

Rubber-stamping Repression: How EU governments and a global green label made European consumers complicit in torture

EU policy briefing

- A new investigation by the environmental group Earthsight connects the use of forced prison labour and destruction of some of Europe's last primeval forests in Belarus to furniture sold at almost every major furniture retail chain in Europe.
- The report details how sales of this tainted furniture across Europe have for years lined the pockets of the country's brutal dictator, Alexander Lukashenko, while the continuing trade aids Russian terror in Ukraine, in which Belarus is heavily complicit.
- The story underlines the urgent need to extend EU trade sanctions to include Belarusian furniture.
- In the interim, EU Member States must immediately enforce [guidance](#) by the European Commission declaring that wood imports from Belarus ought to cease in light of the situation in Ukraine. The guidance states that it is 'impossible' for importers to prove compliance with the European Timber Regulation for wood products not already covered by EU sanctions.

Key findings

Earthsight has connected the use of forced prison labour to furniture sold at almost every major furniture retail chain in Europe, including IKEA, leading French furniture retail chain BUT, and German chain Poco, part of furniture group XXXLutz, the second largest furniture retailer on the continent.

Belarus's prison service, Earthsight found, is the country's largest timber company. It uses the forced labour of 8000 inmates to harvest trees and process them into a wide range of wood products, including furniture, for export.ⁱ

These exports are being fed in part by logging taking place within Belarus's National Parks, which are under the direct control of the Presidential Property Management Directorate (PPMD).ⁱⁱ The PPMD is Lukashenko's private slush fund, and was until recently being run by his right-hand man, Viktor Sheiman, who has long stood accused by the EU of arranging the 'disappearance' of the President's political opponents.ⁱⁱⁱ Earthsight has obtained and collated data revealing that over 1 million cubic metres of logs are being cut in these protected areas each year, and that such logging is leading to deforestation of the Belarusian portion of the world famous Bialowieza Forest, given heritage status by UNESCO and home to rare European bison, lynx and wolves.^{iv}

Earthsight interviewed past and current political prisoners at some of the penal colonies where wood processing takes place. They testified to torture and maltreatment of political prisoners, to the compulsory nature of the work in the woodshops, and the terrible working conditions.

Prisoners and multiple sources inside government told Earthsight that the prisons are closely connected to two large state-owned timber mills, providing them with semi-processed wood, raw materials and with cheap forced labour. Both our sources and other documentation we uncovered show that these state-owned timber mills, in turn, supply the big European furniture retailers, either directly or indirectly.

Despite plentiful red flags, the world's largest green wood labels, the Forest Stewardship Council (FSC) and PEFC, have given their stamp to both the PPMD forests and the prisons for years. Some of the prisons had their certificates issued in late 2020 despite the widespread imprisonment and torture of pro-democracy protestors in Belarus having made worldwide headlines shortly beforehand.^v Torture

and maltreatment of two of Belarus's most prominent human rights activists and political dissidents at one prison had been well publicised before it nevertheless received an FSC certificate. One of these prisoners, Ales Bialiatski, was recently awarded the Nobel Peace Prize.^{vi}

Following Belarus's complicity in the Russian invasion of Ukraine that led to its being isolated internationally, IKEA voluntarily halted all purchases from Belarus or use of Belarusian timber in March 2022.^{vii} Following a public campaign led by Ukrainian groups^{viii} calling for the EU, UK and US to pass sanctions on wood from Russia and Belarus and urging action by wood labels, the EU banned imports of wood products from Belarus,^{ix} and FSC^x and PEFC^{xi} pulled all their certificates. Were it not for the war, however, none of this would have happened. For years prior, European governments had refused to implement the sanctions on wood products which could have ended the scandalous trade.

The EU's trade sanctions following war in Ukraine came into full effect on 3 June 2022. All exports of Belarusian timber to Europe have now ceased. However, a big loophole remains: exports of furniture were made exempt.^{xii} European companies continue to import millions of euros a week of Belarusian wood furniture and furniture parts. Earthsight has linked these continued imports, including products connected to the prisons, to all of IKEA's biggest European competitors.

The EU Timber Regulation (EUTR) demands importers conduct due diligence to ensure their wood product purchases were legally sourced. In April, the European Commission announced that compliance with this law with regard to Belarus was now 'impossible', and said that EU firms must halt imports, regardless of whether they were covered by sanctions.^{xiii} Yet 20 different EU Member States, Earthsight found, have continued to register imports of Belarusian wood furniture since, with the largest volumes destined for Poland, Lithuania, Germany and France.^{xiv}

In addition, wooden seats are not covered by the EUTR, meaning that even if the EUTR were to be properly enforced in line with the Commission's announcement, seats from Belarus could still be imported until the sanctions regime is expanded to cover these.^{xv}

The case detailed in the report is also potentially in breach of an ethical supply chain law in force in France, and - if it persists - a similar law due to take effect in Germany next year.

Key implications for EU policymakers

The report shows the urgent need for an expansion of EU sanctions to cover wood furniture, pulp and paper from Belarus. This should be justified based not only on Belarus's complicity in the conflict in Ukraine, but on the abuses by the Lukashenko regime which existed before that. The sanctions should not be lifted until such time as those abuses are halted.

In addition, Member States ought to follow recent formal guidance by the European Commission, which indicates compliance with EUTR for Belarus at present is effectively 'impossible' and says companies must halt imports. The Commission ought to investigate EUTR compliance by EU Member States and take action against those countries found to be in breach.

The European Commission ought to engage with the 'green labels' which continue to undermine the effectiveness of the EUTR (and risk undermining the effectiveness of its planned replacement legislation, the EU Regulation on Deforestation-Free Products^{xvi}), expressing concern and backing necessary improvements.

In the 'trilogue' debates currently ongoing regarding the finalisation of the text of the EU Regulation on Deforestation-Free Products, the EU must ensure that wood seats are added to the scope, thereby finally closing a loophole in the law that has existed since 2013. The Council and European Parliament also ought to ensure that international human rights due diligence requirements are included in the law.

Drawing lessons from this case, the European Council and European Parliament must also strengthen the draft Directive on Corporate Sustainability Due Diligence published by the European Commission in February 2022,^{xvii} and then ensure the strengthened legislation takes effect as soon as possible.

How EU policymakers can support Earthsight's asks

To support the asks and recommendations put forward in the report, policymakers can:

- Share the report through their channels.
- Express public concern about the case.
- Publicly support Earthsight's demand that wooden furniture is added to the existing EU sanctions on wood from Belarus.
- Call on EU Member States to immediately enforce [guidance](#) by the European Commission declaring that wood imports from Belarus ought to cease in light of the situation in Ukraine. The guidance states that it is 'impossible' for importers to prove compliance with the European Timber Regulation for wood products not already covered by EU sanctions.

The report and a full list of recommendations for policymakers and other stakeholders can be found [here](#). For company responses, please also see the full report [here](#).

-- END --

For any questions or to discuss how to support the report's findings and recommendations, please contact Lynn Pasterny, Senior Policy Advisor at Earthsight at lynnpasterny@earthsight.org.uk

ⁱ Penitentiary Department of the Ministry of Internal Affairs of the Republic of Belarus website, 'About Us' page, <http://en.mvd-din.by/about/>, accessed 22 Oct 2022.

ⁱⁱ UNEP WCMC, Belarus: Country Overview to Aid Implementation of the EUTR, April 2020, <https://ec.europa.eu/environment/forests/pdf/Belarus%20-%20Country%20overview%2019.04.2020.pdf>

ⁱⁱⁱ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L%5F.2022.046.01.0003.01.ENG&toc=OJ%3AL%3A2022%3A046%3ATOC>

^{iv} Figures drawn from latest available FSC public summary reports for each. For Belovezhskaya Pushcha National Park, for example, see p42 of the Nepcon FSC Forest Management Certification Reassessment 2020 Public Summary Report, available on the FSC database at <https://fsc.secure.force.com/servlet/servlet.FileDownload?file=00P3000016dEPIEAM>. It is worth noting also that the latest report from the Belarusian government to UNESCO, dated February 2022, on their part of the Bialowieza World Heritage Site admits that of a total area of 82,306ha, logging is only entirely banned on 66,673.6ha (81%) - <https://whc.unesco.org/document/192038>

^v FSC Certificate Database, <https://connect.fsc.org/fsc-public-certificate-search>

^{vi} <https://www.theguardian.com/world/2022/oct/07/nobel-peace-prize-given-to-human-rights-activists-in-belarus-russia-and-ukraine>

^{vii} <https://about.ikea.com/en/newsroom/2022/03/03/ikea-pauses-operations-in-russia-and-belarus>

^{viii} <https://www.fern.org/publications-insight/joint-statement-to-ban-russian-wood-and-support-ukraine-2471/>

^{ix} European Council, Press Release, 'Belarus' role in the Russian military aggression of Ukraine: Council imposes sanctions on additional 22 individuals and further restrictions on trade', 2 Mar 2022, <https://www.consilium.europa.eu/en/press/press-releases/2022/03/02/belarus-role-in-the-russian-military-aggression-of-ukraine-council-imposes-sanctions-on-additional-22-individuals-and-further-restrictions-on-trade/>

^x <https://fsc.org/en/newscentre/no-fsc-material-from-russia-and-belarus-until-the-invasion-ends>

^{xi} PEFC [announced](#) on 4 March 2022 that it considered wood originating from Russia and Belarus to be 'conflict timber' and that it could therefore no longer be used for PEFC-certified products. The certificates for the PPMD forests and prison were valid up until that point.

^{xii} Furniture HS codes are not listed in Annex X, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L:2022:067:FULL&from=EN>

^{xiii} Pages 1-2, <https://ec.europa.eu/transparency/expert-groups-register/core/api/front/document/82897/download>

^{xiv} Eurostat import data for May to August 2022 (the most recent month for which data was available at the time of publication). The top five EU countries continuing to import Belarusian wood furniture subject to EUTR, in spite of official guidance published in April 2022 stating that such goods are not compliant with the legislation, are Poland (€13.8m of non-compliant imports during May-Aug 2022, including €3.2m in August), Lithuania (€9.2m including €2.9m in August), Germany (€6m, of which €1.2m in August), Netherlands (€1.6m, of which €0.4m in August) and France (€0.6m, with imports continuing through August). Between them these five countries were responsible for 92 per cent by value of the EUTR non-compliant imports from Belarus during the four-month period. Other EU countries which continued to register significant imports of non-compliant goods from Belarus in August 2022 are Romania, Czech Republic, Latvia, Spain, Estonia, Italy, Croatia and Slovakia.

^{xv} Annex I of the EUTR does not include the HS code for wooden seats (HS 9401), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010R0995>

^{xvi} https://environment.ec.europa.eu/publications/proposal-regulation-deforestation-free-products_en

^{xvii} <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0071>