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APEM
Actions pour la Promotion et Protection des Peuples et Espèces Menacées

European Commissioner Virginijus Sinkevičius
Rue de la Loi/Wetstraat 200
1049 Brussels
Belgium

1 July 2021

Re: Keep rubber in the EU due diligence regulation to halt EU-driven global deforestation

Dear Commissioner Sinkevičius,

We are writing to urge you to ensure that natural rubber is kept as a key forest-risk commodity in the upcoming EU law to halt deforestation and forest degradation driven by EU consumption. The undersigned organizations know from extensive [research](#) and [analysis](#) into [deforestation](#) caused by rubber globally just how grave a threat the expansion of rubber poses to the rainforests and human rights of forest-dependent communities worldwide.

As such, we were concerned to hear in your keynote speech at a recent event organized by EurActiv on 26 May that rubber was not included in the initial list of key forest and ecosystem risk commodities (FERCs) that the new EU regulation should be covering. Furthermore, it did not escape our attention that other senior European Commission officials, such as DG ENV Director General Florika Fink-Hooijer, has also suggested at a recent BMZ [online event](#) that a range of new FERCs may *not* include all commodities and derived products, and that they would need to start the EU's new due diligence Regulation with a limited number of forest-risk goods.

These recent statements seem to be in sharp contrast with earlier statements and presentations made by the European Commission officials who included rubber in the preliminary list of the regulation's targeted commodities. See, for example, this EU Commission Expert Group's 'Impact Assessment update' [presentation](#) from 25 February 2021 which clearly includes rubber in the preliminary list of FERCs.

We strongly [believe](#) the future EU Regulation must apply to a comprehensive list of commodities, identified according to objective and science-based criteria. It must include all commodities that are associated with deforestation, degradation of natural forests, and conversion and degradation of other natural ecosystems and equally ensure that those commodities are not linked to human rights violations. The expected regulation must equally apply to all products derived from forest and ecosystem-risk commodities (FERCs) or including them or derivative products as components.

The Regulation should include an initial list of FERCs and provide for the possibility to regularly review and add additional commodities via delegated acts if new commodities meet the same initial objective and science-based criteria. This initial list of FERCs should include at a minimum, livestock products (such as beef, leather and poultry), soy, palm oil, timber, cocoa, coffee, rubber and maize.

The FERC list above is consistent with the European Commission's own website pages on EU action to combat deforestation, which [states](#) that "The EU is also among the major global importers of a number of specific commodities associated with deforestation, i.e. palm oil (17%), soy (15%), rubber (25%), beef (41%), maize (30%), cocoa (80%), and coffee (60%)."

Dropping rubber from the EU's deforestation regulation would be a major omission, and it would jeopardise the EU efforts to stamp out global deforestation, biodiversity and ecosystem loss and linked human rights violations, and undermine wider EU Green Deal efforts.

The expansion of rubber plantations has clearly been identified by the European Commission as a significant source of deforestation, land grabs and human rights abuses. For instance, a key [report](#) for the European Commission from 2018 attributes some three million hectares of forest loss in the Mekong region in Southeast Asia directly to the increase in rubber cultivation since 2000.

The EU plays a key role in the global rubber supply chain: a quarter of global rubber production goes to the EU and five of the six largest global rubber and tire corporations – Bridgestone, Continental, Goodyear, Michelin and Pirelli – have HQs or important bases in the EU. With global rubber prices rising steadily post-pandemic and demand for rubber-based products – which is largely for auto tires – projected to increase significantly, we anticipate a destructive new wave of rubber-related tropical deforestation in the coming years.

We therefore hope the EU takes its responsibility and can assure us that rubber will be included in the upcoming Regulation and that any additional FERCs covered by the Regulation will be identified on the basis of objective and science-based criteria.

We fully remain at your disposal for any additional questions and appreciate the opportunity to discuss this further.

Yours sincerely,

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