



The comments of EU on TLD of conversion areas and brief information on first-face-to-face negotiation

TEG meeting 17 March 2017
Vientiane Plaza Hotel, Lao PDR



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1. Template of comments requested by EU

The template requested by EU is as follows:

[20170203 - Lao LD - EU comments - Template Conversion only.xlsx](#)



2. Specific comments of EU on TLD of conversion areas

PRINCIPLE 2.1 CONVERSION OF FORESTLAND USING FOR DEVELOPMENT PURPOSE

Thematic Cluster	Comments made by EU
Awarding of land concession	<ol style="list-style-type: none"> 1. What are the development purposes for which it's allowed to convert forestland? 2. What process takes place to allocate land to a land holder prior to the concession agreement?
Compensation on land	<ol style="list-style-type: none"> 1. Are people without land title living in conversion areas included in the definition of 'affected people'? If not, is there any mechanism to ensure that they are not negatively affected, or that compensation is provided? 2. What is the basis for the head of village to agree compensation on behalf of the affected people - is this an informal arrangement or some provision of customary law?



PRINCIPLE 2.2 HARVESTING OPERATION PLANNING

Thematic Cluster	Comments made by EU
Planning Elements	<ol style="list-style-type: none"> 1. The verifier 'Inventory report' includes total volume of standing trees and timber species' seems to imply a full (100%) inventory that would identify total volume and all timber species - is this current practice to do a full inventory for all conversion areas or is a sample inventory done? 2. Is the boundary of conversion area delineated in the approval document of the project or concession, if not what is the basis for being able to demarcate the boundary?
Harvesting quota	<ol style="list-style-type: none"> 1. Do all 'Harvesting operation in conversion area' need approval by the Government and endorsement by the National Assembly, or does the provincial level have authority to approve for certain types or scales of project or concession? 2. What does the 'Harvesting plan of the province' include? How are individual conversion areas reflected in this plan?

20.04.2017

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PRINCIPLE 2.3 HARVESTING OPERATION IN CONVERSION AREAS

Thematic Cluster	Comments made by EU
Logging companies	<ol style="list-style-type: none"> 1. What types of operators are allowed to work as a 'The timber harvesting operator' in conversion areas ? 2. Is there any legal requirement for such operators to be legally established and authorized in accordance with the law and regulation?
Supply Chain Control and Monitoring	<ol style="list-style-type: none"> 1. What is being done or considered to address the identified gap of 'regulations for monitoring harvesting operation for timber from conversion'?

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PRINCIPLE 2.4 TIMBER SALES AND TIMBER MOVEMENT TO FACTORY

Thematic Cluster	Comments made by EU
Timber sales	1. What does 'Gaps timber auction' mean and how does it affect this Indicator and its verifiers?
Timber transport	1. TLD Plantation includes a principle for timber transportation, which appears to relate to transportation after reaching log landing 3. Should TLD conversion timber include further transportation requirements or will this be dealt with under another TLD (e.g. Wood Processing and Trading)?



PRINCIPLE 2.5 ENVIRONMENTAL AND SOCIAL OBLIGATIONS

Thematic Cluster	Comments made by EU
Implementation of ESMMP	<ol style="list-style-type: none"> 1. What is the role of affected people in inspection of the implementation of ESMMP and does this role apply to other kinds of forestry operation too (e.g. production forest, plantations etc.) 2. How is it assured that the involvement of affected people in inspection of the implementation of the ESMMP has been meaningful - can this be verified?
Dispute resolution	<ol style="list-style-type: none"> 1. Is there any mechanism for affected people to complain/lodge a grievance if their involvement in impact assessment and identification of mitigation measures has been superficial - if there is a grievance procedure can this be verified? 2. Is there any mechanism for affected people to complain/lodge a grievance if their involvement in inspection of the implementation of the ESMMP has been superficial - if there is a grievance procedure can this be verified?



3. Next steps

- Review the detailed comments by EU and respond to EU for first face to face negotiation.
- Continue to work with the work plan of local subsidy of TEG on conversion areas from April to December 17. The activities include:
 - Field visit to Thonglom conversion area in Khammouane Province
 - Consultation meeting to improve the draft TLD
 - Present the draft TLD to stakeholders in Khammouane Province
 - Consultation meeting on the draft TLD at central level and finalization
 - Incorporation of TLD of conversion areas to the VPA Annexes



4. Brief information on JEM and first-face-to-face negotiation with EU

- First-face-to-face negotiation with EU starts 24 – 28 April 2017
- JEM meeting starts 24 – 25 April 2017
 - TLD on Production Forest
 - TLD on Plantation
 - **TLD on Conversion Area (2 staff will attend JEP meeting)**
 - TLD on Labour Obligations
 - TLD on Wood Processing and Trade
 - Scope of VPA or Scope of Products
- Face-to-face negotiation 27 – 28 April 2017



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