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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2023/1115 as regards certain obligations of operators and traders - Guidance for further work

I. INTRODUCTION

1. Regulation (EU) 2023/1115 (the "Deforestation Regulation") establishes rules aimed at ensuring that seven commodities (cattle, cocoa, coffee, oil palm, rubber, soya, and wood) and their derived products, which are placed on the EU market or exported from the EU, have not caused deforestation or forest degradation during their production.

2. On 21 October 2025, the Commission submitted a proposal for amending the Deforestation Regulation as regards certain obligations of operators and traders[1].

[1] Document 14329/25.

3. The proposal has two main aims: 1) a targeted simplification of the due diligence process and 2) a delay of the date of application of the Deforestation Regulation untill 30 December 2026 for micro and small enterprises together with the introduction of a period of grace of six months for medium and large entrepises.

II. CURRENT ISSUES

4. Following concerns expressed by public administrations and economic stakeholders as regarding the EUDR implementation, on 3 October 2024, the Commission put forward a proposal[2] to postpone the deadline of application of the Deforestation Regulation by one year. Coreper adopted its mandate of no changes to the Commission's proposal on 16 October 2024 and reiterate it on 20 November 2024. The amending regulation[3] was adopted on 18 December 2024 by written procedure, with no changes to the text of the Commission's proposal, thereby extending the application of the Deforestation Regulation to 30 December 2025.

5. Article 33 of the Deforestation Regulation foresees the establishment of an Information System for the implementation of the EUDR. The Commission launched the Information System on 4 December 2024, thus allowing operators, traders and their authorised representatives to start registering and submitting due diligence statements. Throughout 2025, however, it became evident that the number of uploads and recorded transactions would be much higher than anticipated, with potential negative effects for the smooth functioning of the system. At the same time, multiple companies and stakeholders voiced concerns about the administrative burden resulting from the obligations, particularly for small operators.

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[2] Document 14141/24.

[3] Regulation (EU) 2024/3234 of the European Parliament and of the Council of 19 December 2024 amending Regulation (EU) 2023/1115 as regards provisions relating to the date of application (OJ L, 2024/3234, 23.12.2024).

6. To address the concerns raised and to allow for a more efficient use of the Information System, the Commission put forward the current amending proposal to streamline the due diligence process and at the same time delay the date of application of the Deforestation Regulation by one year for micro and small enterprises and introduce a grace period of six months for medium and large entreprises.

7. In order to ensure that the proposed simplifications, the delay of application and the period of grace take effect before 30 December 2025, the proposal as revised by lawyer linguists will have to be adopted, signed and published in the Official Journal before that date.

8. A timely adoption of the amending regulation requires that both the Council and the European Parliament act within a fast-track schedule. Such schedule should allow the Parliament to adopt its position at first reading, on the basis of a text agreed by the Council and reviewed by the lawyer linguists, at the Plenary to be held on 24-27 November 2025. This position should be then transmitted to the Council for adoption in the exact same wording, followed by signature and publication in the Official Journal. Should the Parliament's position at first reading be left to the Plenary on 15-18 December 2025, there may be a serious risk of the amending regulation not entering into force before the end of the year.

9. For the Council to comply with the timeframe, Coreper will have to approve the Council mandate as soon as possible. Due to time constrains alone, it would be extremely difficult to envisage any possibility to hold trilogues with the European Parliament. In these circumstances, it is likely to be necessary to communicate to the Parliament the offer for political agreement at the same time as approving the Coreper mandate.

10. Against this calendar, the Presidency is referring to Coreper for guidance for further work in order to establish a common understanding of the most expedient way forward. This raises the question of balancing out the time available for technical examination and negotiations on the file against the political objective of adopting the Regulation by the end of the year.

III. CONCLUSION

11. In view of on the above, COREPER is invited to provide guidance for further work on the basis of the following questions:

- *Can you accept to adopt the Commission's proposal without any changes in order to ensure that the Information System is fully operational and ready to support the implementation of the Deforestation Regulation?*

- *If not, what would you consider to be a way forward in order to arrive at a timely adoption of the amending Regulation and ensure a smooth implementation for all stakeholders?*