



November 30, 2022

Re. Evidence to support inclusion of natural rubber within the initial scope of the EUDR

To: Members of the European Parliament, Permanent Representations to the European Union, and the Directorate-General for Environment of the European Commission

We, the undersigned civil society members of the Global Platform for Sustainable Natural Rubber (GPSNR), are writing to provide evidence in support of a decision by the three European Union institutions to include natural rubber within the initial scope of commodities to be covered under the EU Deforestation Regulation (EUDR).

As organisations working in a multistakeholder partnership to secure sustainable natural rubber supply chains, we see the EUDR as providing a complimentary regulatory framework that aligns strongly with the objectives of GPSNR. Including rubber within the EUDR from the outset would create additional impetus and a legal reference point for the Platform with regards to its industry members’ voluntary commitments to protect forests. Equally importantly, it would provide a level playing field for GPSNR members competing for EU market access against companies that have not made the same commitments, as all importers would have to operate to the same rules regarding deforestation-free rubber.

The evidence base on the need for including rubber in the EUDR is, we believe, compelling.

- Natural rubber is used to manufacture everything from shoes to condoms, but 70% of the world’s natural rubber ends up in tires. The **EU consumes over a million tons of natural rubber every year**, but does not produce any of it, depending entirely on imports from Southeast Asia and Africa.
- According to an academic [study](#) published in July 2020, Over **five million hectares of tropical forest were cleared** across mainland Southeast Asia and sub-Saharan Africa for rubber plantations between 2003-2017.
- A 2018 [feasibility study](#) for the European Commission attributes some 3 million ha. of forest loss since 2000 directly to an increase in rubber cultivation in Southeast Asia alone – including in Cambodia, Indonesia, Laos, Myanmar, Thailand and

Vietnam. In one of the worst-hit countries, Cambodia, over half a million ha of tropical forest was cleared and replaced with rubber trees between 2001-2015, accounting for 23% of Cambodia's gross forest loss. [One](#) academic study estimates that 25% of the rubber harvested in Cambodia goes to produce tyres in the EU.

- A new published academic [paper](#) by Dr Eleanor Warren-Thomas and colleagues, entitled "Rubber Needs to be Included in Deforestation-Free Commodity Legislation", forecasts that **increased demand will require a further area of rubber cultivation of between 2.7m – 5.1m hectares by 2030**. As rubber can only grow in tropical regions, and other tropical agricultural systems are also expanding their footprint, rubber plantation expansion is expected to increase pressure on tropical forests and contribute to further deforestation.

In its July 2019 [Communication](#) on "Stepping up EU Action to Protect and Restore the World's Forests", The European Commission recognised that EU demand for products such as palm oil, meat, soy, cocoa, maize, timber and rubber - including in the form of processed products - is a large driver of deforestation, forest degradation, and ecosystem destruction and across the globe.

Rubber was also included in the list of deforestation risk commodities mentioned within the European Parliament's [October 2020 Resolution](#), in which it instructed the Commission to draft a regulation to prevent agricultural and forestry products linked to deforestation from being placed on EU markets.

Whilst drafting the regulation, the Commission produced an [Impact Assessment](#) that provided a cost-benefit analysis of including various deforestation risk commodities within the EUDR. Drawing on an academic [study](#) published in 2020 by Pendrill et. al., it recognised natural rubber as a threat to global forests, yet concluded that including it within the scope "...would require a very large effort and significant financial and administrative burden, with limited return in terms of curbing deforestation driven by EU consumption."

However, another academic, Dr Eleanor Warren-Thomas, spotted a major flaw in the way the Pendrill scientists' data had been used to reach this conclusion. While the Impact Assessment considered the total volume of rubber product imports into the EU (including those containing reclaimed and synthetic rubber), it only considered embedded deforestation within unprocessed rubber imports, hence skewing the cost-benefit analysis.

Having been made aware of the misuse of their data, the scientists Florence Pendrill, Martin Persson and Thomas Kastner authored a new article, published in October 2021 in the journal [Focali](#), entitled "Flawed numbers underpin recommendations to exclude commodities from EU deforestation legislation".

In this article, the scientists addressed the skewed analysis in the EC study, reproducing a corrected version of the table in the Impact Analysis that showed that the cost-benefit ration of including rubber under the regulation compares favourably to that of cocoa, and in fact exceeds that of coffee (see below).

Reproduction of Table 1 from the EU Commission’s draft impact assessment presenting the cost/benefit analysis underpinning the recommended product scope, but here using consistent numbers

Commodity	FAO codes	Embedded deforestation [ha / yr]	Import Value [million EUR / yr]	Ratio [million EUR / ha]	Ratio from draft impact assessment [million EUR / ha]
Palm oil	254, 257, 258, 259	67 662	4 953	0.07	0.06
Soy	236, 237, 238, 239, 240	65 428	12 647	0.19	0.08
Cocoa	661, 662, 664, 665, 666	15 032	6 217	0.41	0.40
Coffee	656, 657, 658, 659, 660	13 968	8 848	0.63	0.58
Beef	867, 869, 870, 874, 875	9 976	2 048	0.21	0.20
Rubber	836, 837	6 831	2 563	0.38	2.58
Maize	56, 57, 58, 59, 60, 61, 846	3 221	2 117	0.66	0.88

Data for embedded deforestation are from Pendrill et al. (2020). Data for the economic values are from FAOSTAT (accessed October 20, 2021, and converted from US dollars to euros using an exchange rate of 1.16 USD/EUR). All values are annual averages 2008-2017 for the EU27. Programming code of how the numbers were derived is available from the authors of this brief.

Reproduction of Table 1 from the EU commission's draft impact assessment presenting the cost-benefit analysis underpinning the recommended product scope, but here using consistent numbers for deforestation risk and value of the imported forest-risk commodities (original numbers from the draft are presented in the rightmost column, for comparison).

Source: M. Persson, T. Kastner, and F. Pendrill. *Focali Brief* 2021:02, Oct 29, 2021

This conclusion has been reinforced by new analysis from another team of scientists, led by [Dr Antje Ahrends](#) from the Royal Botanic Gardens, Edinburgh (final paper pending peer review). In a communication to Mighty Earth, Dr Ahrends wrote:

*"Our provisional finding is that the data used by the Commission’s efficiency analysis are likely to significantly underestimate rubber-related deforestation. As you know, these low figures [from the Commission] are not corroborated by other studies, and this will be true for our study too. We have high confidence that the data used in the efficiency analysis underestimate rubber-related deforestation, and we have **medium confidence that rubber-related deforestation is two-threefold higher than indicated.**"*

In short, there is no scientific or economic rationale to exclude natural rubber from the list of deforestation-risk commodities covered under the initial scope of the EUDR. This is especially the case considering that rubber is grown alongside other commodities that are currently within the scope of draft regulation (notably cocoa and palm oil), and thus to exclude it would be to open up huge landscape level risks, as well implementation challenges (e.g. in distinguishing between “acceptable” forest clearance attributed to rubber, as opposed to that for other commodities grown in in the same landscapes).

Finally, it is worth noting that, as with other commodities such as cocoa and coffee that are predominantly characterized by smallholder cultivation, the EU Forest Partnerships emerging post-UNFCCC COP 26 (and as an evolution of the FLEGT agreements) will likely need to provide specific instruments to support rubber smallholders to meet the traceability and data requirements of the EUDR. In addition, the EU should ensure the regulation is accompanied by measures that ensure smallholders earn a decent living income from deforestation-free rubber.

Signed,

Birdlife International
Cambodia NGO Forum
Forest Stewardship Council
HCV Network
Mighty Earth
Preferred by Nature
Resource Trust Ghana
ROSCIDET Côte d'Ivoire
Zoological Society of London (ZSL)
WWF