



**Asia-Pacific
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APEC Experts Group on Illegal Logging and Associated Trade (EGILAT)

GUIDELINE ON TIMBER LEGALITY FOR VIET NAM

November 2022



The guideline is compiled based on a template that has been promulgated by APEC's Expert Group on Illegal Logging and Associated Trade (EGILAT). The guideline aims to provide APEC's member governments and enterprises the information on Viet Nam's legal regulations related to timber legality. It is expected to contribute to the promotion of legal timber trade among APEC members.

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PHOTO

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ABBREVIATION

AFD	French Development Agency
BIFA	Binh Duong Furniture Association
Binh Dinh FPA	Binh Dinh Forests Product Association
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DOWA	Dong Nai Wood and Handicraft Association
EU	European Union
FSC	Forest Stewardship Council
FSC/CoC	FSC Chain-of-Custody certification
FSC/FM	FSC Forest Management Certification
GIZ	German Development Cooperation Agency
HAWA	Ho Chi Minh Wood and Handicraft Association
JICA	Japan International Cooperation Agency
KFW	German state-owned investment and development bank
MARD	Ministry of Agriculture and Rural Development
PEFC	Programme for the Endorsement of Forest Certification
USAID	U.S. Agency for International Development
VNFOREST	Viet Nam Administration of Forestry
VFCS	Viet Nam Forest Certification Scheme
VIFOREST	Viet Nam Timber & Forest Products Association
VNTLAS	Viet Nam Timber Legality Assurance System
VPA/FLEGT	Voluntary Partnership Agreement on Forest Law Enforcement, Governance and Trade

OVERVIEW OF THE FORESTRY SECTOR IN VIET NAM



FSC-certified plantation forest area in Quy Nhon, Binh Dinh.

1.1. Forest area

Forests play an important role in the socioeconomic development, environmental protection, and national security of Viet Nam. As of 2021, the total forest area of Viet Nam was 14,745,201 ha, of which the area of natural forest was 10,171,757 ha (accounting for about 69%), the planted forest area was 4,573,444 ha (accounting for about 31%). Viet Nam's total forest coverage was 42.02%¹.

1.2. Forest classification

Based on the primary purpose of use, natural forests and planted forests of Viet Nam are categorized into 03 categories as follows: special-use forest; protection forest; and production forest (Article 5, the 2017 Law on Forestry).

- *Special-use forests* are mainly used for the conservation of natural forest ecosystems, genetic resources of forests, scientific research, preservation of historical relics of culture, beliefs, or scenic landscapes and sites for eco-tourism; leisure tourism (except for strictly protected zones of special-use forests); and provision of forest environmental services.
- *Protection forests* are mainly used for protecting water sources and soil; prevention of erosion, landslides, flash floods, and mountainous floods; desertification and natural disasters; regulation of the climate; and contributing to the environmental protection, national defense and security, eco-tourism, leisure tourism; provision of forest-related environmental services.
- *Production forests* are mainly used for supplying forest products; combining the production and business of forestry, agriculture and fishery; eco-tourism, leisure tourism; and provision of forest environmental services.

Viet Nam's forest area by forest category and purpose of use is detailed in Table 1 below. Accordingly, production forest area accounts for the largest proportion of the total forest area (53.3%), followed by protection forests (31.8%), and special-use forests – accounting for the least proportion (at 14.9%).

¹ Decision 2860/QĐ-BNN-TCLN dated July 27th, 2022, announcing the forest resource development monitoring results in 2021

Table 1. Viet Nam's forest area divided by forest category and purpose of use as of December 31st, 2021

Forest categorization	Total (ha)	Special-use forest (ha)	Protection forest (ha)	Production forest (ha)
Viet Nam's country's forest area and percentage	14,745,201	2,195,725	4,695,514	7,853,962
	100%	14.9%	31.8%	53.3%
The proportion of natural forest against the total forest area (%)	10,171,757	2,100,785	4,069,390	4,001,582
	69%	14.3%	27.6%	27.1%
The proportion of planted forest against the total forest area	4,573,444	94,940	626,124	3,852,380
	31%	0.6%	4.2%	26.2

Source: Decision 2860/2015/QĐ-TTg dated July 27th, 2022

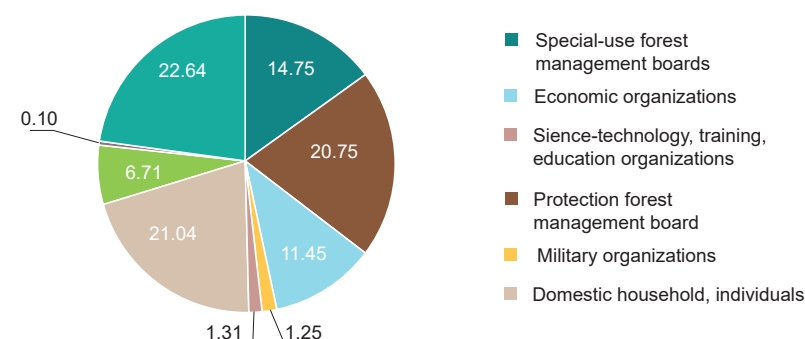
1.3. Forest ownership

According to Article 7 of the 2017 Forestry Law, Viet Nam's forest ownership is provided as follows:

- The State is the owner's representative for forests owned by the entire people that include: (i) Natural forest; (ii) Planted forest wholly invested in by the State; (iii) Planted forest revoked by the State, donated to the State, or with its ownership transferred to the State in accordance with legal provisions.
- Organisations, households, individuals and residential communities may own planted production forests that include (i) forest invested in by themselves; (ii) Forests transferred, donated or inherited from other forest owners in accordance with legal provisions.

This means that while all land is owned by the public and managed by the State, the land-use tenure of special-use forests and protection forests are strictly in the hands of the State. The land-use tenure of production forest can be allocated to organisations, family/individual or local communities. Figure 1 below illustrates figures of forest area by owner. Accordingly, the forest areas assigned to commune people's committees, households, and protection forest management boards account for the largest proportions, which are 22.64%, 21.04%, and 20.75%, respectively.

Figure 1. Forest ownership in 2021 (%)



Source: Decision 2860/2015/QĐ-TTg dated July 27th, 2022

1.4. Domestic timber production

The output of domestic timber production

The Vietnamese Government's regulation on the temporary cessation of harvesting timber for commercial purpose from natural forests nationwide, according to Directive 13-CT/TW of the General Secretary of Communist Party of Viet Nam (CPV) Central Committee, dated January 12th, 2017, has taken effect since 2016. Therefore, timber has been harvested mainly from concentrated planted forests, scattered trees, private gardens, farms, and rubber tree plantations. Viet Nam's timber output from planted forest has increased incrementally in recent years thanks to afforestation programs and projects, especially those of big timber trees. In 2021, timber output reached 32 million m³, of which 21.5 million m³ of timber came from concentrated planted forest, and 10.5 million m³ came from

scattered and rubber tree plantations — an increase of 6.7% compared to 2020². Viet Nam expects that the timber output from planted forests may reach 35 million m3 by 2025, and 50 million m3 by 2030³.

Risks of timber harvested from planted forests of Viet Nam are considered by international organisations – such as the FSC and PEFC – as low risk in terms of timber origin legality. The Vietnamese Government also encourages forest owners to work towards forest certification of sustainable forest management and sets a target that by the year 2023⁴, 100% of timber and timber products for export and domestic consumption will be sourced directly from legal origins and from forests under sustainable forest management practices.

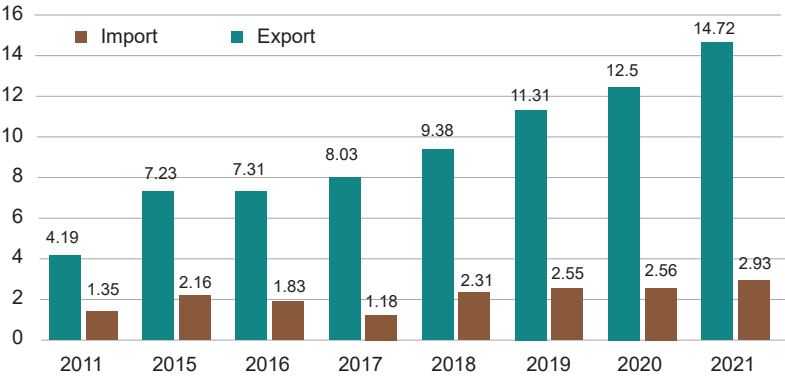
1.5. Timber processing industry of Viet Nam

The timber processing industry of Viet Nam has grown rapidly over the past decade both in terms of the number of enterprises and export turnover. In 2021, the timber processing industry of Viet Nam had more than 5,500 enterprises involving in producing, trading and processing timber and forest products. This marked an increase of 57.2% compared to 2016, of which 4,674 were timber processing enterprises; 2,400 were enterprises directly exporting timber and timber products, 4,646 were domestic enterprises that directly invested in timber processing; and 966 were foreign direct investment (FDI) enterprises⁵.

Viet Nam’s import and export turnover of timber and timber products in the period of 2011-2021 is detailed in Figure 2 below.

2 Report of the Viet Nam Administration of Forestry, 1950/TCLN-BC-VP dated September 27th, 2021, Summary of management and direction in 2021 and implementation of the Plan in 2022.
3 Decision 523/QĐ-TTg dated April 1st, 2021, of the Prime Minister on the approval of Viet Nam Forestry Development Strategy for the period 2021-2030, with a vision to 2050.
4 Decision 327/QĐ-TTg, dated April 10th, 2022, of the Prime Minister approving the Plan for efficient and sustainable development of the timber processing industry in the period of 2021-2030
5 Plan for efficient and sustainable development of the wood processing industry in the 2021-2030 period, Ministry of Agriculture and Rural Development

Figure 2. Viet Nam’s import and export turnover of timber and timber products over the period of 2011-2021 (in USD billion)



Source: Figures by the General Department of Customs

Export market: Viet Nam exports timber and timber products to 160 economies and territories. Viet Nam's main export markets include the United States, China, Japan, Korea, and the EU. The export turnover of timber and timber products to these markets in 2021 accounted for 90% of the total export turnover of Viet Nam’s timber and timber products⁶.

Import market: there were 117 economies and territories supplying timber and timber products to Viet Nam in 2021. Five key markets exporting timber and timber products to Viet Nam include China, the United States, Cambodia, Thailand, and Brazil. Viet Nam spent about USD 1.77 billion – accounting for over 61% of the total import turnover – importing timber and timber products from these five markets.

1.6. Organisational structure of Viet Nam Forestry Sector

The State Administration for Forestry is provided in Article 100 of the 2017 Law on Forestry, as follows: (i) The system of state management agencies in charge of forestry shall be organised uniformly to meet the requirements and tasks of state management of forestry. (ii) Specialized forestry management agencies shall be organised at the central and

6 import and export of timber of Viet Nam in 2021, the research team of VIFOREST, FPA Binh Dinh, HAWA, BIFA, organised at the central and

provincial levels; specialised forestry management at the district level shall be organised in accordance with the Government's regulations.

The responsibility for the State Administration of the Government, ministries, and ministerial-level ministries is stipulated in Article 101 of the 2017 Law on Forestry as: (i) The Government shall perform the unified state management of forestry nationwide. (ii) The Ministry of Agriculture and Rural Development shall act as the focal point to assist the Government in performing the state management of forestry.

Article 102 of the 2017 Law on Forestry stipulates that the responsibility for State administration by the people's committees at all levels, which underlines the importance of the district and commune levels as these are the levels that directly manage the forest resource, allocation of land and/or forests to local people under a contract for forest protection service. They also manage the use of forestry land by forest owners on the site.

1.6.1. Viet Nam Administration of Forestry (VNFOREST)

As of January 15th, 2010, the Prime Minister of Viet Nam issued Decision 04/2010/QĐ-TTg stipulating the functions, tasks, powers, and organisational structure of the Viet Nam Administration of Forestry. Following this, the Prime Minister amended the regulations on the functions, tasks, powers, and organisational structure of the Viet Nam Administration of Forestry in Decision 28/2017/QĐ-TTg dated July 03rd, 2017, and 24/2020/QĐ-TTg dated August 27th, 2020. Accordingly, the Viet Nam Administration of Forestry, which is a body subordinated to the Ministry of Agriculture and Rural Development, assumes the responsibility for the State's administration and law enforcement on forestry nationwide; for the organisation of public services within the scope of its mandate in accordance with the relevant provisions of law.

1.6.2. Forest protection organisational system

Article 103 of the 2017 Law on Forestry stipulates that the Forest Protection Department is an organisation whose functions are managing and protecting forests, ensuring the observance of the Law on Forestry; and is a specialised force for forest firefighting and prevention. Forest Protection Departments are established in a hierarchical system from the central and provincial levels to the district level.

At the central level: The Forest Protection Department is in charge of advising the Director General of the Viet Nam Administration of Forestry (VNFOREST) and the Ministry of Agriculture and Rural Development on the State's administration for forest protection; directing, guiding and inspecting the management and protection of forests, forest firefighting and prevention, and ensuring the observance of the law on forestry; organising the implementation of forest management and protection, forest firefighting and prevention, and ensuring the observance of the law on forestry nationwide.

At the provincial level: The Provincial Forest Protection Departments are subordinated to the Provincial Department of Agriculture and Rural Development.

At the district level: The District Forest Protection Divisions are established based on the requirements and tasks of forest management and protection, ensuring the observance of the law on forestry, forest firefighting and prevention, forest development, forest use, and forest product processing and trade in the locality.

Forest Protection Departments at all levels are the bodies responsible for checking and verifying the legal origin of timber in Viet Nam.

VIETNAMESE LEGAL REGULATIONS FOR TIMBER LEGALITY



Raw timber for production at Thang Loi Enterprise,
Phu Tai Joint Stock Company in Quy Nhon, Binh Dinh.

2.1. Definition of legal timber in Viet Nam

According to Article 2 of the 2017 Law on Forestry and Article 3, Decree 102/2020/ND-CP dated September 1st, 2020, of the Government that provides for the Viet Nam Timber Legality Assurance System (VNTLAS), legal timber is defined as follows: “legal timber” means timber or timber products (hereinafter referred to as “timber”) that are harvested, imported, confiscated, transported, traded (purchased/sold), processed, exported in accordance with Viet Nam’s law, relevant regulations of international treaties to which Viet Nam is a signatory and relevant laws of the economies in which the timber is harvested.”

As such, legal timber – according to Viet Nam’s regulations – must ensure its legality at each step of the supply chain, not just at the harvesting and exporting steps as in many other economies. Legal timber’s definition along the supply chain is based on 7 principles as follows:

- **Principle I:** be compliant with regulations on land use rights, forest use rights, management, environment, and society as for harvesting of domestic timber
- **Principle II:** be compliant with the regulations on handling confiscated timber.
- **Principle III:** be compliant with the regulations on importing timber.
- **Principle IV:** be compliant with the regulations on timber transportation and trade.
- **Principle V:** be compliant with the regulations on timber processing.
- **Principle VI:** be compliant with the regulations on the export of timber.
- **Principle VII:** be compliant with the regulations on tax and labor.

This means that timber and timber products must have legal origins and adhere to legal production throughout all steps of the timber supply chain.

Timber harvested domestically must comply with the current legal regulations on land use rights, forest use rights, forest management and protection, and regulations on timber harvesting. For timber imported into Viet Nam: importers being either an organisation or an individual,

must ensure the compliance of such imported timber with relevant legal regulations in the harvesting country. The timber products produced in Viet Nam must also comply with the current laws and regulations on timber trading, transportation, processing, and customs regulations on import and export, as well as regulations on tax and labour.

2.2. Viet Nam's legal documents providing proof of legality of timber and timber products

In the Vietnamese legal system, legal documents include specialised laws and other relevant legal documents. This system is organised in the following order: Law (promulgated by the National Assembly); Decree (issued by the Government); Circular (issued by the Minister). Legal documents regulating forest management, legal timber records and traceability of timber along the supply chain are summarised in **TABLE 2** below:

Table 2. List of relevant legal documents related to legality of timber and timber products' legality in Viet Nam

No.	Legal documents	Link
I	Legal documents specialised in the forestry sector	
1	2017 Law on Forestry	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=126306
2	Decree 156/2018/ND-CP guiding the implementation of a number of articles of the Law on Forestry	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=132213
3	Decree 06/2019/ND-CP on the management of endangered, precious, rare forest plants and animals and on the enforcement of CITES	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=133859

4	Decree 84/2012/ND-CP amending and supplementing Decree 06/2019/ND-CP	http://congbao.chinhphu.vn/loi-dung-van-ban-so-84-2021-nd-cp-34497?cbid=37064
5	Decree 102/2020/ND-CP stipulating the Viet Nam Timber Legality Assurance System	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=143869
6	Circular 27/2018/TT-BNNPTNT stipulating the management and traceability of forest products	https://vbpl.vn/bonongnghiep/Pages/vbpq-luocdo.aspx?ItemID=133347
7	Circular 28/2018/TT-BNNPTNT regulating the management of sustainable forest	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=133923
8	Circular 11/2021/TT-BNNPTNT promulgating the HS codes for the list of goods under the state management authority of the Ministry of Agriculture and Rural Development and the list of imported and exported goods subject to specialised inspection in the field of agriculture and rural development.	http://congbao.chinhphu.vn/loi-dung-van-ban-so-11-2021-tt-bnnptnt-34509
9	Circular 21/2021/TT-BNNPTNT stipulating the classification of wood processing and export enterprises	https://vbpl.vn/bonongnghiep/pages/vbpq-luocdo.aspx?ItemID=152020

No.	Legal documents	Link
II	Other relevant legal documents	
10	2014 Law on Investment	https://thuvienphapluat.vn/van-ban/Dau-tu/Luat-Dau-tu-2014-259729.aspx
11	Law on Foreign Trade Management (2017)	https://vbpl.vn/bocongthuong/Pages/vbpq-van-ban-goc.aspx?dvid=218&ItemID=123028
12	Law on Customs (2014)	https://vbpl.vn/botaichinh/Pages/vbpq-luocdo.aspx?ItemID=36878
13	Law on Tax Management (2019)	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=136036
14	Decree 69/2018/ND-CP guiding the implementation of a number of articles of the Law on Foreign Trade Management	https://vbpl.vn/bocongthuong/Pages/vbpq-van-ban-goc.aspx?ItemID=129421
15	Decree 08/2015/ND-CP guiding the implementation of the Law on Customs in terms of customs procedures, inspection, supervision and control	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=48921
16	Decree 59/2018/ND-CP amending and supplementing the Decree No. 08/2015/ND-CP	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=128827

17	Circular 39/2019/TT-BTC amending and supplementing Circular No. 38/2015/TT-BTC on customs procedures, customs inspection and supervision; export duty, import duty and tax administration for imported and exported goods	https://vbpl.vn/botaichinh/Pages/vbpq-luocdo.aspx?ItemID=129457#
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Note: A number of legal documents in the above list, including Decree 156/2018/ND-CP, Decree 102/2020/ND-CP, and Circular 27/2018/TT-BNNPTNT, are now under amendment. The amended documents, after being promulgated, will be applied, and updated in this guideline.

2.3. Viet Nam's timber supply chain and timber sources that enter into it

According to Vietnamese law, the timber supply chain includes the following steps: harvesting, importing, transporting, processing, trading, and exporting.

Timber enters Viet Nam's supply chain from three sources, specifically: (1) domestically harvested timber, which accounts for nearly 75% of the totals (this includes timber from salvage harvesting and salvage collecting from natural forests, timber harvested from planted forests; timber from rubber plantations; timber from home gardens, farms and scattered trees); (2) confiscated timber which accounts for about 0.001% of the totals; (3) Imported timber which accounts for about 25% of the totals.

Timber temporarily imported for re-export is not included in Viet Nam's supply chain as this subject is strictly controlled by Customs from the moment it is imported until it is re-exported from Viet Nam's territory.

In order to control the supply chain, Viet Nam strictly regulates the dossiers that prove timber legality in correspondence to each timber source, throughout each step along the supply chain (in Sections 3.2 to 3.7 below).

2.4. Regulations on timber harvesting

According to Vietnamese legislation, there are three forms of timber harvesting which are stipulated in Clauses 5, 6, and 7 of Article 3 in Decree 156/2018/ND-CP, specifically as follows:

- *The main harvesting* means logging down trees to collect timber for commercial purposes while ensuring sustainable forest development and use that have been specified in the sustainable forest management plan in accordance with legal provisions.
- *Salvage harvesting* of timber means the collection of timber during the implementation of silvicultural measures, scientific research and site clearance under projects involving the conversion of forest to other purposes of use.
- *Salvage collection of timber* means the collection of fallen or dead trees due to natural disasters; burnt, rotten or dried wood and branches in forests.

Regulations on subjects, harvesting conditions, and requirements for dossiers of legal timber after the harvesting for special-use forests, protection forests, and production forests are specified in **Table 3, 4 and 5** below.

The packing list of forest product applicable to log and lumber is described in **Form 1**, in the Appendices to this Guideline.

Table 3. Regulations on the harvesting of timber from Viet Nam's special-use forests

Harvesting form	Subjects of harvesting	Harvesting conditions	Dossier of forest products legality after harvesting	Relevant legal document(s)
Main harvesting	Not allowed			<ul style="list-style-type: none"> - Article 52 of the 2017 Law on Forestry, Directive 13/CT-TW dated January 12th, 2017
Salvaging harvesting	<p>For national parks, nature reserves, habitat/species and management areas:</p> <ul style="list-style-type: none"> - Wood and firewood within the boundary of site clearance for construction of works approved by competent state agencies <p>For the forest that protects the landscape:</p> <ul style="list-style-type: none"> - Wood, firewood and forest plants in the process of implementing silviculture measures to preserve, improve and restore ecosystems, landscapes and history - Wood, firewood and forest plants within the boundary of site clearance for construction of works approved by competent state agencies 	<ul style="list-style-type: none"> - Decision on the conversion of the forest to other uses 	<ul style="list-style-type: none"> - The original forest products list is certified by the Forest Protection Department - A copy of the decision approving the conversion of the forest to other uses. - The original report on the place, area and volume of forest products to be harvested using Form 7 of Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> - Article 52 of the 2017 Law on Forestry - Article 12, Decree 156/2018/ND-CP - Article 8, Article 16, Circular 27/2018/TT-BNNPTNT

Harvesting form	Subjects of harvesting	Harvesting conditions	Dossier of forest products legality after harvesting	Relevant legal document(s)
Salvage collecting	For national botanical parks, national seeding forests: - Wood, firewood, forest plants can be collected during the process of forming forests, tending forests and applying other silviculture measures	- Silviculture project	- The original packing list of forest products which is certified by the Forest Protection Department. - Copy of the project document of the silviculture project or the Decision approving that project. - The original report on the place, area and volume of forest products to be harvested using Form 7 Circular 27/2018/TT-BNNPTNT	- Article 52 of the 2017 Law on Forestry - Article 12, Decree 156/2018/ND-CP - Article 9, Article 16, Circular 27/2018/TT-BNNPTNT
	For national parks, nature reserves, habitat/species management areas: Dead trees, fallen trees in ecological restoration zone, service and administration zone in special-use forests	- Plan of salvage harvesting in accordance with MARD's regulations	- The original forest products list which is certified by the Forest Protection Department. - The original copy of the plan of timber salvage harvesting using Form 08 of Circular 27/2018/TT-BNNPTNT	- Article 52, Luật Lâm nghiệp 2017 - Điều 12, ND 156/2018/ND-CP - Điều 9, Điều 16, TT 27/2018/TT-BNNPTNT
	For landscape protection forests: - As for religious forest, harvesting of dead/fallen trees is allowed for the community's common purpose	- Plan of salvage harvesting in accordance with MARD's regulations	- The original forest products list which is certified by the Forest Protection Department. - The original copy of the plan of timber salvage harvesting using Form 08 of Circular 27/2018/TT-BNNPTNT	- Điều 52, Luật Lâm nghiệp 2017 - Điều 12, ND 156/2018/ND-CP - Điều 9, Điều 16, TT 27/2018/TT-BNNPTNT

	For forests for scientific research and experiments: - Wood, firewood and forest plants are within the boundary of site clearance for construction of works approved by competent state agencies	- Decision approving conversion of the forest to other uses	- The original forest products list which is certified by the Forest Protection Department - The original copy of the plan of timber salvage harvesting using Form 08 of Circular 27/2018/TT-BNNPTNT - A copy of the decision on conversion of forest to other uses	
	- Wood, firewood and forest plants within the boundary of site clearance for construction of works approved by competent state agencies - Dead trees, fallen trees	- Decision on conversion of the forest to other uses. - Salvage harvesting plan in accordance with MARD's regulations	- The original forest products list which is certified by the Forest Protection Department - The original copy of the plan of timber salvage harvesting using Form 08 of Circular 27/2018/TT-BNNPTNT - A copy of the decision on conversion of forest to other uses	

Table 4. Regulations on the harvesting of timber from Viet Nam's protection forests

Types of harvesting	Subject of harvesting	Harvesting conditions	Dossier of legal forest products after harvesting	Reference legal document(s)
1. For natural protection forests				
Main harvesting	Is not allowed			<ul style="list-style-type: none"> - Article 52 of the 2017 Law on Forestry - Directive 13/CT-TW dated January 12, 2017
Salvage harvesting	<ul style="list-style-type: none"> - Trees in forest areas that have been converted to other uses, collected while implementing silviculture measures, harvested to serve training and scientific research tasks 	<ul style="list-style-type: none"> - Decision on conversion of forests to other uses; or - Silviculture projects/scientific research projects approved by competent authorities 	<ul style="list-style-type: none"> - The original forest products list which is certified by the Forest Protection Service - A copy of the decision on conversion of forests to other uses; or - A copy of the project document of the silviculture project or the approved research program/ topic - The original report on the place, area and volume of forest products to be harvested using Form 7 of Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> - Article 55 of the 2017 Law on Forestry - Article 20, Decree 156/2018/ND-CP - Article 8, Article 16, Circular 27/2018/TT-BNNPTNT
2. For planted protection forests				
Salvage collecting	<ul style="list-style-type: none"> - Dead trees, fallen trees, insect-damaged trees, diseased trees - Trees standing in places where the density is higher than the standard level 	<ul style="list-style-type: none"> - The harvesting plan that has been approved by a competent state agency - Can be done only when the logging ban is lifted - Conducted in the application of the selection harvesting method, with the harvested timber volume not to exceed 20% of the forest reserve, and ensure that the forest coverage after harvesting is 60% 	<ul style="list-style-type: none"> - The original copy of the forest products list which is certified by the Forest Protection Department. - The original copy of the salvage harvesting plan using Form 08 of Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> - Article 55 of the 2017 Law on Forestry - Article 20, Decree 156/2018/ND-CP - Article 9, Article 16, Circular 27/2018/TT-BNNPTNT
Main harvest	<ul style="list-style-type: none"> - Timber trees of the main planted trees harvested when meeting the harvesting standards of the selection method or belt-clear; patch-clear cutting - Timber thinned from the main planted trees when the density is higher than the standard level - Timber trees of the auxiliary planted trees 	<ul style="list-style-type: none"> - Harvesting plan in accordance with MARD's regulations - Thinning of the main timber trees must ensure that the density after thinning is 600 trees/ha which are evenly distributed in the forest plot - The harvested volume in selection harvesting not to exceed 20% of the total forest reserve - In case of belt-clear cutting, the belt width is not over 30 m - In case of patch-clear cutting, the patch area is not over 3 hectares - The total annual harvested area does not exceed 20% of the total forest area that meets the criteria for protection forests 	<ul style="list-style-type: none"> - Original copy of the forest products list - Original copy of the harvesting plan using Form 08, Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> - Article 55 of the 2017 Law on Forestry - Article 20, Decree 156/2018/ND-CP - Article 12, Article 16, Circular 27/2018/TT-BNNPTNT

Types of harvesting	Subject of harvesting	Harvesting conditions	Dossier of legal forest products after harvesting	Reference legal document(s)
Salvage harvesting	<ul style="list-style-type: none"> Trees harvested in forest areas that has been converted to other uses; trees harvested when implementing silviculture measures; trees harvested to serve training and scientific research tasks 	<ul style="list-style-type: none"> Decision on conversion of forest to other uses; or Silviculture projects/scientific research projects approved by competent authorities 	<ul style="list-style-type: none"> Original copy of the forest products list A copy of the decision on conversion of forests to other uses; or A copy of the silviculture project or the approved research program/thesis The original copy of the report on the place, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> Article 55 of the 2017 Law on Forestry Article 20, Decree 156/2018/ND-CP Article 13, Article 16, Circular 27/2018/TT-BNNPTNT
Salvage collecting	Not regulated			

Table 5. Regulations on timber harvesting in Viet Nam's production forests

Harvesting form	Ownership	Subject of harvesting	Harvesting conditions	Dossier of legal forest products after harvesting	Referenced legal document(s)
1. For natural production forest					
Main harvesting	State	Harvesting is not allowed			<ul style="list-style-type: none"> Article 58 of the 2017 Law on Forestry Directive 13/CT-TW dated January 12, 2017
Salvage harvesting	State	<ul style="list-style-type: none"> Trees harvested in forest areas that have been converted to other purposes of use; when implementing forestry measures; serving the training and scientific research tasks 	<ul style="list-style-type: none"> Decision on conversion of the forest to other purposes of use; or Silviculture projects/scientific research projects approved by competent authorities 	<ul style="list-style-type: none"> The original copy of the forest products list which is certified by the Forest Protection Department A copy of the decision on conversion of the forest to other purposes of use; or A copy of the silviculture project or the approved research program/topic The original report on the place, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> Article 58 of the 2017 Law on Forestry Article 28, Decree 156/2018/ND-CP Article 8, Article 16, Circular 27/2018/TT-BNNPTNT

Harvesting form	Ownership	Subject of harvesting	Harvesting conditions	Dossier of legal forest products after harvesting	Referenced legal document(s)
Salvage collecting	State	- Trees, branches, stumps in the forest that have rotten, dried, fallen, burnt, died due to natural disasters	- The salvage harvesting plan that has been approved by a competent state agency	- The original copy of the forest products list which has been certified by the Forest Protection Department - The original copy of salvage harvesting plan using Form 08 Circular 27/2018/TT-BNNPTNT	- Article 58 of the 2017 Law on Forestry - Article 28, Decree 156/2018/ND-CP - Article 9, Article 16, Circular 27/2018/TT-BNNPTNT
2. For planted production forests					
Main harvesting	State	- Forest trees from planted forests of which the State is the owner's representative	- Forest owners shall prepare the timber harvesting application, and submit it to the State agency who have the competence of fund approval to approve	- Original copy of the list of forest products - Harvesting plan using Form 08, Circular 27/2018/TT-BNNPTNT	- Article 59 of the 2017 Law on Forestry - Article 29 Decree 156/2018/ND-CP - Article 12, Article 16, Circular 27/2018/TT-BNNPTNT

	Organisations, individuals	<ul style="list-style-type: none">- Timber trees harvested from planted forest which is owned by organisations and individuals, including timber trees planted under the framework of policies and projects funded by the State	<ul style="list-style-type: none">- Forest owners reserve the right to decide on the harvesting	Original copy of the forest products list	<ul style="list-style-type: none">- Article 59 of the 2017 Law on Forestry- Article 29, Decree 156/2018/ND-CP- Article 15, Article 16, Circular 27/2018/TT-BNNPTNT
Salvage harvesting	State	<ul style="list-style-type: none">- Trees harvested in forest areas that have been converted to other purposes of use; harvested while implementing silviculture measures; harvested to serve the training and scientific research tasks	<ul style="list-style-type: none">- Decision on conversion of the forest to other purposes of use; or- Silviculture projects/scientific research projects approved by competent authorities	<ul style="list-style-type: none">- A copy of the decision on conversion of the forest to other purposes of use; or- A copy of the silviculture project or the approved research program/topic.- The original report on the place, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT	<ul style="list-style-type: none">- Article 59 of the 2017 Law on Forestry- Article 29 Decree 156/2018/ND-CP- Article 13, Article 16, Circular 27/2018/TT-BNNPTNT

Harvesting form	Ownership	Subject of harvesting	Harvesting conditions	Dossier of legal forest products after harvesting	Referenced legal document(s)
	Organisations/ Individuals	- Trees harvested in forest areas that have been converted to other purposes of use; harvested while implementing silviculture measures; harvested to serve training and scientific research tasks	- Forest owners reserve the right to decide on the harvesting	- Original list of forest products	- Article 59 of the 2017 Law on Forestry - Article 29 Decree 156/2018/ND-CP - Article 15, Circular 27/2018/TT-BNNPTNT
Salvage collecting	State	- Trees, branches, stumps in the forest that have rotten, dried, fallen, burnt, died due to natural disasters	- The report on the place, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT	- Original list of forest products - The original copy of the report on the place, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT	- Article 59 of the 2017 Law on Forestry - Article 29, Decree 156/2018/ND-CP - Article 14, Article 16, Circular 27/2018/TT-BNNPTNT
	Individuals, organisations	- Trees, branches, stumps in the forest that have rotten, dried, fallen, burnt, died due to natural disasters	- Forest owners reserve the right to decide on the harvesting	- Original list of forest products	- Article 59 of the 2017 Law on Forestry - Article 29 of Decree 156/2018/ND-CP - Article 15 of Circular 27/2018/TT-BNNPTNT

2.5. Regulations on imported timber

The management of imported timber is specified in Point d, Clause 1, Article 72 of the 2017 Law on Forestry; Section 1 Chapter II Decree 102/2020/ND-CP; Article 9, Article 19, and Article 20 of Decree 06/2019/ND-CP and the amended provisions in Decree 84/2021/ND-CP; Article 5; Point 12, Section II, Appendix I and Point 10, Section B, Part III, Appendix III of Decree 69/2018/ND-CP.

As of October 30th, 2020, regulations on the management of imported timber, according to Decree 102/2020/ND-CP, began taking effect in Viet Nam. Accordingly, shipments of imported timber with CITES or FLEGT licenses are considered legal and are not subject to undergoing the due diligence system (DDS) to prove the origin of the imported timber. For shipments of timber that do not have those licenses, the importers must prove the legality of the origin of the imported timber by providing that information on the Information Declaration Form. Viet Nam has applied two additional filters, namely “Risk Species” and “Risk Geographical region,” to assess the risk level of imported timber shipments. Shipments of imported timber that are considered high-risk (containing risk species and coming from non-positive geographies) will have to provide additional evidence to prove the legality of the imported timber in accordance with the regulations of the harvesting country.

The Ministry of Agriculture and Rural Development issued Decision 4832/QD-BNN-TCLN dated 27/11/2020 announcing the list of timber species imported into Viet Nam, and the list of positive geographical areas exporting timber to Viet Nam and Decision 2752/QD-BNN-TCLN dated 20/7/2022 announcing the list of timber species imported into Viet Nam; these documents are posted at the links below:

<https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Quyiet-dinh-4832-QD-BNN-TCLN-2020-cong-bo-Danh-muc-cac-loai-go-da-nhap-khau-vao-Viet-Nam-458434.aspx>

<https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Quyiet-dinh-2752-QD-BNN-TCLN-2022-cong-bo-danh-muc-cac-loai-go-nhap-khau-vao-Viet-Nam-522948.aspx>

Regulations on the dossier of legal timber for each type of imported timber are described in detail in **TABLE 6** below.

The list of imported timber and the list of imported timber products are described in **Forms 3 and 4**, respectively, in the Appendices to this Guideline.

The declaration of imported timber origin is described in **Form 5**, in the Appendices to this Guideline.



Table 6. Regulations on timber imported to Viet Nam

Types of imported timber	Risk level of the imported timber shipment	Dossier of the imported timber	Referenced legal document(s)
Timber without CITES or FLEGT licenses	Low-risk imported timber shipments (coming from positive geographical areas and containing low-risk species)	<ul style="list-style-type: none"> - qOriginal copy of the Declaration of imported timber using Form 03, Decree 102/2020/ND-CP - Original copy of the list of imported timber or timber products certified by Customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - Customs clearance dossier in accordance with current regulations 	<ul style="list-style-type: none"> - Article 7, Decree 102/2020/ND-CP - Article 24, 2014 Law on Customs; - Article 25 of Decree 08/2015/ND-CP which has been amended and supplemented by Clause 12 Article 1 of Decree 59/2018/ND-CP; - Clause 5, Article 1 of Circular 39/2019/TT-BTC amendments to Circular 38/2015/TT-BTC - Decision 4832/QĐ-BNN-TCLN dated 27/11/2020 announcing the list of timber species imported into Viet Nam and the list of positive geographical areas exporting timber to Viet Nam - Decision 2752/QĐ-BNN-TCLN dated 20/7/2022 announcing the list of timber species that have been imported into Viet Nam;
	High-risk imported timber shipment (coming from non-positive geographical areas and containing high-risk species)	<ul style="list-style-type: none"> - Original copy of the Declaration of imported timber using Form 03, Decree 102/2020/ND-CP - Original copy of the list of imported timber or timber products certified by Customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - Copy of one of the additional documents: certificate of sustainable forest management recognised by Viet Nam; or harvesting permit; or other equivalent document proving the legal origin of the imported timber shipment - Customs documents in accordance with current regulations 	

Types of imported timber	Risk level of the imported timber shipment	Dossier of the imported timber	Referenced legal document(s)
Timber with FLEGT license	Is considered a legal, risk-free timber shipment	<ul style="list-style-type: none"> - Original copy of the list of imported timber or timber products certified by customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - Copy of the FLEGT License for exported timber issued by the competent agency of the exporting country - Customs dossier in accordance with current regulations 	<ul style="list-style-type: none"> - Article 7, Decree 102/2020/ND-CP - Article 24, 2014 Law on Customs; - Article 25, Decree 08/2015/ND-CP which has been amended by Clause 12, Article 1, Decree 59/2018/ND-CP; - Article 1, Circular 39/2019/TT-BTC amending Circular 38/2015/TT-BTC)
Timber with CITES license (for endangered, rare timber and timber species listed in CITES Annex)		<ul style="list-style-type: none"> - Original copy of the list of imported timber or timber products certified by customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - A copy of the CITES permit for exported timber issued by the CITES management authority of the exporting country - A copy of the CITES license for imported timber issued by CITES management authority of Viet Nam - Customs dossier in accordance with current regulations 	<ul style="list-style-type: none"> - Article 7, Decree 102/2020/ND-CP - Article 9, Article 19, Article 20, Decree 06/2019/ND-CP and amended provisions in Decree 84/2021/ND-CP. - Article 24 of the 2014 Law on Customs; - Article 25, Decree 08/2015/ND-CP which is amended by Clause 12, Article 1, Decree 59/2018/ND-CP; - Article 1, Circular 39/2019/TT-BTC amending Circular 38/2015/TT-BTC)

2.6 Regulations on transportation, trade, processing and export of timber

Regulations on legal timber dossier in the steps of transportation, trade, processing and export are described in detail in **Table 7** below.

The list of forest products is described in **Form 2**, and the lists of exported timber and timber products are described in **Form 6** and **Form 7**, respectively, in the Appendices to this Guideline.



Sawn timber meets FSC standards at Tân Vinh Cửu Joint Stock Company, Dong Nai.

Table 7. Provisions on the dossier of legal timber during trade, transport, processing, export of timber

Controlled point in the supply chain	Subject	Legal timber dossier	Referenced legal document(s)
Trade & transportation	For unprocessed timber harvested from domestic natural forests	<ul style="list-style-type: none"> - The original list of forest products prepared by the owner of the forest products owner that is certified by the Forest Protection Department - A copy of the origin of forest products prepared by the owner of the forest products 	<ul style="list-style-type: none"> - Article 19, Circular 27/2018/TT-BNNPTNT
	For unprocessed timber harvested from domestic planted forests	<ul style="list-style-type: none"> - The original copy of the list of forest products prepared by the owner of such forest products - Copies of the origin of forest products of the owner of the sold forest products 	<ul style="list-style-type: none"> - Article 20, Circular 27/2018/TT-BNNPTNT
	For unprocessed imported timber	<p>a. In case the importer sells all or part of the imported shipment to one or more other timber owners</p> <ul style="list-style-type: none"> - List of forest products prepared by the importer of timber (seller), extracted from the list of imported timber - A copy of dossier of the imported timber signed by the owner of the imported timber, stamped (if any), and delivered to the buyer - The seller who sold timber to this owner keeps a copy 	<ul style="list-style-type: none"> - Article 4, Decree 102/2020/ND-CP

		b. In case the timber owner who purchased timber at point a mentioned above sells all or part of the shipment to another timber owner	<ul style="list-style-type: none"> - The packing list of forest products that is prepared by the timber owner and extracted from the previously purchased imported timber list - A copy of the dossier of the imported timber signed by the owner of the imported timber, stamped (if any) and delivered to the buyer - The seller who sold timber to this owner keeps a copy 	
		c. In case the imported timber is sold to the next timber owner	<ul style="list-style-type: none"> - The packing list of forest product that is prepared by the timber owner, extracted from the previously purchased imported timber list - A copy of the imported timber dossier signed by the owner of the imported timber, stamped (if any) and delivered to the buyer - The seller who sold timber to this owner keeps a copy 	
	For timber harvested from natural forests, planted forests, processed imported timber		<ul style="list-style-type: none"> - The original list of forest products prepared by the owner of the forest products - Copies of the origin of forest products of the owner of the sold forest products 	<ul style="list-style-type: none"> - Article 23, Circular 27/2018/TT-BNNPTNT

Controlled point in the supply chain	Subject	Legal timber dossier	Referenced legal document(s)
Processing	For timber processing facilities	<ul style="list-style-type: none"> - Log book of imported and exported forest products using Form 11, Circular 27/2018/TT-BNNPTNT - Packing list of forest products - Legal timber dossier - Owners of timber processing establishments are responsible for archiving the above-mentioned dossiers for a period of 5 years from the time of export of forest products 	<ul style="list-style-type: none"> - Article 31, Circular 27/2018/TT-BNNPTNT
Export	According to Circular 27/2018/TT-BNNPTNT. <i>Note: this regulation will expire when the regulations on management of exported timber of the Decree 102/2020/ND-CP comes into effect</i>	<p>For logs, lumber, timber products from planted forests</p> <ul style="list-style-type: none"> - The original packing list of forest products prepared by the forest product owner - The dossier of Custom clearance for the exported timber - A copy of the CITES export license issued by the CITES management authority in Viet Nam for timber and timber products listed in the CITES appendix and the list of endangered, precious and rare forest plants 	<ul style="list-style-type: none"> - Article 26, Circular 27/2018/TT-BNNPTNT - Article 1, Circular 39/2019/TT-BTC amending Article 16, Circular 38/2015/TT-BTC

		<p>The original copy of the packing list of forest products prepared by the owner of the forest products which is certified by the local forest protection agency</p> <ul style="list-style-type: none"> - Dossier of Custom Clearance for Exported timber - A copy of the CITES export license issued by the CITES management authority in Viet Nam for species of timber and timber products listed in the CITES appendix and in the list of endangered, precious and rare forest plants 	<ul style="list-style-type: none"> - Article 26, Circular 27/2018/TT-BNNPTNT - Article 1, Circular 39/2019/TT-BTC amending and supplementing Article 16, Circular 38/2015/TT-BTC
	When Decree 102/2020/ND-CP on regulations on management of exported timber comes into effect.	<p>For exported timber and timber products from Group I Enterprises</p> <ul style="list-style-type: none"> - The original copy of the list of forest products prepared by the owner of the forest products - Dossier of Custom Clearance for Exported timber - Original or electronic copy of FLEGT license for timber to the EU market - Original or electronic copy of CITES export license issued by CITES management authority in Viet Nam for species of timber and timber products listed in the CITES annex and in the list of endangered, precious and rare forest plants 	
		<p>For exported timber and timber products from Group II Enterprises</p> <ul style="list-style-type: none"> - The original copy of the packing list of forest products prepared by the owner of the forest products which is certified by the local forest protection agency. - Dossier of Custom Clearance for Exported timber - An original or electronic copy of FLEGT license for timber to the EU Market - An original or electronic copy of the CITES export license issued by the CITES management authority in Viet Nam for species of timber and timber products listed in the CITES appendix and in the list of endangered, precious and rare forest plants 	

2.7. Viet Nam's regulations on prohibited areas, restrictions on timber harvesting, trade and export

2.7.1. Regulations on areas where timber harvesting is prohibited and restricted

a) For timber from planted forests

- *Special-use forests*: not to harvest timber in the strictly prohibited zone of special-use forests; not to collect dead trees or fallen trees in the ecological restoration zone of special-use forests.
- *Protection forests*: harvesting timber from the thinning of main trees must ensure the density of the trees after thinning is at least 600 trees/ha, which are evenly distributed in the forest plot. Selection harvesting of the main forest trees must ensure that the harvested volume of timber does not exceed 20% of the forest reserves. In case of belt-clear cutting, the width of the belt will not exceed 30; in case of patch-clear cutting, the area of cutting will not exceed 3 hectares; The annual harvesting area will not exceed 20% of the total forest area that has met the criteria of protection forest.
- *Production forests*: No prohibited or restricted areas. However, after clear cutting, the forest must be replanted in the next season or left to regenerate.

b) For timber from natural forest

In order to ensure sustainable forest management, conservation of forest resources and biodiversity, the 2017 Law on Forestry provides for the closure and opening of natural forests in Section 4, Chapter III, which is specified further in Article 33 of Decree 156/2018/ND-CP. Currently, Viet Nam has promulgated Directive 13-CT/TW dated January 12th, 2017, of the General Secretary of Communist Party of Viet Nam Central Committee on strengthening the Party's leadership in forest management, protection and development, and Resolution 71/NQ-CP dated August 8th, 2017, of the Government promulgating the Action Program for the implementation of Directive 13-CT/TW of the Secretariat stipulating the closure of natural forests in the present period. Accordingly, the harvesting for commercial purposes has been ceased. This regulation does not restrict the harvesting of timber from natural forests that have been converted to other uses.

2.7.2. Regulations on prohibition and restriction of exploitation or use of specific wood species

According to Points a and b, Clause 1, Article 4 of Decree 06/2019/ND-CP, harvesting of endangered, precious and rare tree species for commercial purposes is strictly forbidden or restricted, specifically as follows:

1. *Group IA*: Endangered forest plant species are strictly prohibited from commercial harvesting and use and species in Appendix I, CITES are naturally distributed in Viet Nam.
2. *Group IIA*: Forest plant species that are not endangered of extinction but are at risk of being threatened without strict management, limitation from commercial harvesting and use and species in Appendix II, CITES that have a natural distribution in Viet Nam.

The list of group IA and group IIA plants is issued in Appendix I of Decree 84/2021/ND-CP, following the link below:

<https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=143869>

2.7.3. Regulations on business prohibition

According to the provisions of Point c, Clause 1, Article 6 of the 2014 Law on Investment, organisations and individuals are not allowed to trade in timber species listed in Appendix I CITES, timber of endangered and rare species of Group IA originating from nature.

2.7.4. Export prohibition regulations

According to the provisions of Appendix I promulgated together with the Government's Decree 69/2018/ND-CP dated May 15th, 2018, detailing a number of Articles of the Law on Foreign Trade Management, Viet Nam prohibits the export of logs and lumber originating from natural forests; timber species listed in Appendix I of CITES; timber species of IA group which are endangered and rare species originating from nature.

At the same time, the Ministry of Agriculture and Rural Development issued Circular 11/2021/TT-BNNPTNT dated September 20th, 2021, promulgating the HS codes for the list of goods under the State administration of MARD and the list of imported and exported goods subject to specialised inspection in the field of agriculture and rural development. Accordingly, Section 20 of Appendix I promulgates the list of goods banned from export which includes logs and lumber of all kinds from natural forests.

LICENSES AND CERTIFICATES OF VIET NAM



Worker at Thang Loi Enterprise, Phu Tai Joint Stock Company in Quy Nhon, Binh Dinh.

3.1. General introduction of Vietnamese licenses and certificates

According to the provisions of Vietnamese law, in relation to the legal use of timber in Viet Nam, the following licenses and certificates are to be obtained:

1. CITES License
2. CITES Certificate
3. FLEGT License (not yet valid)

3.2. CITES licenses and certificates

The authority to issue CITES licenses and certificates in Viet Nam belong to the CITES Management Authority of Viet Nam.

Subjects, deadlines, applications for CITES Licenses and CITES Certificates, and referenced legal document(s) are described in **TABLE 8** below.

The CITES License Form, Pre-Convention Specimen Certificate, CITES Certificate for Export of Mementos are described in **Forms 8, 9, and 10**, respectively, in the Appendices to this Guideline.

3.3. FLEGT Licensing

In accordance with the commitments of the FLEGT VPA Agreement and the provisions of Section 1 Chapter IV of Decree 102/2020/ND-CP, the FLEGT license will be issued by the Vietnamese Competence Authority for the export of timber products under Appendix III of Decree 102/2020/ND-CP to the EU market, unless the timber is subject to a CITES license or a shipment of timber produced after confiscation. Currently, the regulations on FLEGT licenses have not come into effect. In the near future, the EU and Viet Nam will conduct an assessment of the readiness of the VNTLAS system to decide when Viet Nam can start issuing FLEGT licenses for timber shipments to the EU market. The authority mandated to issue FLEGT licenses in Viet Nam is the CITES Management Authority of Viet Nam.

The subjects, deadlines, documents for granting the FLEGT License and reference legal documents are described in **Table 9** below.

The FLEGT License Form is described in **Form 11** in the Appendices to this Guideline.

Table 8. Regulations on CITES Licenses and CITES Certificates issued by CITES Management Authority in Viet Nam

Licenses/ Certificates	Object	License term	Required documents	Referenced legal document(s)
CITES Export License	Shipments of timber or timber products of which the species belonging to CITES annexes and endangered, precious and rare species of group IA, IIA	Maximum is 06 months from the date of issue	<ul style="list-style-type: none"> - Application for a license; - Copies of documents proving that the specimen is of legal origin; 	Article 23 of Decree No. 06/2019/ND-CP
	Re-export of non-commercial specimens for scientific research and diplomatic relations		<ul style="list-style-type: none"> - Application for a license; - Copies of documents proving that the specimen is of legal origin; - A copy of the import permit issued by the CITES Management Authority of the importing country for specimens of species in Appendix I CITES; - A copy of the signed copy of the scientific research cooperation program approved by a competent agency in case of serving scientific research/a written confirmation of gifts or diplomatic gifts certified by a competent agency in case of serving diplomatic relations 	

Import CITES License	Export and re-export of specimens not for commercial purposes for exhibitions and circus performances		<ul style="list-style-type: none"> - Application for a license; - Copies of documents proving that the specimen is of legal origin; - A copy of the decision confirming the attendance of overseas exhibitions or circus performances by a competent agency or an invitation to attend those events by a foreign organisation; - A copy of the import permit issued by the CITES Management Authority of the importing country for specimens specified in Appendix I CITES 	Article 25 of Decree 06/2019/ND-CP
	Export and re-export of pre-Convention specimens		<ul style="list-style-type: none"> - Application for a license; - A copy of the pre-Convention specimen/or a copy of the imported CITES license in case of re-export of specimens 	
Import CITES License	Shipments of timber or wood products belonging to CITES annexes and endangered, precious and rare species of group IA, IIA	The maximum is 12 months from the date of issue.	<ul style="list-style-type: none"> - Application for a license; - Copy of export CITES license issued by the CITES Administration of the exporting or re-exporting country 	Article 25 of Decree 06/2019/ND-CP
	Where live specimens of plants were imported for the first time and have no natural distribution in Viet Nam:		<ul style="list-style-type: none"> - Application for a license; - A copy of the export CITES license issued by the CITES Management Agency of the exporting or re-exporting country; - Written confirmation by CITES Viet Nam of the facility's eligibility and capacity to care for specimens. 	

Licenses/ Certificates	Object	License term	Required documents	Referenced legal document(s)
	research, diplomacy and participation in exhibitions		exporting country; - A copy of the signed document on the scientific research cooperation program approved by a competent agency in case of scientific research; or A written confirmation of diplomatic gifts and gifts approved by a competent agency; or A copy of the invitation to participate in circus exhibitions or performances of the competent authority	
Pre- Convention specimen CITES Certificate	Shipments of timber or wood products belonging to CITES annexes and endangered, precious and rare species of group IA, IIA	Maximum is 06 months from the date of issue	- Application for pre-Convention specimen certificates; - A copy of the specimen's legal origin record	Article 27 of Decree 06/2019/ND- CP
CITES certificate for exporting mementos	For finished products at souvenir shops. Each CITES certificate for exporting mementos issues up to 04 specimens to one customer	Maximum is 06 months from the date of issue	- Application for a license - A copy of the Activity Log Book	Article 24 of Decree 06/2019/ND- CP

Table 9. Regulations on the issuance of FLEGT Licenses

(Not yet effective according to the provisions of Decree 102/2020/ND-CP)

Subject	Granting authority	License term	Required documents		Reference legal document(s)
			Group I enterprises of the DN Classification System	Group II enterprises of the Enterprise Classification System	
Shipments of timber or timber products listed in Appendix III of Decree 102/2020/ ND-CP of an owner of exported to the first import port to enter the EU market unless the timber is subject to a CITES license or a shipment of timber produced from confiscated timber	CITES Management Authority	- Up to 6 months from the date of issuance - Renewed 1 time for a period of up to 2 months	- The original application for FLEGT license according to Form 11 of Appendix 1, Decree 102/2020/ND CP; - Original copy of the export timber list; - Copy of the sale contract or equivalent document; - Invoices compliant to the Ministry of Finance's regulations (if any); - Other supplementary documents intended to provide evidence of the legal origin of the timber of the export shipment (if any)	- The original application for FLEGT license according to Form 11 of Appendix 1, Decree 102/2020/ND-CP; - The original export timber list certified by the local Forest Protection Department; - Copy of the sale contract or equivalent document; - Invoices as prescribed by the Ministry of Finance (if any); - Other supplementary documents intended to provide evidence of the legal origin of the timber of the export shipment (if any)	From Article 14 to Article 21, Decree 102/2020/ ND-CP

IV

LEGALITY OF TIMBER PRODUCTS MADE IN VIET NAM

Until now, Viet Nam has not issued any kind of legal timber certificates or certificates for domestic consumption and export of timber products. In the near future, if the VNTLAS system is fully operated in accordance with the provisions of the FLEGT VPA, Viet Nam will start issuing FLEGT licenses for shipments of timber and timber products exported to the EU market. The FLEGT license certifies that timber or timber products are legally produced in accordance with the laws of Viet Nam.

Timber and timber products made in Viet Nam can be verified through two systems:

- 1. Viet Nam Legal Timber Assurance System (VNTLAS); or*
- 2. Third-party certificates.*

4.1. Viet Nam Legal Timber Assurance System

As of September 1st, 2020, the Government of Viet Nam issued Decree 102/2020/ND-CP on the Viet Nam Legal Timber Assurance System (in short VNTLAS) to implement the commitments in the FLEGT VPA with the EU. This is a national system to ensure that timber and timber products throughout Viet Nam's supply chain – from harvesting, import, purchase, sale (trade), transportation, processing, export and domestic consumption – are legal.

Timber products exported from Viet Nam to international markets are verified as legal through a mechanism that assesses the legal compliance of enterprises involved in processing and exporting timber and timber products. Particularly for the EU market, these products will be granted FLEGT licenses in the near future.

The VNTLAS system is implemented through 7 related components:

1. Definition of legal timber – including the requirements of Vietnamese legal regulations applicable to timber sources and timber production.
2. Create, verify and approve evidence at all steps of the supply chain – including the accountability of organisations, households and government verification agencies to meet the requirements of the legal timber definition.
3. Enterprise classification system – will assess the level of risk of the enterprises in compliance with the requirements of the VNTLAS system in order to apply appropriate verification measures effectively and promptly.
4. Timber supply chain control – is applied to manage the supply chain from the step of harvesting or import to the step of final sale, in order to prevent the introduction of illegal or unverified timber into the supply chain.
5. FLEGT licensing mechanism – will issue licenses for each shipment of timber and timber products exported to the EU market.
6. Inspection, internal inspection and complaints and feedback mechanisms – will comply with the provisions of Vietnamese law on inspection, complaints and denunciations.

7. Independent assessment – will periodically evaluate the implementation, effectiveness and reliability of the VNTLAS System in order to identify, document and report on any inadequacies or weaknesses in the system.

Until now, the VNTLAS system has implemented 5 out of 7 of the above components. In the near future, the EU and Viet Nam will jointly conduct an independent assessment and appraise the readiness of the VNTLAS system to decide when to start implantation of the FLEGT licensing.

4.2. Enterprise Classification System

The Enterprise Classification System (ECS) is an important component of the VNTLAS System. The purpose of the ECS System is to assess the risk level of all enterprises in terms of compliance with the requirements of the VNTLAS in order to implement appropriate, effective and timely verification measures. The ECS system also aims to reduce administrative procedures, facilitate production and business activities and encourage enterprises to comply with the law.

According to Decree 102/2020/ND-CP on Viet Nam Legal Timber Assurance System and Circular 21/2022/TT-BNNPTNT on regulations on the classification of timber processing and exporting enterprises: all enterprises both processing and exporting timber are to undergo an enterprise classification process from 01/5/2022.

- *Regarding the general principle of enterprise classification:* Article 11, Decree 102/2020/ND-CP provides general regulations on enterprise classification as follows:
 1. Enterprise classification is carried out through the Enterprise Classification Information System.
 2. Enterprise classification is continuously operated on the basis of regularly updating information on the operation and law enforcement performance of the enterprises through the mechanism of self-declaration, self-accountability of the enterprise and verification results of competent state management agencies.

3. Classification is first carried out when the enterprise registers in the Enterprise Classification Information System; the second classification is carried out one year after the first classification; the third and next classification for Group I enterprises is one time per 02 years, Group II enterprises are 01 time per 01 year from the date of last assessment or from the date of upgrade from Group I enterprises to Group II.

4. The provincial Forest Protection Department or the provincial Department of Agriculture and Rural Development within said province does not have a provincial Forest Protection Department that has the competence of enterprise classification.

- *Regarding enterprise classification criteria:* Article 12, Decree 102/2020/ND-CP stipulates 4 criteria for enterprise classification as follows:
 1. Fully comply with the provisions of the law in the establishment and operation of enterprises for at least 01 year from the date of registration of business establishment;
 2. Comply with legal regulations on ensuring legal timber, management and traceability of forest products in the entire supply chain;
 3. Comply with regulations on supply chain control declaration and reporting;
 4. Didn't have any violations of legal regulations in the field of forestry of enterprises to the extent of administrative sanctions of over VND 25 million.
- *Order and procedures for classification of enterprises and announcement of classification results:* is specified in Article 13, Decree 102/2020/ND-CP and from Articles 4 to 7 of Circular 21/2022/TT-BNNPTNT. According to these criteria and based on the order and procedures for self-assessment and appraisal of the Provincial Forest Protection Department, enterprises involved in both timber processing and export will be divided into the following 2 risk groups:

- Group I (compliance): Enterprises that fully meet the above criteria;
- Group II (non-compliant): Enterprises that do not fully meet the above criteria or newly established enterprises.

The Forest Protection Department is the agency that publishes the results of enterprise classification for enterprises meeting Group I on the website: www.kiendlam.org.vn. By October 1st, 2022, as many as 140 enterprises active in both timber processing and exporting have been classified as enterprises in Group I. More information about Group I enterprises can be accessed at the link below: http://kiendlam.org.vn/Desktop.aspx/List/Go_hop_phap/Danh_sach_cac_Doanh_nghiep_che_bien_va_xuat_khau_go_nhom_I/

- *Export verification based on the results of enterprise classification:* In the risk-based verification system, Group II enterprises will be subject to a higher level of control than Group I enterprises. Before exporting, while Group I enterprises just need to self-confirm their dossiers of export timber, Group II enterprises are subject to a higher level of dossier check and physical inspections of shipments before exporting. Thus, importers or buyers of timber and timber products produced from Group I enterprises can be fully confident that there will be no risk of illegal timber.

4.3. Third-Party Certification

The area of forests in Viet Nam certified for sustainable forest management is increasing rapidly. Two major global forest certification bodies, the Programme for the Endorsement of Forest Certification (PEFC) and the Forest Management Council (FSC), are both operating in Viet Nam. However, sustainable forest management certificates, including FM (Forest Management) and CoC (Chain of Custody) certificates are not mandatory according to Vietnamese law but are based on the voluntariness of forest owners and enterprises.

In Viet Nam, forest owners and timber processing enterprises are entitled to choose a third-party certification mechanism, which can be: (1) PEFC, which has recognised the Viet Nam Forest Certification System (VFCS); or (2) FSC Certificate; or (3) Both types of certificates.

4.3.1. Viet Nam Forest Certification System - VFCS

Viet Nam's National Forest Certification System (in short VFCS) was established on 08/01/2018 under Decision 1288/QĐ-TTg of the Prime Minister and decisions of the Ministry of Agriculture and Rural Development on assigning the task of sustainable forest management and forest certification and establishing the Office of Sustainable Forest Management Certification. VFCS is a brand recognised by the International Forest Certification Organisation (PEFC) in October 2020.

The SFM Steering Committee (with members being representatives from the VNFOREST, relevant ministries and agencies, timber processing enterprises, rubber associations and non-governmental organisations, and subordinated to the Ministry of Agriculture and Rural Development) is in charge of directing the management of VFCS. The Office of Sustainable Forest Management Certification (VFCO) is in charge of the management and operation of VFCS.

- *The standards of VFCS:* The national forest certification system operates based on a number of standards and guidelines, including: (1) Standards for management and operation of the national forest certification system; (2) VFCS/PEFC ST 1003 Sustainable Forest Management Standard, VFCS/PEFC ST 1004 forest management standard for the group of small holders, Chain of Custody standard, PEFC ST 2002:2013 and PEFC ST 2002:2020. VFCO has signed a contract for system management with PEFC, according to which VFCO is the body that manages the licensing of auditing for issuance of the PEFC CoC certificate and PEFC labelling in Viet Nam. In addition, VFCS also issues other reference documents for auditing and certification organisations to develop regulations and guidelines for conducting audits and certifications. These standards and documents are accessible at the electronic portal: <https://vfcs.org.vn/>.

The sustainable forest management standard VFCS/PEFC ST 1003: 2019 is institutionalized and issued according to Circular 28/2018/TT-BNNPTNT dated 16/11/2018 regulating sustainable forest management. The criteria and indicators of this set of standards requires forest owners to comply with Vietnamese laws and international

treaties signed by the Government of Viet Nam (including compliance with requirements on forest land management and use, the Law on Forestry, forest management requirements, Viet Nam's requirements for timber exploitation management and traceability), and not to conduct prohibited acts in forestry. Therefore, the timber that has been granted the VFCS sustainable forest management certificate ensures the legal origin according to Viet Nam's regulations.

- *VFCS licensed certification body:* A certification body (CB) is a third-party organisation that assesses the conformity to and implements a certification program. A CB that performs sustainable forest management certification services under the National Forest Certification System (VFCS) and Chain of Custody certification under the International Forest Certification Program (PEFC CoC) must meet the requirements detailed in **VFCS/PEFC ST 1006:2022** and **PEFC ST 2003:2020**. The list of CBs is posted on the <http://www.vfcs.org.vn> website.
- *Use of trademarks and logos of VFCS and PEFC:* trademarks (VFCS and PEFC) are registered for protection in Viet Nam and around the world. VFCS is the management agency, accrediting the right to use VFCS and PEFC trademarks to certified organisations and individuals (on SFM, CoC) in Viet Nam. Organisations and individuals licensed to use such trademarks must fully comply with the regulations of VFCS and PEFC.
- *VFCS certification results:* By October 10, 2022, VFCS has issued sustainable forest management (FM) certificates and been recognised by PEFC as 118,256 hectares of plantations for 21 forest owners and 47 CoC certificates according to PEFC standards for timber export and processing enterprises. The VFCS certificate form for sustainable forest management is described in **Form 12** in the Appendices to this Guideline. Bur
- Details of VFCS activities, standards, certification bodies and certification results can be found in detail at the <http://www.vfcs.org.vn> website.

4.3.2. Certification by the International Forest Stewardship Council - FSC

The FSC, which has been operating in Viet Nam since the 2000s, initially focused on sustainable forest management certification (FSC-FM) for forest owners, including the assessment and certification of household groups. It then expanded to certification for Chain of Custody (FSC-CoC) for export timber processing enterprises and Controlled Wood Certification (FSC-CoC/CW), certifying the management system for forest owners, producers, processors, and traders of timber sources according to FSC control standards. Viet Nam's national FSC standard set was published by FSC Viet Nam and took effect from May 1st, 2020. Viet Nam's national FSC standards are developed so that they can be applied adaptively to various local contexts, including natural forests, plantations and small-scale and low-intensity forests.

Currently, FSC certification has become increasingly popular among forest owners and timber enterprises in Viet Nam. The evidence supporting this is that Viet Nam is leading Southeast Asia in the number of FSC-CoC certificates with 1,224 certified enterprises. Regarding sustainable forest management, there have been 53 FSC-FM certificates for a total forest area of 220,000 hectares (as of October 10th, 2022). More information about FSC-certified forest companies and owners can be found on the FSC's website at <https://connect.fsc.org/fsc-public-certificate-search>.

V RESOURCES FROM OTHER STAKEHOLDERS

In addition to the efforts of the Vietnamese Government and the community of timber enterprises to ensure legal timber practices across the entire supply chain, Viet Nam has received invaluable support from national and international partners and NGOs such as the EU, AFD, USAID, KFW, JICA, EU-FAO Facility, EU FLEGT Asia Program, GIZ, and TRAFFIC. These organisations have supported the negotiation and implementation of the FLEGT VPA between Viet Nam and the EU, supported the development and operation of the VNTLAS, implemented sustainable forest management programs towards forest certification, built legal and sustainable timber value chains, and assisted in the proper management of imported timber. This support has contributed significantly to promoting legal timber harvesting, import, trade and production in Viet Nam.

VI WHO SHOULD I CONTACT FOR FURTHER INFORMATION

For further information related to the guideline on timber legality for Viet Nam and other aspects of verification of timber and timber product legality, please contact the Forest Protection Department under VNFOREST at the following address:

Forest Protection Department

Address: Building A3, street Ngoc Ha, Ba Dinh district, Hanoi, Viet Nam

Phone: +84 024 37 33 56 80 or +84 024 3733 56 75

Email: fpd@kiemlam.org.vn

Website: <http://www.kiemlam.org.vn>

VII

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Form 1. Packing list (applicable to log and lumber)

(Issued together with Circular 27/2018/TT-BNNPTNT)

SOCIALIST REPUBLIC OF VIET NAM
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PACKING LIST FOR FOREST PRODUCTS

(Applicable to log and lumber)

No:/...

General information:

Name of the forest product's owner:

Business registration certificate/enterprise ID No. (if the forest product's owner is an enterprise)

Address

Phone:

Forest product origin:

Number of enclosed invoices (if any):; dated.....;

Vehicle (if any) license plate/vehicle number:

Transport time: days; departure date (dd/mm/yyyy); arrival date (dd/mm/yyyy)...

Transported from: to:

No.	Number, marking label	Wood name		Quantity	Volume (m3) /weight (kg)			Volume (m3 or kg)	Notes (5)
		Common name	Scientific name (of imported wood)		Length (m)	Width (cm)	Diameter/ Thickness (cm)		
A	B	C	D	E	F	G	H	I	J
01									
02									
...									
	Total								

Total quantity and volume or weight of each forest product species specified in the forest product list:

Date.....
CERTIFIED BY LOCAL FOREST PROTECTION AGENCY:
 Reg. No.: .../...
 (Signature, full name and seal of the competent person)

(Place name), Date.....
PREPARED BY
(Signature, full name, seal of organisations; signature and full name of individuals)

Form 2. Packing list of forest products (Applicable to timber products)

(Issued together with Circular 27/2018/TT-BNNPTNT)

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Page No:/Total number of pages

PACKING LIST OF FOREST PRODUCTS
(Applicable to timber products)
No:/...

General information:

Name of the forest product's owner:
 Business registration certificate/enterprise ID number (if the forest product's owner is an enterprise)
 Address
 Phone:
 Forest product origin:
 Number of enclosed invoices (if any);.....; dated.....;
 Vehicle (if any): license plate/vehicle number:;
 Transport time: days; departure date:.....; arrival date:.....
 Transported from:to:

No.	Wood product name	Number of marking label (if any)	Name of wood material		Quantity or volume of the product	Unit	Note
			Common name	Scientific name			
A	B	C	D	E	F	G	H
01							
02							
...							
	Total						

Total quantity and volume or weight of each forest product species specified in the packing list:

.....

(Place) Date.....

**CERTIFIED BY LOCAL FOREST
PROTECTION AGENCY**

Reg. No.: .../...

(Signature, full name of the
competent person and seal)

(Place name), Date.....

PREPARED BY

(Signature, full name, seal of
organisation; signature and full
name of individual)

Form 3. Packing list of imported timber

(Issued together with Decree 102/2020/ND-CP)

..... **SOCIALIST REPUBLIC OF VIET NAM**
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No:...../BKGNK

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PACKING LIST OF IMPORTED TIMBER

(Applicable to log and lumber)

1. Name of the wood owner: Tax code/enterprise ID/ID card No.:
.....
2. Address:
3. Phonenumber:.....; Email address:.....
4. Import customs declaration No.:; B/L No.:
5. Exporting country:
6. Harvesting country:
7. Export port/gateway:
8. Import port/gateway:
9. Details about imported timber:

No.	Serial number/ marking label (If any)	Wood name				Packing			Quantity (bar/ plank/ block)	Volume (m3 or kg)	Note
		Common name/ Trade name	English name (If any)	Scientific name	Species group(7)	Length	Width	Diameter or thickness			
Total:											

Form 4. Packing list of imported timber products
(Issued together with Decree 102/2020/ND-CP)

.....
.....

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

No:...../ BKSPGNK

Page No:..... Total number of pages:.....

PACKING LIST OF IMPORTED TIMBER PRODUCTS

- Name of the wood product’s owner: Tax code/enterprise ID/ID card No.:.....
- Address:.....
- Phonenumber:.....;Emailaddress:.....
- Import customs declaration No.:.....; B/L No.:
- Harvesting country:
- Exporting country:
- Importing port/gateway:
- Details about imported timber products:

**CERTIFIED BY CUSTOMS
AUTHORITY
AT BORDER GATE**
(Signature, seal, full name)

Date (dd/mm/yyyy)
PREPARED BY
(Signature, seal, full name)

No.	Wood product name	Serial number/ label (if any)	Unit	Name of timber material				Number of products	Weight of timber products	Note
				Common name/ Trade name	English name (If any)	Scientific name	Species group			
1										
2										
...										
Total:										

We/I hereby declare that all the information given above is true. We are/I am aware that we/I may be held liable for the correctness of information.

**CERTIFIED BY CUSTOMS
AUTHORITY
AT BORDER GATE**

(Signature, seal, full name)

Date (dd/mm/yyyy)

PREPARED BY
(Signature, seal, full name)

Form 5. Declaration of the origin of imported timber
(Issued together with Decree 102/2020/ND-CP)

DECLARATION OF THE ORIGIN OF IMPORTED TIMBER

A. GENERAL INFORMATION ABOUT SHIPMENT

1. Name and address of importer:
2. Name and address of exporter:
3. Description of goods:
4. HS Code:
5. Botanical name of species:
6. Trade name of species:
7. Volume/Weight/Quantity of goods:
8. Bill of lading No. (B/L):
9. Invoice No.:
10. Packing list of timber:
11. Exporting country:
12. Harvesting country:

B. LEVEL OF RISK OF IMPORTED SHIPMENT

Tick the appropriate box below depending on the shipment condition:

B1. Low-risk timber species, timber from positive geographic region(s), no additional documentation in Section C and D below required.

B2. High-risk timber species, timber from non-positive geographic region(s), no additional documentation in Section C and D below required.

C. ADDITIONAL DOCUMENTATION

1. Timber raw material (for example: belonging to HS heading 4403, 4406, 4407)

If the imported timber is from high-risk timber species or from a non-positive geographic region(s), the owner shall declare one of the documentations describing the origin of the legally-harvested timber and present together with the following:

a) Voluntary certificate or national certificate of the exporting country that is recognised by Viet Nam to meet the criteria of VNTLAS:

No.	Certificate name	Ref. number of Certificate	Validity period of the certificate

b) Timber harvest license or equivalent:

No.	Type of license or equivalent	Number of license or equivalent	Issuing date	Issuing authority	Note

c) If the harvesting country does not stipulate the harvest license for the forest where the timber was harvested, additional documentation below is required:

No.	Type of document	Document No.	Issuing date	Issuing authority	Note
Harvesting country:					
Supplier's name and address:					
Reasons for not stipulating a license					

☐ Attached copies of documents (if any)

d) If no harvest documents are available, the following additional information is required:

No.	Alternative document Harvest document	Document No.	Issuing date	Issuing authority	Note
Harvesting country:					
Supplier's name and address:					
Reasons for absence of harvest documents					

☐ Attached copies of alternative documents (if any)

2. Mixed timber products (for example: HS codes specified in chapters 44 and 94 with the exception of HS codes: 4403, 4406, 4407)

If the timber product is manufactured from high-risk timber species or a high-risk country, the owner shall declare one of the documentations describing the origin of the legally-harvested timber and present together with the following:

a) Voluntary certificate or national certificate of the exporting country that is recognised by Viet Nam to meet the criteria of VNTLAS:

No.	Certificate (name and type)	Ref. number of Certificate	Validity period of the certificate

b) In case of absence of harvest license or document:

No.	Documents proving the legality of timber	Document No.	Issuing date	Issuing authority	Note
Origin of timber:					
Name and address of supplier/exporter:					
Supplementary or alternative document of timber legality in accordance with legislation of the harvesting country					

☐ Attached copies of proof of timber legality (if any).

D. SUPPLEMENTARY MEASURES FOR IMPORT OWNER TO MITIGATE RISKS RELATED TO THE TIMBER OF LEGALITY IN ACCORDANCE WITH LEGISLATION OF THE HARVESTING COUNTRY:

1. Information on the legal regulations on timber exports of the harvesting country: Identification of legal regulations (for example: Prohibition of export, export license requirements, etc.) applied to timber exports for each product or species of the harvesting country.

No.	Products, species and Harvesting country	Legislation for timber exports of the harvesting country	Proof of compliance

2. Risk identification and mitigation: Identify any harvesting and illegal trade risks related to the shipment in accordance with the laws of the harvesting country and recommend mitigation measures.

No.	Risks	Mitigation measures

Commitment of the imported timber owner: I hereby declare that all the information given above is true, complete, accurate and take responsibility before the law for the declared information.

Place, date.....
TIMBER OWNER
(Signature, full name, seal (if any))

Form 6. Packing list of export /Temporary import for re-export timber

(Issued together with Decree No. 102/2020/ND-CP)

.....
.....
SOCIALIST REPUBLIC OF VIET NAM
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No:...../BKGXK

Page No:..... Total number of pages:.....

PACKING LIST OF EXPORT/TEMPORARY IMPORT, RE-EXPORT OF TIMBER

(Applicable to log and lumber)

1. Owner's name:; Tax code/enterprise ID/ID card No.:.....

2. Address:.....

3. Contact:.....; Email:.....

4. Name of importer:.....

5. Address:.....

6. Importing country:

7. Port/border gate of export:

8. Origin of exported timber:

Domestically harvested timber: ☐ Planted forest wood. ☐ Natural forest wood.

☐ Imported wood.

☐ Confiscated wood.

☐ Mixed wood.

9. Invoice number in accordance with regulations of the Ministry of Finance (if any): Date:.....

10. Details about exported timber:

No.	Serial number/ marking label (If any)	Timber name				Packing			Quantity (bar/ plank/ block)	Volume (kg or m3)	Note
		Trade name	English name (If any)	Scientific name	Species group(8)	Length	Width	Diameter or thickness			
Total:											

We/I hereby declare that all the information given above is true. We are/I am aware that we/I may be held liable for the correctness of information.

**CERTIFIED BY LOCAL
FOREST PROTECTION AGENCY**

(Signature, seal, full name)

Date (dd/mm/yyyy)
TIMBER OWNER
(Signature, seal, full name)

**Form 7. Packing list of exported/temporarily imported and
re-exported timber products**
(Issued together with Decree 102/2020/ND-CP)

.....
.....
SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

No:...../
BKSPGXK
Page No:..... Total number of pages:.....

**PACKING LIST OF EXPORTED/TEMPORARILY IMPORTED FOR RE-EXPORT
TIMBER PRODUCTS**

1. Name of timber product owner:; Tax code/Enterprise ID number/ID card No:.....
2. Address of the timber product's owner:
3. Phone :.....; Email address:.....
4. Name of importer:.....
5. Address of importer:
6. Importing country:
7. Port/border gate of export:
8. Origin of timber products:
Processing with domestically harvested timber materials: ☐Planted forest wood. ☐Natural forest wood.
☐Processed from imported timber materials.
☐Processed from confiscated timber materials.
☐Processed from mixed timber materials.
9. Invoice number in accordance with the Ministry of Finance (if any):
Date.....
10. Details of the timber product:

No.	Timber product's name	Serial number/ label (if any)	Unit	Name of wood materials				Number of products	Volume/ weight	Note
				Common Name/ Trade Name	English name (If any)	Scientific name	Species group			
1										
2										
...										
Total:										



We/I hereby declare that all the information given above is true. We are/I am aware that we/I may be held liable for the correctness of information.

Date.....

**CERTIFIED BY LOCAL
FOREST PROTECTION AGENCY**
(Signature, seal, full name)

PREPARED BY
(Signature, seal, full name)

Form 8. CITES license template

CITES PERMIT / GIẤY PHÉP CITES SỐ		CITES - VN	
 CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA		<input type="checkbox"/> EXPORT/ XUẤT KHẨU <input type="checkbox"/> RE-EXPORT/ TÁI XUẤT KHẨU <input type="checkbox"/> IMPORT/ NHẬP KHẨU <input type="checkbox"/> OTHER/ KHÁC	
3. Importer (name and address)/ Nhà nhập khẩu (tên và địa chỉ):		4. Exporter/Re-exporter (name and address)/ Nhà xuất khẩu/Tái xuất khẩu (tên và địa chỉ):	
3a. Country of import/ Nước nhập khẩu:		5. Name, address, national seal/stamp and country of Management Authority (Tên, địa chỉ, quốc huy và nước của Cơ quan Quản lý):	
5. Special condition/ Các điều kiện đặc biệt: <small>For live animals, this permit is only valid if the transport conditions conform to the CITES guidelines for transport or, in the case of air transport, to the IATA Live Animal Regulations (đối với động vật sống, giấy phép này chỉ có giá trị khi điều kiện vận chuyển đồng với vận chuyển động vật sống theo hướng dẫn của CITES. Nếu vận chuyển hàng không phải đồng với quy định của IATA (hàng hóa hàng không tải gói)).</small>		 CITES MANAGEMENT AUTHORITY OF VIETNAM MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT No. 2, Ngoc Ha str, Ba Dinh dist, Ha Noi, Viet Nam	
5a. Purpose of the transaction "see reverse" (Mục đích giao dịch "xem mặt sau")		5b. Security stamp No./ Số tem đảm bảo:	
7. a. Scientific name (genus and species) and common name of animal or plant (Tên khoa học chi giống và loài và tên gọi thông thường của động, thực vật)		8. Description of specimens, including identifying marks or numbers "agrace if live" (Mô tả mẫu vật, kể cả các dấu hoặc số hiệu, ghi kèm nếu mẫu vật sống)	
7b.		8.	
A. 12. Country of origin * (Nước xuất xứ)		12a. Country of last re-export/ nước tái xuất cuối cùng	
7b.		10.	
B. 12. Country of origin * (Nước xuất xứ)		12a. Country of last re-export/ nước tái xuất cuối cùng	
7b.		10.	
C. 12. Country of origin * (Nước xuất xứ)		12a. Country of last re-export/ nước tái xuất cuối cùng	
7b.		10.	
D. 12. Country of origin * (Nước xuất xứ)		12a. Country of last re-export/ nước tái xuất cuối cùng	
7b.		10.	
* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export/ Quốc gia mẫu vật được đánh bắt từ tự nhiên, gây nuôi sinh sản hoặc trồng cấy nhân tạo (chỉ trong trường hợp tái xuất) * Only for specimens of Appendix-I species bred in captivity or artificially propagated for commercial purposes/ Áp dụng đối với mẫu vật các loài thuộc Phụ lục I được gây nuôi sinh sản hoặc trồng cấy nhân tạo vì mục đích thương mại * For pre-Convention specimens: Áp dụng đối với mẫu vật tiền Công ước			
13. This permit is issued by/ Giấy phép được cấp bởi:			
Place/ Nơi cấp: _____ Date/ Ngày cấp: _____ Security stamp, signature and official seal (Tem bảo đảm, chữ ký và đóng dấu): _____			
14. Export (import) endorsement/ Số lượng thực xuất (thực nhập):			
15. Bill of lading/ Air Way bill number			
Block/ Lô		Quantity/ Số lượng	
A			
B			
C			
D			
Place of Export (import)/ Cảng xuất (nhập):		Date/ Ngày	
Signature/ Chữ ký		Official stamp and seal (Chức danh và đóng dấu)	

Form 9. Pre-convention specimen certificate

CHỨNG CHỈ MẪU VẬT TIỀN CÔNG ƯỚC
PRE-CONVENTION CERTIFICATE
(Ban hành kèm theo Nghị định số 06/2019/NĐ-CP)

Cấp cho/Issuing for:
Số CMND/căn cước công dân/Hộ chiếu/Identity card No:
Ngày cấp/Issuing date: Nơi cấp/Issuing place:
Tên loài/Name of species:
Tên khoa học/tên thông thường/Scientific name/common name:
.....
Mô tả mẫu vật/Description of specimen:
Số đánh dấu/Marking No.:
Nguồn và Phụ lục/Source & Appendice:
Số lượng/Quantity:
Ngày có mẫu vật/Date of acquisition:
Giấy tờ hợp pháp/Legal document:
Nơi cấp/Place: Ngày cấp/Date
Chữ ký, dấu của Cơ quan quản lý CITES/Signature and official seal:
.....

Form 10. Cites Souvenir Export Certificate
(Issued together with Decree 06/2019/ND-CP)

CHỨNG CHỈ CITES XUẤT KHẨU MẪU VẬT LƯU NIỆM
SOUVERNIR EXPORT CERTIFICATE

Mã số cơ sở/Operation No: Số chứng chỉ/Certificate
No:
Tên và địa chỉ cửa hàng/Name and Address of the Shop
Tên khách hàng/Name of Customer:
Quốc tịch/Nationality:
Số hộ chiếu/Passport No:

TT No.	Mô tả mẫu vật Description of Specimens	Tên khoa học Scientific Name:	Nguồn và Phụ lục Source & Appendice	Số lượng Quantity
1				
2				
3				
4				

Chữ ký và họ tên của chủ cơ sở/Signature and full Name of the Operation
Owner:
Ngày/Date:/...../20

Lưu ý/Important note:

- Chứng chỉ này chỉ được cấp tối đa cho mỗi khách hàng 4 đơn vị cho mỗi loại mẫu vật /This certificate is only valid for up to 4 items per customer
- Nếu cần thêm thông tin về giấy phép này xin liên hệ với/For further information or clarification on this certificate, please contact:

CITES Management Authority of Vietnam

No. 02 Ngoc Ha Street, Hanoi; Tel: (84 24) 3733 5676

Fax: (84 24) 3734 6742; Email: CITES_vn.kl@mard.gov.vn

Form 11. FLEGT License

(Issued together with Decree 06/2019/ND-CP)

Template 1: FLEGT Licence Format/Mẫu 1: Giấy phép FLEGT
European Union/Liên minh châu Âu FLEGT
 (Ban hành kèm theo Nghị định số 102/2020/NĐ-CP)

1	1. Issuing authority/Cơ quan cấp phép: Name, address/Tên, địa chỉ:	2. Importer/Tổ chức, cá nhân nhập khẩu: Name, address/Tên, địa chỉ:	
ORIGINAL/BẢN GỐC	3. FLEGT licence number/Số giấy phép FLEGT:	4. Date of Expiry (DD/MM/YYYY)/ Ngày hết hạn: 4.1. Date of Expiry of the Extended Licence (DD/MM/YYYY)/Ngày hết hạn của giấy phép được gia hạn:	
	5. Country of export/Nước xuất khẩu:	7. Means of Transport/Phương tiện vận chuyển:	
	6. ISO code/Mã ISO:		
	8. Licensee/Tổ chức, cá nhân được cấp giấy phép: Name, address/Tên, địa chỉ:		
1	9. Commercial description of the timber products/Mô tả hàng hóa:	10. HS-heading/Mã HS:	
	11. Common and Scientific names/Tên phổ thông và khoa học:	12. Countries of harvest/Quốc gia khai thác:	13. ISO Code of Countries of harvest/Mã ISO của quốc gia khai thác:
	14. Volume (m3)/Khối lượng lô gỗ (m3):	15. Net weight (kg)/Trọng lượng thực (kg)	16. Number of units/Đơn vị tính khác:
	17. Distinguishing marks (if any)/Ký hiệu nhận diện (nếu có)		
	18. Signature and stamp of issuing authority/Chữ ký và con dấu của Cơ quan cấp phép		

Place/Nơi cấp

Signature and stamp of
issuing authority
(Chữ ký và đóng dấu)

Date (DD/MM/YYYY)/Ngày cấp

Form12. Forest Certificate



CERTIFICATE

This certificate is to certify that

Tay Ninh Rubber Company
 Highway 228, Da Hang Hamlet, Hiep Thanh Commune, Go Dau District,
 Tay Ninh Province, Viet Nam

Certificate registration code			
GFA-FM/COC-500508			
Date of issue	19.05.2021	-	Date of expiry
			18.05.2026
Issue number	1	-	Version
			1 from 19.05.2021

has implemented a forest management system that has been evaluated by GFA Certification GmbH according to the following standards:

- VFCS/PEFC ST 1003:2019 – SUSTAINABLE FOREST MANAGEMENT STANDARD
- VFCS/PEFC ST 1008:2019 – VFCS Logo Usage Rules

A list of all forest management units included in the scope of Certification is attached to this certificate and is integral part of this document.




Trüfung
Sustainable Forest
Management
www.pefc.org





Joern Ackermann, Managing Director
 GFA Certification GmbH • Alter Teichweg 15 • 22081 Hamburg • Germany
 Phone: +49 40 5247431 0 • Fax: +49 40 5247431 999 • www.gfa-cert.com

This certificate including all copies or reproductions remains the property of GFA Certification GmbH and shall be returned or destroyed upon request.

Bureau Veritas Certification



CHUPAH RUBBER COMPANY LIMITED

01 NGUYEN THI MINH KHAI STREET, PHU HOA TOWN, CHU PAH DISTRICT, GIA LAI PROVINCE, VIETNAM

Bureau Veritas Certification certifies that the above organization has implemented responsible forest management practices in conformity with the requirements of the Vietnam Forest Certification Office, for the following activities

Scope of certification

**INDIVIDUAL RUBBER PLANTATION MANAGEMENT
FOR PRODUCTION OF RUBBER LATEX AND RUBBER WOOD**

Certified forest area (total): 3.209,11 ha

This forest entity has been assessed and found to conform to the requirements of the Standard

VFCS/PEFC ST 1003:2019

Original cycle start date:	31-05-2021
Expiry date of previous cycle:	NA
Certification / Recertification Audit date:	NA
Certification / Recertification cycle start date:	31-05-2021
Subject to the continued satisfactory operation of the organization's Management System, this certificate expires on:	30-05-2026

Certificate No.: **VN008090** Version: **1** Issue Date: **31-05-2021**

VFCS Code: **VFCS/11-1A-10**



LUU THI MAI HUONG





Certification Body: Bureau Veritas Certification Vietnam
 Address: Unit 4.4A, 4th Floor, E-Town 1 Building, 364 Cong Hoa Street, Tan Binh District, Ho Chi Minh City, Vietnam

Further clarifications regarding the scope and validity of this certificate, and the applicability of the management system requirements, please call: +84 28 3812 2248

1/1



