



**Asia-Pacific
Economic Cooperation**

**Advancing Free Trade
for Asia-Pacific Prosperity**



APEC Experts Group on Illegal Logging and Associated Trade (EGILAT)

GUIDELINE ON TIMBER LEGALITY FOR VIET NAM

November 2022



Implemented by
giz Deutsche Gesellschaft
für Internationale
Zusammenarbeit (GIZ) GmbH



The following Guideline is developed based on a template provided by APEC's Expert Group on Illegal Logging and Associated Trade (EGILAT). It is designed to offer APEC's member economies and enterprises information on Viet Nam's legal regulations concerning timber legality. The aim of this Guideline is to contribute to the promotion of legal timber trade among APEC members.

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** According to the APEC Nomenclature, "economy/economies" are used throughout the Guideline, in cases where "country" and "national" are used when they appear in institution/organisation name, published legal templates, and terminologies.*

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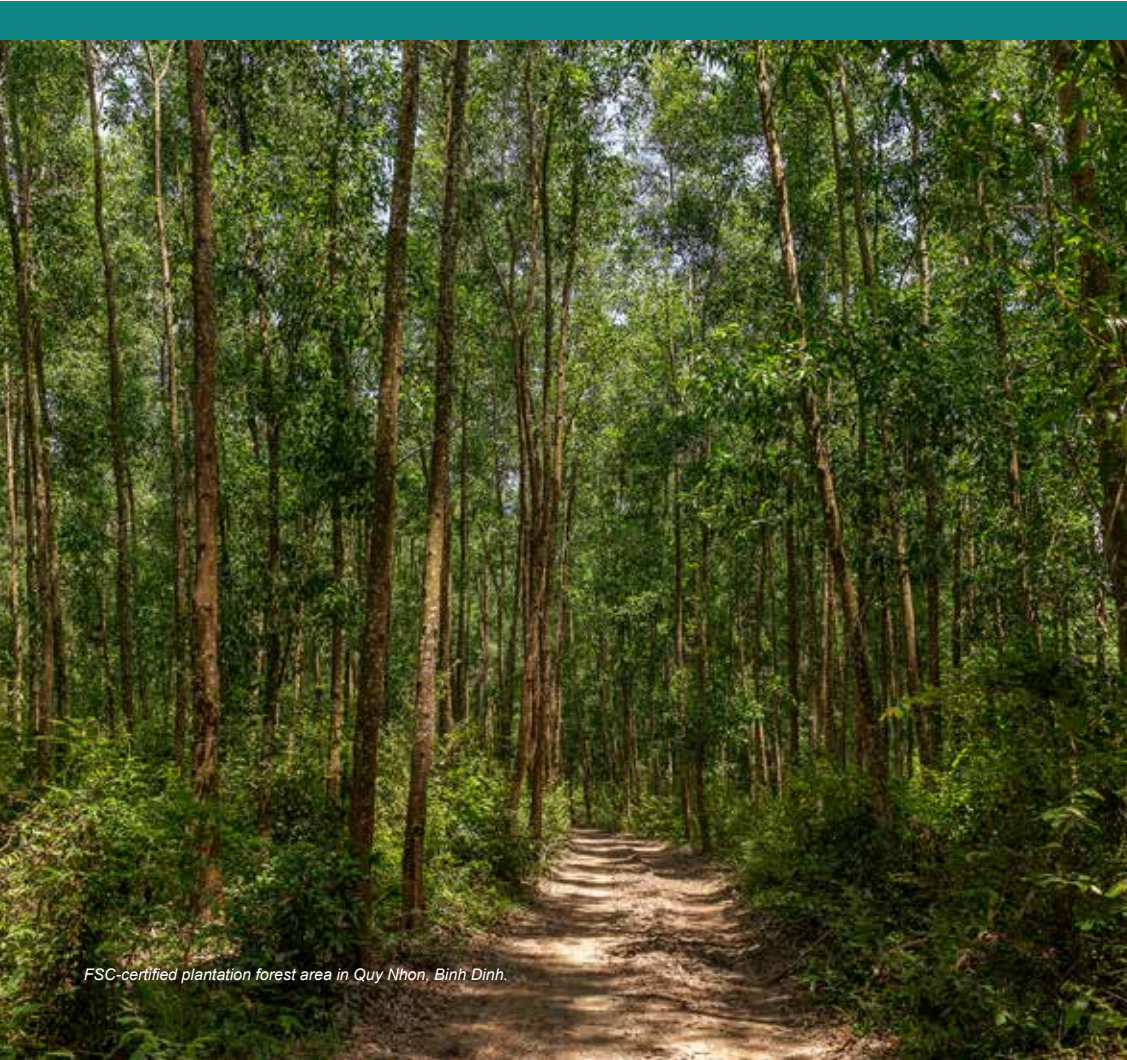
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ABBREVIATION

AFD	French Development Agency
BIFA	Binh Duong Furniture Association
Binh Dinh FPA	Binh Dinh Forests Product Association
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DOWA	Dong Nai Wood and Handicraft Association
EU	European Union
FSC	Forest Stewardship Council
FSC/CoC	FSC Chain-of-Custody certification
FSC/FM	FSC Forest Management Certification
GIZ	German Development Cooperation Agency
HAWA	Ho Chi Minh Wood and Handicraft Association
JICA	Japan International Cooperation Agency
KFW	German state-owned investment and development bank
MARD	Ministry of Agriculture and Rural Development
PEFC	Programme for the Endorsement of Forest Certification
USAID	U.S. Agency for International Development
VNFOREST	Viet Nam Administration of Forestry
VFCS	Viet Nam Forest Certification Scheme
VIFOREST	Viet Nam Timber & Forest Products Association
VNTLAS	Viet Nam Timber Legality Assurance System
FLEGT VPA	Voluntary Partnership Agreement on Forest Law Enforcement, Governance and Trade

OVERVIEW OF THE FORESTRY SECTOR IN VIET NAM



FSC-certified plantation forest area in Quy Nhon, Binh Dinh.

1.1. Forest area

As of 2021, the total forest area of Viet Nam was 14,745,201 ha, of which the area of natural forest was 10,171,757 ha (accounting for approximately 69%), while the planted forest area was 4,573,444 ha (accounting for approximately 31%). The Viet Nam's total forest coverage was 42.02%¹.

1.2. Forest classification

Based on the primary purpose, natural forests and planted forests of Viet Nam are categorized into 03 categories as follows: special-use forest; protection forest; and production forest (Article 5, the 2017 Law on Forestry).

- *Special-use forests* are primarily dedicated to conserving natural forest ecosystems, forest genetic resources, conducting scientific research, safeguarding cultural and historical, religious and scenic landmarks. They also serve as locations for eco-tourism and leisure tourism, excluding strictly protected zone of special-use forest); and providing forest environmental services.
- *Protection forests* play a crucial role in protecting water sources and soil; preventing erosion, landslides, flash floods, and other natural disasters; They also contribute to combating desertification, regulating the climate; and upholding environmental protection, national defense and security. Protection forests further accommodate eco-tourism, leisure tourism and the provision of forest-related environmental services.
- *Production forests* are primarily dedicated to supplying forest products; combined forestry, agriculture and fishery related production and businesses; they further accommodate eco-tourism, leisure tourism; and provision of forest environmental services.

Viet Nam's forest area by forest category and purpose is detailed in Table 1 below. Accordingly, production forest area accounts for the largest proportion of the total forest area (53.3%), followed by protection forests (31.8%), and special-use forests – accounting for the least proportion (14.9%).

¹ Decision 2860/QĐ-BNN-TCLN dated July 27th, 2022, announcing the monitoring result of the forest resource development in 2021

Table 1. Division of Viet Nam's forest area by forest category and purpose as of December 31st, 2021

Forest category	Total (ha)	Special-use forest (ha)	Protection forest (ha)	Production forest (ha)
The domestic total forest area and proportions of forest categories	14,745,201	2,195,725	4,695,514	7,853,962
	100%	14.9%	31.8%	53.3%
The proportion of natural forest against the domestic total forest area (%)	10,171,757	2,100,785	4,069,390	4,001,582
	69%	14.3%	27.6%	27.1%
The proportion of planted forest against the domestic total forest area (%)	4,573,444	94,940	626,124	3,852,380
	31%	0.6%	4.2%	26.2%

Source: Decision 2860/2015/QĐ-TTg dated July 27th, 2022

1.3. Forest ownership

According to Article 7 of the 2017 Law on Forestry, in Viet Nam, forest ownership is stipulated as follows:

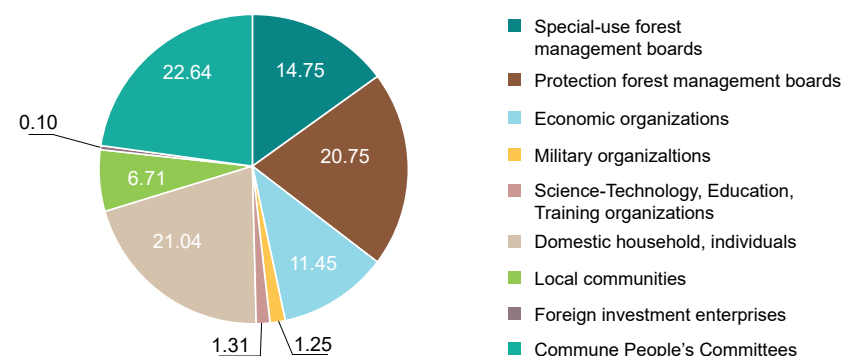
- a. The State acts as the representative owner for forests owned by the entire population which encompasses the following categories:
 - (i) natural forest; (ii) planted forest that are wholly invested in by the State; (iii) planted forests that have been revoked by the State, or donated to the State, or have their ownership transferred to the State in accordance with legal provisions.

- b. Organisations, households, individuals and residential communities have the opportunities to possess planted production forests which encompass two categories (i) forest that they have personally invested in; (ii) forests that have been lawfully transferred, donated or inherited from other forest owners.

Consequently, special-use forests and protection forests are possessed by the State, for production forests, the natural production forests are possessed by the State while planted production forests can be possessed either by the State or organizations, families, individuals or local communities.

Figure 1 below that is updated until the end of 2021 visualizes the distribution of forest areas among different owners. Accordingly, the forest areas allocated to commune people's committees, households, and protection forest management boards for their managements account for the largest proportions, representing 22.64%, 21.04%, and 20.75%, respectively.

Figure 1. Forest ownership in 2021 (%)



Source: Decision 2860/2015/QĐ-TTg dated July 27th, 2022

1.4. Output of the domestic timber production

Since the end of 2016, Viet Nam has enacted a policy to cease the commercial harvesting of timber from natural forests and implemented the closure of all natural forests. This policy is in accordance with Directive 13-CT/TW of the General Secretary of the

Communist Party of Viet Nam (CPV) Central Committee, dated January 12th, 2017. Consequently, timber harvesting has primarily taken place in concentrated planted forests, scattered trees, private gardens, farms, and rubber tree plantations. Over the past few years, Viet Nam has witnessed a gradual increase in timber output from planted forests thanks to afforestation programs and projects, particularly those involving sawn log production. In 2021, Viet Nam's timber output reached 32 million m³, with 21.5 million m³ originating from concentrated planted forest, and 10.5 million m³ from scattered trees and rubber tree plantations — This represents a 6.7% increase compared to 2020². Viet Nam aims to achieve a timber output of 35 million m³ from planted forests by 2025 and 50 million m³ by 2030³.

International organisations – such as the Forest Stewardship Council (FSC) and the Programme for the Endorsement of Forest Certification (PEFC), consider the risks associated with timber harvested from planted forests in Viet Nam to be very low in terms of legality of timber origin. Furthermore, the Vietnamese Government is actively promoting forest owners' engagement in forest certification for sustainable forest management. They have set a target that by 2030, 100% of timber and timber products for both export and domestic consumption will be sourced exclusively from legal origins and will be certified for sustainable forest management.

1.5. Timber processing industry in Viet Nam

Over the last decade, the timber processing industry of Viet Nam has experienced remarkable growth both in terms of the number of enterprises and export turnover. In 2021, the timber processing industry boasted over 5,500 enterprises engaging in the production, trading and processing of timber and forest products. This number represents a significant increase of 57.2% compared to 2016.

Among these enterprises, 4,674 were dedicated to timber processing; while 2,400 were directly involved in the export of timber and timber products. Additionally, there were 4,646 domestic enterprises that made

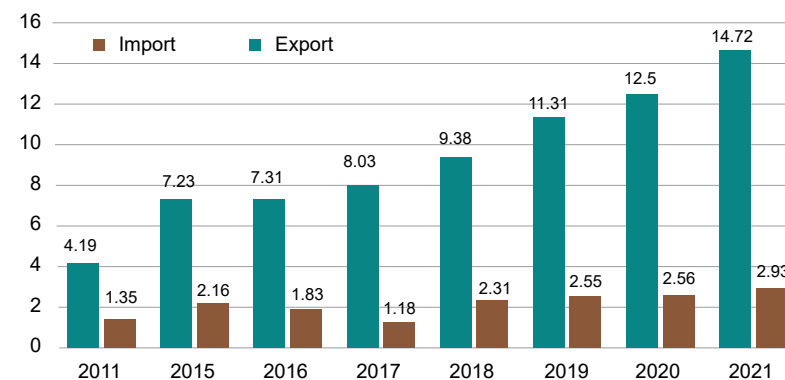
² Report of the Viet Nam Administration of Forestry, 1950/TCLN-BC-VP dated September 27th, 2021, Summary of management and direction in 2021 and implementation of the Plan in 2022.

³ Decision 523/QĐ-TTg dated April 1st, 2021, of the Prime Minister on the approval of Viet Nam Forestry Development Strategy for the period 2021-2030, with a vision to 2050.

direct investment in timber processing; and 966 were foreign direct investment (FDI) enterprises⁴.

Viet Nam's import and export turnover of timber and timber products from 2011 to 2021 is presented in Figure 2 below.

Figure 2. Viet Nam's import and export turnover of timber and timber products over the period of 2011-2021 (in USD billion)



Source: Figures by the General Department of Customs

Export market: Viet Nam has established itself as a significant exporter of timber and timber products to 160 economies and territories globally. Viet Nam's primary export markets include the United States, China, Japan, Korea, and the European Union (EU). In 2021, The export turnover of timber and timber products to these key markets accounted for approximately 90% of Viet Nam's total export turnover in this sector.⁵

Import market: In 2021, Viet Nam sourced timber and timber products from 117 economies and territories worldwide. Among them, China, the United States, Cameroon, Thailand, and Brazil emerged as the top five markets supplying timber and timber products to Viet Nam. Import turnover from these markets amounted to approximately USD 1.77 billion – representing over 61% of the Viet Nam's total import turnover for timber and timber products from all markets.

⁴ Plan for efficient and sustainable development of the timber processing industry in the 2021-2030 period, Ministry of Agriculture and Rural Development

⁵ Import and export of timber of Viet Nam in 2021, the research team consisting of VIFOREST, FPA Binh Dinh, HAWA, BIFA, DOWA, and Forest Trends.

1.6. Organizational structure of the Viet Nam Forestry Sector

Article 100 of the 2017 Law on Forestry provides for the State administration for forestry as follows: (i) The system of State administration agencies responsible for forestry shall be organized uniformly to meet the requirements and tasks of forestry management. (ii) and specialized forestry administration agencies shall be organized at the central and provincial levels; specialized forestry management at the district level shall be organized in accordance with the Government's regulations.

Article 101 of the 2017 Law on Forestry defines the responsibilities of the State administration by the Government, ministries, and ministerial-level agencies as: (i) The Government assumes the responsibility of unified State management of forestry domestically, and (ii) the Ministry of Agriculture and Rural Development acts as the focal point supporting the Government in carrying out the State administration of forestry.

Article 102 of the 2017 Law on Forestry stipulates that the responsibility for State administration by the People's Committees at all levels, in which the significance of the district and commune levels is highlighted as they directly manage forest resources and are responsible for allocating land and/or forests to local individuals through contracts for forest protection services. Additionally, they oversee the utilization of forestry land by forest owners on-site.

1.6.1. Viet Nam Administration of Forestry (VNFOREST)

As of January 15th, 2010, the Prime Minister of Viet Nam issued Decision 04/2010/QD-TTg stipulating the functions, tasks, powers, and organisational structure of the Viet Nam Administration of Forestry. Following this, the Prime Minister made amendments to these regulations on the functions, tasks, powers, and organisational structure of the Viet Nam Administration of Forestry through Decision 28/2017/QD-TTg dated July 03rd, 2017, and Decision 24/2020/QD-TTg dated August 27th, 2020. Accordingly, the Viet Nam Administration of Forestry operates as a subordinate body under the Ministry of Agriculture and Rural Development, holding the responsibility for State forestry administration and law enforcement domestically; organizing public services within its jurisdiction, in accordance with relevant provisions of the Law.

1.6.2. Organisational structure for forest protection

Article 103 of the 2017 Law on Forestry stipulates that the Forest Protection Department shall serve as an organization dedicated to managing and protecting forests, while ensuring compliance with the Law on Forestry. Additionally, it functions as a specialized force in forest firefighting and prevention. Forest Protection Departments are structured hierarchically at the central, provincial, and district levels.

At the central level: The Forest Protection Department advises the Director General of the Viet Nam Administration of Forestry (VNFOREST) and the Ministry of Agriculture and Rural Development on matters related to the State's administration of forest protection. This includes providing guidance, conducting inspection, setting direction for forest management and protection, forest fire prevention and fighting, and ensuring compliance with forestry regulations. Furthermore, the Forest Protection Department is responsible for organizing the implementation of tasks concerning forest management and protection, forest fire prevention and fighting, and ensuring adherence to forestry legislation domestically.

At the provincial level: The Provincial Forest Protection Departments operate under the supervision of the Provincial Departments of Agriculture and Rural Development.

At the district level: The establishment of the District Forest Protection Divisions is based on the specific requirements and tasks related to forest management and protection, law compliance, forest firefighting and prevention, forest development, forest utilization, and the processing and trading of forest products in the local area.

Across all levels, forest protection agencies are responsible for verifying the timber's legal origin in Viet Nam.

VIETNAMESE LEGAL REGULATIONS STIPULATING TIMBER LEGALITY



Raw timber for production at Thang Loi Enterprise,
Phu Tai Joint Stock Company in Quy Nhon, Binh Dinh.

2.1. Definition of legal timber in Viet Nam

According to Article 2 of the 2017 Law on Forestry and Article 3, Decree 102/2020/ND-CP dated September 1st, 2020, of the Government that provides for the Viet Nam Timber Legality Assurance System (VNTLAS), legal timber is defined as follows: *“legal timber” means timber or timber products (hereinafter referred to as “timber” that have undergone harvesting, importation, confiscation, transportation, trading (purchasing/selling, processing, exportation in accordance with Viet Nam’s law, relevant regulations of international treaties to which Viet Nam is a signatory and applicable laws of the countries from which the timber is harvested.”*

Consequently, Vietnamese regulations require legal timber to maintain its legality at every stage of the supply chain, setting it apart from the practices in many other economies where legality is required to prove only at the harvesting and exporting stages. Legal timber’s definition along the supply chain is based on 7 principles as follows:

- Principle I: Compliance with regulations on land use rights, forest use rights, management, environment, society during the domestic timber harvesting.
- Principle II: Compliance with regulations on the handling of confiscated timber.
- Principle III: Compliance with regulations on the importation of timber.
- Principle IV: Compliance with regulations on timber transportation and trade.
- Principle V: Compliance with regulations on timber processing.
- Principle VI: Compliance with regulations on the export of timber.
- Principle VII: Compliance with the regulations on tax and labor.

This means that timber and timber products must have a legal origin and produced from a lawful production process throughout all stages of the timber supply chain.

Domestically harvested timber must comply with the current legal regulations on land use rights, forest use rights, forest management and protection, and regulations specifically relating to timber harvesting. In the cases of imported timber, whether being organizations or individuals, importers must ensure that the timber complies with relevant legal regulations of the country of origin. Furthermore, timber products produced in Viet Nam must comply with the current laws and regulations on timber trading, transportation, processing, as well as customs regulations on import and export, in addition to tax and labour regulations.

2.2. Viet Nam’s legal documents stipulating evidence of timber and timber products legality

In the Vietnamese legal system, legal documents comprise specialized laws and other relevant regulations. This system is structured as follows: Laws (promulgated by the National Assembly); Decrees (issued by the Government); Circulars (issued by the Minister). Legal documents governing forest management, legal timber recording and timber traceability throughout the supply chain are presented in Table 2 below:

Table 2. List of relevant legal documents governing the legality of timber and timber products in Viet Nam

No.	Legal documents	Link
I	Legal documents specialised in the forestry sector	
1	2017 Law on Forestry	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=126306
2	Decree 156/2018/ND-CP guiding the implementation of a number of articles of the Law on Forestry	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=132213

3	Decree 06/2019/ND-CP on the management of endangered, precious, rare forest plants and animals and on the enforcement of CITES	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=133859
4	Decree 84/2012/ND-CP amending and supplementing Decree 06/2019/ND-CP	http://congbao.chinhphu.vn/loi-dung-van-ban-so-84-2021-nd-cp-34497?cbid=37064
5	Decree 102/2020/ND-CP stipulating the Viet Nam Timber Legality Assurance System	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=143869
6	Circular 27/2018/TT-BNNPTNT stipulating the management and traceability of forest products	https://vbpl.vn/bonongnghiep/Pages/vbpq-luocdo.aspx?ItemID=133347
7	Circular 28/2018/TT-BNNPTNT stipulating the sustainable forest management	https://vbpl.vn/bonongnghiep/Pages/vbpq-van-ban-goc.aspx?ItemID=133923
8	Circular 11/2021/TT-BNNPTNT announces the Harmonized System (HS) codes for the list of goods under the state management authority of the Ministry of Agriculture and Rural Development, as well as the list of imported and exported goods subject to specialized inspection in the field of agriculture and rural development.	http://congbao.chinhphu.vn/loi-dung-van-ban-so-11-2021-tt-bnnptnt-34509

No.	Legal documents	Link
9	Circular 21/2021/TT-BNNPTNT stipulating the classification of timber processing and export enterprises	https://vbpl.vn/bonongnghiep/pages/vbpq-luocdo.aspx?ItemID=152020
II	Other relevant legal documents	
10	2014 Law on Investment	https://thuvienphapluat.vn/van-ban/Dau-tu/Luat-Dau-tu-2014-259729.aspx
11	Law on Foreign Trade Management (2017)	https://vbpl.vn/bocongthuong/Pages/vbpq-van-ban-goc.aspx?dvid=218&ItemID=123028
12	2014 Law on Customs	https://vbpl.vn/botaichinh/Pages/vbpq-luocdo.aspx?ItemID=36878
13	Decree 69/2018/ND-CP guiding the implementation of a number of articles of the Law on Foreign Trade Management	https://vbpl.vn/bocongthuong/Pages/vbpq-van-ban-goc.aspx?ItemID=129421
14	Decree 08/2015/ND-CP guiding the implementation of the Law on Customs in terms of customs procedures, inspection, supervision and control	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=48921
15	Decree 59/2018/ND-CP amending and supplementing the Decree No. 08/2015/ND-CP	https://vbpl.vn/TW/Pages/vbpq-van-ban-goc.aspx?ItemID=128827

16	Circular 39/2019/TT-BTC amending and supplementing Circular 38/2015/TT-BTC on customs procedures, customs inspection and supervision; and administration of export duty, import duty and tax for imported and exported goods	https://vbpl.vn/botaichinh/Pages/vbpq-luocdo.aspx?ItemID=129457#
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Note: Several legal documents mentioned in the above list, such as Decree 156/2018/ND-CP, Decree 102/2020/ND-CP, and Circular 27/2018/TT-BNNPTNT, are currently undergoing amendment. Once the amended versions are officially promulgated and applied, they will be incorporated in this Guideline.

2.3. Viet Nam's timber supply chain and sources from which the timber originates before entering the supply chain

According to Vietnamese law, the timber supply chain includes the following stages: harvesting, importing, transporting, processing, trading, and exporting.

Timber enters Viet Nam's supply chain from three primary sources: (1) domestically harvested timber, accounting for nearly 75% of the total supply and includes timber from salvage harvesting and salvage collection in natural forests, timber from planted forests; timber from rubber plantations; and timber from home gardens, farms and scattered trees); (2) confiscated timber, accounting for about 0.001% of the total supply; (3) imported timber, accounting for about 25% of the total supply.

Timber temporarily imported for re-export is not considered part of Viet Nam's supply chain, as this subject is subject to strict Customs control from the moment of import until re-exportation from Viet Nam's territory.

To effectively manage the supply chain, Viet Nam has enacted stringent regulations concerning documentation that verifies the timber's legality from each source at every stage along the supply chain (outlined in Sections 3.2 to 3.7 below).

2.4. Regulations stipulating timber harvesting

According to Vietnamese legislation, timber harvesting stipulated in Claus-es 5, 6, and 7 of Article 3 in Decree 156/2018/ND-CP are categorized into three forms as follows:

- *Main harvesting* involves the logging of trees for commercial purposes while ensuring sustainable forest development and use as specified in the sustainable forest management plan in accordance with legal provisions.
- *Salvage harvesting of timber* involves the collection of timber during the application of silvicultural measures, scientific research and site clearance under projects involving the conversion of forest to other purposes.
- *Salvage collection of timber* involves the collection of fallen or dead trees due to natural disasters; as well as burnt, rotten or dried wood and branches in forests.

Tables 3, 4 and 5 present regulations concerning harvestable timber, harvesting conditions, and requirements for the documentation of legal timber after the harvesting from special-use forests, protection forests, and production forests.

Additionally, the packing list of forest products applicable to log and sawn timber is described in **Form 1**, in the Appendices to this Guideline.

Table 3. Regulations stipulating the harvesting of timber from Viet Nam's special-use forests

Harvesting type	Harvesting site	Harvesting conditions	Documentation of the legal forest products harvested	Reference legal documents
Main harvesting	Not allowed			Article 52 of the 2017 Law on Forestry, Directive 13/CT-TW dated January 12th, 2017
Salvage harvesting	In national park, nature reserve, habitat/species management area: It is allowed to collect wood and firewood within the boundary of a site cleared for the construction of works which has been approved by competent State agencies.	Decision approving the conversion of the forest to other purposes	The original forest products packing list certified by the local Forest Protection Department A copy of the Decision approving the conversion of the forest to other purposes. The original report detailing the location, area, and volume of forest products to be harvested using Form 7 of Circular 27/2018/TT-BNNPTNT	Article 52 of the 2017 Law on Forestry Article 12, Decree 156/2018/ND-CP Article 8, Article 16, Circular 27/2018/TT-BNNPTNT
	In protected landscape: It is allowed to collect wood, firewood, trees thinned while implementing silviculture measures for the purpose of preserving, improving, and restoring ecosystems, landscapes, and historical sites. It is allowed to collect wood, firewood, and trees cleared within the boundary of site for the construction of works which have been approved by competent State agencies.	Silviculture plan Decision approving the conversion of forests to other purposes	The original of forest products packing list certified by the local Forest Protection Department A copy of the approved silviculture plan; or a copy of the Decision approving the conversion of the forest to other purposes. The original report detailing the location, area, and volume of forest products to be harvested using Form 7 of Circular 27/2018/TT-BNNPTNT	

Harvesting type	Harvesting site	Harvesting conditions	Documentation of the legal forest products harvested	Reference legal documents
	<p>In forest for scientific research and experiment: It is allowed to collect wood, firewood, trees thinned while structuring the diverse of tree species in the forest, tending to the forest, as well as implementing silviculture measures.</p>		<p>The original forest product packing list certified by the local Forest Protection Department A copy of the approved silviculture plan; or the project document of an approved research project. The original report detailing the location, area, and volume of forest products to be harvested using Form 7 of Circular 27/2018/TT-BNNPTNT</p>	
	<p>In national botanical garden, national seeding forest: It is allowed to collect wood, firewood, trees thinned while structuring the diverse of tree species in the forest, tending to the forest, as well as implementing silviculture measures.</p>	Silviculture plan	<p>The original forest product packing list certified by the local Forest Protection Department. Copy of the silviculture plan or the Decision approving that plan. The original report detailing the location, area, and volume of forest products to be harvested using Form 7 Circular 27/2018/TT-BNNPTNT</p>	
Salvage collection	<p>In national park, nature reserve, habitat/species management area: It is allowed to collect dead trees, fallen trees in the ecological restoration zone, service and administration zone of the forest</p>	Salvage harvesting plan in accordance with MARĐ's regulations	<p>The original forest product packing list certified by the local Forest Protection Department. The original copy of the timber salvage harvesting plan using Form 08 of Circular 27/2018/TT-BNNPTNT</p>	<p>Article 52, 2017 Law on Forestry Article 12, Decree 156/2018/ND-CP Article 9, Article 16, Circular 27/2018/TT-BNNPTNT</p>

	<p>In protected landscape: In the sacred forest, it is allowed to collect dead or fallen trees for the community's common purpose</p>	Salvage harvesting plan in accordance with MARĐ's regulations	<p>The original forest product packing list certified by the local Forest Protection Department. The original copy of the timber salvage harvesting plan using Form 08 of Circular 27/2018/TT-BNNPTNT</p>	
	<p>In forest for scientific research and experiment: It is allowed to collect wood, firewood and trees cleared within the boundary of site for construction of works which have been approved by competent state agencies</p>	Decision approving the conversion of the forest to other purposes	<p>The original forest product packing list certified by the local Forest Protection Department The original copy of the timber salvage harvesting plan using Form 08 of Circular 27/2018/TT-BNNPTNT A copy of the decision approving the conversion of forest to other uses</p>	
	<p>In national botanical gardens, national seeding forests It is allowed to collect wood, firewood and trees within the boundary of the site cleared for construction of works approved by competent state agencies It is also allowed to collect dead trees, fallen trees.</p>	Decision approving the conversion of forest to other purposes. Salvage harvesting plan in accordance with MARĐ's regulations	<p>The original forest product packing list which is certified by the Forest Protection Department The original copy of the timber salvage harvesting plan using Form 08 of Circular 27/2018/TT-BNNPTNT A copy of the decision approving the conversion of forest to other uses</p>	

Table 4. Regulations stipulating the harvesting of timber from Viet Nam's protection forests

Harvesting type	Ownership	Harvesting conditions	Documentation of legal forest products harvested	Reference legal document(s)
1. For natural protection forests				
Main harvesting	Not allowed			Article 52, 2017 Law on Forestry Directive 13/CT-TW dated January 12, 2017
Salvage harvesting	It is allowed to harvest trees within the forest areas that have been converted to other purposes, or trees thinned while implementing silviculture measures, or for the purpose of training and scientific research.	Decision approving the conversion of forests to other purposes; or the silviculture /scientific research plan approved by competent authorities	<ul style="list-style-type: none"> - The original forest product packing list which is certified by the local Forest Protection Service - A copy of the Decision approving the conversion of forests to other purposes; or - A copy of the approved silviculture plan or scientific research - The original report detailing the location, area, and volume of forest products to be harvested using Form 7 of Circular 27/2018/TT-BNNPTNT 	Article 55, 2017 Law on Forestry Article 20, Decree 156/2018/ND-CP Article 8, Article 16, Circular 27/2018/TT-BNNPTNT
2. For planted protection forests				
Salvage collection	It is allowed to harvest dead trees, fallen trees, insect-infested trees, diseased trees, trees standing in areas where the density exceeds the standard level	There is a harvesting plan that has been approved by competent authorities The harvesting plan can be implemented once the logging ban is lifted; The harvesting process shall apply the selection harvesting method, wherein the harvested timber volume will not exceed 20% of the forest reserve. Additionally, post-harvesting, the forest coverage must be maintained at a minimum of 60%.	<ul style="list-style-type: none"> - The original copy of the forest product packing list which is certified by the local Forest Protection Department. - The original salvage harvesting plan using Form 08 of Circular 27/2018/TT-BNNPTNT 	Article 55, 2017 Law on Forestry Article 20, Decree 156/2018/ND-CP Article 9, Article 16, Circular 27/2018/TT-BNNPTNT
Main harvesting	It is allowed to harvest main planted trees by applying the selection method or belt-clear cutting; patch-clear cutting when these trees meet the harvesting standard; trees thinned in areas where the density exceeds the standard level; auxiliary trees	<ul style="list-style-type: none"> - There is a harvesting plan complying with MARD's regulations; - The thinning of the main timber trees must ensure a post-thinning density of 600 trees/ha, evenly distributed in the forest plot; - In case of selection harvesting, the harvested volume must not exceed 20% of the total forest reserve - In case of belt-clear cutting, the width of the cleared belt must not exceed 30 meters - In case of patch-clear cutting, the area of the cleared patch must not exceed 3 hectares - The total annual harvested area must not exceed 20% of the total forest area qualifying as protection forests 	<ul style="list-style-type: none"> - Original forest products packing list - Original copy of the harvesting plan using Form 08, Circular 27/2018/TT-BNNPTNT 	Article 55, 2017 Law on Forestry Article 20, Decree 156/2018/ND-CP Article 12, Article 16, Circular 27/2018/TT-BNNPTNT

Harvesting type	Ownership	Harvesting conditions	Documentation of legal forest products harvested	Reference legal document(s)
Salvage harvesting	It is allowed to harvest trees in the forest area that has been converted to other purposes; trees thinned while implementing silviculture measures; or for the purpose of training and scientific research	Decision approving conversion of forest to other purposes; or Silviculture/scientific research plan approved by competent authorities	<ul style="list-style-type: none"> - Original forest products packing list - A copy of the Decision approving the conversion of forests to other purposes; or - A copy of the approved silviculture plan or scientific research plan - The original report detailing the location, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	<p>Article 55, 2017 Law on Forestry</p> <p>Article 20, Decree 156/2018/ND-CP</p> <p>Article 13, Article 16, Circular 27/2018/TT-BNNPTNT</p>
Salvage collection	Not regulated			

Table 5. Regulations stipulating the harvesting of timber from Viet Nam's production forests

Harvesting type	Ownership	Harvestable trees	Harvesting conditions	Documentation required to confirm the legality of the harvested forest products	Reference legal documents
1. In natural production forest					
Main harvesting	State	Not allowed			Article 58, 2017 Law on Forestry Directive 13/CT-TW dated January 12, 2017
Salvage harvesting	State	Trees harvested in forest areas that have been converted to other purposes; trees thinned while implementing silviculture measures; for training and scientific research purposes.	Decision approving the conversion of the forest to other purposes; or Silviculture or scientific research plan approved by a competent state agency	<ul style="list-style-type: none"> - The original forest product packing list which is certified by the Forest Protection Department - A copy of the Decision approving conversion of the forest to other purposes; or - A copy of the approved silviculture or scientific research plan - The original report detailing the location, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	<p>Article 58, 2017 Law on Forestry</p> <p>Article 28, Decree 156/2018/ND-CP</p> <p>Article 8, Article 16, Circular 27/2018/TT-BNNPTNT</p>

Harvesting type	Ownership	Harvestable trees	Harvesting conditions	Documentation required to confirm the legality of the harvested forest products	Reference legal documents
Salvage collection	State	Trees, branches, stumps in the forest that have rotten, dried, fallen, burnt, died due to natural disasters	The salvage harvesting plan that has been approved by a competent state authority	<ul style="list-style-type: none"> - The original forest product packing list which has been certified by the Forest Protection Department - The original salvage harvesting plan using Form 08 Circular 27/2018/TT-BNNPTNT 	Article 58, 2017 Law on Forestry Article 28, Decree 156/2018/ND-CP Article 9, Article 16, Circular 27/2018/TT-BNNPTNT
2. In planted production forests					
Main harvesting	State	Forest trees from planted forests where the State acts as representative owner	Forest owners shall prepare an application for timber harvesting, and submit it to a State authority competent in fund approval who will review and approve the application accordingly. The forest owner has exclusive authority to determine the harvesting	<ul style="list-style-type: none"> - Original copy of the forest product packing list - Harvesting plan using Form 08, Circular 27/2018/TT-BNNPTNT - Original forest product packing list 	Article 59, 2017 Law on Forestry Article 29, Decree 156/2018/ND-CP Article 12, Article 16, Circular 27/2018/TT-BNNPTNT Article 59, 2017 Law on Forestry Article 29, Decree 156/2018/ND-CP Article 15, Article 16, Circular 27/2018/TT-BNNPTNT
	Organisations, individuals	Trees harvested from planted forest owned by organizations or individuals, including trees planted under policies and State-funded projects			

Salvage harvesting	State	Trees harvested in forest areas that have been converted to other purposes of use; trees thinned while implementing silviculture measures; for the training and scientific research purpose	<ul style="list-style-type: none"> - Decision approving conversion of the forest to other purposes; or - Silviculture or scientific research plan approved by a competent state agency 	<ul style="list-style-type: none"> - A copy of the Decision approving conversion of the forest to other purposes; or - A copy of the approved silviculture plan or scientific research plan. The original report detailing the location, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	Article 59, 2017 Law on Forestry Article 29, Decree 156/2018/ND-CP Article 13, Article 16, Circular 27/2018/TT-BNNPTNT
	Organizations/ Individuals	<ul style="list-style-type: none"> - Trees harvested in forest areas that have been converted to other purposes; trees thinned while implementing silviculture measures; tree felled for the training and scientific research purpose 	<ul style="list-style-type: none"> - The forest owner has exclusive authority to determine the harvesting 	The original forest product packing list	Article 59, 2017 Law on Forestry Article 29, Decree 156/2018/ND-CP Article 15, Circular 27/2018/TT-BNNPTNT

Harvesting type	Ownership	Harvestable trees	Harvesting conditions	Documentation required to confirm the legality of the harvested forest products	Reference legal documents
Salvage collection	State	<ul style="list-style-type: none"> Trees, branches, stumps in the forest that have rotten, dried, fallen, burnt, died due to natural disasters 	<ul style="list-style-type: none"> The report detailing the location, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	<ul style="list-style-type: none"> The original forest product packing list The original report detailing the location, area and volume of forest products to be harvested using Form 7, Circular 27/2018/TT-BNNPTNT 	Article 59, 2017 Law on Forestry Article 29, Decree 156/2018/ND-CP Article 14, Article 16, Circular 27/2018/TT-BNNPTNT
	Individuals, organisations	<ul style="list-style-type: none"> Trees, branches, stumps in the forest that have rotten, dried, fallen, burnt, died due to natural disasters 	<ul style="list-style-type: none"> The forest owner has exclusive authority to determine the harvesting 	<ul style="list-style-type: none"> The original forest product packing list 	Article 59, 2017 Law on Forestry Article 29, Decree 156/2018/ND-CP Article 15, Circular 27/2018/TT-BNNPTNT

2.5. Regulations governing imported timber

The management of imported timber is governed by several legal provisions, including Point d, Clause 1, Article 72, the 2017 Law on Forestry; Section 1 Chapter II Decree 102/2020/ND-CP; Article 9, Article 19, and Article 20 of Decree 06/2019/ND-CP, as well as the amended provisions in Decree 84/2021/ND-CP; Article 5; Point 12, Section II, Appendix I and Point 10, Section B, Part III, Appendix III of Decree 69/2018/ND-CP.

Effective since October 30th, 2020, regulations on the management of imported timber, as prescribed in Decree 102/2020/ND-CP, have been implemented in Viet Nam. Accordingly, imported timber shipments with CITES permits or FLEGT licenses are considered legal and exempted from undergoing the due diligence system (DDS) to prove their origin. For imported timber shipments lacking CITES permits or FLEGT licences, importers must provide evidence to prove the legality of the timber's origin by providing relevant information on the Information Declaration Form.

Viet Nam has introduced two additional filters, namely "Risk Species" and "Risk Geographical regions" to evaluate the risk degree of imported timber shipments. Imported timber shipments deemed high-risk (involving risk species or originating from non-positive geographies) will be required to provide additional evidence to verify the legality of the imported timber in accordance with the regulations of the country of harvest.

As of November 27th, 2020, the Ministry of Agriculture and Rural Development issued Decision 4832/QD-BNN-TCLN announcing the list of timber species imported into Viet Nam, as well as the list of positive geographical regions exporting timber to Viet Nam and Decision 2752/QD-BNN-TCLN dated 20/7/2022 announcing the list of timber species imported into Viet Nam; these documents can be accessed through the following links:

<https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Quyiet-dinh-4832-QD-BNN-TCLN-2020-cong-bo-Danh-muc-cac-loai-go-da-nhap-khau-vao-Viet-Nam-458434.aspx>

<https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Quyiet-dinh-2752-QD-BNN-TCLN-2022-cong-bo-danh-muc-cac-loai-go-nhap-khau-vao-Viet-Nam-522948.aspx>

Regulations on the documentation required for legal timber for each type of imported timber are presented in **Table 6** below.

Furthermore, the templates of imported timber packing list and the timber product packing list can be found in **Forms 3 and 4**, respectively, in the Appendices of this Guideline.

For declaring the origin of imported timber, please refer to **Form 5** in the Appendices of this Guideline.



Wood material used in processing and production at Tan Vinh Cuu Joint Stock Company, Dong Nai.

Table 6. Regulations governing timber imported to Viet Nam

Types of imported timber	Risk degree of the imported timber shipment	Documentation required of the imported timber	Reference legal documents
Timber without CITES permits or FLEGT license	Low-risk imported timber shipment (originating from positive geographical regions and involving low-risk species)	<ul style="list-style-type: none"> - Original declaration of imported timber using Form 03, Decree 102/2020/ND-CP - Packing list of imported timber or timber products certified by the Customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - Documentation required for customs clearance in accordance with current regulations 	<ul style="list-style-type: none"> - Article 7, Decree 102/2020/ND-CP - Article 24, 2014 Law on Customs; - Article 25, Decree 08/2015/ND-CP which has been amended and supplemented by Clause 12, Article 1 of Decree 59/2018/ND-CP; - Clause 5, Article 1, Circular 39/2019/TT-BTC amendments to Circular 38/2015/TT-BTC
	High-risk imported timber shipment (originating from non-positive geographical regions and involving high-risk species)	<ul style="list-style-type: none"> - Original Declaration of imported timber using Form 03, Decree 102/2020/ND-CP - Packing list of imported timber or timber products certified by Customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - Copy of one of the additional documents: certificate of sustainable forest management recognized by Viet Nam; or harvesting permit; or any equivalent document validating the legal origin of the imported timber shipment - Documentation required for Customs clearance in accordance with current regulations 	<ul style="list-style-type: none"> - Decision 4832/QĐ-BNN-TCLN dated 27/11/2020 announcing the list of timber species imported into Viet Nam and the list of positive geographical regions from which timber is exported to Viet Nam - Decision 2752/QĐ-BNN-TCLN dated 20/7/2022 announcing the list of timber species that have been imported into Viet Nam;

Types of imported timber	Risk degree of the imported timber shipment	Documentation required of the imported timber	Reference legal documents
FLEGT-licensed timber	is considered a legal, risk-free timber shipment	<ul style="list-style-type: none"> - Packing list of imported timber or timber products certified by Customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - Copy of the FLEGT License for exported timber issued by the competent authority of the exporting economy - Documentation required for Customs clearance in accordance with current regulations 	<ul style="list-style-type: none"> - Article 7, Decree 102/2020/ND-CP - Article 24, 2014 Law on Customs; - Article 25, Decree 08/2015/ND-CP which has been amended by Clause 12, Article 1, Decree 59/2018/ND-CP; - Article 1, Circular 39/2019/TT-BTC amending Circular 38/2015/TT-BTC)
CITES-permitted timber (for endangered, rare timber and timber species listed in CITES Appendices)		<ul style="list-style-type: none"> - Packing list of imported timber or timber products certified by customs agency at the border gate, using Form 01 and 02, Decree 102/2020/ND-CP - A copy of the CITES permit for exported timber issued by the CITES Management Authority of the exporting economy - A copy of the CITES permit for imported timber issued by CITES Management Authority of Viet Nam - Documentation for Customs clearance in accordance with current regulations 	<ul style="list-style-type: none"> - Article 7, Decree 102/2020/ND-CP - Article 9, Article 19, Article 20, Decree 06/2019/ND-CP and amended provisions in Decree 84/2021/ND-CP. - Article 24, 2014 Law on Customs; - Article 25, Decree 08/2015/ND-CP which is amended by Clause 12, Article 1, Decree 59/2018/ND-CP; - Article 1, Circular 39/2019/TT-BTC amending Circular 38/2015/TT-BTC)

2.6 Regulations on transportation, trade, processing and export of timber

The regulations outlining the requirements for preparing legal timber documentation during the stages of transportation, trade, processing and export are detailed in Table 7 below.

The list of forest products is presented in Form 2, and the lists of exported timber and timber products can be found in Form 6 and Form 7, respectively, in the Appendices of this Guideline.



Sawn timber meets FSC standards at Tân Vinh Cuu Joint Stock Company, Dong Nai.

Table 7. Documentation required to prove timber legality during trade, transport, processing, and export

Checkpoints in the supply chain	Type of timber	Documentation required for legal timber	Reference legal documents
Trade & transportation	Unprocessed timber harvested from natural forests domestically	<ul style="list-style-type: none"> - The original forest product packing list prepared by the owner, and certified by the local Forest Protection Department - A copy of the forest products' origin document of the seller 	<ul style="list-style-type: none"> - Article 19, Circular 27/2018/TT-BNNPTNT
	Unprocessed timber harvested from planted forests domestically	<ul style="list-style-type: none"> - The original forest product packing list prepared by the owner. - A copy of the forest products' origin of the seller 	<ul style="list-style-type: none"> - Article 20, Circular 27/2018/TT-BNNPTNT
	Unprocessed imported timber	<p>a. In case the importer sells all or a portion of the imported shipment to one or more timber owners</p> <ul style="list-style-type: none"> - The forest product packing list prepared by the importer (seller), and extracted from the list of imported timber - A copy of the imported timber documentation, signed and stamped (if applicable) by the owner, is given to the buyer - The seller who sold timber to this owner retains a copy of the documentation for their records 	<ul style="list-style-type: none"> - Article 4, Decree 102/2020/ND-CP

	b. In case the timber owner who purchased the timber mentioned in point a above subsequently sells all or a portion of the shipment to another timber owner	<ul style="list-style-type: none"> - The forest product packing list, prepared by the timber owner, extracted from the previously purchased imported timber list - A copy of the documentation of the imported timber, signed, stamped (if applicable) by the owner, is provided to the buyer - The seller who sold timber to this owner retains a copy of the documentation for their records 	
		<ul style="list-style-type: none"> - The forest product packing list prepared by the timber owner, extracted from the previously purchased imported timber list - A copy of the imported timber documentation signed, stamped (if applicable) by the owner is provided to the buyer - The seller who sold timber to this owner retains a copy of the documentation for their records 	
	c. In case the imported timber is further sold to the subsequent timber owner	<ul style="list-style-type: none"> - The original forest product packing list prepared by the owner - A copy of the forest products' origin of the seller 	

Checkpoints in the supply chain	Type of timber	Documentation required for legal timber	Reference legal documents
Processing	Timber processing facilities	<ul style="list-style-type: none"> - Logbook of imported and exported forest products using Form 11, Circular 27/2018/TT-BNNPTNT - Packing list of forest products - Legal timber documentation - Owners of timber processing establishments are required to archive the above-mentioned documentation for a minimum of 5 years from the date of exporting forest products 	<ul style="list-style-type: none"> - Article 31, Circular 27/2018/TT-BNNPTNT
	<p>According to Circular 27/2018/TT-BNNPTNT. <i>Note: this regulation will expire when the regulations on management of exported timber of the Decree 102/2020/ND-CP comes into effect</i></p>	<p>Logs, sawn timber, timber products from planted forest</p>	<ul style="list-style-type: none"> - The original packing list of forest products prepared by the owner - The documentation for Custom clearance for the exported timber - A copy of the CITES export permit issued by the CITES Management Authority in Viet Nam for timber and timber products listed in the CITES appendices and in the list of endangered, precious and rare forest plants
Export			

			<ul style="list-style-type: none"> - Article 26, Circular 27/2018/TT-BNNPTNT - Article 1, Circular 39/2019/TT-BTC amending and supplementing Article 16, Circular 38/2015/TT-BTC
	<p>Logs, sawn timber, timber products from natural forest</p>	<ul style="list-style-type: none"> - The original forest products packing list prepared by the owner and certified by the local forest protection department - Documentation for custom Clearance for exported timber - A copy of the CITES Export Permit issued by the CITES Management Authority in Viet Nam for species of timber and timber products listed in the CITES appendices as well as those classified as endangered, precious and rare forest plants 	
<p>When Decree 102/2020/ND-CP on regulations on management of exported timber comes into effect.</p>	<p>Exported timber and timber products from Group I enterprises</p>	<ul style="list-style-type: none"> - The original forest product packing list prepared by the owner - Documentation for custom Clearance for exported timber - Original or electronic copy of FLEGT license for timber exported to the EU market - Original or electronic copy of CITES Export Permit issued by CITES Management Authority in Viet Nam for species of timber and timber products listed in the CITES Appendices as well as those classified as endangered, precious and rare forest plants 	
	<p>Exported timber and timber products from Group II enterprises</p>	<ul style="list-style-type: none"> - The original packing list of forest products prepared by the owner, and certified by the local Forest Protection Agency. - Documentation for Custom Clearance for exported timber - An original or electronic copy of FLEGT license for timber exported to the EU Market - An original or electronic copy of the CITES Export Permit issued by the CITES Management Authority in Viet Nam for species of timber and timber products listed in the CITES appendices as well as those are classified as endangered, precious and rare forest plants 	

2.7. Viet Nam's regulations defining areas where timber harvesting, trade, and export are prohibited or restricted

2.7.1. Regulations defining areas where harvesting of timber domestically is prohibited or restricted

a) For harvesting of timber from planted forest

- *Special-use forests*: harvesting timber in the designated strictly prohibited zone of special-use forests is not allowed; The collection of dead trees or fallen trees in the ecological restoration zone of special-use forests is also not allowed.
- *Protection forests*: When conducting thinning of main trees, the density of the trees after thinning must be maintained at a minimum of 600 trees per hectare, evenly distributed throughout the forest plot. When conducting the selection harvesting of the main forest trees, the harvested volume of timber must not exceed 20% of the forest reserves. In case of belt-clear cutting, the width of the belt should not exceed 30 meters; while in case of patch-clear cutting, the area of cutting should not exceed 3 hectares; Moreover, the annual harvesting area must not exceed 20% of the total forest area qualifying for protection forest.
- *Production forests*: there are no prohibited or restricted areas within production forests. However, in the event of clear cutting, the forest must be replanted in the following season or left to regenerate naturally.

b) For harvesting of timber from natural forests

To ensure sustainable forest management, conserve forest resources and protect biodiversity, the 2017 Law on Forestry contains provisions regarding the closure and opening of natural forests, specified in Article 33 of Decree 156/2018/ND-CP under Section 4, Chapter III. Presently, Viet Nam has issued Directive 13-CT/TW dated January 12th, 2017, by the General Secretary of the Communist Party of Viet Nam Central Committee, to strengthen the Party's leadership in forest management, protection and development. Additionally, Resolution 71/NQ-CP dated August 8th, 2017, issued by the Government, promulgates the Action Program for the implementing Directive 13-CT/TW of the Secretariat, which stipulates the closure of natural forests in the current period. Consequently, harvesting for commercial purposes has been ceased. However, this regulation does not restrict the harvesting of timber from natural forests that have been converted to other purposes.

2.7.2. Regulations stipulating specific timber species of which harvesting or use is prohibited or restricted.

According to Points a and b, Clause 1, Article 4 of Decree 06/2019/ND-CP, harvesting of endangered, precious and rare tree species for commercial purposes is either strictly prohibited or subject to restrictions, as detailed below:

1. *Group IA*: Commercial harvesting and use of endangered forest plant species are strictly prohibited from commercial harvesting and use. This group also includes species listed Appendix I of CITES that have a natural occurrence in Viet Nam.
2. *Group IIA*: Commercial harvesting and use of forest plant species that are not endangered of extinction but are at risk of being threatened without strict management are limited. This group also includes species listed in Appendix II of CITES that have a natural occurrence in Viet Nam.

The list of plants species belonging to Group IA and group IIA p is provided in Appendix I of Decree 84/2021/ND-CP, accessible through the following link:

<https://vbpl.vn/TW/Pages/vbpg-van-ban-goc.aspx?ItemID=143869>

2.7.3. Regulations stipulating timber species prohibited from trading

According to Point c, Clause 1, Article 6 of the 2014 Law on Investment, it is strictly prohibited for organisations and individuals to engage in trading activities involving timber species listed in Appendix I of CITES. Furthermore, trading of timber from endangered and rare species belonging to Group IA and originating from natural sources is also not allowed.

2.7.4. Regulations stipulating timber species prohibited from export

According to the provisions of Appendix I, promulgated along with the Government's Decree 69/2018/ND-CP dated May 15th, 2018, which details certain Articles of the Law on Foreign Trade Management, the export of logs and sawn timber originating from Viet Nam's natural forests is prohibited; timber species listed in Appendix I of CITES; timber species belonging to Group IA, which consist of endangered and rare species originating from nature.

At the same time, the Ministry of Agriculture and Rural Development issued Circular 11/2021/TT-BNNPTNT dated September 20th, 2021, which promulgates the HS codes (Harmonized System codes) for the list of goods under the State administration of MARD and the list of imported and exported goods subject to specialized inspection in the field of agriculture and rural development. In Section 20, Appendix I of this Circular, the list of goods prohibited from export is provided, which includes logs and sawn timber of all types sourced from Viet Nam's natural forests.

LICENSES AND CERTIFICATES OF VIET NAM



Worker at Thang Loi Enterprise, Phu Tai Joint Stock Company in Quy Nhon, Binh Dinh.

3.1. An overview of Vietnamese permits/licenses and certificates to ensure timber legality

According to the Vietnamese law, for the legal use of timber in Viet Nam, the following licenses and certificates are required:

- CITES Permits
- CITES Certificates
- FLEGT License (not yet valid)

3.2. CITES permits and certificates

The details regarding the applicants eligible for these permits, validity period of the permits, documentation required for CITES permits and certificates, and the reference legal documents can be found in **Table 8** below. The forms of CITES permits, Pre-Convention Certificate, and Souvenir Export Certificate can be found in the Appendices of this Guideline as **Forms 8, 9, and 10**, respectively.

3.3. FLEGT License

According to the commitments of the FLEGT VPA and the provisions in Section 1 Chapter IV of Decree 102/2020/ND-CP, Vietnamese competent authority shall issue FLEGT licenses for timber products listed in Appendix III, Decree 102/2020/ND-CP exported to the EU market, with exceptions for timber already covered by a CITES permit or originating from a shipment of timber products produced from confiscated timber. Currently, the regulations pertaining to FLEGT licenses have not come into effect. In the near future, both the EU and Viet Nam are assessing the readiness of the VNTLAS system to determine the appropriate timing for the first-ever issuance of FLEGT licenses for timber shipments to the EU market. The authority authorized with the issuance of FLEGT license in Viet Nam is the CITES Management Authority of Viet Nam.

The details regarding the applicants eligible for FLEGT license, validity, documentation required for the licensing and relevant reference legal documents can be found in **Table 9** below.

The FLEGT License Form is presented in **Form 11** in the Appendices of this Guideline.

Table 8. Regulations stipulating the issuance of CITES permits and certificates by CITES Management Authority in Viet Nam

Permits/ Certificates	Applicable timber and timber products	The validity period of the permit	Required documents	Reference legal documents
CITES Export Permit	Shipments of timber or timber products involving species listed in CITES Appendices or endangered, precious, and rare species falling under group IA, IIA	Maximally 06 months from the date of issue	<ul style="list-style-type: none"> - An application for a CITES Export Permit; - A copy of documentation that proving the specimen's legal origin; 	Article 23, Decree No. 06/2019/ND-CP
	Re-export of non-commercial specimens for scientific research and diplomatic relations		<ul style="list-style-type: none"> - An application for a CITES Export Permit; - A copy of documentation proving the specimen's legal origin; - A copy of the import permit issued by the CITES Management Authority of the importing economy, specifically required for specimens of species listed in Appendix I CITES; - A copy of the signed document of the scientific research cooperation program approved by a competent authority if the export of specimen is for scientific research - A written confirmation of diplomatic gifts or souvenirs certified by a competent authority if the export of specimen serves diplomatic relations 	

Export and re-export of specimens intended solely for non-commercial purposes such as exhibition and circus performance	Export and re-export of pre-Convention specimens	Maximally 12 months from the date of issue.	<ul style="list-style-type: none"> - An application for a CITES Export Permit; - A copy of documentation proving the specimen's legal origin; - A copy of the decision by a competent authority confirming the attendance at an overseas exhibition, or a circus performance or an invitation to such events by a foreign organization; - A copy of the import permit issued by the CITES Management Authority of the importing economy for specimens listed in Appendix I, CITES 	Article 25, Decree 06/2019/ND-CP
			<ul style="list-style-type: none"> - An application for a CITES Permit; - A copy of the documentation proving the legality of the pre-Convention specimen/or a copy of the CITES Import Permit in case of re-export of specimens 	
Shipments of timber or timber products listed in CITES Appendices and endangered, precious and rare species falling under group IA, IIA	In case live specimens of plants that do not naturally occur in Viet Nam are imported to Viet Nam for the first time ever		<ul style="list-style-type: none"> - An application for a CITES Import Permit; - A copy of CITES Export Permit issued by the CITES Management Authority of the exporting or re-exporting economy 	
			<ul style="list-style-type: none"> - Application for a CITES Import Permit; - A copy of the Export CITES Permit issued by the CITES Management Agency of the exporting or re-exporting economy; - Written confirmation by CITES Viet Nam affirming the facility's eligibility and capacity to care for specimens. 	

	In case the import of timber or timber products is not intended for commercial purposes, such as for scientific research, diplomacy, or participation in exhibitions			<ul style="list-style-type: none"> - An application for a CITES Import Permit; - A copy of the CITES Export Permit issued by the CITES Management Agency of the exporting or re-exporting economy; - A copy of the signed document on the scientific research cooperation program approved by a competent agency in case of scientific research; - A written confirmation of gifts or souvenirs approved by a competent authority, in cases of diplomatic gifts and souvenirs; - A copy of the invitation to exhibitions or circus performances issued by a competent authority in case of such events. 	
Pre-Convention Certificate	Shipments of timber or timber products listed in the CITES Appendices and endangered, precious and rare species falling under group IA, IIA	Maximally 06 months from the date of issue		<ul style="list-style-type: none"> - An application for a pre-Convention certificate; - A copy of the specimen's legal origin documentation 	Article 27, Decree 06/2019/ND-CP
Souvenir Export Certificate	Each Souvenir Export is only valid for up to 04 items per customer	Maximally 06 months from the date of issue		<ul style="list-style-type: none"> - An application for a Souvenir Export Certificate - A copy of the activity logbook 	Article 24, Decree 06/2019/ND-CP

Table 9. Regulations stipulating the issuance of FLEGT License

Applicant	Licensing competent authority	The validity period of the license	Required documents		Reference legal documents
			Group I enterprises of the Enterprise Classification System	Group II enterprises of the Enterprise Classification System	
Shipments of timber or timber products involving species listed in Appendix III of Decree 102/2020/ND-CP when entering the first import gate of the EU market excluding timber or timber products subject to a CITES permit or if they are produced from confiscated timber.	CITES Management Authority	<ul style="list-style-type: none"> - Maximally 06 months from the date of issuance - Renewable once for an additional period of up to 2 months 	<ul style="list-style-type: none"> - An original application for the FLEGT License using Form 11, Appendix 1, Decree 102/2020/ND-CP; - An original export timber list; - A copy of the sale contract or an equivalent document; - Invoices in accordance with the Ministry of Finance's regulations (if applicable); - Any other supplementary documentation that proves the timber's legal origin in the export shipment (if available) 	<ul style="list-style-type: none"> - An original application for the FLEGT License using Form 11, Appendix 1, Decree 102/2020/ND-CP; - An original export timber packing list certified by the local Forest Protection Department; - A copy of the sale contract or an equivalent document; - Invoices in accordance with the Ministry of Finance's regulations (if applicable); - Any other supplementary documentation that proves the legal origin of the timber in the export shipment (if available) 	From Article 14 to Article 21, Decree 102/2020/ND-CP

IV LEGALITY OF TIMBER PRODUCTS MADE IN VIET NAM

Until now, Viet Nam has not issued any kind of legal timber certificates or certificates to verify the legality of timber for domestic consumption and export. However, in the near future, once the VNTLAS system is fully operational and aligns with the provisions of the FLEGT VPA, Viet Nam will begin issuing FLEGT licenses for shipments of timber and timber products exported to the EU market. These licenses will serve as official certification that the exported timber or timber products have been legally produced in compliance with Viet Nam's laws and regulations.

For verification of the legality of timber and timber products produced in Viet Nam, there are two systems in place:

- 1. Viet Nam Timber Legality Assurance System (VNTLAS); or*
- 2. Third-party certification.*

4.1. Viet Nam Timber Legality Assurance System

As of September 1st, 2020, the Government of Viet Nam issued Decree 102/2020/ND-CP providing for the Viet Nam Timber Legality Assurance System (in short VNTLAS) to fulfill its commitments in the FLEGT VPA with the EU. This is a national system to ensure the legality of timber and timber products across Viet Nam's entire supply chain encompassing harvesting, import, purchase, sale (trade), transportation, processing, export and domestic consumption.

The verification of timber products exported from Viet Nam to international markets involves a mechanism assessing the legal compliance of enterprises engaged in processing and exporting such products. Specifically, for the EU market, these products will be granted FLEGT licenses in the near future.

The VNTLAS system operates through seven interconnected components:

- 1. Definition of legal timber* – including the requirements of Vietnamese legal regulations applicable to timber sources and timber production.
- 2. Creation, verification and approval of evidence at all stages of the supply chain* – including the responsibility of organizations, households and governmental verification agencies in order to meet the requirements of the legal timber definition.
- 3. Enterprise classification system* – this assesses the degree of risk that enterprises face in compliance with VNTLAS requirements to determine appropriate verification measures in an effective and prompt manner.
- 4. Timber supply chain control* – this manages the entire supply chain from harvesting or import to final sale, in order to prevent the introduction of illegal or unverified timber into the supply chain.
- 5. FLEGT licensing mechanism:* FLEGT licenses will be issued for each shipment of timber and timber products exported to the EU market.
- 6. Inspection, internal inspection and complaints and feedback mechanisms* – these mechanisms comply with the Vietnamese laws on inspection, complaints, and denunciations.

7. *Independent assessment* – periodic evaluations of the implementation, effectiveness and reliability of the VNTLAS in order to identify, document and report any inadequacies or weaknesses.

Until now, the VNTLAS has implemented five out of the seven components. In the near future, the EU and Viet Nam will jointly conduct an independent assessment to appraise the system's readiness to determine the appropriate timing for the first-ever issuance of FLEGT licenses.

4.2. Enterprise Classification System

The Enterprise Classification System (ECS) is a pivotal component of the VNTLAS, designed to assess the risk degree to enterprises' compliance with VNTLAS requirements. Its primary objective is to implement appropriate, effective, and timely verification measures, while also streamlining administrative procedures, promoting production and business activities and encouraging legal compliance among enterprises.

According to Decree 102/2020/ND-CP providing for Viet Nam Timber Legality Assurance System and Circular 21/2022/TT-BNNPTNT providing for the classification of timber processing and exporting enterprises: all enterprises engaged in processing and exporting timber must undergo an enterprise classification process starting from May 1st, 2022.

- *The general principle of enterprise classification* as prescribed in Article 11, Decree 102/2020/ND-CP provides are as follows:
 1. Enterprise classification is carried out through the Enterprise Classification Information System.
 2. Enterprise classification involves continuous assessment based on regular updates of enterprise operations and law enforcement performance. This assessment is done through the self-declaration and self-accountability mechanisms, along with verification results from competent state administration agencies.
 3. The first classification occurs upon enterprise registration in the Enterprise Classification Information System; the second classification is conducted one year after the first classification; from the third and subsequent assessments, for Group I enterprise,

assessments take place every two years, while for Group II enterprises, assessments occur annually from the date of the last assessment or from the date when the enterprise is reclassified from Group I to Group II.

4. The provincial Forest Protection Department or the provincial Department of Agriculture and Rural Development in provinces where there is no provincial Forest Protection Department assume the responsibility of enterprise classification.
- *Criteria for enterprise classification*: Article 12, Decree 102/2020/ND-CP specifies four criteria for enterprise classification as follows:
 1. Full compliance with legal provisions in the establishment and operation of enterprises for at least one year from the date of business establishment registration;
 2. Compliance with legal regulations stipulating the legality of timber, forest product management and traceability of forest products throughout the entire supply chain;
 3. Compliance with regulations on supply chain control declaration and reporting;
 4. No violations of forestry-related legal regulations resulting in administrative sanctions exceeding VND 25 million
 - *The order and procedures for enterprise classification and the announcement of classification results* are specified in Article 13, Decree 102/2020/ND-CP and Articles 4 to 7 of Circular 21/2022/TT-BNNPTNT. Based on these criteria and based on the order and self-assessment and evaluation process conducted by the Provincial Forest Protection Department, enterprises involved in both timber processing and export are categorized into two risk groups:
 - Group I (compliance): Enterprises that fully meet the criteria mentioned-above;
 - Group II (non-compliance): Enterprises that do not fully meet the criteria mentioned-above or are newly established enterprises.

The Forest Protection Department shall publish the results of enterprise classification for Group I enterprises on its website: www.kiemlam.org.vn. As of October 1st, 2022, as many as 140 enterprises engaging in both timber processing and exporting were classified as Group 1 enterprises. More information about these Group I enterprises is accessible via the link below: http://kiemlam.org.vn/Desktop.aspx/List/Go_hop_phap/Danh_sach_cac_Doanh_nghiep_che_bien_va_xuat_khau_go_nhom_I/

- *Export verification based on the results of enterprise classification:* In the risk-based verification system, Group II enterprises are subjected to a higher level of control compared to Group I enterprises. Specifically, when it comes to exporting of timber and timber products, while Group 1 enterprises only need to self-confirm their export timber documentation, Group II enterprises must obtain the certification of local FPD as part of their export timber documentation. Also Group II enterprises are subjected to more thorough documentation checks and physical inspections of their shipments before exporting. This measure ensures that importers or buyers of timber and timber products produced from Group I enterprises can have full confidence that there no risk of illegal timber.

4.3. Third-Party Certification

The area of forests in Viet Nam certified for sustainable forest management is experiencing rapid growth. Two major global forest certification bodies, the Programme for the Endorsement of Forest Certification (PEFC) and the Forest Management Council (FSC), are both operating in Viet Nam. However, it's important to note that sustainable forest management certificates, including FM (Forest Management) and CoC (Chain of Custody) certificates are not mandatory according to Vietnamese law; they are based on the voluntary participation of forest owners and enterprises.

In Viet Nam, forest owners and timber processing enterprises have the option to choose a third-party certification mechanism, which can be one of the following: (1) certificate of the PEFC-endorsed Viet Nam Forest Certification Scheme (VFCS); or (2) the certificate of FSC; or (3) Both types of certificates.

4.3.1. Viet Nam Forest Certification System - VFCS

As of 08/01/2018 Viet Nam's National Forest Certification Scheme (in short VFCS) was established under Decision 1288/QĐ-TTg of the Prime Minister, along with the relevant decisions from the Ministry of Agriculture and Rural Development, which tasked the sustainable forest management and forest certification to the Viet Nam Forest Certification Office (VFCO). VFCS was endorsed as a brand by the Programme for Endorsement of Forest Certification (PEFC) in October 2020.

A Steering Committee, comprising members being representatives from VNFOREST, relevant ministries, agencies, timber processing enterprises, rubber associations and non-governmental organizations, operates under the Ministry of Agriculture and Rural Development), and directs the management of VFCS. The VFCO is in charge of the management and operation of VFCS.

- *The standards of VFCS:* VFCS operates based on a number of standards and guidelines, including: (1) the standards for management and operation of the Viet Nam's forest certification scheme; (2) Sustainable Forest Management Standard VFCS/PEFC ST 1003, forest management standard for the group of small holders VFCS/PEFC ST 1004, Chain of Custody standard, PEFC ST 2002:2013 and PEFC ST 2002:2020. VFCO, as the PEFC authorized body under a contract for system management with this organization, manages the accreditation for auditing for PEFC CoC certificate issuance and PEFC labelling in Viet Nam. Additionally, VFCS issues other reference documents for auditing and certification organizations to develop regulations and guidelines for audits and certifications. These standards and documents are accessible on the electronic portal: <https://vfcs.org.vn/>.

The VFCS Sustainable Forest Management Standard VFCS/PEFC ST 1003: 2019 is institutionalized and issued in accordance with Circular 28/2018/TT-BNNPTNT dated 16/11/2018, which regulates sustainable forest management. The criteria and indicators set by this Standard require forest owners to comply with Vietnamese laws and international treaties signed by the Government of Viet Nam. This includes adherence to requirements on forest land management and use, the Law on

Forestry, forest management requirements, Viet Nam's regulations for timber harvesting management and traceability, and not involving in prohibited acts in forestry. Timber granted the VFCS's sustainable forest management certificate guarantees legal origin according to Viet Nam's regulations.

- *VFCS accredited certification bodies (CBs)*: CBs who are third-party organizations auditing the compliance and implementing the SFM certification under the Viet Nam's Forest Certification Scheme and the Chain of Custody certification under the PEFC CoC must meet the requirements detailed in **VFCS/PEFC ST 1006:2022** and **PEFC ST 2003:2020**. The list of CBs is accessible on the <http://www.vfcs.org.vn> website.
- *Use of trademarks and logos of VFCS and PEFC*: trademarks (VFCS and PEFC) are registered for trademark protection in Viet Nam and globally. VFCS manages and accredits the right to use VFCS and PEFC trademarks by certified organizations and individuals (for SFM, CoC) in Viet Nam. Organizations and individuals licensed to the use of such trademarks must fully comply with VFCS and PEFC regulations.
- *Achievement of VFCS certification*: As of October 10, 2022, VFCS has issued sustainable forest management (FM) certificates covering 118,256 hectares of planted forests for 21 forest owners and 47 CoC certificates according to PEFC standards for timber export and processing enterprises. The VFCS SFM certificate form is presented in **Form 12** in the Appendices to this Guideline.
- Detail about VFCS activities, standard, certification bodies and achievements of certification is accessible on the <http://www.vfcs.org.vn> website.

4.3.2. Certification by the International Forest Stewardship Council - FSC

Since the 2000s, the Forest Stewardship Council (FSC) has been operating in Viet Nam, initially focusing on sustainable forest management certification (FSC-FM) for forest owners, including the auditing and certification for household groups. It then expanded its scope to include certification for Chain of Custody (FSC-CoC) for timber export and processing enterprises

and Controlled Wood Certification (FSC-CoC/CW), which certifies the management system for forest owners, producers, processors, and traders of timber sources according to FSC control standards. Viet Nam FSC-endorsed SFM Standard, declared by FSC Viet Nam, took effect from May 1st, 2020. This National Standard is designed to be adaptable to various local contexts, encompassing natural forests, planted forests, and small-scale and low-intensity forests.

The popularity of FSC certification has grown significantly among forest owners and timber enterprises in Viet Nam. As a testament to its success, Viet Nam leads Southeast Asia in the number of FSC-CoC certificates, boasting 1,224 certified enterprises. Regarding sustainable forest management, there have been currently 53 FSC-FM certificates, covering a total forest area of 220,000 hectares (as of October 10th, 2022). More information about FSC-certified forest companies and forest owners can be accessible on the FSC's website at <https://connect.fsc.org/fsc-public-certificate-search>.

V RESOURCES FROM OTHER STAKEHOLDERS

In addition to the efforts of the Vietnamese Government and the timber enterprise community to ensure legal practices throughout the supply chain, Viet Nam has received invaluable support from a range of national and international partners and NGOs. Notably, organizations such as the EU, AFD, USAID, KFW, JICA, EU-FAO Facility, EU FLEGT Asia Program, GIZ, and TRAFFIC have played crucial roles in supporting Viet Nam in the negotiation and implementation of the FLEGT VPA with the EU, development and operation of the Viet Nam Timber Legality Assurance System (VNTLAS), implementation of sustainable forest management programs aiming at achieving forest certification, development of legal and sustainable timber value chains as well as proper management of imported timber. Those supports have contributed significantly to promoting legal timber harvesting, import, trade and production in Viet Nam.

VI CONTACT INFORMATION FOR FURTHER INQUIRIES

For further information related to the Guideline on timber legality for Viet Nam and other aspects of timber and timber product verification, please do not hesitate to contact the Forest Protection Department under VN-FOREST at the following address:

Forest Protection Department

Address: Building A3, street Ngoc Ha, Ba Dinh district, Hanoi, Viet Nam

Phone: +84 024 37 33 56 80 or +84 024 3733 56 75

Email: fpd@kiemplam.org.vn

Website: <http://www.kiemplam.org.vn>.

VIII APPENDICES

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FORM 1. PACKING LIST OF FOREST PRODUCTS (APPLICABLE TO LOG AND SAWN TIMBER)
(Issued in conjunction with Circular 27/2018/TT-BNNPTNT)

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

Sheet No:/Total number of sheets

PACKING LIST OF FOREST PRODUCTS

(Applicable to log and sawn timber)

No:/...

General information:

Name of the forest product's owner:

Business registration certificate/Business number (if the forest product owner is an enterprise)

Address

Telephone number:

Forest product origin:

Invoice number (if any):; Invoice date.....;

Transportation vehicle (if any) License plate/Vehicle number:

Transport duration: days; departure date (dd/mm/yyyy); arrival date (dd/mm/yyyy)...

Transported from: to:

No.	Number/ marked label	Name of the timber species		Quantity	Volume (m3) /weight (kg)			Volume (m3)/ Weight (kg)	Notes
		Common name	Scientific name (in case of imported timber)		Length (m)	Width (cm)	Diameter/ Thickness (cm)		
A	B	C	D	E	F	G	H	I	J
01									
02									
...									
	Total								

Total quantity and volume or weight of each forest product species specified in the forest product list:

..... Date (dd/mm/yyyy)

**CERTIFICATION OF THE
LOCAL FOREST PROTECTION
DEPARTMENT**

Reg. No.: .../...

(Signed with full name of the
authorized individual and stamped)

..... Date (dd/mm/yyyy)

**ORGANIZATION, INDIVIDUAL
PREPARING THE PACKING LIST**

*(Signed with full name by the
organization and stamped;
Signed with full name by the
individual)*

**FORM 2. PACKING LIST OF FOREST PRODUCTS
(APPLICABLE TO TIMBER PRODUCTS)**
(Issued in conjunction with Circular 27/2018/TT-BNNPTNT)

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

Sheet No:/Total number of sheets

PACKING LIST OF FOREST PRODUCTS
(Applicable to timber products)

No:/...

General information:

Name of the forest product's owner:

Business registration certificate/Business number (if the forest product owner is an enterprise)

Address

Telephone number:

Forest products origin:

Invoice number (if any);.....; Invoice date.....;

Transportation vehicle (if any): License plate/Vehicle number:

Transport duration:days; departure date:.....; arrival date:.....

Transported from:to:

No.	Name of the timber product	Number/ marked label (if any)	Name of the timber species		Quantity or volume of the product	Unit	Note
			Common name	Scientific name			
A	B	C	D	E	F	G	H
01							
02							
...							
	Total						

Total quantity and volume or weight of each species of the forest products included:

.....

..... Date (dd/mm/yyyy)
CERTIFICATION OF LOCAL FOREST PROTECTION DEPARTMENT:
 Reg. No.: .../...
 (Signed with full name of the authorized individual and stamped)

..... Date (dd/mm/yyyy)
ORGANIZATION, INDIVIDUAL PREPARING THE PACKING LIST
 (Signed with full name by the organization and stamped;
 Signed with full name by the individual)

FORM 3. PACKING LIST OF IMPORTED TIMBER
 (Issued in conjunction with Decree 102/2020/ND-CP)

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

Sheet No:..... /Total number of sheets:.....

PACKING LIST OF IMPORTED TIMBER
 (Applicable to log and sawn timber)

No:...../ BKGNK

- Name of the timber owner: Tax code/Business number/ID card No.:
- Address:
- Telephone number:; Email address:.....
- Code of import customs declaration:; No of Bill of Lading:.....
- Country of export:
- Country of harvest:
- Port/border gate of export:
- Port/border gate of import:
- Information about the imported timber:

No.	Number/ marked label (if any)	Name of the timber species				Specification			Quantity (bars/ panel/ logs)	Volume/ Weight (m3 or kg)	Note
		Common/ Commercial name	English name (if any)	Scientific name	Species group	Length	Width	Diameter or thickness			
Total:											

We/I hereby declare that all information provided in this list is truthful, and we/I are responsible under the law for the truthfulness of the information. /.

..... Date (dd/mm/yyyy)

**CERTIFICATION OF BORDER
GATE CUSTOMS**

(Signed with full name and stamped)

..... Date (dd/mm/yyyy)

**ORGANIZATION, INDIVIDUAL
PREPARING THE PACKING LIST**

(Signed with full name and stamped)

FORM 4. PACKING LIST OF IMPORTED TIMBER PRODUCTS

(Issued in conjunction with Decree 102/2020/ND-CP)

**SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness**

Sheet No:..... /Total number of sheets:.....

PACKING LIST OF IMPORTED TIMBER PRODUCTS

No.:...../ BKSPGNK

1. Name of timber owner:.....Tax code/Business number/ID card No:.....
2. Address:
3. Telephone number.....; Email:
4. Code of import customs declaration:.....; No. of Bill of lading :.....
5. Country of export:.....
6. Country of harvest:.....
7. Port/border gate of export:.....
8. Port/border gate of import:.....
9. Information about imported timber products:

No.	Name of the timber product	Number/ marked label (if any)	Unit	Name of the timber species (8)				Quantity of the products	Volume and weight of the timber products	Note
				Common/ Commercial name	English name (if any)	Scientific name	Species group			
1										
2										
...										
Total:										

We/I hereby declare that all information provided in this list is truthful, and we/I are responsible under the law for the truthfulness of the information. /.

..... Date (dd/mm/yyyy)

**CERTIFICATION OF THE BORDER
GATE CUSTOMS**

(Signed with full name and stamped)

..... Date (dd/mm/yyyy)

**ORGANISATION, INDIVIDUAL
PREPARING THE PACKING LIST**

(Signed with full name and stamped)

FORM 5. DECLARATION OF ORIGIN OF IMPORTED TIMBER

(Issued in conjunction with Decree 102/2020/ND-CP)

A. GENERAL INFORMATION ABOUT THE SHIPMENT

1. Name and address of the owner of imported timber:.....
2. Name and address of owner of exported timber:.....
3. Description of goods:.....
4. HS codes:.....
5. Scientific name of species:.....
6. Commercial name of species:.....
7. Quantity/Weight/Volume of goods:.....
8. Bill of Lading Number (B/L):.....
9. Invoice Number:.....
10. Packing List of timber:.....
11. Country of export:.....
12. Country of harvest:.....

B. RISK STATUS OF SHIPMENT OF IMPORTED TIMBER

According to the status of the shipment, please check the applicable boxes below:

- B1. Timber does not involve risk species and timber sourced from positive geographic regions, **no additional documentation required, go to Section D below.**
- B2. Timber involves risk species or timber sourced from non-positive geographic regions **additional documentation required, go to Section C and Section D below.**

C. ADDITIONAL DOCUMENTATION

1. Material timber (e.g under HS Code 4403, 4406, 4407)

If the imported timber products are made from timber involving risk species or sourced from non-positive geographical regions, the timber owner must declare one of the documents proving legal harvesting origin and provide the following evidence:

a) Voluntary certification or national certification scheme of the exporting country recognized by Viet Nam as having met the criteria of Viet Nam's timber legality assurance system:

No.	Certification scheme	Certificate number	Validity period of the certificate

b) Harvesting permit or documents showing the permission of timber harvest:

No.	Type of document or permit	Number of Document or permit	Issue date	Issuing authority/ entity	Notes

c) In case the country of harvest does not require a harvesting permit for the forest from which this timber is harvested, please provide the following additional documents:

No.	Type of document	Document number	Issue date	Issuing entity	Notes
Country of harvest:					
Name & address of the supplier:					
Reason the harvesting document is not required:					

Provide copies of documents (if any)

d) In case there is no harvesting permit, please provide the following additional information:

No.	Type of alternative to harvesting document	Document number	Issue date	Issuing entity	Notes
Country of harvest:					
Name & address of supplier:					
Reason the harvesting document is not required:					

Provide copies of alternative documents (if any)

2. Complex timber products (e.g under HS codes of Chapters 44 and 94, except HS codes: 4403, 4406, 4407)

If the timber product is made from timber involving a risk species or sourced from a non-positive geographic region, the timber owner must declare one of the documents proving legal harvesting origin and provide the following evidence:

a) Voluntary certification or the national certification scheme of the exporting country recognized by Viet Nam as having met the criteria of the Viet Nam's timber legality assurance system:

No.	Certification scheme	Certificate number	Validity period of the certificate

b) In case the harvesting permit or document is not available:

No.	Document proving the legality of timber	Document number	Issue date	Issuing entity	Notes
Where the timber is sourced from					
Name & address of the supplier/exporter					
Other additional/alternate information proving the legality of timber origin					

Provide copies of documents demonstrating legality (if any).

D. ADDITIONAL MEASURES OF THE IMPORTED TIMBER OWNER TO MITIGATE ANY RISK RELATED TO THE TIMBER LEGALITY IN ACCORDANCE WITH THE RELEVANT LEGISLATION OF THE COUNTRY OF HARVEST:

1. Information on legal requirements for timber export in the country of harvest. Identify any legal requirements (e.g. export bans, export licensing requirements, etc.) for timber export applicable to particular product or species in country of harvest for each product.

No.	Products, species and the country of harvest	Legal provisions stipulating timber export in the country of harvest	Verifiers for compliance

2. Risk identification and mitigation: Identify any risk related to the illegal harvesting and trade of timber associated with the shipment, in accordance with the relevant legislation of the country of harvest, and propose appropriate mitigation measures.

No.	Risks	Risk mitigation measures

Commitment of the imported timber owner: I hereby confirm that the information declared in this declaration is correct, complete and accurate. I am responsible under law for the information declared.

..... Date (dd/mm/yyyy)
IMPORTED TIMBER OWNER
 Signed with full name and stamped (if any)

FORM 6. PACKING LIST OF EXPORT/TEMPORARY IMPORT FOR RE-EXPORT TIMBER

(Issued in conjunction with Decree No. 102/2020/ND-CP)

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

Sheet No:..... /Total number of sheets:.....

PACKING LIST OF EXPORTED/TEMPORARY IMPORT FOR RE-EXPORT TIMBER

(Applicable for logs and sawn timber)

No.:..... / BKGNK

1. Name of timber owner:..... Tax Code, Business number/ID number:.....
2. Address:
3. Telephone number:.....; Email.....
4. Name of the importer:.....
5. Address:
6. Country of import:
7. Port/border gate of export:.....
8. Origin of the exported timber:
 - Domestically harvested timber: Timber from planted forest Timber from natural forest.
 - Imported timber.
 - Timber after handled confiscation.
 - Mix timber.
9. Number of invoice as prescribed by the Ministry of Finance (if any):day ... month ... year
10. Information about the exported timber:

No.	Number/ marked label (if any)	Name of the timber species				Specification			Quantity (bars/ panel/ logs)	Volume (kg or m3)	Notes
		Trade name	English name (If any)	Scientific name	Species group(8)	Length	Width	Diameter or thickness			
Total:											

We/I hereby declare that all information provided in this list is truthful, and we/I are responsible under the law for the truthfulness of the information. /.

..... Date (dd/mm/yyyy)

**CERTIFICATION OF THE
BORDER GATE CUSTOMS(8)**
(Signed with full name and
stamped)

..... Date (dd/mm/yyyy)

OWNER OF TIMBER
(Signed with full name and stamped)

**FORM 7. PACKING LIST OF EXPORTED/TEMPORARILY IMPORTED
AND RE-EXPORTED TIMBER PRODUCTS**
(Issued in conjunction with Decree 102/2020/ND-CP)

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

Sheet No:..... /Total number of sheets:.....

**PACKING LIST OF EXPORTED/TEMPORARY IMPORT FOR
RE-EXPORT TIMBER PRODUCTS**

No.:...../BKSPGXK

- Name of timber product owner:..... Tax Code, Business number/
ID number:.....
- Address of timber product owner:
- Telephone number:.....; Email.....
- Name of the importer:.....
- Address of the importer:
- Country of import:
- Port/border gate for export:.....
- Origin of the exported timber:
 - Processed from domestically harvested timber: Processed from timber from planted forest Process from timber from natural forest.
 - Processed from imported timber.
 - Processed from timber after handled confiscation.
 - Processed from mix timber.
- Number of invoice as prescribed by the Ministry of Finance (if any):day
... month ... year
- Information about the timber products:

No.	Name of the timber product	Number/ marked label (if any)	Unit	Name of the timber species				Quantity of products	Volume and weight of the timber products	Notes
				Common/ Commercial name	English name (if any)	Scientific name	Species group			
1										
2										
...										
Total:										


We/I hereby declare that all information provided in this list is truthful, and we/I are responsible under the law for the truthfulness of the information. /.

..... Date (dd/mm/yyyy)
CERTIFICATION OF LOCAL FOREST PROTECTION DEPARTMENT
(Signed with full name, stamped)

..... Date (dd/mm/yyyy)
ORGANISATION, INDIVIDUAL PREPARING THE PACKING LIST
(Signed with full name, stamped)

FORM 8. CITES PERMIT TEMPLATE


CITES PERMIT / GIẤY PHÉP CITES SỐ: _____ CITES - VN



CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

EXPORT/ XUẤT KHẨU
 RE-EXPORT/ TÁI XUẤT KHẨU
 IMPORT/ NHẬP KHẨU
 OTHER/ KHÁC

Original/ Bản gốc
 2. Valid until/ Có giá trị đến: _____

3. Importer (name and address)/ Nhà nhập khẩu (tên và địa chỉ): 3a. Country of import/ Nước nhập khẩu:	4. Exporter/Re-exporter (name and address)/ Nhà xuất khẩu/Tái xuất khẩu (tên và địa chỉ): 5. Name, address, national seal/stamp and country of Management Authority (Tên, địa chỉ, quốc huy và nước của Cơ quan Quản lý): <div style="text-align: center;">  <p>CITES MANAGEMENT AUTHORITY OF VIETNAM MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT No. 2, Ngoc Ha str, Ba Dinh dist, Ha Noi, Viet Nam</p> </div>										
5. Special conditions/ Các điều kiện đặc biệt: <small>For live animals, this permit is only valid if the transport conditions conform to the CITES guidelines for transport or, in the case of air transport, to the IATA Live Animal Regulations. Đối với động vật sống, giấy phép này chỉ có giá trị nếu điều kiện vận chuyển đồng thời tuân thủ quy định của IATA (Hiệp hội hàng không thế giới) và IATA. Mẫu hàng động vật sống phải tuân theo quy định của IATA (Hiệp hội hàng không thế giới).</small>											
5d. Purpose of the transaction "see reverse"/ Mục đích giao dịch "xem mặt sau": 5e. Security stamp No./ Số tem dán bảo:											
7. 7a. Scientific name (genus and species) and common name(s) of animal or plant (Tên khoa học chi giống và loài và tên gọi thông thường của động, thực vật): 7b.	8. Description of specimens, including identifying marks or numbers "taglines & line" (Mô tả mẫu vật, kể cả các dấu hiệu số hiệu mẫu, ghi định hiệu mẫu vật sống): 9.										
10. Appendix No. & source "see reverse"/ Phụ lục số và nguồn gốc "xem mặt sau": 11. Quanta (including unit) (Số lượng (bao gồm đơn vị)): 11a.	12. No. of the operation ** or date of acquisition *** (Số hiệu tập mẫu hoặc ngày có được mẫu vật): 12a.										
12. Country of origin * (Nước xuất xứ): Permit No./ Giấy phép số: Date/ Ngày:	12a. Country of last re-export/ tái xuất cuối cùng: Certificate No./ Chứng nhận số: Date/ Ngày:										
12. Country of origin * (Nước xuất xứ): Permit No./ Giấy phép số: Date/ Ngày:	12a. Country of last re-export/ tái xuất cuối cùng: Certificate No./ Chứng nhận số: Date/ Ngày:										
12. Country of origin * (Nước xuất xứ): Permit No./ Giấy phép số: Date/ Ngày:	12a. Country of last re-export/ tái xuất cuối cùng: Certificate No./ Chứng nhận số: Date/ Ngày:										
* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export)/ Quốc gia mẫu vật được đánh bắt từ tự nhiên, gây nuôi sinh sản hoặc trồng cấy nhân tạo (chỉ trong trường hợp tái xuất) ** Only for specimens of Appendix-I species bred in captivity or artificially propagated for commercial purposes/ Áp dụng đối với mẫu vật các loài thuộc Phụ lục I được gây nuôi sinh sản hoặc trồng cấy nhân tạo vì mục đích thương mại *** For pre-Convention specimens (Áp dụng đối với mẫu vật tiền Công ước)											
13. This permit is issued by/ Giấy phép được cấp bởi: <div style="display: flex; justify-content: space-between;"> <div>Place/ Nơi cấp: _____</div> <div>Date/ Ngày cấp: _____</div> <div>Security stamp, signature and official seal (Tem bảo đảm, chữ ký và đóng dấu): _____</div> </div>											
14. Export (import) endorsement/ Số lượng thực xuất (thực nhập): <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Block/ Lô</th> <th>Quantity/ Số lượng</th> </tr> </thead> <tbody> <tr> <td>A</td> <td></td> </tr> <tr> <td>B</td> <td></td> </tr> <tr> <td>C</td> <td></td> </tr> <tr> <td>D</td> <td></td> </tr> </tbody> </table>		Block/ Lô	Quantity/ Số lượng	A		B		C		D	
Block/ Lô	Quantity/ Số lượng										
A											
B											
C											
D											
15. Bill of lading/ Air Way bill number: <div style="display: flex; justify-content: space-between;"> <div>Front of Export (import) (Cảng xuất (Cảng nhập)): _____</div> <div>Date/ Ngày: _____</div> <div>Signature/ Chữ ký: _____</div> <div>Official stamp and seal (Chức danh và đóng dấu): _____</div> </div>											

FORM 9. PRE-CONVENTION CERTIFICATE

**CHỨNG CHỈ MẪU VẬT TIỀN CÔNG ƯỚC
PRE-CONVENTION CERTIFICATE**

(Issued in conjunction with Decree 06/2019/ND-CP)

Cấp cho/Issuing for:

Số CMND/căn cước công dân/Hộ chiếu/Identity card No:

Ngày cấp/Issuing date: Nơi cấp/Issuing place:

Tên loài/Name of species:

Tên khoa học/tên thông thường/Scientific name/common name:

.....

Mô tả mẫu vật/Description of specimen:

Số đánh dấu/Marking No:

Nguồn và Phụ lục/Source & Appendix:

Số lượng/Quantity:

Ngày có mẫu vật/Date of acquisition:

Giấy tờ hợp pháp/Legal document:

Nơi cấp/Place: Ngày cấp/Date

Chữ ký, dấu của Cơ quan quản lý CITES/Signature and official seal:

.....

FORM 10. SOUVENIR EXPORT CERTIFICATE
(Issued in conjunction with Decree 06/2019/ND-CP)

**CHỨNG CHỈ CITES XUẤT KHẨU MẪU VẬT LƯU NIỆM
SOUVENIR EXPORT CERTIFICATE**

Mã số cơ sở/Operation No: Số chứng chỉ/Certificate.....
No:

Tên và địa chỉ cửa hàng/Name and Address of the Shop.....

Tên khách hàng/Name of Customer:

Quốc tịch/Nationality:.....

Số hộ chiếu/Passport No:

TT No.	Mô tả mẫu vật Description of Specimens	Tên khoa học Scientific Name:	Nguồn và Phụ lục Source & Appendix	Số lượng Quantity
1				
2				
3				
4				

Chữ ký và họ tên của chủ cơ sở/Signature and full Name of the Operation
Owner:

Ngày/Date:/...../20

Lưu ý/Important note:

- Chứng chỉ này chỉ được cấp tối đa cho mỗi khách hàng 4 đơn vị cho mỗi loại mẫu vật /This certificate is only valid for up to 4 items per customer
- Nếu cần thêm thông tin về giấy phép này xin liên hệ với/For further information or clarification on this certificate, please contact:

CITES Management Authority of Viet Nam

No. 02 Ngoc Ha Street, Hanoi; Tel: (84 24) 3733 5676

Fax: (84 24) 3734 6742; Email: CITES_vn.kl@mard.gov.vn

FORM 11. FLEGT LICENSE
(Issued in conjunction with Decree 102/2020/ND-CP)

Template 1: FLEGT License Format/Mẫu 1: Giấy phép FLEGT

(Ban hành kèm theo Nghị định số 102/2020/NĐ-CP)

ORIGINAL/BẢN GỐC	1	1. Issuing authority/Cơ quan cấp phép: Name, address/Tên, địa chỉ:	2. Importer/Tổ chức, cá nhân nhập khẩu: Name, address/Tên, địa chỉ:		
		3. FLEGT license number/Số giấy phép FLEGT:	4. Date of Expiry (DD/MM/YYYY)/ Ngày hết hạn: 4.1. Date of Expiry of the Extended License (DD/MM/YYYY)/Ngày hết hạn của giấy phép được gia hạn:		
		5. Country of export/Nước xuất khẩu:	7. Means of Transport/Phương tiện vận chuyển:		
		6. ISO code/Mã ISO:			
	8. Licensee/Tổ chức, cá nhân được cấp giấy phép: Name, address/Tên, địa chỉ:				
	1	9. Commercial description of the timber products/Mô tả hàng hóa:	10. HS-heading/Mã HS:		
		11. Common and Scientific names/Tên phổ thông và khoa học:	12. Countries of harvest/Quốc gia khai thác:	13. ISO Code of Countries of harvest/Mã ISO của quốc gia khai thác:	
		14. Volume (m3)/Khối lượng lô gỗ (m3):	15. Net weight (kg)/Trọng lượng thực (kg)	16. Number of units/Đơn vị tính khác:	
	17. Distinguishing marks (if any)/Ký hiệu nhận diện (nếu có)				
	18. Signature and stamp of issuing authority/Chữ ký và con dấu của Cơ quan cấp phép:				

Place/Nơi cấp

Signature and stamp of issuing authority

(Chữ ký và đóng dấu)

Date (DD/MM/YYYY)/Ngày cấp

FORM 12. FOREST CERTIFICATE



CERTIFICATE

This certificate is to certify that

Tay Ninh Rubber Company
Highway 22B, Da Hang Hamlet, Hiep Thanh Commune, Go Dau District,
Tay Ninh Province, Viet Nam

Certificate registration code			
GFA-FM/COC-500508			
Date of issue	19.05.2021	Date of expiry	18.05.2026
Issue number	1	Version	1 from 19.05.2021

has implemented a forest management system that has been evaluated by GFA Certification GmbH according to the following standards:

- VFCS/PEFC ST 1003:2019 – SUSTAINABLE FOREST MANAGEMENT STANDARD
- VFCS/PEFC ST 1008:2019 – VFCS Logo Usage Rules

A list of all forest management units included in the scope of Certification is attached to this certificate and is integral part of this document.



Forestry
Sustainable Forest
Management
www.pefc.org



Joern Ackermann
Joern Ackermann, Managing Director
GFA Certification GmbH • Alter Teichweg 15 • 22081 Hamburg • Germany
Phone: +49 40 5247431 0 • Fax: +49 40 5247431 999 • www.gfa-cert.com

This certificate including all copies or reproductions remains the property of GFA Certification GmbH and shall be returned or destroyed upon request.



CHUPAH RUBBER COMPANY LIMITED

01 NGUYEN THI MINH KHAI STREET, PHU HOA TOWN, CHU PAH DISTRICT, GIA LAI PROVINCE, VIETNAM

Bureau Veritas Certification certifies that the above organization has implemented responsible forest management practices in conformity with the requirements of the Vietnam Forest Certification Office, for the following activities

Scope of certification

**INDIVIDUAL RUBBER PLANTATION MANAGEMENT
FOR PRODUCTION OF RUBBER LATEX AND RUBBER WOOD**

Certified forest area (total): 3.209,11 ha

This forest entity has been assessed and found to conform to the requirements of the Standard

VFCS/PEFC ST 1003:2019

Original cycle start date:	31-05-2021
Expiry date of previous cycle:	NA
Certification / Recertification Audit date:	NA
Certification / Recertification cycle start date:	31-05-2021
Subject to the continued satisfactory operation of the organization's Management System, this certificate expires on:	30-05-2026

Certificate No.: **VN008090** Version: **1** Issue Date: **31-05-2021**

VFCS Code: VFCS/11-1A-10

LUU THI MAI HUONG



Certification Body: Bureau Veritas Certification Vietnam
Address: Unit 4-4A, 4th Floor, E-Town 1 Building, 364 Cong Hoa Street, Tan Binh District, Ho Chi Minh City, Vietnam

Further verifications regarding the scope and validity of this certificate, and the applicability of the management system requirements, please call: +84 20 3512 2245



