

Minutes of Meeting

EU FLEGT VPA

On “Legality Definition”

1st Meeting, Date 23 June 2014

At Meeting Room 1, 2nd Floor, Thiamkhomkrit Building, Royal Forest Department,

Bangkok

Conclusions and Topics

The purpose of this Meeting was to discuss on the Principle, Criteria of the Legality Definition for the 1st consultation on FLEGT VPA with the EU in August 2014. The LD in Thailand is divided into 4 Modules:

Module 1 – Source of Timber

1a Private Land

1b Public Land

1c Import

Module 2 – Category of Timber

2a Restricted Species

2b Unrestricted Species

Module 3 – Processing

Module 4 – Distribution

4a Domestic Sale

4b Export

Session 1 – Legality Definition

During the editing of Module 1 – Source of Timber in the LD, the participants commented and suggested as the followings:

Tree Bank (Civil Society Organization: CSO) expressed that there should be timber certification before establishing source of timber certification as some plantations in the present are in illegal lands. RECOFTC expressed that problems might arise from developing the LD according to source of timber because land division between forest and community is still unclear. The CSO suggested that central organization should be established in the locality to certify timber for the Royal Forest Department as it will be more convenient to verify the land and timber, and provide information to the locals in its area. Tree Bank, for example, has information on numbers of timber possessed by the locals, it is able to assess the value of timber. However, the Meeting agreed that there should be land certification to support verification following the EUTR that it indicates to certify the source of timber first.

Regarding administration of the source of timber, RECOFTC and Sawmill Association raised the point of labour in processing process that workers should be above 18 years. The participants brought up the case that is it against the Regulation if sons/daughters below 18 years of the operators labour in the processing. Sawmill Association from private sector raised a point of whether the timber is considered legal if illegitimate money is used in harvesting. Moreover, RECOFTC also raised the awareness on ecosystem.

Discussion in drafting the Module 2 – Category of Timber, the participants commented and suggested as the followings:

The Royal Forest Department explained to the Meeting that restricted species are plants in the Krisdika List of Restricted Species and are grown in the forest only. Thailand has closed the Concession of all kinds of plants since 1992, as a result, there is no harvesting on restricted species

except teak and *Dipteocarpus alatus* all over the Kingdom which are considered restricted species in Category Kor (permission from the Officer is needed wherever they are grown).

Tree Bank suggested that the Category should be divided into a) timber grown in the country, and b) timber imported from overseas, as the public has no rights to harvest restricted species. But the Meeting agreed to divide into a) restricted species, and b) unrestricted species, for the time being. RECOFTC added that more species should be added to Commercial Forest Plantation Act, B.E. 2535 (1992) to be controlling instrument. If planters will certify themselves, there must be agents responsible for certification or develop system with infrastructure similar to SFM.

Discussion in drafting the Module 3 – Processing, the participants commented and suggested as the followings:

The Meeting concluded that the processing process starts since timber is harvested (whether harvested in the plantation or sawmill) till it enters the market.

The Royal Forest Department requested Tree Bank to give the clear definition of its organization to be easy to identify stakeholders later. Tree Bank informed that it is the people's Tree Bank, focusing on supporting people to reserve their rights on timber trade in the country. It planned to have membership and tree registration in the future to facilitate the assessment of number and value of trees.

Module 4 – Distribution It is divided into a) domestic, and b) overseas. The Meeting agreed on the drafted LD and agreed to move 'Transportation' to this Module.

Session 2 – Points and Suggestions from EFI on FLEGT VPA in Thailand

1. EFI would like to know work progress on FLEGT VPA in Thailand
 - Groups of private sector and CSO have held several meetings among themselves on the FLEGT VPA negotiation. Therefore, the Meeting requested each group to submit related

- meeting documents to TEFSO as follows: 1) Miss Arunwan Petchsang will collect the meeting documents. 2) Mr. Jirawat Tangkijngamwong will collect the meeting documents from the private sector. 3) RECOFTC will collect the meeting documents from the CSO.
2. Are stakeholders ready to discuss, and do Royal Forest Department know their expectations.
 - They are willing to participate and support throughout the project. Stakeholders show their intentions to participate and see that the project will be beneficial in the long run.
 - Royal Forest Department expected stakeholders to participate as they are important part in the process and will be affected by the result.
 - CSO, for example, RECOFTC and Tree Bank, saw that FLEGT is an opportunity for all parties to make better understanding between each party and for discussions.
 - *** expected the timber business may continue and wished the Tree Bank to learn the needs and expectations of the market and the EU, share information and prepare the members to act in accordance with the needs and expectations.
 3. Is the kickoff meeting necessary before the consultation process.
 - The Meeting agreed to have the kickoff meeting before the consultation process to help involved agencies and organizations, and stakeholders have correct understanding on FLEGT. Moreover, the Meeting suggested to publicize FLEGT through any kind of advertising such as television, since presently the public has little knowledge on FLEGT. *** suggested that the participants in regional workshops should be stakeholders who are truly affected. The Meeting also discussed on the labor group that might be involved and later the participants saw that it was difficult to identify as there is no labor union.
 4. The meeting format should be planned, for example, plans on topics, presentations, meeting documents, method on collecting opinions, identify the participants as well as consider whether facilitator is needed. *** suggested that last session of workshop should

have discussion to exchange experience and opinions, and bring to discuss in the meeting again by *** is willing to lead the discussion.

5. Specify accountability of the Royal Forest Department in the consultation process.
6. Consider if advice or help is needed from the countries which have experiences on FLEGT VPA.

Next Meeting

The Meeting set the date of 2nd Legality Definition Meeting on 18 July 2014 at 9:00 hrs.