

**Minutes of
Legality Definition Meeting 1**

15 January 2015

Maruay Garden Hotel, Bangkok

Participants

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| 1. Mr. Banjong Wongsrisoontorn | Director of Forest Certification Office, RFD |
| 2. Mr. Boonsuthee Jerawongpanich | Director of Standardization Division, RFD |
| 3. Mr. Thada Suwannawimon | Director of Wood Certification, RFD |
| 4. Dr. Somrudee Nicro | National FLEGT Expert, EFI Consultant |
| 5. Mr. Sukal Sirichantaradilok | Legal Officer, Custom Department |
| 6. Mr. Patkamol Thatthiphong | Department of Trade Negotiation |
| 7. Mr. Jirawat Tangkijngamwong | Thai Timber Association |
| 8. Mr. Thanun Ounkomol | The Federation of Thai Industries |
| 9. Miss Arunwan Petchsang | Thai Hevea Wood Association |
| 10. Mr. Wiroat Kanaphongsa | Thai Panel Product Industry Club |
| 11. Mrs. Yingluck Patiphanthewa | Private Forest Plantation Cooperative Limited |
| 12. Mr. Phongsa Choonam | Tree Bank Foundation |
| 13. Mr. Nirutt Buapha | <i>Natural Resources and Environment Network Esan</i> |
| 14. Miss Atcharaporn Daisai | RECOFTC |
| 15. Miss Panjit Tansom | TEFSO Consultant |
| 16. Miss Rotcharek Limkitisupasin | TEFSO Assistant |
| 17. Miss Yada Saifag | TEFSO Assistant |

1) The Meeting started at 9:00 hrs.

1.1 Mr. Banjong Wongsrisoontorn, FCO Director, RFD opened the Meeting

Mr. Banjong Wongsrisoontorn, FCO Director, RFD, chairman of the Meeting, opened the Meeting and welcomed LD Ad-hoc Working Group, informing the objectives and expected outcomes of this Meeting.

2) Adopted minutes of meeting “Legality Definition”, Round 2, Time 2, on 16 September 2014, Phirun Meeting Room, 2nd Floor, Kasetsart University Alumni Association Building

Miss Arunwan Petchsang from Thai Hevea Wood Association added details on wood pellet in page 5. The Meeting agreed and adopted the minutes.

3) Background and guideline on improving LD draft by Mr. Boonsuthee Jerawongpanich, Director of Standardization Division

Mr. Boonsuthee presented the new LD draft based on the comments collected from the 4 meetings, advice from EFI, and examples of other countries’ LD drafts. The Working Group discussed and commented on the draft and the guideline, and agreed that the Principle and Criteria should be improved. But first of all, the Meeting wanted to discuss how to write the Principle.

Mr. Phongsa Choonam from Tree Bank Foundation commented that channels for complaints should be provided in all Principles and should be aware of or add “justification” in the Principle. The Meeting did not agree on the adding because justification cannot be measured.

Mr. Patkamol Thatthiphong from Department of Trade Negotiation commented that LD draft should be in the range of existing laws. Issues or amendments of the laws within the country should not be overlooked and shall be worked on the laws in parallel. The rules and regulations can be put in the VPA or annexes. The Meeting agreed with the method.

Dr. Somrudee Nicro, EFI Consultant, stated that the points agreed in the previous meetings can be used in the future meetings depending on the situation, content, information and consideration of the meeting.

4) LD draft presented by Mr. Boonsuthee Jerawongpanich, Director of Standardization Division

Mr. Boonsuthee Jerawongpanich presented the LD draft for the Meeting to edit and improve the draft by the draft consists of 11 Principles and 26 Criteria (see annex)

- Principle 1: Operators/juristic persons operating in forestry sector must have legal existence, legal recognition, and legal right to operate in forestry sector
- Principle 2: Permitted land for planting, ownership land and types of planted trees
- Principle 3: Social obligations and benefit sharing
- Principle 4: Forest/timber management operations, harvesting and importing
- Principle 5: Environmental obligations
- Principle 6: Timber transportation and traceability
- Principle 7: Transformation and timber processing
- Principle 8: Workers' rights, health safety and welfare
- Principle 9: Taxes, fees, and other payments
- Principle 10: Export and trade requirements
- Principle 11: Transparency and general disclosure

5) Additional comments

- The Meeting agreed to finish the draft before sending to EFI for comments
- Worries of the CSO on regulations or issues on existing laws, such as land rights, Mr. Jirawat from Thai Timber Association recommended to have a negotiation between CSO and the government to have an agreement before putting into the draft and it should be another round besides the LD meeting.
- Mr. Nirutt Buapha from *Natural Resources and Environment Network Esan*, stated that the Working Group should have the same understanding on the issues especially the issues from CSO that the Working Group may face in the consultation with CSO.

6) Things to be done

6.1 TEFSO will coordinate with the small Working Group to work on Indicator, Verifier and legal reference

7) Next meeting

TEFSO will coordinate and confirm the next meeting of LD Ad-hoc Working Group which will be held in 29 April 2015

8) The Meeting ended at 16:30 hrs.

Minutes taken by

Miss Panjit Tansom

Miss Yada Saifag