respect of free and fair trade.

EU Deforestation Regulation (EUDR)⁶ that aims at reducing deforestation and promote sustainable forest management. EUDR also requires companies to conduct due diligence on their supply chains.

EU Forest Strategy for 2030⁷, that aims to protect forests and their ecosystem services, contribute to a modern, climate-neutral, resource-efficient and competitive economy, and preserve lively rural areas.

EU’s communication⁸ on stepping up EU action to protect and restore the world’s forests.

EU Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan⁹ that aims to combat illegal logging and promote sustainable forest management.

The revised (2024) Regulation on Land Use, Land-Use Change and Forestry (LULUCF)¹⁰ that encourages forest conservation, restoration and resilience and promotes transparent monitoring and reporting.

⁵ COM(2021)66 final: Trade Policy Review - An Open, Sustainable and Assertive Trade Policy

⁶ Regulation (EU) 2023/1115 on deforestation-free products

⁷ COM(2021)572: New EU Forest Strategy for 2030

⁸ COM(2019)352 final: Stepping up EU Action to Protect and Restore the World’s Forests

⁹ COM(2003)251 final: Forest Law Enforcement, Governance and Trade (FLEGT) - Proposal for an EU Action Plan

The Reducing Emissions from Deforestation and Forest Degradation mechanism (REDD+)¹¹ that preserves and strengthens the role of tropical forests in climate change mitigation, adaptation and development.

EU Biodiversity Strategy for 2030¹², in particular the target to halt biodiversity loss and promote sustainable development in all types of forests and strictly protect all remaining EU primary and old-growth forests.

EU Climate Law¹³ that recognises the role of forests as carbon sinks, storage and substitution, contributing to the reduction of greenhouse gases in the atmosphere.

EU's Common Agricultural Policy (CAP)¹⁴ that supports interventions for afforestation, creation and regeneration of agroforestry systems, protection, restoration and improvement of forest resources, sustainable forest management, as well as investments to enhance forest conservation and resilience and the provision of forest ecosystem services.

Consistency with other EU policies

EU's European Green Deal that aims to transform Europe into a climate-neutral, resource-efficient, and competitive economy, align EU policies with the objectives of the Paris Agreement and respond to citizens' demand for stronger climate action.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Substantive legal basis

The substantive legal basis of the envisaged agreement is Article 207(4), first subparagraph, and Article 192(1) of the TFEU.

The envisaged agreement aims to support international trade in tropical timber. The agreement would promote the expansion and diversification of trade in tropical timber from sustainably managed and legally harvested sources, supports transparency and predictability in that trade, and provides for the collection and dissemination of data on tropical timber production and trade. It also supports internationally agreed rules, guidelines and cooperation mechanisms that facilitate the functioning of the market and promote responsible supply chains. Those components are of direct relevance for the common commercial policy.

The Agreement also aims to promote the sustainable management and conservation of tropical forests, which are environmental objectives falling within Article 192(1) of the TFEU, including through assisting member countries in adapting and implementing environmental and socio-economic standards and promoting sustainable supply chains.

¹⁰ Regulation (EU) 2018/841 (LULUCF) on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework; Regulation (EU) 2023/839 (amendment)

¹¹ UNFCCC (2013), Warsaw Framework for REDD+, Decisions 9/CP.19–15/CP.19, adopted by the Conference of the Parties at its nineteenth session (COP19), Warsaw, Poland.

¹² COM/2020/380 final: EU Biodiversity Strategy for 2030 Bringing nature back into our lives

¹³ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')

¹⁴ Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013

Both the trade and environmental objectives are important and neither of them can be considered as merely ancillary to the other.

The scope of the envisaged agreement is not expected to be very different from the scope of the current agreement. The EU membership of the current agreement and the mandate for its negotiations were also based on both Article 207(4) and Article 192(1).

As the current ITTA2006, a successor agreement should allow for flexibility to respond to opportunities and threats that may arise, and this may concern both the trade and the environmental dimension.

Procedural legal basis

Article 218(3) of the TFEU provides that, where the agreement envisaged does not relate exclusively or principally to the common foreign and security policy, the Commission shall submit recommendations to the Council. The Council shall adopt a decision authorising the opening of the negotiations and nominating the Union negotiator or the head of the Union's negotiating team.

Article 218(4) of the TFEU provides that the Council may address negotiating directives to the negotiator and designate a special committee to consult the negotiator.

The Commission recommends to open negotiations within the International Tropical Timber Council for an international agreement to replace the ITTA 2006. The Commission is to be nominated as negotiator.

Therefore, the procedural legal basis for the proposed decision to authorise opening of negotiations of the envisaged agreement is Article 218(3) and (4) of the TFEU.

Choice of the negotiator

Given that the agreement envisaged exclusively covers matters other than the common foreign and security policy, the Commission should be nominated as the negotiator pursuant to Article 218(3) of the TFEU.

Union competence

The competence in the field of trade is exclusive pursuant to Article 3(1)(e) TFEU (common commercial policy).

The Treaties do not explicitly mention 'forest policy', but the EU has a range of shared competences that relate to forests such as climate, environment, rural development, and has exercised these competences through various instruments, such as Regulation (EU) 2021/1119 (European Climate Law), Regulation (EU) 2018/841 (LULUCF Regulation), Regulation (EU) 2023/1115 (EU Deforestation Regulation) and Regulation (EU) 2021/2115 (Common Agricultural Policy Strategic Plans Regulation).

• Subsidiarity and Proportionality

The EU is already a party to the ITTA 2006 and is an active participant in that forum as are its Member States. The Union should participate in any negotiations on its replacement to ensure its appropriateness and that it is in line with Union policies and objectives to enable the Union to consider joining it.

In addition, the ITTO has been functioning on the basis of the ITTA 2006 and its predecessors for many years. Other Commodity Boards are founded on similar international agreements. The ITTO is experiencing various challenges and there is a need for utmost efficiency across the UN system. Therefore, at this stage, the EU should not exclude a different, not-treaty-based outcome of the negotiations.

- **Choice of the instrument**

This recommendation for a Council decision is submitted in accordance with Article 218(3) and (4) of the TFEU, which envisages the adoption by the Council of a decision authorising the opening of negotiations and nominating the Union negotiator. The Council may also address negotiating directives to the negotiator. There exists no other legal instrument that could be used in order to achieve the objective expressed in this recommendation.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable

- **Stakeholder consultations**

Not applicable

- **Collection and use of expertise**

Not applicable

- **Impact assessment**

Not applicable

- **Regulatory fitness and simplification**

Not applicable

- **Fundamental rights**

According to Article 37 of the Charter of Fundamental Rights of the European Union, a high level of environmental protection and the improvement of the quality of the environment must be integrated into the policies of the EU and ensured in accordance with the principle of sustainable forest development. The proposed recommendation seeks authorisation for the opening of negotiations on a new ITTA 2006 in line with, among others, Union policies on the environment. This is expected to have a positive impact on the right to environmental protection, as enshrined in Article 37 of the Charter of Fundamental Rights of the European Union.

4. BUDGETARY IMPLICATIONS

The exact budgetary implications of this initiative are impossible to determine at this stage because its scope and key aspects have yet to be negotiated multilaterally.

For information, under the existing ITTA 2006, the EU pays an annual contribution to ITTO for its own membership and for the EU Member States that are member of ITTO. The budget

is decided in the ITTC every two years. The assessed contribution for 2026 amounted to USD 1,201,686.00.

5. OTHER ELEMENTS

• Implementation plans and monitoring, evaluation and reporting arrangements

Provisions may depend on the evolution of the negotiations.

The current ITTA does not include requirements for Parties to report on implementation. It does, however, provide for Parties to submit relevant trade and market data in view of ITTO's information products.

The ITTC publishes an annual report on its activities and other information as it considers appropriate. ITTC reviews and assesses biennially the international timber situation and other factors relevant to achieving the objectives of the ITTA. It also provides information on trends in forest area, forest management and the economies of ITTO member countries. ITTO's online statistical database provides time-series data (beginning in 1990) for 83 countries, including all ITTO producer and consumer member countries, on the production and trade of 16 primary timber products, such as logs, sawnwood, veneer and plywood. Moreover, ITTO publishes the Tropical Timber Market Report every two weeks, providing up-to-date market news and price trends from around the world.

• Explanatory documents (for directives)

Not applicable

• Detailed explanation of the specific provisions of the recommendation

The Commission recommends that:

- the Council authorises the Commission to participate in negotiations for an international agreement to replace the ITTA 2006;
- the Commission is nominated as EU negotiator;
- the Commission conducts the negotiations in consultation with the special committee designated by the Council in accordance with Article 218(4) of the TFEU; and
- the Council approves the negotiating directives in the addendum to this proposed recommendation.

Recommendation for a

COUNCIL DECISION

authorising participation in the negotiations for an international agreement or other instrument to replace the International Tropical Timber Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207(4), first subparagraph, and Article 192(1), in conjunction with Article 218(3) and (4) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The International Tropical Timber Agreement 2006 ('ITTA 2006') was concluded by the Union by Council Decision 2011/731/EU¹⁵ and entered into force on 7 December 2011 for a period of ten years. It was extended for a period of five years and then for a period of another three years. No extension is possible beyond 6 December 2029.
- (2) The Union should be ready to participate in the negotiations of an international agreement to replace the ITTA 2006, in order to ensure that a successor agreement, if any, is in line with Union policies, including sustainable forest management, trade facilitation, and environmental protection objectives. The new agreement should ensure balanced representation of producer and consumer countries, support sustainable forest management, promote legal and sustainable trade in tropical timber, and establish an effective and equitable financial and governance framework.
- (3) The scope of a successor agreement should be identical or similar to the scope of ITTA 2006. Additions to the scope should be well justified and avoid duplication with other international instruments or processes.

HAS ADOPTED THIS DECISION:

Article 1

Participation in the negotiations of a successor agreement to the International Tropical Timber Agreement is hereby authorised.

Article 2

The Commission is hereby nominated as the Union negotiator.

Article 3

The negotiating directives set out in the addendum to this Decision are hereby addressed to the Commission.

Article 4

¹⁵ [Decision - 2011/731 - EN - EUR-Lex](#)

The negotiations shall be conducted in consultation with the Council Working Party on Commodities, which is hereby designated as the special committee provided for in Article 218(4) TFEU.

Article 5

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council
The President*