



WORKSHOP SUMMARY

4th Sub-Regional Training Workshop on Timber Legality Assurance

22-24 October 2014 VIENTIANE, LAO PDR

A three-day training workshop on timber legality assurance was held in Vientiane, Lao PDR from 22-24 October 2014 with participants and resource persons from Cambodia, Indonesia, Laos, Malaysia, Myanmar, Thailand, Vietnam, the Philippines, Brunei and India, co-organized by the ASEAN Secretariat, the EU FLEGT Facility hosted by the European Forest Institute (EFI), and the Ministry of Agriculture and Forestry (Department of Forestry and Department of Forest Inspection) of Lao PDR, with strong in-country support from GIZ Laos. Approximately 65 participants consisting of government officials, members of civil society and the private sector from nine (9) ASEAN member states and the private sector in India, as well as resource persons from UK DFID - Indonesia and GIZ Lao PDR assisted at the workshop. Observers from the EU Delegation to Lao PDR, the EU Delegation to Malaysia, the regional office of the EU FAO FLEGT support program, ASEAN-German collaboration on climate change and forestry, and the Centre for International Development and Training (CIDT) of the Wolverhampton University were also present. The workshop agenda covered presentations, discussions, thematic group work and a field visit to an FSC-certified furniture factory to learn about timber processing, supply chain control and export procedures. The workshop objective to promote exchange, dialogue and better understanding on Timber Legality Assurance Systems (TLAS) at the regional level was well-achieved, as evident through the informative presentations, questions and answers and friendly exchanges.

In November 2010, the first Sub-Regional Training Workshop on Timber Legality Assurance was jointly conducted by ASEAN, the FLEGT Asia Regional Support Program implemented by the EFI, and the Vietnamese Ministry for Agriculture and Rural Development. A second event took place in Sabah, Malaysia in October 2012, and brought together the Mekong Countries (i.e. Cambodia, Myanmar, Lao PDR, Viet Nam and Thailand) and resource persons from Malaysia, Indonesia, the EU and the EU FLEGT Facility. The trainings explored options for increased timber legality in the Mekong region and provided a platform for exchange of lessons learnt in FLEGT VPA processes, targeting at the increased implementation of credible Timber Legality Assurance Systems in the



ASEAN region. A third Sub-Regional Training Workshop was conducted in Kuala Lumpur, Malaysia in April 2013. The event placed particular focus on increased collaboration between customs and enforcement agencies within ASEAN, and on interregional exchange between Asian and African VPA countries.

The fourth Sub-Regional Training Workshop was agreed at the 13th Meeting of the ASEAN Working Group on a Pan-ASEAN Timber Certification Initiative in June 2014 in Myanmar, and confirmed by the subsequent 17th Meeting of ASEAN Senior Officials on Forestry in Cambodia. The event was preceded by the 5th meeting of the ASEAN Regional Knowledge Network on Forest Law Enforcement & Governance (ARKN-FLEG), after not coming together for almost five years. Since the last network meeting in 2009, a lot had happened through continuing ASEAN initiatives on timber legality assurance, as well as through bi-lateral actions between ASEAN member states and the EU on FLEGT VPAs, and bi-lateral initiatives between member states. The 5th ARKN-FLEG meeting re-examined its regional workplan for strengthening FLEG in ASEAN (2008-2015) and explored the future role for the network. An update on regional initiatives on forestry and timber legality assurance and a report on the results of the 5th ARKN-FLEG were presented to the Training Workshop on timber legality assurance on 22 October 2014.

Objectives

The training workshop had the following objectives:

- (a) **Enhance the capacity** of ASEAN Member States (AMS), in particular the Mekong countries, to develop and implement Timber Legality Assurance Systems based on the ASEAN framework and the FLEGT VPA initiative
- (b) **Exchange practical experience** on VPAs and timber legality assurance between AMS
- (c) **Increase multi-stakeholder collaboration** amongst AMS on forestry issues
- (d) **Contribute to the development of an ASEAN position** on timber legality and associated trade

Outcomes

On the first day, the EU FLEGT Facility and DFID Indonesia presented updates on market relevant initiatives and shared experience on timber legality assurance, followed by an update by the ASEAN Secretariat on regional initiatives on forestry and timber legality assurance. In the afternoon Indonesia presented on lessons learned in VPA/SVLK implementation while Malaysia, Vietnam, Laos and Thailand shared updates and lessons learned on VPA preparations and negotiations (links to all presentations are provided in Annex 1).



The presentations were followed by lively discussions with strong interaction from members of the audience. General questions included concepts to regulate the legality of imported timber and timber products, measures to ensure credibility for VPA TLAS, options and requirements for civil society engagement, differences between TLAS concepts, linkages of VPA TLAS and forest certification, and market impacts of legal timber. In addition, specific questions were asked about the systems under development in Indonesia, Malaysia and Vietnam (Annex 2 provides an overview of the questions and answers sessions).

On the second day, Cambodia, Myanmar and The Philippines presented on their national forest policies and programmes, and FLEGT related activities in their countries. A special session on private sector views allowed private sector representatives from India, Myanmar and Indonesia to share their thoughts and experience. Again active questions and discussions followed, touching on product scopes, terminology, and country specific developments.

The participants then self-selected themselves to join the four working groups to address the following topics:

- Group 1: SMEs and timber legality assurance – how to ensure that SMEs can deliver legal timber?
- Group 2: Timber legality assurance and imports – how to assure legality of imports (reflecting on approaches under development in AMS)?
- Group 3: Communication on progress – how to address communication challenges related to illegal logging and trade?
- Group 4: Civil society engagement: how to create and maintain civil society engagement in timber legality assurance processes?

The groups discussed these topics in detail and later presented the results of their discussions and recommendations from a national and a regional (ASEAN) perspective as follows:

Group 1: SMEs and Timber Legality Assurance

The following general statements and suggestions were made:

- Need for award programs to “model SMEs” doing well on timber legality assurance
- Online programs should be used as this saves time – e-business solutions
- Appropriate tools of communication are needed (local language, business talk, cost/benefit analysis)
- Explore benefits from better supply chain management – e.g. efficiencies in production
- Explore how the image of the entire industry can be changed - green producers
- Avoid never ending VPA negotiations – business sector needs clear timelines
- Phased approaches can help - start with a limited number of products, or low risk timber, or focus on specific milestones. Segregation of material that does not meet legality requirements might be needed
- Avoid parallel systems - integrate private sector solutions



The following specific suggestions were made to ASEAN/the regional process:

- Help AMS to learn from each other by setting up an ASEAN clearing house of information for countries negotiating VPAs – a support service offering best practices
- Create a website on the legal requirements for timber in AMS
- Encourage capacity building of SMEs. Include other government agencies, e.g. those dealing with transport and customs – explore benefits of working together to streamline regulation of SMEs
- ASEAN could create a specific SME support program (including awards) to encourage implementation of stepwise solutions on legality assurance
- ASEAN could also develop a legal framework for all member states on timber legality (ASEAN has already started this with its criteria and indicators on timber legality)

Group 2: Timber legality assurance and imports

The following general statements and suggestions were made:

- Due Diligence System (DDS) with risk-based assessment is the most appropriate way of dealing with the legality of timber imports. It needs to be explored who should conduct DDS - Customs/Competent Authorities versus Operators/ Importers. Capacities and control procedures are important in this context
- Timber harvesting countries should provide clear documents of legality and inform each other about existing procedures – assessment of these documents are the core of DDS
- The risk of laundering timber through confiscation should be assessed

The following specific suggestions were made to ASEAN/the regional process:

- ASEAN to encourage its member states to inform each other about systems and procedures in place – e.g. concerning specific bans/prohibitions, work on integrated online systems, and links to the ASEAN single window system
- ASEAN to encourage that member states provide clear documents demonstrating timber legality
- ASEAN could develop, as part of a regional framework, guidelines to recognize systems used by each member state

Group 3: Stakeholder support and communication challenges

The following general statements and suggestions were made:

- Communication is a continuous process from planning stage to implementation
- Communication needs a strategy:
 - Conduct of massive Information Education Communication campaign
 - Lobby with law makers
 - Engage with affected parties
 - Directly engage with media
- Communicate nationally, regionally and internationally on achievements concerning timber legality
- Use different tools to communicate with specific target groups



- Communicate when ready (be proactive):
 - When we know what we want to achieve
 - When we have the information
 - When we know whom to communicate with

Group 4: Civil society engagement

The following general statements and suggestions were made:

- Involve civil society in all phases of the process; in VPA pre-negotiation, negotiation, implementation and monitoring, in all phases but possibly with different degrees
- Provide capacity- building and support to CSO communication
- Learn from other countries that have made progress in VPA processes
- Put FLEGT in a larger context of interest to civil society; tie to other topics (e.g. community forestry)
- Integrate local knowledge to VPA process (helps ownership-building)
- Ensure that civil society voices are heard
- Ensure protection and safety for civil society actors through ensuring open political/open space for them
- Create and ensure political will to invite civil society to be involved in the VPA process

The following specific suggestions were made to ASEAN/the regional process:

- Build an ASEAN network of civil society engaged in FLEGT
- Establish an ASEAN Civil Society Forum on FLEGT that meets regularly

The workshop was concluded with a visit to a Lao Furniture factory arranged by GIZ Laos with the kind assistance of the Department of Forestry and Department of Forest Inspection of Lao PDR. The group was briefed by Mr. Thongsavanh Soulignamat, owner of the factory and President of the Lao Wood Processing Industry Association (LWPIA) on the tracking of timber and documentation of timber sources.

The success of the workshop is attributable the informative presentations by resource persons and country representatives, the active participation and good and open exchanges, the conduct and structure of the workshop and the generous hospitality of the host government. All participants wish to convey their appreciation to the sponsors of the workshop, the workshop facilitator, the contributions of the resource persons, and the excellent logistical arrangements made by the secretariat. The workshop was held in the traditional ASEAN spirit of cooperation and solidarity. Outcomes will be forwarded to ASEAN to be reflected upon when developing the forestry part of the ASEAN Strategic Plan of Actions 2016-2020/2025.

Vientiane, Lao PDR,
25 October 2014