



WORKSHOP SUMMARY

Eighth Regional Training Workshop on Timber Legality Assurance

6 - 8 December 2022, Ho Chi Minh City, Viet Nam

Introduction

Representatives of the Governments of Viet Nam, the People's Republic of China, Japan and the Republic of Korea, as well as of the European Union (EU), the Association of South-East Asian Nations (ASEAN) Member States (MS) and the ASEAN Secretariat, gathered to share progress under national and regional efforts to tackle illegal logging and its associated trade, as well as demand-side measures for trade in legal timber products and deforestation-free commodities. The workshop took place in Ho Chi Minh City, Viet Nam, from 6 to 8 December 2022. The EU FLEGT Asia Programme, implemented by the European Forest Institute (EFI), the ASEAN Secretariat and the Viet Nam Administration of Forestry (VN Forest) of the Government of Viet Nam co-organised the event, with support from the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ) and Swedish International Development Agency (SIDA).

The workshop was officiated by:

- **Dr Rui Ludovino**, First Counsellor, the EU Delegation to Viet Nam,
- **Dr Dian Sukmajaya**, Senior Officer of the ASEAN Secretariat,
- **Mr Raul M. Briz**, Forest Management Bureau of the Philippines,
- **Dr Trần Thế Liên**, Director of the Department of Science, Technology, and International Cooperation, VN Forest.

The workshop was the eighth in a series that have taken place in Viet Nam (2010), Malaysia (2012 and 2013), Lao PDR (2014), Indonesia (2016 and 2019) and Thailand (2018).

Approximately 80 participants joined the workshop, which was organized as a hybrid event, with approximately 60 people physically attending, including government officials, members of civil society organisations and private sector representatives from nine ASEAN MS (Brunei, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand and Viet Nam). China was represented by the National Forestry and Grassland Agency, Japan by the Ministry of Agriculture, Forestry and Fishery, and Republic of Korea by the Korea Forest Service (KFS).

Opening remarks

- ✓ **Dr Rui Ludovino**, First Counsellor on Climate Action, Environment, Employment and Social Policies for the EU Delegation to Viet Nam, formally opened the eighth Timber Legality Assurance workshop (TLA-8). He welcomed the event as part of the process of capacity building on timber legality and trade in legal timber products, and commended ASEAN MS on their commitment and efforts to



strengthen forest governance and to develop national standards and systems for timber legality. While advancing legal and sustainable practices, he noted that these efforts are contributing to forest protection and building trust between consumers and producers. He explained that several ASEAN MS have developed, or are in the process of developing, timber legality assurance systems. He noted that the EU is working with some ASEAN MS through formal dialogues to promote Forest Law Enforcement, Governance, and Trade (FLEGT), and FLEGT Voluntary Partnership Agreements (FLEGT VPAs) with Indonesia, Viet Nam, Thailand, and Laos PDR at different stages of the process. Turning to recent developments, Dr Ludovino explained that the EU is expanding its efforts beyond FLEGT VPAs through a regulation to address deforestation linked to the production of agricultural commodities, known as EU Deforestation Regulation (EUDR). The new requirements under this proposal go beyond legality and will shape EU-ASEAN trade in timber and timber products and other agricultural commodities linked to deforestation. He reiterated the EU's commitment to working with ASEAN and ASEAN+3, and deepening collaboration and partnerships.

- ✓ **Dr Dian Sukmajaya**, Senior Officer for the Food, Agriculture and Forestry Division Sectoral Development Directorate of the ASEAN Secretariat, began by thanking Viet Nam for hosting the TLA-8, and EU FLEGT Asia for making the necessary arrangements. He recognised and appreciated the representatives of the ASEAN MS and ASEAN+3, and their efforts to promote timber legality. He noted the need to work across a range of forestry issues in the future, including improved forest governance, sustainable forest management, social forestry, enforcement of laws against wildlife trafficking, and the promotion of innovative technologies. He stated that ASEAN has been monitoring the development of the EUDR, and although ASEAN MS have some concerns about the new requirements, they view it as an area for future collaboration and dialogue and consider it a positive development in the fight against deforestation and emissions reductions. He expressed his hope that ASEAN MS will take the opportunity provided by the EUDR to explore partnerships with the EU and encouraged participants to think about how VPAs could contribute to the EUDR.
- ✓ **Mr Raul M. Briz**, Supervising Forest Management Specialist of the Forest Management Bureau in the Philippines in his capacity as the Chairperson of ASEAN Working Group on Forest Management (AWG-FM), thanked Viet Nam for hosting the TLA-8 and for the support provided by the EU through the FLEGT Asia programme. He recognised and appreciated the participants from ASEAN+3, and noted the participation of representatives from government, the private sector, and civil society. He hoped that the TLA-8 would provide an opportunity for participants to learn from one another through the sharing of experiences and lessons.
- ✓ **Dr Trần Thế Liên**, Director of the Department of Science, Technology, and International Cooperation of VN Forest, thanked distinguished guests and welcomed all participants to Viet Nam and the TLA-8. Dr Trần explained that forestry plays an important role in ASEAN economies and acknowledged that forests face a variety of threats. He noted efforts made by ASEAN to address illegality, notably the plan on Strengthening FLEG in ASEAN for the period 2016-2025. He provided a brief overview of the forest sector in Viet Nam, which is now



the fifth largest timber exporter in the world and intends to continue expanding, with targets of USD\$20 billion by 2025, and USD\$25 billion by 2030. He explained that an official plan for developing a sustainable and efficient timber processing industry in the period of 2021-2030 has been approved by the Prime Minister, which prioritises timber legality and sustainable production practices. Dr Trần hoped the workshop would provide an opportunity for information sharing and discussion amongst ASEAN MS, and with ASEAN+3 and the EU, and between governments, the private sector, and civil society organizations.

The workshop featured presentations, discussions, thematic group works and a field visit to Duc Thanh Wood Processing's facilities in Binh Duong province. Annex 1 contains the workshop's agenda.

Workshop Objectives

The workshop aimed to:

- Exchange practical experience on timber legality assurance arrangements,
- Increase multi-stakeholder collaboration amongst AMS on forestry, governance and timber trade issues,
- Increase understanding of challenges and opportunities for smallholders and small and medium sized wood processors to participate in legal supply chains,
- Exchange progress in AMS and ASEAN+3 economies with regard to ensuring, documenting and validating timber legality and development of due diligence,
- Increase understanding of new EU policies on forests and markets and explore relevance for the timber sector in ASEAN/ ASEAN+3.

Sessions overview

Day 1

Session 1: Setting the scene – Overview on recent developments

Session 1 started with a presentation by Dr. Alexander Hinrichs, Head of EU FLEGT Asia Programme, who provided background on market efforts to protect forests. Ms. Gemilang Haifa Khairrinisa, Forestry Officer at the ASEAN Secretariat, provided an update on the workplan for FLEG in ASEAN (2016-2025). The session concluded with a presentation by Ms. Henriette Faergemann, First Counsellor for Environment, Climate Action, and Digital at the EU Delegation to ASEAN on an overview of the proposed provisions in the EUDR.

Market efforts to protect forests highlighted by Dr. Alexander Hinrichs:

- Previous initiatives to address deforestation and degradation focused on illegal logging though governance reform, based around broad participatory processes with an emphasis on trade between producer and consumer countries. This resulted in the FLEGT Action Plan.
- Evaluation of the FLEGT Action Plan noted implementation challenges and a need for innovative initiatives to tackle new challenges associated with deforestation linked to the production of agricultural commodities.
- There is a clear global shift towards addressing deforestation linked to the production of agricultural commodities, reflected in the recent Glasgow Leaders' Declaration on Forests and Land Use, and recent legislative developments in large consumer countries, most notably the EUDR.



- New initiatives build on existing themes but will likely go beyond them and focus more strongly on issues such as workers' rights, indigenous rights and FPIC, smallholders, and the need to conduct thorough due diligence. Producers, traders and operators are going to have to adapt.

The four strategic thrusts in the Workplan for FLEG in ASEAN presented by Gemilang Haifa Khairrinisa are: *Enhancing Sustainable Forest Management*. Revised ASEAN criteria and indicators for legality of timber adopted by 42nd AMAF; *Enhancing Trade Facilitation, Economic Integration and Market Access*. ASEAN voluntary code on imports for timber companies adopted by 41st AMAF; *Strengthening ASEAN's Joint Approaches on Regional and International Issues Affecting the Forestry Sector*. Revitalisation of the ASEAN Regional Knowledge Network on FLEG; and *Institutional Strengthening and Human Resources Development*. Technical workshop on streamlining SFM reporting.

The overview of the proposed provisions in the EUDR by Henriette Faergemann covered:

- The purpose of the EUDR is to minimise the EU contribution to deforestation and increase demand for legal and deforestation-free trade. This is part of a larger set of policies being pursued by the EU to ensure sustainability.
- 31 December 2020 will be the cut-off date beyond which the EUDR will apply to agricultural commodities produced on land that has been deforested, in line with the Sustainable Development Goals (SDGs).
- The scope of the EUDR will cover cattle, cocoa, coffee, palm oil, soya, wood, and their derivatives, as in the original proposal, with rubber, charcoal, printed paper products and several palm oil derivatives recently added. Requirements for legal and deforestation-free production must be met by both, EU domestic and foreign producers that export to the EU.
- The EUDR will be reviewed after one year of becoming effective, to determine if other commodities such as maize and biodiesel should be included; reviewed in two years to determine if financial institutions should be included; and reviewed again in five years, indicating that the EUDR will be regularly updated to address future challenges.
- Regarding definitions, 'degradation' has been expanded to include conversion of primary forests or naturally regenerating forests into plantation forests, and the conversion of primary forests into planted forests.
- Commodities covered by the EUDR must be produced legally and on land that was not deforested after the cut-off date. Legality requirements are essentially the same as those under the EU Timber Regulation, so timber products from VPA countries will already be in an advanced position to comply. However, there is now a requirement for strict traceability, wherein the geolocalisation of the plot of land on which the agricultural commodities were produced must be provided.
- EU operators have to conduct due diligence to ensure legality and deforestation-free production, which includes collection of information about supply chains, risk assessment, and risk mitigation.
- A differentiated approach will be adopted, with countries categorised into risk categories. All countries will initially be categorised as 'standard' risk. If a country is reappraised it will be consulted. The criteria for determining risk categories have not yet been established. The European Commission will be obliged to develop a comprehensive strategy to cooperate with third countries. Timber and agricultural



commodities from high-risk countries will not be banned, but more risk mitigation will be required.

- European Parliament and Council will go through the final text to ensure accuracy and consistency, and then develop versions for each of the EU languages. The EUDR will be enforced 18 months after official promulgation, which is expected in May 2023, though some details may still change.

The presentations were followed by discussions. Below are key discussion points:

- It was noted that timber coming from a VPA country with an operational TLAS will be considered legal, but questions were asked about the extent to which VPAs will satisfy other requirements, such as human rights standards, if they are included. It was explained that requirements for free, prior, and informed consent and other international human rights standards would only apply if they were already incorporated into a supplier country's legal framework.
- Questions were also raised about how a country will be classified for purposes of risk, the extent to which VPAs will be considered, and whether the EU will provide support for countries to lower their risk rating. It was explained that risk classification will be based on the governance of all commodities, but that the criteria for determining risk will still be developed. Forest Partnerships (FP) could support access to appropriate technologies and the development of systems to improve monitoring and enforcement to help address risks.
- Representatives from Lao PDR commented that the EU has not yet clarified how it wants to continue engagement on FLEGT VPA and noted that FP had not been mentioned during EU presentations. It was explained that the EU is aware of Lao PDR's and others' work to ensure legality and is confident it will contribute to ensuring compliance with the EUDR. Regarding FP, these are tools being developed in collaboration with countries through multistakeholder processes to address a variety of issues.
- VPAs and FP are separate but can complement one another. FP could build on the work of traceability systems developed under VPAs.

Session 2: Shared learning– Developments in Viet Nam and Indonesia

This session started with a presentation by **Mr Trần Văn Thành**, Vice Director of Forest Protection, Sub-Department Region III, Viet Nam, on the Viet Nam experience in TLAS development and implementation, which was followed by **Mr Sigit Pramono** from the Ministry of Environment and Forestry (MoEF), on the Indonesian experience in TLAS development and implementation.

Viet Nam experience in TLAS development and implementation:

- Viet Nam uses annually 40 million m³ of timber, with 75% from domestic sources and 25% imported from over 100 countries and territories. There is a clear need to ensure legality of the timber being used, especially imported timber.
- Viet Nam aspires to begin FLEGT licensing by the end of 2024 / beginning of 2025. The VN TLAS applies to all markets and covers all relevant commercial actors in the supply chain. Key elements of the VN TLAS include: (1) import controls requiring due diligence and the application of risk filters linked to geographic origin and timber species; and (2) the Enterprise Classification System (ECS), which categorises enterprises into two groups based upon compliance with relevant requirements, to determine the level of scrutiny a shipment will be subject to at export.



- To implement the VPA, Viet Nam has passed an official plan (Decisions 1624/2019 and 1421/2020), and numerous legislative documents covering the VN TLAS (Decree 102/2020), the ECS (Circular 21/2021), and administrative penalties (Decree 07/2022) related to VN TLAS violations.
- Viet Nam is continuing to develop the legal framework for the VN TLAS and amending important legislative documents, such as Decree 102, in line with its commitments under the VPA and the recently signed agreement with the United States to address concerns with timber illegality.
- In 2023 Viet Nam expects to promulgate the amended Decree 102/2020; begin revising Circular 21/2021; finalise the risk lists for geographic origin and timber species; improve enforcement capacity of Customs and the Forest Protection Department; finalise terms of reference for readiness assessment and independent assessment under the VPA; complete baseline assessment for monitoring and evaluation of the VPA; and finalise arbitration procedures with the EU to resolve any disputes that may arise under the VPA.

The Indonesian experience in TLAS development and implementation:

- Indonesia's TLAS known as the Sistem Verifikasi Legalitas Kayu (SVLK) was developed through an inclusive multistakeholder process and has led to the development of a rigorous system. SVLK ensures the legality of actors through supply chain controls, supported by verification process based upon established standards, which provides the basis for FLEGT licensing. These are verified by independent monitoring and periodic independent evaluations.
- The scope of SVLK has recently been extended by law and regulation (PP 23/2021 and MoEF Decree 8/2021) to more clearly cover both legality and sustainability, and provide room for verification of non-timber forest products.
- During the pandemic, the Government of Indonesia implemented various measures to support the timber industry, including removing VAT 10% on round logs; reducing tariffs for veneer from 15% to 5%; allowing for deferred payment of taxes or payment in instalments; streamlining permitting procedures; accelerating implementation of social forestry; and reviewing procedures to make importation of production equipment easier. These interventions mitigated the impact of the pandemic and helped the Indonesian timber industry recover.
- By November 2022, more than 5,600 forest based enterprises and nearly 30 million ha³ state forests have been SVLK-certified. Export of SVLK-certified timber products has increased significantly from USD 6.1 billion (2013) to USD 13.6 billion (2021). The number of countries importing Indonesian timber products have also increased from 155 countries in 2013 to 196 countries in 2021, reflecting the market's confidence in Indonesia.
- DG SFM Decree P.62/2020 (standards and guidelines for SVLK Implementation) is being revised, which will require verification for sustainability; implementation of remote audits; implementation of geolocation requirements; use of new SVLK logo; strengthening of due diligence procedures and verification for FLEGT licensing; and improving the credibility of the system by ensuring confidential information is protected and the performance of auditors is reviewed.
- Challenges encountered in the development of SVLK include burdensome requirements and a lengthy administrative process before FLEGT licensing can start; low capacity of actors in the supply chain, which make compliance with new requirements difficult; buyers of Indonesian products often ask for timber certified



by voluntary certification schemes, which raises questions about the added value of FLEGT licences, especially when the additional costs are considered; international requirements keep changing, with new rules being developed for sustainability and deforestation free production; issues remain with the administrative process for FLEGT licensing; the incentives to comply with requirements for FLEGT licensing are often inadequate, considering the costs to producers; and regulations are not always applied consistently in the markets that import timber.

- Moving forward, Indonesia plans to regularly review regulations to ensure the process for compliance with SVLK is simple, effective, and affordable, and that SVLK remains robust and credible; to continue capacity building and facilitating SVLK certification; continue to develop system interconnectivity to strengthen FLEGT Licensing, due diligence, timber administration; continue piloting program on combining audits of mandatory and voluntary schemes, to reduce double costs for certification; continue piloting e-licensing to reduce and remove unnecessary clerical mistakes associated with paper-based licences; fieldtesting verification procedures for sustainability requirements and collection of geo-location information for traceability; continue to implement green domestic procurement; strengthen independent monitoring and law enforcement; and encourage the promotion of FLEGT-licensed timber products in export markets.

The presentations were followed by discussions. Participants were interested in some of the procedural details relating to due diligence. On the issue of challenges in Indonesia, it was explained that coordination between authorities had been difficult and significant capacity building was required.

Session 3a: Shared learning – Discussions and reporting on country progress/ experiences in timber legality assurance

In this session, **Mr Khamphone Bounthavy**, Head of the Forest and Forest Land Inspection Division in the Department of Forest Inspection in Lao PDR, **Mr Mazree Iman**, Director of the Malaysian Timber Industry Board in Malaysia, and **Ms Aomjitr Sena**, Forestry Technical Officer of the Royal Forest Department (RFD) of Thailand, gave their presentations.

FLEGT VPA in Lao PDR:

- 4 Joint Expert Meetings (JEMs) and 4 negotiations (NEGs) have taken place since FLEGT-VPA negotiations began in 2017.
- Following engagement with FLEGT, Lao PDR has undertaken various legal reforms in the forestry sector, which include a formal decision by the Prime Minister to establish a committee on FLEGT-VPA; an official order by the Prime Minister on Strengthening Strictness of Timber Harvest Management and Inspection, Timber Transport and Business; and a review of the forestry law leading to the inclusion of a new article (Article 43) on Timber and Wood Product Legality Assurance (Lao TLAS).
- Lao TLAS covers all sources of timber (production forest, conversion, plantation, village use forest, confiscated timber, imported timber) and relevant commercial actors in the supply chain, and establishes a system for traceability and verification.



- Lao PDR has established a website for FLEGT, which provides access to laws, decisions, orders, wildlife compendiums, and other relevant documents for compliance with timber legality requirements.
- Moving forward, Lao PDR needs to agree with the EU on the future of the FLEGT-VPA process; develop legislation for supply chain controls for plantations, village use forests and natural trees from land of individuals, legal entities and organisations, confiscated timber, and imported timber; clarify future responsibilities for FLEGT-VPA/ Lao TLAS implementation and begin revising official mandates and the legal framework; finalise the TLAS structure and draft the TLAS Decree to define mandates; and expand the system to cover the 17 provinces and the capital.

Malaysian Shared Experiences in Timber Legality Assurance:

- Though the FLEGT-VPA negotiations with the EU had been on hold, the Malaysian government developed MyTLAS to ensure the legal production of timber and wood products, released in February 2013. MyTLAS is coordinated by the Implementing Agency Coordination Committee, led by the Ministry of Plantation Industry and Commodity, and involves 5 different ministries.
- As of October 2022, a total of 100,000 MyTLAS certificates have been issued. MyTLAS certificates were previously only used for timber exports to the EU, but are now being used to export to other markets. To date, two compliance audits have been conducted by third parties, which have helped improve the system, and a third is planned for 2023.
- In addition to MyTLAS, Malaysia has passed legislation and undertaken specific initiatives to address illegal logging and associated trade. These include the National Forestry Policy of 1978 and the Malaysia Policy on Forestry and 2021-2030, efforts to include enforcement on the prohibition of illegal logging, and environmental education to inform about the dangers of and damage caused by deforestation.
- MyTLAS has faced challenges in, coordinating the actions of multiple agencies and ministries; lack of adequate financial incentives; the high costs related to compliance with MyTLAS; and insufficient industry commitment, linked to lack of awareness and perceived higher operating costs.
- Malaysia has developed the MyTLAS Action Plan 2021-2025, which includes Strengthening the legality system, improving information management, building capacity of stakeholders, and promoting relevant programmes nationally and overseas. On the last point, Malaysia has two certification schemes that help to meet requirements under the EUDR.

FLEGT-VPA in Thailand:

- 5 JEMs and 3 NEGs have taken place since FLEGT-VPA negotiations began in 2017. Nearly all annexes have been completed and are ready for negotiation, with some minor outstanding issues relating to self-declaration on public land and import controls.
- The multistakeholder process for TLAS development has led to significant reforms in Thailand, including a self-declaration process to ensure the legality of timber coming from private lands. Thailand's TLAS (THA-TLAS) ensures the legality of timber coming from domestic sources on public and private land, as well as timber imported into Thailand.



- To support forest governance, Thailand has developed a forest protection system for monitoring and enforcement, which allows anonymous reporting of violations and provides for on the ground checks. It is also developing the RFD single window to coordinate information collection and verification between different government agencies.
- Concerns were raised about the EU commitment to VPA process in Thailand, though opportunities under FP for possible THA-TLAS development were noted. Thailand will strengthen stakeholder engagement; pursue a FP with the EU; promote deforestation-free products; increase sustainable production of raw materials; and involve local people in forest protection.

The presentations were followed by discussions. Below are key discussion points:

- Questions were asked about how data was being collected and shared in Thailand, and how the new RFD single window is being developed. It was explained that an assessment is being conducted to determine which authorities maintain necessary data, after which arrangements for coordination will be developed, taking into consideration confidentiality requirements. RFD is also considering what new data need to be collected, and who should be responsible for this.
- Participants also asked if geolocation data is captured in any of the countries' systems, noting the new requirements under the EUDR. Lao PDR explained that the current system does not capture geolocation data but will in the future considering the EUDR; for Malaysia it was explained that MyTLAS does not capture this, but that the new certification schemes will; and for Thailand it was explained that geolocation data is captured under the self-declaration process for timber coming from private and public land. Indonesia explained that the government is in the process of incorporating requirements for geolocation for natural forest and for communities, but more work on this needs to be done.

Session 3b: Shared learning – Discussions and reporting on country progress/ experiences in timber legality assurance

Ms Yudima Yueh, Assistant Forestry Officer of the Forestry Department in Brunei, **Mr So Lorn**, Deputy Director of the Department of Forest Industry and International Cooperation, Forest Administration of Cambodia, **Mr Win Htun**, Assistant Director of the Forest Department of Myanmar, and **Mr Raul M. Briz**, Supervising Forest Management Specialist of the Forest Management Bureau in the Philippines, gave their presentations on timber legality assurance.

Timber Legality Assurance in Brunei Darussalam:

- To address illegality Brunei has adopted various laws and regulations, most notably the Forest Act, which was last revised in 2013. This establishes strict controls for each stage of logging, requiring compliance with established monitoring and reporting procedures. Permits are required at most stages, which are issued by the central Forestry Department Headquarters.
- Other laws and regulations include the Wildlife Protection Act, Land Code and Land Acquisition Act, and other instruments. Brunei is pursuing other policies and initiatives, such as promoting silvicultural treatments for logged-over forest; enacting the Reduced Cut Policy (1990), which establishes a maximum annual harvest of 100,000 m³; establishing timber harvesting guidelines for selective felling; and instituting a no logging policy in peat swamp forest.



- Law enforcement initiatives include routine patrols and inspections by forest rangers in logging concessions; aerial surveillance along Brunei's border and over remote forest areas and water bodies; joint surveillance activities with the police, military, and other authorities; and participation in national special task forces and committees, such as National Coordination Patrol Committee and Border Security Committee. Social media is now also being used to address illegality, as it can provide valuable information and intelligence.
- Brunei also has a public awareness programme to educate people about the dangers of and damage caused by illegal logging, promoted through school education programs, advisory and guidance services, and social media.
- Brunei intends to strengthen the management and surveillance of logging activities; enhance coordination with other enforcement agencies to improve monitoring and enforcement to address illegal logging and associated trade, especially in hotspot areas; strengthen relationships with local communities to improve communication and secure their support in identifying violations; and learn and implement best practices from other neighboring countries.

Timber Legality Assurance in Cambodia:

- Cambodia legal framework covers all timber sources: private concession forests; annual coupe licensed areas in production forests; economic land concessions and social land concessions; community forests; plantations (government and private land); mining and hydropower projects; imported timber; confiscated; timber; salvaged timber; and reclaimed timber. These requirements are captured in the Law on Forestry (2002), Law on Customs (2007), National Forest Programme (2010-2029), and other regulations.
- Timber imports require permitting by the Forestry Administration. Exports also require a permit from the Forestry Administration; an official letter drafted by Ministry of Agriculture, Forestry and Fisheries to Ministry of Commerce and General Department of Customs and Excise confirming the company's eligibility to export timber and or NTFPs; and an extensive set of documents establishing the company's legal basis to operate.
- Cambodia developed a FLEGT roadmap for 2020-2021, which identified four priority themes and was approved by MAFF. These are: Development of a Timber Legality Definition; Legal and Regulatory Reform and Consultation; Promote Capacity Building; and Piloting, Promotion, and Enabling Activities. These have largely been completed.

Timber Legality Assurance in Myanmar:

- Timber in Myanmar comes from natural forests, plantations, and community forests. Myanmar has an extensive list of laws and regulations to govern the forest sector, including the Environmental Conservation Law (2012) and Rules (2014); Forest Law (2018) and Forest Rules (1995); and Conservation of Biodiversity and Protected Areas Law (2018) and Rules (2019).
- Myanmar has also developed a sustainable forest management standard, which was finalised in 2022 following a lengthy stakeholder consultation process. Myanmar has a clear set of procedures, which establish a chain of custody system. These govern harvest planning, felling, log landings, transportation, processing, and export, with verification required at each stage. This system is supported by an independent audit.



Timber Legality Assurance in the Philippines:

- The list of forestry and associated activities governed by domestic law include: harvesting or cutting of trees; transport of logs/timber and lumber; payment of taxes/levies; CITES listed trees; environmental compliance; export and import of timber and other forest products; and indigenous peoples' rights and local government endorsement.
- The Philippines has recently developed and tested an integrated, real time, multi-tiered, online National Forest Stock Monitoring System (NFSMS). Once operational, the NFSMS will ensure that only authorised technical personnel can conduct standing timber inventory; reduce the time it takes to conduct standing timber inventory; automate data processing of standing timber inventory; allow for transport documents to be requested and issued by the authorities online; ensure accurate storage and retrieval of scaling data; automate the process of determining timber volume and related forest charges; and reduce opportunities for graft and corruption. Once the NFSMS is scaled up and fully operational, the Philippines will meet all ASEAN Criteria and Indicators for Legality of Timber.
- Recent efforts to combat illegal logging and associated trade include the operationalisation of the regional Anti-Illegal Logging Task Force; establishing 117 Green Courts nationwide to try all environmental crimes, including illegal logging; implementing a 5-Year Intensified Forest Protection Program (2020-2024); implementing a Forest and Biodiversity Protection System to monitor changes in forest cover through regular forest foot patrol, with results recorded on mobile phones; deputising volunteers as Environment and Natural Resources Officers; instituting selected logging bans in two provinces; and encouraging community involvement.

The presentations were followed by discussions. Questions were asked about due diligence, whether arrangements were in place and, if so, who oversees the process. For Cambodia, it was explained that importers must apply to the authorities for an import licence and transportation permit, and must have the supporting documentation, such as proof of country of origin. For the Philippines, importers must provide the names of the species being imported. Importers of round logs in the Philippines must also prove that they have at least a 5-year contract with a supplier.

Recap from day 1

Dr Rui Ludovino thanked everyone for their active participation in the workshop. He reiterated that initial efforts to address deforestation focused on illegal logging but these efforts have expanded to include the production of agricultural commodities. He noted that many of the countries shared similar experiences, and appreciated the strong political commitments being made by ASEAN MS to address deforestation, supported by procedural requirements. These are important if legal and sustainable trade is to be assured. He noted that progress was being made by countries on the development of their timber legality assurance systems, some independent of VPA arrangements, and emphasised the need to understand challenges and opportunities posed by the changes under the EUDR and other legislation, which the workshop has helped to facilitate. These efforts will contribute to ensure that operators will be able to comply with new



requirements under the EUDR. He encouraged participants to learn from the timber sector and the development of national timber legality assurance systems and apply lessons on due diligence and traceability to other commodity. He also reminded participants of the need for multistakeholder processes to develop robust and effective systems to ensure compliance. Finally, he assured participants that the EU was looking forward to hearing the questions and comments of stakeholders and working with them in the future to address deforestation.

DAY 2 - Smallholders, Regional Perspectives, and ASEAN+3 Updates

Session 4: The role of smallholders in legal supply chains

Mr Thomas Colonna presented the SIDA-funded Smallholder Project on *Supporting the participation of small and micro economic entities in legal timber supply chains*.

- The project is funded by the Swedish International Development Agency (Sida) and implemented through EFI's regional office in Kuala Lumpur, with activities in Lao PDR, Myanmar, Thailand, Viet Nam. The project supports tree growers and timber processors to build sustainable businesses and create linkages, and prioritises trainings to encourage continuous improvement and increase efficiency and reduce waste. The project includes components on improving access to finance and markets and gender equality.
- Trainings are conducted in collaboration with industry associations, local government authorities and vocational training schools, and followed up by coaching sessions. Lessons from the trainings include: MSMEs are generally willing to participate in capacity building trainings and adopt proposed practices, if there is a clear business case; production management training can increase productivity, efficiency, and work safety; more work needs to be done to support MSMEs reduce waste and make use of it; MSMEs do not prioritise traceability because they do not understand the business advantages associated with it; and, local authorities should be engaged so that they understand MSME needs and can encourage MSME training participation.
- Lessons from smallholder tree grower trainings include: through inventorying, growers better understand the value of their trees and are more willing to tend them and plant more; with training, tree growers can comply with regulations and provide the requisite information, including on geo-location; more support needs to be provided by local authorities.

Questions were asked about how lessons from the Smallholders Project could be applied in Indonesia, and whether they would be applicable to NTFPs. It was explained that there is a need to provide the right incentives, which in part means making the business case for traceability and supporting this with training. It was noted that traceability is important in establishing legality, as the self-declaration process for smallholders in Thailand demonstrates, and that the production of NTFPs could benefit from a similar approach. The issue of middlemen was raised, and how tree growers could capture more of the profits from the sale of trees to processors. It was noted that in some contexts middlemen or traders can provide a useful service, but in cases where they do not it is important to help tree growers understand the value of their assets and to provide training to improve growers' practices. For example, in Thailand the project supported tree growers to establish storage and trading areas, though in this case there were no middlemen.



Session 5: Regional Perspectives

Dr Pheakkdey Nguon and **Mr Edi Nugroho** gave their presentations respectively on Best Practices in Forest Governance and Sustainable Landscape Approaches in Southeast Asia and Impacts of COVID-19 on ASEAN Member States' Timber Trade.

Best Practices in Forest Governance and Sustainable Landscape Approaches in Southeast Asia:

- It was explained that the contents of the presentation had been distilled from a technical paper by EU FLEGT Asia on *Best Practices in Forest Governance and Sustainable Landscape Approaches in Southeast Asia*, the purpose of which was to assess the experiences of Indonesia and Lao PDR in their development, achievements, and challenges of Landscape Approaches (LAs) and Jurisdictional Approaches (JAs).
- LAs and JAs share certain characteristics: they target a socio-ecological system that consists of natural and/or human-modified ecosystems; aim to reconcile competing social, economic and environmental objectives; involve collaboration among multiple stakeholders; are implemented at a scale small enough to maintain a degree of manageability, but large enough to deliver multiple functions to stakeholders with different interests; and allow for monitoring of trends against a set of agreed sustainability objectives.
- The paper identified nine lessons: government involvement and buy-in at the different administrative levels is important; there must be strong multi-stakeholder engagement; processes must be institutionalised; measurable goals and commitments must be established; international market actors should be engaged; the process must include smallholders and consider their needs; the value, goals, and vision, as well as the successes of the LA/JA must be communicated; there must be transparent accounting against agreed indicators; and methodologies for monitoring, verification, and reporting must be developed from the outset.

Impacts of COVID-19 on ASEAN Member States' Timber Trade:

- It was explained that the contents of the presentation have been distilled from a technical paper by EU FLEGT Asia on the *Impacts of COVID-19 on ASEAN Member States' Timber Trade*, the purpose of which was to analyse the impact of COVID-19 on ASEAN MS' timber and timber product trade; and reflect the experiences and strategies of ASEAN MS in managing the COVID-19 pandemic in relation to their timber sectors. The paper was produced in response to a request from the FLEGT Asia Programme Steering Committee.
- There were five key findings from the paper: timber sector in most ASEAN MS proved resilient, with many ASEAN MS meeting and sometimes exceeding their production and export targets; all ASEAN MS implemented pandemic-related response measures targeting the economy as a whole such as cash transfers, tax reductions and wage subsidies; a few ASEAN MS introduced timber-specific response measures, for example by reducing export duties, establishing incentives for job creation, and deregulating parts of the supply chain; private sector innovation provided for adaptation to the new situation, while favourable demand-



side developments; and the ASEAN Comprehensive Recovery Framework serves as a consolidated exit strategy.

Questions were raised about how information in the reports would be used, and whether the reports have been formally shared with ASEAN MS. Participants suggested that it is important to convey the fact that the timber sector had weathered the pandemic so well to relevant national governments and ASEAN. It was explained that the reports had been shared through the FLEGT Asia Programme Steering Committee with ASEAN MS, but how this information would be used depend on government authorities.

Session 6: Developments in ASEAN+3 economies

Dr Chen Yong from the Center for International Forest Products Trade, National Forestry and Grassland Agency of China presented China's efforts to regulate timber legality; **Mr Daimon Makoto**, Political Officer from Japan Ministry of Agriculture, Forestry and Fishery, presented Japan's Efforts for Reducing Illegal Logging and Imports of Illegal Timber Products and **Ms Lee Young-ji**, Deputy Director of the Forest Service of Korea presented Korea's Verification system on Timber Legality.

China's efforts to regulate timber legality:

- China is the largest importer and exporter of timber products and, as such, is highly integrated into the international market. Its supply chains are long and complex, which means there is a relatively high risk of illegally harvested timber being introduced. China is making significant efforts to ensure sustainability, in line with the Global Development Initiative and SDGs.
- China is working to improve its timber legality verification system by improving coordination between government authorities, undertaking bilateral dialogues with timber producers, and developing a communications platform to promote efforts to combat illegal logging and associated trade at a global level.
- Current efforts include assessing how to implement Article 65 of China's new Forest Law; looking into the use of innovative technologies to facilitate traceability, such as blockchain; supporting capacity building of government authorities and private enterprises; and strengthening cooperation and coordination with industry associations.
- China is promoting an initiative for the mutual recognition of timber legality verification systems between and amongst Asia-Pacific Economic Cooperation economies, and pursuing bilateral agreements with timber producing countries, which in some case include provision of technical support to enhance enforcement. China is promoting high-level dialogues among governments to strengthen global forest governance (China-UK, China-EU, China-Germany).
- Moving forward, China believes its new Forest Law can strengthen supply chain management and is currently developing appropriate guidelines to implement Article 65.

Japan's Efforts for Reducing Illegal Logging and Imports of Illegal Timber Products:

- In 2021 Japan imported timber and timber products worth ~USD 9 billion from a variety of countries. In ASEAN, the countries who exported the most to Japan were Viet Nam, Philippines, Indonesia, and Malaysia.
- As part of its effort to address illegal logging and deforestation, Japan passed the Clean Wood Act in 2017. This encourages the use and distribution of legally



harvested timber and timber products and establishes that all business entities must endeavour to use legally harvested timber and timber products. It also establishes a voluntary due diligence process, which business entities can follow to ensure timber legality. To demonstrate legality, business entities must collect and submit documentation that confirms the legality of the timber products, which includes documents based on national timber legality assurance systems, official export permits, and certificates from accredited voluntary certification schemes.

- Japan recently reviewed its policies on how best to address timber illegality, with a report produced by an expert Study Group in April 2022. The Study Group identified six key challenges: the need to improve the scheme to confirm the legally harvested products; need to expand understanding for the scheme and participants; need to consider the difference of risk and players to improve due diligence; need to clarify detailed methods and rules for due diligence; need for collaboration amongst government, industry groups, and NGOs; and need to take into account the burdens on business entities.

Korea's Verification system on Timber Legality:

- Korea's verification system on timber legality comprises the Act on Sustainable Use of Timbers was revised (2017) and the revised Enforcement Decree of the Act on the Sustainable Use of Timber (2018). Penalties have been enforced from October 2019. The system covers wood pellets, logs, sawn wood, and plywood, and will soon include additional HS codes covering wood sheets, shaped wood, particleboard, fibreboard, and wood pulp.
- Timber import into Korea includes coordination between Customs and KFS, supported by wood identification technology. Additional measures have been taken to support importers, including development of country specific guidelines, provision of auto-translate templates, and online education.
- Korea intends to continue to improve its wood ID analysis capabilities by collecting imported wood references on the market; sharing information about the requisite official documentation that demonstrates the legality of the wood products; and helping to raise awareness amongst suppliers about the new requirements. Korea is also interested in cooperating to develop a standard form of national TLA certificate/license which can be used for exports.

Participants were interested to hear about developments related to Article 65 of China's Forest Law and what kinds of measures it might include. For example, would due diligence be required and, if so, who would verify timber legality and what would private enterprises need to do? It was explained that the guidelines to implement Article 65 are being developed. Opinions have been solicited by the authorities and are being considered, and it will likely be another year before the approach is finalised. Regarding private enterprises, they will need to record their input/output and assess risks. Participants were also interested in whether due diligence will be formally incorporated in Japan and Korea. For Japan, it was explained that specific standards need to be developed and that the government is currently working on this, with meetings already planned. For Korea, it was explained that a due diligence model is being developed, which will be shared with industry during development.

Session 7: Exploring specific topics of timber legality assurance



Participants were invited to join one of the three thematic working groups to discuss a series of questions. A representative from each group presented the results from their discussions to the plenary meeting in the afternoon.

Group 1: Experience with TLAS design and implementation

Ms Aomjitr Sena, Forestry Technical Officer of the Royal Forest Department of Thailand, presented on behalf of Group 1, which discussed experience with TLAS design and implementation in Cambodia, Indonesia, Lao PDR, Malaysia, Thailand, and Viet Nam. ASEAN Secretariat also participated in group 1 discussion.

- The legality definition/standard covers from decision on land use to harvesting all the way to the point of export, built on applicable laws in the country. Legality verification and licensing can be done by government bodies as well as accredited companies. Legality definition/standard and verification is the most challenging component of TLAS due to challenges accessing data across ministries, and varying capacity of verification bodies, among other issues. This requires high level decision on the coordination amongst stakeholders to implement TLAS. There is also a need for effective digital data management systems across ministries, especially for purposes of verification, which require improvements in the areas of data collection, management, and sharing. Support for TLAS certification to smallholders through government subsidies can be provided, as presented by Indonesia. Capacity building and trainings on TLAS should be conducted across a range of platforms and institutions, including at university level, vocational schools, and workshops.
- The second set of highlights from the group were as follows: stopping the FLEGT VPA with the EU means some TLAS components might not remain, such as independent audit and public disclosure of information; supply chain controls should be established, for example in Indonesia this is operator-based, which can be verified one step back; different approaches to due diligence can be adopted, for example in Viet Nam there are risk filters in addition to standard customs requirements; electronic FLEGT licensing should be considered, as it reduces human errors which are more common in paper-based licensing; FLEGT VPAs can be built upon, for example the recent agreement signed between Viet Nam and the United States to address concerns about illegality; there is a need to enhance cooperation amongst ASEAN MS, especially on issues related to due diligence and awareness raising about the different legal requirements; ASEAN MS should explore mutual recognition of their TLAS; ASEAN MS should consider bilateral cooperation with other countries (e.g. China and Indonesia, China and Lao PDR).

The presentations were followed by discussions. A representative of the Network of Independent Forestry Monitoring explained that the network is made up of ~60 NGOs comprising ~500 individuals, which monitors the implementation of SVLK and other forest related matters and covers Aceh all the way to Papua. The Network also supports capacity building of independent monitors, conducts investigations, and submits reports to the authorities on issues identified in the field. The independent monitors play a crucial role in monitoring and enforcement. Clarification was sought about the difference between certification and licensing regarding SVLK in Indonesia, as both terms had been used during presentations. It was explained that operators are certified against SVLK but that shipments of timber are licensed, either under a FLEGT licence if destined for the EU, or



a V-legal document if destined for a non-EU market. There is a clear trend towards legality, though challenges in the timber sector remain, especially regarding coordination amongst stakeholders. Other challenges include development of digital information management systems. The importance of events such as the TLA-8 was noted, providing ASEAN MS and their representatives with valuable opportunities to coordinate and collaborate. It was suggested that similar events could be organized for stakeholders in other commodity supply chains.

Group 2: Information needs for due diligence by market partners

Mr Vangchai Vang, Deputy Director General of the Ministry of Commerce in Lao PDR, presented on behalf of Group 2, which discussed Information needs for due diligence by market partners. Group 2 members were asked to consider whether there are existing systems or sources of information in their respective countries which could, or already do provide information about legality, traceability, and risks, and what they see as possible challenges and solutions. Participants used a matrix (refer to Annex 3) to map these issues for Indonesia, Lao PDR and Viet Nam. It was noted that there is a need to better understand traceability and due diligence requirements under the EUDR, and to explain them to stakeholders. Clearly, one of the key challenges is ensuring that operators have access to relevant and credible information. Lessons can be learnt from the VPAs, which establish official, mandatory systems, supported by comprehensive IT management platforms.

Group 3: Participation of smallholders in legal timber supply chains

Ms Lina Hong, Operational Manager of Grandis Timber Company Cambodia, presented on behalf of Group 3.

- Key themes for support for smallholders and MSMEs include: land tenure; formal registration to prevent unofficial payments; financial management to help MSMEs grow their businesses; training on laws and policies; consider smallholders in national policy discussions; engage young people; and there needs to be long-term consistent engagement.
- Other highlights include: a need to integrate services of different government agencies; support for regional exchanges of smallholders; policy initiatives linked to the needs of smallholders; consider lessons from public procurement policies, impact assessments of relevant laws and regulations, projects where smallholders succeeded without external support and from other sectors; support to develop regional markets for smallholder products; and ASEAN guidelines and standards for forestry should be reviewed to see if smallholder issues are adequately addressed. Participants again raised concerns about the impact of the EUDR on smallholders, given the new requirements.

Overview of Day 2 and Closing Remarks

Ms Henriette Faergemann commended everyone on their active participation during the second day of TLA-8. She noted the auspicious timing, given that the EU Council and European Parliament had, in principle, agreed on the final text of the EUDR on the day the workshop. She acknowledged the concerns that were raised and assured participants that the EU welcomes these questions. She closed by recognising the important contribution of events such as the TLA-8 in facilitating the sharing of experiences and knowledge between ASEAN MS, ASEAN+3, and others.



Mr Sigit Pramono thanked everyone for their contributions and expressed his hope that there will be a ninth Timber Legality Assurance workshop in 2023, which could be held to discuss the new EUDR.

Mr Khamfeua Sirivongs thanked everyone and noted that the next steps will also need to include discussions on forest partnerships. He expressed the willingness of **Lao PDR to host the ninth Timber Legality Assurance workshop.**

Dr Alexander Hinrichs thanked everyone and noted the willingness of ASEAN MS and others to work with the new requirements under EUDR, which is a very positive message for the EU to receive.

Day 3 – Field Visit to Duc Thanh Wood Processing’s facilities

For the practical component of the workshop, VNFOREST arranged a field trip to Duc Thanh Wood Processing’s facilities in Binh Duong province. Participants were first welcomed at the World Trade Center in New City by Mr Luu Phuoc Loc from the Binh Duong Furniture Association. They were then given a presentation by Ms Agata Tran of Duc Thanh Wood Processing company, and taken to the company’s facilities for a guided tour. The main objective of the field trip was to learn about supply chain controls and how companies ensure legality of domestically produced and imported timber.

Mr Trần Văn Thành welcomed representatives of the ASEAN MS and ASEAN Secretariat. Mr Trần explained to the participants that Binh Duong and Da Nang were the provinces in Viet Nam with the highest concentration of, and most developed, enterprises, which is why Binh Duong was selected for the field trip.

Mr Luu Phuoc Loc, Chief of the Technology Department of BIFA, also welcomed participants on behalf of BIFA and the wood products industry. He explained that Binh Duong has approximately 1,200 enterprises, which include domestically owned companies and companies funded through FDI. Highlighting the importance of the province, he noted that Binh Duong was responsible for USD 6.15 billion of the USD 14.7 billion of timber products exported in 2021. Mr Luu accepted that large markets such as the EU and United States are introducing new rules to address illegality and deforestation and acknowledged that these will present challenges and opportunities. He closed by expressing his hope that the workshop and field trip would provide a forum to explore how to, respectively, address and seize these opportunities.

Ms Agata Tran, Business Director of Duc Thanh Wood Processing, welcomed the participants and presented the company’s supply chain. She explained that Duc Thanh Wood Processing is one of the leading wood products companies in Viet Nam and has been in operation for 30 years, producing kitchen and household goods, indoor furniture, wooden toys, and other products. It employs 1,200 – 1,500 people (~45% women) across five factories, uses ~70,000m³ annually, and exports to markets in Africa, the Americas, Asia, Australia, and Europe. The company uses acacia and rubberwood for its products, which are legally sourced. This is confirmed through voluntary certification schemes, such as Forest Stewardship Council, and the collection of verification of documentation submitted by suppliers. She provided an overview of the advanced chain of custody system maintained by the company, which allows for traceability and the efficient use of timber.



The presentations were followed by discussions. Below are key discussion points:

- Participants were interested to learn who supplied Duc Thanh Wood Processing and how legality was assured. Ms Tran explained that for domestic sources the company only buys from trusted suppliers, who in turn ensure the legality of timber, or from certified sources. The company only uses acacia and rubberwood that have been produced on government designated land, which further mitigates the risk of illegality. For imported timber, low-risk species, such as pine and eucalyptus, are purchased from low-risk countries based on advice from the authorities.
- Questions were asked about the company's engagement with smallholders and if it sourced timber from them. Ms Tran explained that the company's policy was to only source timber from certified sources, which meant that many individual smallholders could not be engaged due to their inability to meet certification standards.
- On the issue of certification, participants were interested to know who requested certified timber. Mr Luu explained that demand mainly came from customer companies. Related to certification, participants wanted to know how companies were responding to new requirements under Viet Nam's TLAS and whether FLEGT licenses or the equivalent would eventually replace voluntary certification. Mr Luu explained that, to his understanding, TLAS requirements have not yet been finalized but hopes that they will be by the end of next year. He would prefer to be able to rely on FLEGT licences but knows that it will be some time before FLEGT licensing is formally approved.
- Participants also asked about the implementation of the ECS under Circular 21, and whether the industry had faced any challenges. Mr Luu explained that it had been quite difficult for some enterprises to meet all of the criteria in Circular 21, and that it was a lengthy process. Moreover, foreign buyers were not aware of the new system or the difference between Group I and Group II classification, so there were some concerns about the value of the ECS.
- Related to compliance under the ECS, participants wanted to know whether there were any incentives for companies to comply with the new requirements. It was explained that the incentive for compliance was access to a streamlined export process for Group I enterprises. Participants noted the company had been certified by many manufacturing groups, which provide customers with assurances about quality, such as the use of non-toxic compounds. They were interested to learn what prompted the company to seek such certification. Ms Tran explained that it was in response to customer demand, but also that the company's owners wanted to maintain the highest of standards.

Workshop Evaluation

At the end of the first and third days of the workshop, participants were requested to provide feedback on the workshop by completing a survey. All participants were very positive regarding the workshop's content, design and results. Participants suggested as an area for improvement the allocation of more days to the workshop noting the richness of thematic discussions. Many participants suggested that the workshop should be held over three days, plus half a day for the field trip. Similar to the 7th TLA workshop, participants agreed that the field visit must remain a part of the workshop. A large majority



agreed that the workshop activities brought them new knowledge on timber legality assurance in ASEAN and ASEAN+3. They also stated that the workshop was a good way for them to learn about this content and network with representatives from government, private sector and CSOs from ASEAN.

Conclusion

The workshop's success is attributable to the informative presentations delivered by resource persons and country representatives, the active participation and open exchanges, the conduct and structure of the workshop, and the generous hospitality of the host Government. Participants conveyed their appreciation to the EU FLEGT Asia as the main workshop organiser, the workshop facilitators, the resource persons, and the logistical arrangements made by the host. The workshop was held in the traditional ASEAN spirit of cooperation and solidarity. The outcomes of the workshop will be reported to the ASEAN Working Group on Forest Management.



Annex 1. Workshop Agenda

Day 1	Session & Time	Topic	Sub Topic	Method	Responsible Person
(1)	(2)	(3)	(4)	(5)	(6)
T u e s d a y (6 . 1 2 . 2 0 2 2)	8.00 – 9.00	Registration	Registration		Host (Viet Nam) & EU FLEGT Asia
	9.00	Ceremonial Segment - Opening Ceremony	Opening remarks by First Counsellor Climate Action, Environment, Employment and Social Policies, Delegation of the European Union to Viet Nam – Dr. Rui Ludovino Opening remarks by ASEAN Senior Officer – Dr. Dian Sukmajaya	Formal ceremony, press invited	Viet Nam
	9.30		Opening remarks by Chairperson of ASEAN Working Group on Forest Management – Mr. Raul M. Briz (the Philippines) Opening remarks by Dr Trần Thế Liên, Director of the Department of Science, Technology, and International Cooperation, VN Forest.		
		Photo Session			
	9.45	Technical Workshop Session 1: Setting the scene: Overview on recent developments	Introduction to workshop - 15 min Update on implementation of the Work Plan for FLEG in ASEAN (2016-2025) – 15 min Moving beyond timber legality: the EU deforestation regulation proposal and next steps – 30 min	Presentation by FLEGT Asia (Dr. Alexander Hinrichs) Presentation by ASEAN Secretariat (Ms. Gemilang Haifa Khairinissa) Presentation by DG Environment (Ms. Henriette Faergemann)	Session facilitated by Mr. Edi Nugroho
10.45	Questions and Answers				
11.15	Tea Break				



11.40	Session 2: Shared learning: Developments in Viet Nam and Indonesia	The Viet Nam experience in TLAS development and implementation - 20 min	Presentation by (Mr. Trần Văn Thành)	Session facilitated by Mr. Peter Aldinger
12.00		The Indonesian experience in TLAS development and implementation – 20 min	Presentation by (Mr. Sigit Prabono)	
12.20	Questions and Answers			
12.45	Lunch			
13.45	Sessions 3a: Shared learning: Discussions & reporting on country progress/experiences in timber legality assurance	<ol style="list-style-type: none"> 1. Lao PDR (Mr. Khamphone Bounthavy) – 15 min 2. Malaysia (Mr. Mazree Iman) – 15 min 3. Thailand (Ms. Aomjitr Sena) – 15 min 	Presentation and short discussion	Session facilitated by Ms. Anja Barth (GIZ Viet Nam)
14.30	Questions and Answers			
15.00	Coffee / Tea Break			
15.20	Session 3b: Shared learning: Discussions & reporting on country progress/experiences in timber legality assurance	<ol style="list-style-type: none"> 1. Brunei (Ms. Yudima Yueh) – 15 min 2. Cambodia (Mr. So Lorn) – 15 min 3. Myanmar (Mr. Win Htun)– 15 min 4. The Philippines (Mr. Raul Briz) – 15 min 	Presentations and short discussion	Session facilitated by Mr. Siegmund Schoenherr (GIZ Lao PDR)
16.20	Questions and Answers			
16.40	Discussion and Recap Selection of group for day 2			Session facilitated by Dr. Rui Ludovino
17.15	Close of the day			
18.30	Welcome Dinner Hosted by Viet Nam			



Day 2	Session & Time	Topic	Sub Topic	Method	Responsible Person
(1)	(2)	(3)	(4)	(5)	(6)
Wednesday (7.12.2022)	09.00	Session 4: The role of smallholders in legal supply chains	Participation of small and micro economic entities in legal timber supply chains – 15 min	Presentation by EFI Smallholder project (Mr. Thomas Colonna)	Session facilitated by Dr. Alexander Hinrichs
	09.15	Questions and Answers			
	09.30	Session 5: Regional perspectives	Presentation of a technical paper on lessons from sustainable landscape initiatives in Indonesia and Lao PDR – 10 min Presentation of a technical paper on impacts of COVID-19 on ASEAN Member States' Timber Trade – 10 min	Presentations by FLEGT Asia (Dr. Pheakkdey Nguon and Mr. Edi Nugroho)	Session facilitated by Mr. Edwin Shanks
	09.50	Questions and Answers			
	10.10	Session 6: Developments in ASEAN+3 economies	China's efforts to regulate timber legality – 15 min	Remote presentation by Dr. Chen Yong, National Forestry and Grassland Agency, China	Session facilitated by Dr. Pheakkdey Nguon
	10.25		Japan's efforts to regulate timber legality – 15 min	Remote presentation by Mr. Daimon Makoto, Ministry of Agriculture, Forestry and Fishery Japan	
	10.40		South-Korea's efforts to regulate timber legality – 15 min	Remote presentation by Ms. Lee Young-ji, Korea Forest Service	
	10.55	Questions and Answers			
11.10	Coffee / Tea Break				



11.30	Session 7: Exploring specific topics of timber legality assurance	Briefing on parallel group work – participation in groups is self-defined Tentative group work topics: 1. Experience with TLAS design and implementation (Pheakkdey Nguon, Siegmar Schoenherr and Edi Nugroho) 2. Informing markets – information needs for due diligence by market partners (Alexander Hinrichs, Peter Aldinger and Nguyễn Chánh Phương) 3. Participation of smallholders and MSMEs in legal timber supply chains (Thomas Colonna and Wilfredo Lelis, Edwin Shank)	Group work (3 groups)	Facilitators
12.30	Lunch			
13.30	Continuation of Group Work including running tea break			Facilitators & Participants
15.30		Plenary Session on results of Group Work	Presentations of individual groups and discussion	Session facilitated by Alexander Hinrichs
16.30	Session 8: Recap of Workshop	Recap of Discussions and conclusions	Plenary discussions	Session facilitated by Henriette Faergemann
17.30	Close of day and free time			
1830	Official Dinner hosted by the European Forest Institute			

Day	Session & Time	Topic	Sub Topic	Method	Responsible Person
(1)	(2)	(3)	(4)	(5)	(6)



<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Thursday (8.12.2022)</p>	<p>0700 – 15.00</p>	<p>Field Trip</p>	<p>Visit to a timber processing company to learn about supply chain control for imported and domestic timber (approx. 1.5 hours by bus from HCM City)</p> <p>Lunch provided</p> <p>13.00 end of programme at factory site – 1.5 hours return drive to hotel or airport</p>	<p>Discussions at factory</p>	<p>Viet Nam</p>
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Annex 2. Workshop Participants

NAME/ COUNTRY		ORGANISATION	Designation / Email
Brunei - ONLINE			
1.	Duratul Ain binti Haji Durani	Forestry Department Ministry of Primary Resources and Tourism	Acting Head of Forestry Industry / duratul.durani@forestry.gov.bn
2.	Reni Yahya	Forestry Department Ministry of Primary Resources and Tourism	Acting Deputy Director of Forestry / reni.yahya@forestry.gov.bn
3.	Pengiran Iskandar Pengiran Aliudinm	Forestry Department Ministry of Primary Resources and Tourism	Senior Forestry Officer / iskandar.aliudin@forestry.gov.bn
4.	Yazid Idris	Forestry Department Ministry of Primary Resources and Tourism	Forestry Officer / yazid.idris@forestry.gov.bn
5.	Yudima Yueh	Forestry Department Ministry of Primary Resources and Tourism	Assistant Forestry Officer / yudima.yueh@forestry.gov.bn
CAMBODIA			
1.	Ponika Chan	Forest Administration	Deputy Director General / ponikachan18@gmail.com
2.	So Lorn	Forest Administration	Deputy Director Department of Forest Industry and International Cooperation/ lornchenda@yahoo.com
3.	Da Heng	RECOFTC	Deputy Country Director / da@recoftc.org
4.	Lina Hong	Grandis Timber Company	Operational Manager / hong.lina@grandistimber.com
5.	Phoura Ros	Dau Tu Saigon-Binh Phuoc(SBK) Co., Ltd. And Phu Rieng Kratie Aphivath Caoutchouc Co., Ltd.	Operation Manager / ros.phoura@gmail.com
INDONESIA			
1.	Hasanuddin Bachrudin Musa	Directorate of Processing and Marketing of Forest Product, Directorate, General of Sustainable Forest Management, Ministry of Environment and Forestry	Technical Staff on Forest Ecosystem Controlling / hasanuddinmahutan31@gmail.com
2.	Teguh Santosa	Directorate of Processing and Marketing of Forest Product, Directorate General of Sustainable Forest Management, Ministry of Environment and Forestry	Technical Staff on Forest Ecosystem Controlling / masteg20@gmail.com
3.	Hariyanto	Directorate of Processing and Marketing of Forest Product, Directorate General of Sustainable Forest Management, Ministry of Environment and Forestry	Technical Staff on Forest Ecosystem Controlling / hary100371@gmail.com



NAME/ COUNTRY		ORGANISATION	Designation / Email
4.	Rus Sylvi Intani Putri	Directorate of Processing and Marketing of Forest Product, Directorate General of Sustainable Forest Management, Ministry of Environment and Forestry	Technical Staff on Forest Ecosystem Controlling / russylvi@yahoo.com
5.	Sigit Pramono,	Ministry of Environment and Forestry	Policy Analyst / sigitp01@gmail.com
6.	Taufiq Achmarudin	Indonesian Pulp and Paper Association	Staff of Research Cooperation and Capacity Building Committee / taufiq@apki.net
7.	Danial Prawardani	Network of Independent Forestry Monitoring	Media and Campaigner / rachel.bolan001@gmail.com
LAO PDR			
1.	Khamphone Bounthavy	Department of Forest Inspection	Head of Forest and Forest Land Inspection Division, Head of FLEGT Standing Office / KhamBTV@gmail.com
2.	Khamfeua Sirivongs	Department of Forest Inspection, Ministry of Agriculture and Forestry	Deputy Director General / khamfeua.s@flegtlaos.com
3.	Phetsomphou Kiopmalah	Ministry of Industry and Commerce	Deputy Head of Division / pk_pk931@yahoo.com
4.	Chanthakhad Souphida	Department of Forestry, Ministry of Agriculture and Forestry	
5.	Vangchai Vang	Ministry of Industry and Commerce	Deputy Director General / Vangchai.v@laomoic.org
6.	Vansy <u>Senyavong</u>	MHP/Laos CSO Network	Director / vansymhp@gmail.com
7.	Souphayvanh Thiengchanhxay	Burapha Company	Deputy COO / spv@buraphawood.com
MALAYSIA			
1.	Suga @ Mazree Iman	Malaysian Timber Industry Board	Director / mazree@mtib.gov.my
MYANMAR - ONLINE			
1.	Win Htun	Forest Department	Assistant Director / winhtunfd@gmail.com
2.	Aung Soe Kyaw	Pa Pa Wadi Co. Ltd	Managing Director / aungsoekyaw@ggimyanmar.com
PHILIPPINES			
1.	Raul Briz - ONLINE	Forest Management Bureau	Supervising Forest Management Specialist / briz_raul@yahoo.com
2.	Kezia Luluh Coles	Casilayan Softwood Development Corporation	Company Forester / keziarozcoles0120@gmail.com
3.	Freddie Manuel	Community-Based Forest Management - Peoples' Organization National Federation (CBFM PO Fed.)	National Secretary / freddiemanuel1960@yahoo.com
THAILAND			



NAME/ COUNTRY		ORGANISATION	Designation / Email
1.	Aomjitr Sena	Royal Forest Department	Forestry Technical Officer, Forest Economic Bureau / pooaom73@gmail.com
2.	Apirak Daharanonda	Royal Forest Department	Director of Information Technology and Communication, Royal Forest Department / apirak.daha@gmail.com
3.	Piyathip Eawpanich	Private Forest Plantation Cooperatives	Chair of Private Forest Plantation Cooperatives / piyathip.gtzbkk@gmail.com
4.	Apiwitt Pongsphetrarat	Tps Garden Furniture Co., Ltd	Deputy Managing Director / apiwitt@gmail.com
VIET NAM			
1.	Trần Thế Liên	Department of Science, Technology and International Cooperation, VNFOREST	Director / lientt.lamnghep@gmail.com
2.	Trần Hiếu Minh	Department of Science, Technology and International Cooperation, VNFOREST	Deputy Director / hieuminh08@gmail.com
3.	Khuất Thị Lan Anh	Department of Forestry Production Development, VNFOREST	Officer / khuatlananh@gmail.com
4.	Lưu Tiến Đạt	Department of Science, Technology and International Cooperation, VNFOREST	Senior Officer / luutiendat28@gmail.com
5.	Bùi Quang Huy	FLEGT Standing Office, VNFOREST	Staff / huybong110@gmail.com
6.	Đặng Xuân Trường	FLEGT Standing Office, VNFOREST	Staff / truongdx11@gmail.com
7.	Ngô Sỹ Hoài	VIFOREST	General Secretary, Vice President / ngosyhoai89@yahoo.com
8.	Nguyễn Chánh Phương	Handicraft and Wood Industry Association of HCMC (HAWA)	Vice President / francesco.carpenter@gmail.com
9.	Nguyễn Hoài Bảo	HAWA	Member of Committee
10.	Nguyễn Văn Lan	Ho Chi Minh City Forest Protection Sub-Department	Head of Legislation, Inspection Division
11.	Van Son Hoa	Binh Duong Furniture Association (BIFA)	Vice Chief of Office
12.	Luu Phuoc Loc	Binh Duong Furniture Association (BIFA)	Vice President
13.	Trần Văn Thành	Forest Protection Sub-Department Region III	Vice Director / thanhcattien@gmail.com
14.	Nguyen Thuy Linh	TRAFFIC Organization	Programme Officer
CHINA - ONLINE			
1.	Chen Baodong	Department of Planning and Finance of National Forestry and Grassland Administration (NFGA)	Deputy Director / baodongcheng@163.com



NAME/ COUNTRY		ORGANISATION	Designation / Email
2.	Chen Yong	Research Institute of Forestry Policy and Information, Chinese Academy of Forestry (CAF)	Professor / chenyong2000@vip.sina.com
3.	Jiang Hongfei	Research Institute of Forestry Policy and Information, Chinese Academy of Forestry	Assistant Professor / jhfei0101225@163.com
4.	Liu Xiaoli	Research Institute of Forestry Policy and Information, Chinese Academy of Forestry	Assistant Professor / happyrainly@163.com
5.	Qian Weicong	Research Institute of Forestry Policy and Information, Chinese Academy of Forestry	Assistant Professor / qianweicong_anna@foxmail.com
JAPAN - ONLINE			
1.	Daimon Makoto	Forestry Agency, Japan	Political Officer/ makoto_daimon870@maff.go.jp
2.	Taiji Fujisaki	Biodiversity and Forest Area Institute for Global Environmental Strategies (IGES)	Research Manager / fujisaki@iges.or.jp
3.	Hiromitsu Samejima	Biodiversity and Forest Area Institute for Global Environmental Strategies (IGES)	samejima@iges.or.jp
REPUBLIC OF KOREA - ONLINE			
1.	Young-ji Lee	Forest Korea Service	Deputy Director / forest20g@korea.kr

RESOURCE PERSON / OBSERVERS

NAME		ORGANISATION	DESIGNATION
1.	Kriangkrai Thitimakorn	Embassy of Sweden, Thailand	Senior Programme Officer
2.	Henriette Faergemann	Delegation of the European Union to ASEAN	1 st Counsellor for Environment, Climate Action and Digital
3.	Rui Ludovino	Delegation of the European Union to Vietnam	1st Counsellor, Climate Action, Environment, Employment and Social Policies
4.	Cecil Leroy (ONLINE)	European Delegation to Lao PDR	Cooperation Programme Manager: Green Deal: Environment, Forestry, Biodiversity, SCP, Climate Change
5.	Siegmar Schoenherr	GIZ ProFEB Programme	Technical Advisor FLEGT / siegmar.schoenherr@giz.de
6.	Anja Barth	GIZ Vietnam	Chief Technical Advisor / anja.barth@giz.de
7.	Le Thi Loc	GIZ Vietnam	Senior Project Officer / loc.le@giz.de



NAME		ORGANISATION	DESIGNATION
8.	Dian Sukmajaya (ONLINE)	ASEAN Secretariat	Senior Officer, Food, Agriculture and Forestry Division Sectoral Development Directorate dian.sukmajaya@asean.org
9.	Gemilang Haifa Khairinissa	ASEAN Secretariat	Forestry Officer / gemilang.khairinissa@asean.org
10.	Ikhwan S. (ONLINE)	PT. Homeware International Indonesia	ikhwan@ninesquare.co.id
11.	Nathalie Faure	RECOFT Bangkok	Senior Program Officer, Governance, Institutions and Conflict Transformation / nathalie.faure@recoftc.org
12.	Edwin Shanks	Mandala	FLEGT Facilitator Viet Nam
14.	Jansen Tangketasik	Independent	Technical Expert Indonesia
15.	Alexander Hinrichs	European Forest Institute	Programme Director FLEGT Asia
16.	Pheakkdey Nguon	European Forest Institute	VPA expert FLEGT Asia
17.	Peter Aldinger	European Forest Institute	VPA expert FLEGT Asia
18.	Thomas Colonna	European Forest Institute	Forest Smallholders Project
19.	Wilfredo Lelis	European Forest Institute	Forest Smallholders Project
20.	Edi Nugroho	European Forest Institute	Regional expert FLEGT Asia
21.	Choo Kwong Yan	European Forest Institute	Administrative Officer



Annex 3. Results from Group 2 Discussion

Indonesia

Country	Legality	Traceability	Risk Assessment
Existing System	<ul style="list-style-type: none"> FLEGT licensing (SVLK) Covers all forests 	<ul style="list-style-type: none"> Coordinates are captured (3 types of geo-location: tree; log yard; cutting block) Barcodes used in natural forests for tracing from harvest to first processing Looking at the possibility of segregation Due diligence for imported timber 	<ul style="list-style-type: none"> Information about forest cover State of the Forest (yearbook on deforestation and law enforcement) SILK website One Data at Min of Env and Forests Independent Monitors' reports Other reports
Challenges	<ul style="list-style-type: none"> Some implementation challenges identified by Periodic Evaluation 	<ul style="list-style-type: none"> Issues with tracing through processing and beyond 	<ul style="list-style-type: none"> Sheer volume of information (possibly overwhelming)
Solutions	<ul style="list-style-type: none"> Joint EU-IDN action plans 	<ul style="list-style-type: none"> Segregating traceable timber Including traceability information in the data harvesting and transportation management system 	<ul style="list-style-type: none"> Guidance for operators on credible sources of information

Lao PDR

Country	Legality	Traceability	Risk Assessment
Existing System	<ul style="list-style-type: none"> Forestry Law (2019) and related laws and regulations governing the timber supply chain (e.g. labour, commerce, environment, etc.) Draft TLAS (under development) Legality requirements cover the entire supply chain, starting with the legal right to harvest (e.g. 	<ul style="list-style-type: none"> Requirements for volume and species reconciliation along supply chain control system Guideline on CoC in forest 0131/2021 and guideline on input/output monitoring 0777/2020 	<ul style="list-style-type: none"> 5-year state of the forest report (forest cover assessment)



	clear legal permission for forest conversion)		
Challenges	<ul style="list-style-type: none"> Finalisation of TLAS Decree Inter-ministerial coordination on TLAS and implementation 	<ul style="list-style-type: none"> Input/output monitoring for processors not yet widely implemented 	<ul style="list-style-type: none"> Limited information available
Solutions	<ul style="list-style-type: none"> Promulgation of TLAS Decree by government authority Close collaboration with provinces on TLAS implementation 	<ul style="list-style-type: none"> Integrated information management system for traceability covering different sectors (labour, env, tax, etc.) 	<ul style="list-style-type: none"> Information access through information requests under existing laws and regulations

Viet Nam

Country	Legality	Traceability	Risk Assessment
Existing System	<ul style="list-style-type: none"> Forest Law (2017) Decree 102/2020 (VNTLAS) Circular 21/2021 (ECS) Circular 27/2020 (Traceability) VPA 	<ul style="list-style-type: none"> Requirements for traceability under Decree 102 and Circular 27 (requires tracking from source, including import) ITWood HAWA DDS FPA DDS 	<ul style="list-style-type: none"> ECS classification (Group I or Group II enterprises, published online) Existing voluntary DDS and certification systems (VFCS) Forest Resource Monitoring System (FRMS), maintained by FPD
Challenges	<ul style="list-style-type: none"> Aligning legislative documents with VPA Lack of clarity on due diligence system for imported timber 	<ul style="list-style-type: none"> Input/output requirements not in Circular 27 Lack of clarity on requirement for legal origin of timber from smallholders 	<ul style="list-style-type: none"> Lack of information (FRMS not up to date or available to public) ECS information management system not yet digitized and integrated with other authorities' databases (e.g. forest violations, tax, etc.)
Solutions	<ul style="list-style-type: none"> Complete amendment of legislative documents 	<ul style="list-style-type: none"> Digital information management system to support traceability 	<ul style="list-style-type: none"> Publicly accessible and up to date information sources available (updated FRMS)



			<ul style="list-style-type: none">• Development and maintenance of digital ECS information management system
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Annex 4. Selected Pictures from TLA 8



Caption: Opening session



Caption: Online participants



Caption: Ms. Henriette Faergemann (EU Delegation to Indonesia) informing about the proposed EU Deforestation Regulation



Caption: Delegation from Lao PDR with EU Delegation to Indonesia, FLEGT Asia and GIZ Lao PDR



Caption: Delegation from Indonesia with FLEGT Asia



Caption: Field visit, welcome session by Duc Thanh Wood Processing, in Binh Duong province



Caption: Field visit, group picture



Caption: Factory workers at Duc Thanh Wood Processing