



4th Sub-Regional Training Workshop on Timber Legality Assurance System (TLAS)



COUNTRY REPORT MYANMAR

Outlines of Presentation

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III. Update on VPA Process



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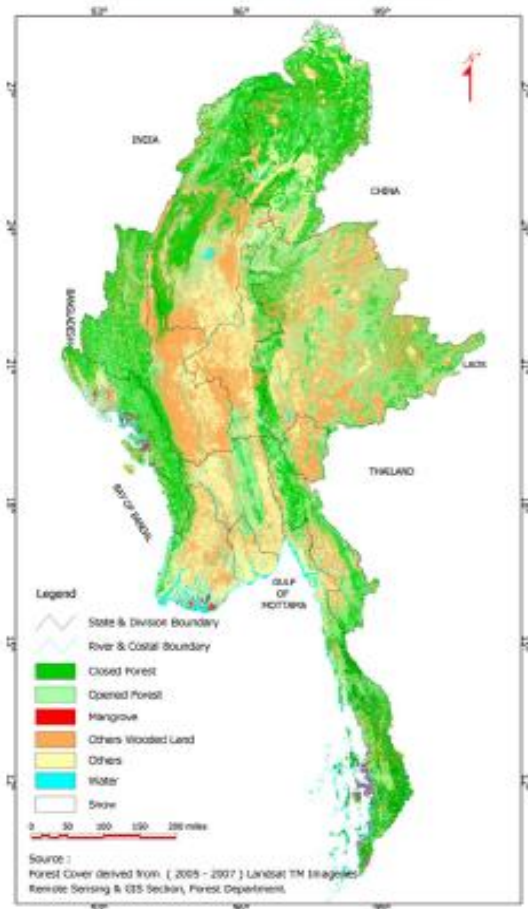
VI. The Way Forward for VPA



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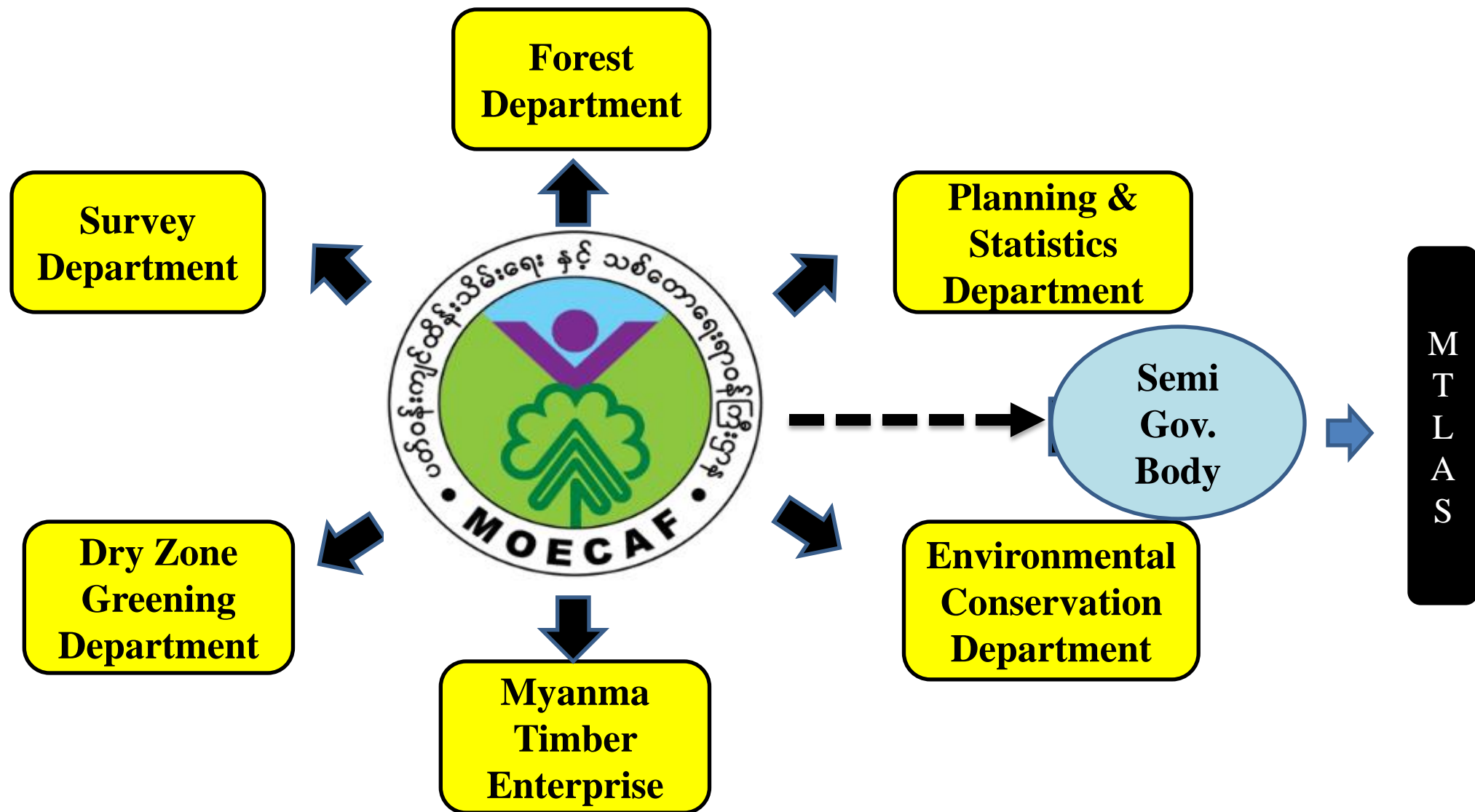


I. Background Information



- ♣ Country Area: 67.658(million ha)
- ♣ Forested Area: 31.773(million ha): about 47%
- ♣ State-owned
- ♣ Managed under the Ministry of Environmental Conservation and Forestry-MOECAF

I. Background Information



Organization Structure of MOECAF

II. Myanmar Timber Legality Assurance System (MTLAS)

- ✓ Providing licences / Permits & Certificate for Legal Timber to export
- ✓ These licences /permits and certificates are underpinned by MTLAS
- ✓ Definition of Legal Timber under MTLAS

For the purpose of export, the definition of legal timber is as follows;-

"Timber harvested by authorized agency from approved areas and timber and timber products extracted, transported, manufactured and exported in accordance with the laws, regulations and procedures pertaining to forestry, timber industry and trade of Myanmar."



II. Myanmar Timber Legality Assurance System (MTLAS)



**6 P
&
15 C
of
TLAS**



**Control
Procedures
Under each
Criteria**



**Export
of
Timber**



**✓
Legal
Timber**

Principles & Criteria of MTLAS

Principle

Criteria

1. Right to Harvest

1. Approval by Forest Department
2. Environmental management
3. Plan preparation

2. Forest Operation

1. Area demarcation
2. Pre-felling inventory (Selection marking for felling)
3. Marking on trees for felling
4. Log transportation
5. Control of timber production
6. Worker safety and health

3. Statutory Charges

1. Royalty (Revenue) and fees

4. Other user's right

1. Use right of local community

5. Mill Operation

1. Control of value-added processing (MTE)
2. Issuance of mill licence (Sawmill, wood-based industry) (Private)
3. Control of value-added processing (Private)
4. Worker safety and health

6. Trade and Custom

1. Export regulations (MTE)
2. Registration of companies. (Private)
3. Export regulations (Private)
4. Import regulations
5. Transportation of exported and imported timber products

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-1 (Right to harvest)

Criteria 1.1 (Approval by Forest Department)	Criteria 1.2 (Environmental management)	Criteria 1.3 (Plan preparation)
<ul style="list-style-type: none">✓ Issuance of permission to harvest by the District Forest Department Authority	<ul style="list-style-type: none">✓ Ensure that forest harvesting is carried out in accordance with the instructions not to affect the environment✓ Check on completion report of harvesting by Myanmar Timber Enterprise-MTE✓ Post-harvest assessment by Forest Department-FD.	<ul style="list-style-type: none">✓ FD identifies the area for selection marking of trees for felling based on the management plan schedule.✓ MTE explores the area and prepare harvesting plan.✓ Register hammers to be used in harvesting operations at district FD office.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-2 (Forest Operations)

Criteria 2.1 (Area demarcation)	Criteria 2.2 Pre-felling inventory (Selection marking for felling)	Criteria 2.3 Marking on trees for felling
<ul style="list-style-type: none">✓ Under – brushing of boundary✓ Demarcating and repairing of boundary pillars.✓ Marking of selected trees along boundary	<ul style="list-style-type: none">✓ Marking of trees which attain the prescribed girth limits at breast height (4'-6") for Teak.✓ Selection marking of trees of different species with different girth limits at breast height (4'-6").	<ul style="list-style-type: none">✓ Hammer marks at base of the trees which will be left with stump after felling.✓ Hammer marks on the blaze cut under the breast height (4'-6") which will be with the first log of the felled tree.✓ Measuring and recording of trees left.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-2 (Forest Operations)

Criteria 2.4

[Log transportation]

Felling site to measuring point

- ✓ Movement of logs by skidding a short distance in the forest.
- ✓ Inspection of log at the measuring point verified by hammer marks of FD and MTE timber harvesting control forms.

Forest measuring point to delivery depot

- ✓ Movement of logs accompanied by trucking slip with detail of log in consignment.
- ✓ Check at the check points of FD and MTE outside the forests.

Delivery depot to sawmill and terminal depot through rafting, barging and rail depots:

- ✓ Movement of logs accompanied by trucking slip/ removal pass with details of log in consignment.
- ✓ Check at the FD critical control points along the main route.
- ✓ Trucking slips/removal passes are cancelled and send back or inform to the original depot for reconciliation after due inspection to ensure that the logs have been received by the mill/depot and their details have been recorded in mill/ depot log book.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-2 (Forest Operations)

Criteria 2.5 (Control of timber production)	Criteria 2.6 (Worker safety and health)
<ul style="list-style-type: none">✓ The number of logs and volume recorded by marked trees in the jungle felling register (MTE control form).✓ MTE Hammer marks on stumps and logs.✓ Joint measurement of logs by FD and MTE for revenue assessment and putting serial number and "Akauk" (Revenue) mark on logs✓ Monitoring of harvesting operations.	<ul style="list-style-type: none">✓ Records of workers' training on safety.✓ Adequacy of safety equipments provided to workers.✓ Adequate precautions to provide workers' safety in the event of accidents.✓ Provision of required medicines for the workers and assignment of medical staff at the forest camps.✓ Insurance for workers.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-3 (Statutory Charges)

Criteria 3.1

[Royalty (Revenue) and fees]

- ✓ Control forms for assessment of royalty made at forest measuring point.
- ✓ Trucking slip/Removal pass and revenue 'Akauk" hammer marks on logs indicate that payments have been made.
- ✓ Accepted statement prepared by FD and MTE for settlement of royalty by MTE.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-4 (Other User's Right)

Criteria 4.1

[Use right of local community]

- ✓ Permission to establish community forest in the reserved forest and protected public forest.
- ✓ Extraction of forest produce for domestic use without permit.
- ✓ Exclusion areas set aside in the reserved forests for local community.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-5 (Mill Operation)

Criteria 5.1

[Control of value-added processing (MTE)]

- ✓ Record of incoming logs.
- ✓ Record the scantlings obtained and use in different stages of value-added processing.
- ✓ Record the outgoing products.
- ✓ Inspection and monitoring of mill operations by different levels of MTE staff.

Criteria 5.2

[Issuance of mill licence (Sawmill, wood-based industry) (Private)]

- ✓ Apply for licence to FD together with the required documents.
- ✓ Comply with the terms and conditions of the licence.
- ✓ Pay necessary fees.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-5 (Mill Operation)

Criteria 5.3

[Control of value-added processing
(Private)]

- ✓ Record the incoming logs or scantlings.
- ✓ Permission to cut logs into different sizes from FD.
- ✓ Record the scantlings obtained and used in different stages of value-added processing.
- ✓ Record the outgoing products (scantlings and wood-based product).
- ✓ Inspection of records and checking the balanced logs and other products by FD staff.

Criteria 5.4

[Worker safety and health]

- ✓ Records of worker's training on safety and health.
- ✓ Adequacy of safety equipments provided to workers and briefing materials or posters to ensure awareness in the workplace.
- ✓ Adequate precautions in place to provide workers safety in the event of fire and other accidents. Insurance for workers.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-6 (Trade and Customs)

Criteria 6.1 [Export regulations (MTE)]	Criteria 6.2 [Registration of companies. (Private)]	Criteria 6.3 [Export regulations (Private)]
<ul style="list-style-type: none">✓ Logs and value-added products are prepared into lots for sale by size and quality.✓ Ensure that the amount for the timber has been paid by the buyer. Obtain the Customs Export Declaration Form and other supporting documents.✓ The products sold are transported to the ship by truck with the necessary documents for shipment. (Truck slip etc.)	<ul style="list-style-type: none">✓ Ensure that company has been registered for processing and export with Myanmar Company Act.✓ Payment of registration fee.✓ Other conditions needed under registration guidelines.	<ul style="list-style-type: none">✓ Ensure applicant for export licence is a registered exporter✓ Ensure timber exported are legal forest product recommended by FD.✓ Issuance of export licence.✓ Submission of Customs Export Declaration Form and other supporting documents.

Control of Procedures for P & C of MTLAS

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Control Procedures for Principle-6 (Trade and Customs)

Criteria 6.4 [Import regulations]	Criteria 6.5 [Transportation of exported and imported timber products]
<p><u>For logs and large scantlings</u></p> <ul style="list-style-type: none">✓ Company registered with Myanmar Company Act.✓ Importer to furnish the certificate of origin.✓ FD to inspect timber consignment at legal landing site.✓ Provide import licence and Customs Import Declaration.	<p><u>Export (From mill/ depot to port)</u></p> <ul style="list-style-type: none">✓ Movement of timber and timber product accompanied by MTE required documents and export licence and recommendation by FD for private companies. <p><u>Import (From port to mill/depot)</u></p> <ul style="list-style-type: none">✓ Movement of timber accompanied by import Licence and Customs Declaration.

III. Update on VPA Process

(Intended Duration of Preparation Phase :2014 Nov-2015 Oct)

- **July 2013:** Workshop of " Challenges and Opportunities for Forestry Sector in Myanmar" , jointly organized by EU/EFI and FD, MOECAAF
- **March 2014:** Acknowledgement of EU delegation office to participate in the VPA process through the Preparation Phase of VPA
- **July 2014:** Video Conference between EC and FD, MOECAAF
- **20th Oct 2014:** Expert Mission to FD, MOECAAF, led by DG, Env. From EC and EFI

IV. Issues & Challenges

- Lack of recognizing the importance of multi-stakeholder process
- Inadequate cooperation among the stakeholders
- Weakness in Law Enforcement to combat illegal logging patterns
- Security constraints and inaccessibility (eg. Border areas and armed conflict areas)
- Forests vs. other land-use
- Very little attention to rights, interests and traditional knowledge of local communities
- Lack of decent markets despite the increasing global demand on timber and forest products as a result of trade embargo and economic sanctions
- Neighboring with resource hungers

V. Reform Processes in Myanmar related to VPA Process

- Clean Government and Good Governance/ Rules of Laws / Anti-corruption / Transparency/ All-inclusive Approach
- Revising, supplementing and enacting laws, Rules and Procedures related to forestry and timber trade in accordance with Reform Strategies
- Reducing the amount of harvest within AAC starting from 2014-2015 and Log Export Ban(2014) to promote Wood Based Industries that will need end-user Mark (High-valued Market) through VPA Process.

VI. The Way forward for VPA

- Awareness Raising of the different stakeholder groups concerning with VPA Process through Workshop/ Training.
- Mapping the Key Stakeholders who will proceed the VPA Process efficiently and effectively.
- Developing Communication Strategies to communicate among stakeholders
- Step by Step Implementation of the whole VPA Process with the Financial and Technical Support of EU/ EFI and also considering the experiences and lessons learnt by Other Countries those involved in this process

VII. Conclusion

- ❖ Gaining the Active Participation of All Stakeholders and Government's Current Reform Processes, we believe that we can develop the feasible MTLAS in lines of EU Requirements which is crucial important in the VPA Process.
- ❖ Also hope that negotiation, ratification and implementation of VPA between EU and Myanmar will be fulfilled gradually.



Thank You