

Minutes of Technical Meeting

No. 2/2017

On 17th October 2017 at Lotus meeting room,

Rama Gardens Hotel, Bangkok

Ad-Hoc Working Group

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| 1. | Mr. Jareysak Nantawong | Deputy Director-General , Royal Forest Department |
| 2. | Ms. Benjamaporn Pornperm | Trade Officer, Senior Professional Level, Foreign Trade Department |
| 3. | Pol. Col. Worasak Bandit | Inspector Super Intendent, Crime Suppression Division,
Natural Resources And Environmental Crime Division |
| 4. | Mr. Korn Manassrisuksi | Director of Forest Geo - Informatics Division,
Forest Land Management Bureau, RFD |
| 5. | Mr. Niwat Luengborisut | Forest Officer, Senior Level, Reforestation Promotion Office, RFD |
| 6. | Ms. Apiradee Chitprasop | Legal Officer, Professional Level, Legal Bureau, RFD |
| 7. | Mr. Metanee Seemantra | Forestry Technical Officer, Professional Level, Forest Protection
and Fire Control Bureau, RFD |
| 8. | Mr. Chutithep Phothipak | Forestry Technical Officer, Senior Professional Level,
Forest Research and Development Bureau |
| 9. | Mr. Krek Meemoogkij | Secretary, Community Enterprise Network |
| 10. | Mr. Wichian Sattathara | President, Mueng Ling Family Forest Network, Surin |
| 11. | Mr. Phongsa Choonam | President, Tree Bank |
| 12. | Mr. Wirote Tipin | President, Sustainable Development Foundation (SDF) |
| 13. | Mrs. Yingluck Patiphanthewa | President, Private Forest Plantation Cooperative Limited |
| 14. | Mr. Ekkasit Aneksitthisin | The Thai Chamber of Commerce and Board of Trade of Thailand |
| 15. | Mr. Prasert Eamdeengamlert | President, Sawmill Association |
| 16. | Ms. Rungnapa Wattanavichian | Thailand Forest Certification Council,
The Federation of Thai Industries |
| 17. | Mr. Wiroat Kanaphongsa | Manager, Thai Panel Product Industry Club |
| 18. | Asst. Prof. Ethipol Srisaowalak | Legal Expert |

19. Mr. Poramet Payapsatan FLEGT-VPA Project Coordinator, RECOFTC
20. Mr. Banjong Wongsrisoontorn Director of Forest Certification Office, Permission Bureau, RFD

Absentees

1. Director-General of Royal Forest Department
2. Representative of Department of Trade Negotiations
3. Representative of Thai Customs Department
4. Representative of Agricultural Land Reform Office
5. Representative of Forest Industry Organization
6. Representative of Planning and Information Technology Bureau, RFD
7. Representative of Community Forest Network in 5-Province of Eastern Forest Complex
8. Representative of Thai Timber Association
9. Representative of Faculty of Forestry, Kasetsart University
10. Director of Permission Bureau, RFD

Attendees

1. Mr. Sapol Boonsermsuk Director of International Forestry Cooperation Office, RFD
2. Mr. James H. Sandom International Expert Field Testing
3. Ms. Pawinee Udommai Legal Consultant
4. Mr. Alexander Hinrichs Regional Advisor Asia, EFI
5. Ms. Somrudee Nicrowattanayingyong FLEGT Facilitator for Thailand, EFI
6. Mr. Thomas de Francqueville Legality Assurance System Expert, EFI
7. Mr. Somporn Khongthanakrittakorn SmE Consultant, EU FLEGT Facility, EFI
8. Mr. Bruno Commaert Forestry Officer, EU FAO FLEGT Programme, FAO
9. Ms. Erica J. Pohnan Consultant FAO-FLEGT Programme, FAO
10. Ms. Pantalika Ponkchababaumpa Trade Officer, Professional Level, Foreign Trade Department
11. Ms. Warisara Thananchai Legal Officer, Professional Level, Legal Bureau,

- Department of Industrial Works
12. Mr. Watcharapan Siripan Scientist, Professional Level, Legal Bureau,
Department of Industrial Works
 13. Ms. Natchapornnapat Sinthusit Engineer, Practitioner Level, Legal Bureau,
Department of Industrial Works
 14. Ms. Duengduan Sripota Director of CITES Flora Convention Division,
Department of Agriculture
 15. Ms. Sumalee Thongdon-ae Agricultural Technical Officer, Senior Professional Level,
CITES Flora Convention Division, Department of Agriculture
 16. Ms. Chantaraporn Wisutthikan Labour Officer, Professional Level,
Department of Labor Protection and Welfare
 17. Ms. Pimtra Ketkulpan Academic Officer, Office of Natural Resources and
Environmental Policy and Planning
 18. Ms. Chuleekorn Savetwong Policy and Plan Analyst, Office of Natural Resources and
Environmental Policy and Planning
 19. Mrs. Patama Domrongphol Environmentalist, Senior Professional Level,
Office of Natural Resources and Environmental Policy
and Planning
 20. Mr. Pitsanu Harichan Head of Academy and Technology Transmit,
Rubber Authority of Thailand
 21. Mr. Ukrit Kalayee Private Forest Plantation Cooperative Limited
 22. Mr. Jittiwat Srilapat Private Forest Plantation Cooperative Limited
 23. Mr. Montri Yotarak Private Forest Plantation Cooperative Limited
 24. Ms. Wasu Wipoosanapat RECOFTC
 25. Mr. Amornpong Hiranwong Head of Research and Development Operation,
Suankitti Group
 26. Mr. Natchapakorn Damnernchanwanit Suankitti Group
 27. Mr. Samran Hanthalaе Suankitti Group
 28. Mr. Wirote Sriwanun Suankitti Group

29. Mr. Thanun Ounkomol Vice President, Thai Furniture Industry Club
30. Mr. Piyapong Thampanya Thailand Forest Certification Council,
The Federation of Thai Industries
31. Mr. Thanapol Torsittidechkul Consultant, Thai Hevea Wood Association
32. Mr. Panus Siriaporntham Retired Government Officer
33. Mr. Thanakorn Kiratipakawat Forestry Technical Officer, Professional Level, RFD
34. Ms. Patitta Kornpipat Economist, Practitioner Level, Forest Research
and Development Bureau, RFD
35. Ms. Preeyanun Muengsan Forestry Technical Officer, Practitioner Level,
Reforestation Promotion Office, RFD
36. Mr. Prateep Lisakulruk Forestry Technical Officer, Professional Level
Forest Protection and Fire Control Bureau
37. Mr. Ronnarit Chumkhuntod Forestry Officer, Experienced Level,
Forest Protection and Fire Control Bureau
38. Acting Sub Lt. Poomrat Nakudom Forestry Officer, Experienced Level,
Permission Bureau, RFD
39. Ms. Wannaporn Phayom Forestry Technical Officer, Permission Bureau, RFD
40. Mr. Thada Suwanwimon Forestry Technical Officer, Professional Level,
Permission Bureau, RFD
41. Mr. Boonsuthee Jeravongpanich Forestry Technical Officer, Professional Level,
Permission Bureau, RFD
42. Ms. Panjit Tansom Technical Consultant, Thai-EU FLEGT Secretariat Office
(TEFSO)
43. Ms. Isiyanee Samrit Database Officer, Thai-EU FLEGT Secretariat Office (TEFSO)
44. Ms. Kessara Sanmongkol Operation Officer, Thai-EU FLEGT Secretariat Office (TEFSO)
45. Ms. Pitchaya Wetchasap Coordinator, Thai-EU FLEGT Secretariat Office (TEFSO),
Permission Bureau, RFD
46. Ms. Chatdinee Konman Coordinator, Thai-EU FLEGT Secretariat Office (TEFSO),
Permission Bureau, RFD

The meeting started at 09.45 hrs.

According to Thailand's Legality Definition Field Test in August-September, Thai-EU FLEGT Secretariat Office arranged the Technical Meeting No.2/2017 between Thai-EU FLEGT VPA Ad-hoc Working Group and European Forest Institute (EFI) in order to report observations and findings emerged during the LD Field Testing by the Consultant and officers of Royal Forest Department. Moreover, Mr. Jareysak Nantawong, Deputy Director-General of Royal Forest Department acted as a chairman of this meeting. There were 68 participants, which were 28 females and 40 males, from government sector, private sector, civil society, and Non-Profit Organizations.

Agenda item 1: Notifications

Mr. Jareysak Nantawong, Deputy Director-General of Royal Forest Department, said thank you to the Ad-hoc Working Group that has collaborated to conduct Thai-EU Voluntary Partnership Agreement in Forest Law Enforcement, Governance and Trade. RFD hopes that this project will be finished in 2019, according to VPA Roadmap.

Resolution The meeting was informed.

Agenda item 2: Approval of the minutes of the Technical Meeting between Thai-EU FLEGT VPA Ad-hoc Working Group and EFI No.1/2017 on Thursday 14th September 2017

- Mr. Phongsa Choonam, President of Tree Bank, asked for editing the minutes on page 6, at 4.3.1 from “refer to the constitution, section 144/145” to “refer to Civil and Commercial Code, section 144, 145, 1335 and 1336”.
- Mr. Banjong Wongsrisoonthong, Director of Forest Certification Office, asked for editing the minutes on page 10 from “Ministry of Industrial Factory” to “Department of Industrial Works”.
- Ms. Chantaraporn Wisuttikan, a representative of Department of Labour Protection and Welfare, asked for editing the minutes on page 10 from “Ministry of Labour and Social Welfare” to “Ministry of Labour”

Resolution The meeting adopted the minutes.

Agenda item 3: Next Steps of the Technical Meeting between Thai-EU FLEGT VPA Ad-hoc Working Group and EFI No.1/2017 on Thursday 14th September 2017

In accordance with the resolutions of the Technical Meeting No.1/2017,

- 1) Sub-Working Group to develop the Due Diligence System for controlling the importation of timber will be established, with a representative of TFCC as a leader.

- The Sub-Working Group arranged a meeting to discuss a way to develop the Due Diligence System and a way to control imported timber on 12th October 2017. The details would be presented in the next agenda.

- 2) Sub-Working Group to draft the way of verification of unregulated species on private land will be established, with a representative of TFCC as a leader.

- The Sub-Working Group arranged a meeting to discuss a way to verify unregulated species on private land on 16th October 2017. The details would be presented in the next agenda.

- 3) The results from the two above will be discussed with EFI; however, they rely on the readiness of each Sub-Working Group.

- Each of the Sub-Working Group presented the two ways above in order to discuss in the Technical Meeting No.2. Thus, the observations from the meeting will be adapted and developed to the Due Diligence System which is to control the imported timber and to enhance the verification of unregulated species on private land. Plus, the key points will be considered appropriately to discuss with EFI later.

- 4) TEFSO will invite related organizations to be informed the primary observation from LD Field Test in the next meeting.

- TEFSO invited the related organizations to join the Technical Meeting No.2 such as Department of Labour Protection and Welfare; CITES Flora Convention Division, Department of Agriculture; Department of Industrial Works.

Resolution The meeting was informed.

Agenda item 4: Notifications

4.1 Introduction of Legality Definition Field Test

Mr. James Sandom, International Consultant; Ms. Pawinee Udommai, Locally Legal Consultant; and RFD officers conducted the LD Field Test which was 61 sites across Thailand. The auditors were divided into 3 teams; there were two auditors in each team. They had conducted the testing for six weeks, August-September.

Resolution The meeting was informed the introduction of Legality Definition Field Test.

4.2 Feedback from Legality Definition Field Test

Mr. James Sandom, International Consultant, reported the feedback that there were 141 points of findings found out from LD Field Testing. The findings will be categorized by “Principle” indicated in the draft of Legality Definition. However, the consultants reiterated that the observations and findings were just the two Consultants’ opinions.

Structure and format of Legality Definition (LD) - Missing Processes

- The current numbering system is unhelpful. The Consultants suggested that the structure and numbering should be made less confusing, considered highlighting the Principle. Also, the numbering string does not exceed two digits.
- A difference of operators' roles and obligations needs to be more obviously appeared in the draft of LD. Nevertheless, the different obligations must have different verifiers. The role and obligations of an organization enforcing legal requirements must be considered when TLAS would be designed.
- Some processes or procedures are missing such as hammer stamping, marking timber, managing confiscated timber, and utilization on public land.

Structure and format of Legality Definition (LD) - Missing Indicators and Verifiers and Suggested Additional Indicators and Verifiers

- Indicators, Verifiers, and Legal Reference need to be improved to be appropriate with distinguished conditions of land possession e.g. verifiers of Kor Tor Chor's right to access land.
- Enhancing verifiers must be comprehensive in every type of Transportation Permit
- The "fuel wood" does not still reflected in the current LD adequately.
- There are no any details of the Indicators and Verifiers about animal's welfare related to logging.
- The Indicators, Verifiers, and Legal Reference should be improved in order to verify that workers register and receive a social security and annual check-up.

Principle 1: Operator Legality, including land

- Legal ownership of the land does not mean the legal ownership of the trees automatically. However, the ownership of the trees needs to be verified in order to prove the right of the ownership. The Consultants suggested that legality of the land should be defined at the beginning.
- There is no any monitoring and verifying the legality of high-valued or high-risk species (e.g. CITES).

Principle 2: Sourcing and Transport of Timber

- The Consultants noted that there are greatly different size of operators in Thailand. Therefore, the supply chain control should be a supportive system to all stakeholders and a standard of the nation. Nonetheless, the system of Principle, Criteria, and Indicator, which is a single system, is not suitable for the operators and enterprises in Thailand.
- There is no any record or requirement for monitoring or transporting related to unregulated species, unless it was harvested by Operator 2 and Forest Industry Organization.
- According to field testing, some smallholders, cooperatives, and communities have conducted a chain of custody system to monitor payment, ownership, and income distribution. The Consultants advised that there should be a variable to test

the possibility of the chain of custody system applying to unregulated species. Moreover, the chain of custody system, which is efficient, should belong to a national system more than to an operator.

- NSW is competent to develop in order to be the basis of accompanying and monitoring the real-time transport from the source until selling or transforming under the TLAS.
- Rubber and Eucalyptus were supposed that they are low-risk species; uncomprehensive verification might cause the risk.

Principle 3: Obligations and Approach in terms of forest management and harvesting

- There are no any observations or findings presenting in this meeting; the observations of Operator 3 will be put in the complete report.

Operator 4 and 6: Importers and Exporters

- The operators have conducted a similar Due Diligence System, but there is no criteria or clear document for the Due Diligence System of Thailand, especially timber from illegally high-risk source.
- The Indicator and Verifier of Operator 4 and Operator 6 should be improved. Furthermore, verifying organization must have Indicator and Verifier apart from operator, and it must be more distinct.
- There is a weakness about transition of imported CITES species. Checking a compliance of documents for transporting and previous checkpoint might not indicate a false or fake declaration of CITES species. However, verification of CITES species is not written in the LD.

Principle 4: Labour and workplace issues, Employment, working terms and conditions, Health, Safety, and Welfare

- Providing and wearing Personal Protective Equipment (PPE) are not stable. The company often provides to workers, but there is no any policy or procedure to ensure that the workers wear it.
- Checking Indicator and Verifier existing in the labour and workplace law is difficult and inadequate or it is unlimited-time verification of legality that is applied to the basis of licensing system.

Principle 5: Taxes, fees and other payment obligations

- Currently, paper receipt is still used; it is not easy to verify transaction immediately. To facilitate payment and to verify licensing system within organization taking in charge, a revenue collection needs to be connectable for real-time implementation, coordination and payment and receipt record accessibility.

Principle 6: Forest Management, Environmental and Social impacts and indicators

- EIA assessment should designate that large-scale enterprise should follow EIA requirements. Currently, EIA is applied to only pulp and paper enterprise.

However, the implementation related to large-scale forest and logging activity is not under the EIA requirements or other equal requirements.

- The current LD draft lacks of regulations relevant to the basic of a framework monitoring the implementation for TLAS. This basic can make TLAS more cover the environmental and social verification.

4.3 Questions & Answers about LD field test

Mr. Phongsa Choonam, President of Tree Bank, questioned the Consultants “What are important factors that were supposed that legal ownership of the land does not mean the legal ownership of the trees automatically.

Mr. James Sandom, International Consultant, informed that the assumption is the owner of the land is the owner of the trees. Nonetheless, during the field test, some cases were found that some unexpired and unharvested trees are still on the expired land. Thus, this cannot be concluded “land ownership is not tree ownership”. Plus, there must be a clarity of who will be the tree owner in such land.

Mr. Banjong Wongsrisoontorn, Director of Forest Certification Office, asked Department of Labor Protection and Welfare about its obligation related to regulations of labour safety and verification evidence of labour in forest sector in order to be identified in the LD. They are used to refer with EU that the labours are protected according to the law. Ms. Chantaraporn Wisutthikan, the representative of Department of Labor Protection and Welfare, stated that the Department has applied Labour Protection Act B.E. 2541 and Occupational Safety, Health and Environment Act B.E. 2554 to protect the labour. Moreover, she suggested that the evidence related to labour being used for legal reference should be informed by directly related division under the department because some written details in the LD are incorrect.

Mr. Thanun Ounkomol, Deputy President of Furniture Industry, inquired whether all details written in the LD are too necessarily much or not. Moreover, he added that some steps of transport does not have any actual receipt but it refers to Transportation Certificate because the operator will receive the Transportation Certificate after proceeding the payment. In addition, the details of CO are enough for legality verification of imported timber; however, if additional documents are needed, EU should inform what documents beyond the CO are needed for clarity.

Mr. Panus Siriaporntham explained about timber auction in Myanmar. Each pile of timber must accompany with documents certified by MTE. MTE is a reliable organization. For the labour issue, the operator permitted to run logging activity must basically follow the labour law; otherwise, the operator will be criminally punished. For the environmental issue, sawn timber factory’s pollution and environment needs to be controlled. A public health office will check that. Hence, these are concluded that requesting a permission to set up a factory is related to other organizations e.g. Ministry of Labour, Customs Department, Department of Industrial Works, which controls environment. Additionally, he was sure that checking procedure of CITES is comprehensive, so it might not be weakness or flaw in the LD draft.

Mr. Alexander Hinrichs, a representative of European Forest Institute, showed his opinion related to environment that EU does not have a constant regulation in terms of working terms and health. Therefore, it does not mean that what EU wants. Thailand must consider whether the implementation is appropriate and adequate to Thailand or not. It is probably different in each country but it relies on nation's acceptance. Moreover, he explained about imported timber from Myanmar to EU that not only documents from MTE, but also additional documents are needed to prove the legality of source.

Resolution The meeting was informed the observations and findings during LD field test. The Consultants will analyze and collect data to summarize as the complete report.

Agenda item 5: Discussions

The participants were divided into four groups to consider an approach of six issues of findings emerged during LD field test

Issue 1: What kind of environmental and social indicators should be included as part of TLAS for planting up to harvesting and transport?

Group 1 commented that public land always controls environmental issues. On the other hand, private land should not be controlled by new law, so the operator will get an inspiration to plant.

Group 2 commented that currently, there are regulations of chemical substances application, so the operators must follow those regulations.

Group 3 commented that public land always controls social and environmental issues by law. On the other hand, private land still concerns about the effects to ecosystem, for example, burning, water effects, and chemical application. Thus, there should be a campaign to follow the law or discuss on a co-approach. For the supply chain control, private sector has its own internal operation to indicate the time of transport not to affect to surrounding community, also to compensate to the community if affected.

Group 4 commented that environmental and social indicator involves to unsafety of workers running activity of logging due to unsuitability of PPE to environment.

Summary The meeting agreed that Thailand has the law controlling environment, except private land that should not be added any law. However, the meeting agreed to raise the campaign to promote the compliance to the law and to discuss with community affected from such activity depending on cases.

Issue 2: How should the LD and TLAS accommodate the different requirements of large scale commercial producers and small-scale producers or community forest projects in Thailand? Principle 2.

Group 1 commented that community forest initiative differs from smallholders because of different objectives. Therefore, the law is different and it can be applied.

Group 2 commented that the operators should be categorized by sizes: large-scale and small-scale.

Group 3 had no comment on this point.

Group 4 agreed that the operators should be categorized by sizes: large-scale, medium-scale, and small-scale. Moreover, a basic standard should be designated for each size of operators, according to specification of society. Plus, the standard of large-scale operators should not be applied to small-scale operators.

Summary The meeting agreed to divide groups of operators: large-scale, medium-scale, and small-scale. Furthermore, the basic standard should be designated for each size of operators, according to specification of society. Plus, the standard of large-scale operators should not be applied to small-scale operators.

Issue 3: Should the LD and TLAS seek to include Labour regulations and Criteria and Indicators. If so, what kind of Indicators and Verifiers are most relevant and suitable? (Principle 4)

Group 1 commented that because of enforcement of the labour law, Labour Act should not be written in the LD but alien workers should be specified to comply with international standard.

Group 2 commented that there should be labour regulations, Criteria, and Indicator of each operator grouping as Issue 2.

Group 3 had no comment on this point.

Group 4 suggested that the operator on private land conducts a self-certification. Nevertheless, public land is controlled and followed by Forest Plantation Act. Moreover, Kor Tor Chor should be written in the LD and the farmers can plant and harvest on this type of land.

Summary The meeting agreed that there is labour law related to agricultural and industrial sector that controls and enforces; there is no need to put in the LD. Furthermore, the meeting acceded that Alien Worker Act should be written in the LD. Also, the meeting tendered that workers who face with high-risk operation should be awarded more amount of income. Moreover, some groups suggested that the operators follow the self-certification to prove their own legality and Kor Tor Chor land should be written in the LD as well.

Issue 4: Unrestricted species. How can we deal with them? How can we establish and prove their legality?

Group 1 agreed that there should be documents for self-certification.

Group 2 tendered that the operators register with a directly related organization, for example, rubber farmers register with Rubber Authority of Thailand, CITES species register with Department of Agriculture, and other kinds of timber register with Royal Forest Department.

Group 3 had no comment on this point.

Group 4 tendered that the operators follow the self-certification to prove their own legality.

Summary The meeting tendered that the operators register with a directly related organization, for example, rubber farmers register with Rubber Authority of Thailand, CITES species register with Department of Agriculture, and other kinds of timber register with Royal Forest Department.

Issue 5: Ownership. How can the legality of ownership of the trees be demonstrated – proof and evidence?

Group 1 commented that in case of land lease, verification of timber ownership complies with a contract or an attachment of a contract.

Group 2 tendered that the evidence from the opinion of Issue 4 can declare the ownership of timber.

Group 3 had no comment on this point

Group 4 tendered that the evidence from the opinion of Issue 4 can represent the right of timber ownership.

Summary The meeting agreed that the evidence in Issue 4 can be self-declared. Additionally, land lease complies with the contract and the attachment of the contract.

Issue 6: Empty box. Include anything of any topic that you feel passionately should be discussed or included in the LD or FLEGT Licensing system.

- There should be a Forestry Profession Association to aid farmers and labours in forest sector. Plus, a cost should be protected reasonably.
- Benefits to community should be raised e.g. tax payment to Subdistrict Administration Organization in order to develop the community.
- Chainsaw Act should be improved because the operators are affected from cross-region movement of chainsaw.
- Additional discussion of CITES and Agarwood verification should be raised.

Resolution The meeting listened to opinions of each group presented. The Consultant will collect the opinions to put in the complete report. The report will be finished at the end of the November. If there will be additional ideas, TEFSO will pass to the Consultants.

Agenda item 6: Other matters

6.1 Advancement of the Due Diligence System Sub-Working Group

Ms. Rungnapa Wattanawichian, a representative of The Federation of Thai Industries, presented the template and reported the advancement of the Due Diligence System Sub-Working Group after the Sub-Working Group studied a Vietnam's example of risk assessment of imported

timber. A core principle of risk assessment are species and country of origin as criteria for consideration (Attachment No.2). Nevertheless, there must be a field testing before this system will be worked.

Mr. Alexander Hinrichs, the representative of EFI, showed his opinion that the Due Diligence system does not need only information to assess risk, but also needs measures to mitigate possible risk. He showed the Vietnam's example that the risk depends on Customs' discretion. If timber or timber products might be in scope of high risk, such timber or timber products will be examined immediately. This is to strengthen the self-declaration in private sector. Thailand must discuss that if timber passes customs clearance, Customs Department will take in charge of assessing the risk and examining the legality or not. Moreover, Thailand needs to discuss on the measures and punishment under EUTR for a lawbreaker. Nonetheless, the Due Diligence System's regulations followed by stakeholders need to be accepted in order not to be too much enforced.

Mr. Alexander Hinrichs suggested that the Due Diligence System Sub-Working Group should create a concept note to be officially commented on the Due Diligence System.

Resolution The meeting was informed the advancement and suggestion to develop the draft structure of the Due Diligence System.

6.2 Advancement of Unregulated Species Verification on Private Land Sub-Working Group

Mr. Phongsa Choonam, President of Tree Bank, presented the ways to verify unregulated species on private land. Currently, there are four ways: self-declaration of Tree Bank; self-certification by third party, Private Forest Plantation Cooperative Limited; TISI 2861 certification of TFCC; and E-tree of RFD (Attachment No. 3).

Mr. Alexander Hinrichs, the representative of EFI, made an observation that documents come from only a producer. In addition, he questioned: How are the duplicates of documents kept?, Does the middle-man always keep such documents?, How are documents not lost?. Verification of unregulated species on private land does not present only the legality, but also emphasizes the importance of supply chain control.

Mr. Panus Siriaporntham gave an opinion that the documents of such self-certification is just a starting document. When a factory accepts, there must be a written record and the factory must conduct a Timber Account. After that, information will be put in electronic system. The factory must conduct the Timber Account and send to RFD in order to examine the legality and certificate for exportation. However, Mr. Phongsa Choonam affirmed that the presented ways can run the exportation because of self-certification.

Resolution The meeting was informed the four ways to verify unregulated species on private land; nevertheless, the clear conclusion of such certification is not eventual.

Agenda item 7: Next Meeting

Thai-EU FLEGT Secretariat Office will inform the time and place of the next meeting later.

Resolution No appointment of the next meeting

Next step:

- TEFSO will collect the additional suggestions (if any) from the stakeholders related to LD field test feedback from the Consultants in order to pass to the Consultants.
- The Sub-Working Group will create the concept note or details of additional process in order to be officially commented on the Due Diligence System draft.
- The Sub-Working Group will create the more clear details of ways to verify unregulated species on private land.

Meeting finished at 17.05 hrs.

Ms. Isiyanee Samrit

Minutes Recorder

Ms. Pitchaya Wetchasap

Minutes Translator

Mr. Banjong Wongsrisoontorn

Director of TEFSO

Ms. Panjit Tansom

Technical Consultant

Minutes Verifier