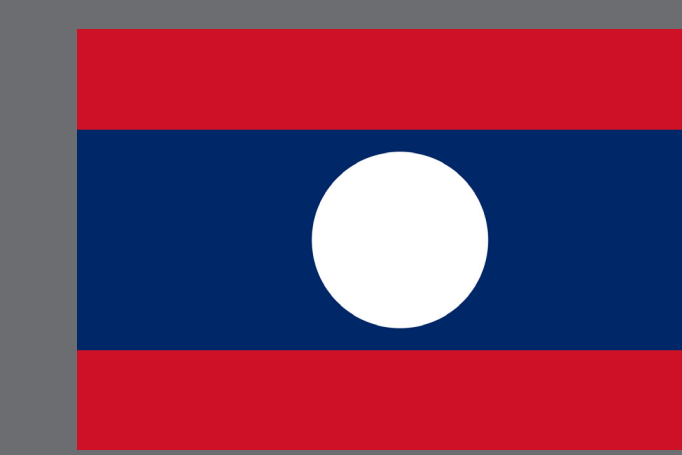


Implementing Timber Legality Assurance Systems

A guide to comply with timber legality requirements in Laos



LAOS



Laos and the European Union are negotiating a Voluntary Partnership Agreement (VPA) which defines the tools needed to confirm the legality of forestry products. Legality matrices cover different sources of timber such as natural production forests, conversion areas, plantations, and natural timber from village-use forests and land owned by individuals, legal entities and organizations. The VPA also addresses cross-cutting issues: labor obligations, wood processing and trading. By being aware of legal requirements in Laos law enforcement agencies and importers can implement control measures to procure timber that is legally harvested, transported and traded. Importers and verification agencies can refer to or use these definitions when implementing due diligence.

HARVESTING TIMBER

NATURAL PRODUCTION FORESTS

Ensure a Forest Management Plan has been developed

- Forest Management Plan
- Village Forest Management Agreement
- Confirmed annual harvest limit

Ensure a Harvesting Plan has been prepared for the Forest Management Area (FMA) and a Provincial Timber Harvesting Plan has been approved

- Pre-harvest Inventory Report
- Harvesting Plan for FMA
- Provincial Annual Operation Plan
- Notification letter of the Annual Timber Harvesting Plan from the Ministry of Agriculture and Forestry (MAF)
- Harvesting Permit issued by a Provincial Agriculture and Forestry Office (PAFO)

Ensure timber harvesting operations comply with regulations

- Signed Harvesting Contract
- Permit issued by MAF
- Harvesting Enterprise Registration form from the Provincial Office of Industry and Commerce (POIC)
- Vehicle and Chainsaw Utilization Permits
- Harvesting maps
- Monitoring reports issued by the District Agriculture and Forestry Office (DAFO) and a PAFO
- Log lists from log scaling and grading area

Ensure the benefits of timber sales are shared

- Deposit order
- Money transfer receipts to provincial treasury and village bank account

CONVERSION AREAS

Ensure companies comply with project assessment regulations

- Feasibility Study
- Environmental Impact Assessment (EIA)
- Environmental Management and Monitoring Plan (EMMP)

- Environmental Compliance Certificate (ECC)
- Compensation Plan

Ensure harvesting and post-harvesting operations have been planned and implemented

- Provincial Annual Timber Harvesting Plan
- Signed harvesting contract
- Permit issued by MAF
- Evidence of enterprise registration with POIC
- Post-harvesting Assessment Report

Ensure harvesting operation mitigation measures are implemented

- Progress reports on the implementation of EMMP
- Dispute and settlement records

PLANTATIONS

Ensure the lands of individuals and organizations have been clearly demarcated

- Land Title or Certificate of Land Use Rights Acquisition
- Receipt of land tax payment

Ensure leases or concessions on state land have been granted

- Approval letter
- Lease or Concession Agreement

Ensure environmental, economic and technical assessments have been undertaken

- EIA
- EMMP
- ECC
- Economic and technical analysis report

Ensure that companies comply with regulations for cutting planted trees

- Planted Trees Certificate or Plantation Registration Certificate
- Tree List
- Registration certificate for logging machinery

Ensure that harvesting plans in village use forests have been established and approved

- Pre-harvest Inventory
- Village Annual Harvesting Plan
- Annual Harvesting Permit

Ensure that tree cutting has been approved on the land of individuals and organizations

- Tree Cutting Permit
- Annual Harvesting Plan
- Chainsaw Registration Certificate

TIMBER TRANSPORT

Ensure companies comply with transport regulations

- Transport slip (natural production forests)

- Registration at log scaling and grading area (natural production forests)
- Receipt of timber sales (natural production forests and conversion areas)
- Log lists (natural production forests and conversion areas)
- Transport permit from PAFO (natural production forests and conversion areas)
- Timber transport Permit (plantations)

CONFISCATED TIMBER

Ensure suspected illegal timber has been held and reported

- Report on suspected illegal timber

Ensure investigations have complied with legal procedures

- Order confirming investigations have complied with legal procedures
- Case summary report

Ensure prosecutions have complied with legal procedures

- Prosecution case file
- Letter of appeal and declaration
- Court decision
- List of confiscated timber

Ensure confiscated timber has been registered as a state asset and the Auction Committee has followed regulations

- A record of the timber list register or state asset
- Letter of appointment of the bidding committee for confiscated timber
- Sale-purchase agreement between POIC and buyer
- Report detailing the results of auctions
- Certificate of removal from the state assets register
- Payment invoice to the bidder
- Transport Permit from PAFO

IMPORTED TIMBER

Ensure imported timber is from a legal source

- Forest Law Enforcement Governance and Trade License
- Convention on International Trade in Endangered Species (CITES) Permit
- Documented information on the legal source, processing and supply chain of timber
- Risk Assessment
- Timber Import License

Ensure timber has been legally imported into Laos

- Record of importation in the ASYCUDA system
- Customs declaration
- Timber Import License
- Customs clearance

LABOR

Ensure the rights and benefits of employees are respected

- Labor Inspection Organization report

Ensure occupational health and safety regulations are respected

- Labor Inspection Organization report
- Training Certificate letter

WOOD PROCESSING AND TRADE

Ensure companies comply with wood processing and trade requirements

- Enterprise Registration Certificate
- Factory Operation Certificate.

Ensure companies comply with supply chain control procedures

- Report on Timber Output and Balance
- Tax invoice
- Annual Tax Payment Certificate
- Annual lump sum tax receipt

Ensure companies comply with environmental and social impact regulations

- ECC
- ESIA
- Approved report on operator's ESMP implementation

Ensure companies have complied with export laws and regulations

- Loading certificates for wood product exports
- Approved Customs Declaration Form

Ensure companies comply with CITES-protected wood product export regulations

- CITES Permit

Check that each document is up to date, has been signed/stamped by the authorized agencies, and is consistent with other documents and with actual products and volumes being sold/exported.

Laos Timber Legality Risk Assessment:
<https://preferredbynature.org/library/risk-assessments/laos-timber-legality-risk-assessment>
 Laos Timber Legal Definition:
<https://legitlaos.com/resources/tlas/>

On behalf of:



Implemented by:

