

Verification Procedures / Resources for Implementation

TWG meeting on verification and piloting

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ປະທັບໃນຂະນະການປຶກສາລູກຄ້າກ່ຽວກັບການຮ່ວມມືລະຫວ່າງ ການຄຸ້ມຄອງ ແລະ ການຄ້າໄມ້ ລະຫວ່າງ ສປປ ລາວ ກັບ ສະຫະລາຊະອາຊີຍ
Shared vision for Lao EU-FLEGT process
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1. Management System of Verification Body

SYSTEM DOCUMENTS AND RECORDS

1. Organizational structure

- National level
- Provincial level

2. Impartiality and independence

- No personal/institutional interest
- Means for preventing influence by any party

3. Transparency and confidentiality

- Access of others to documents (e.g. procedures) and records (results of verification)
- Respect of confidentiality

4. Verification resources

- Personnel (incl. qualification criteria)
- Vehicles, tools and other resources

5. Verification Manual

- Planning and scheduling of verification
- Conduct of verification
- Handling of non-compliances

6. Internal quality control

- Verification plans and schedules
- Results, management of non-compliances

2. Verification Manual

PROCEDURES AND TEMPLATES

1. Planning and scheduling

- Identification of operations (e.g. forest areas and processing mills) subject verification
- Scheduling of verification missions and/or sessions
- Nomination of verification personnel for each mission and/or session
- Review and approval of verification plans and schedules

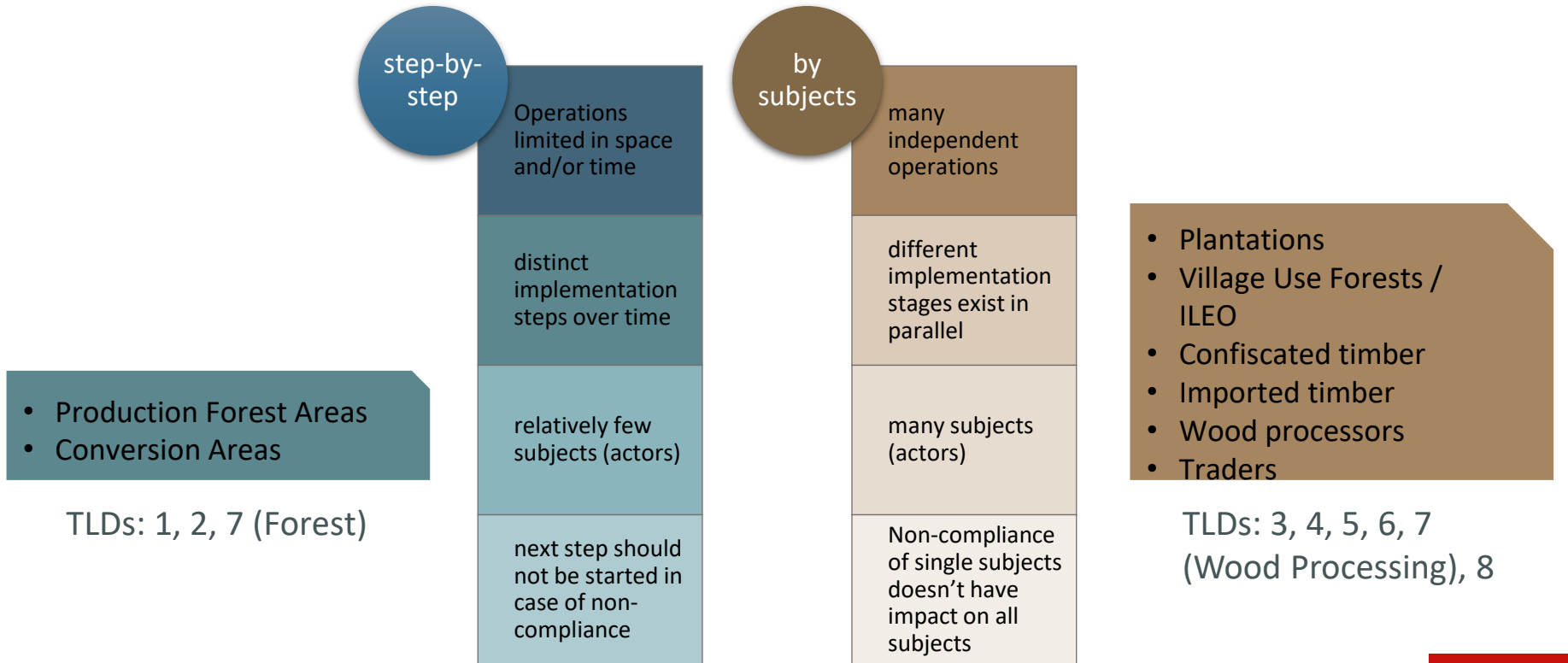
2. Conduct of verification

- Procedures, incl. checklists
- Reporting of results (compliance or non-compliance)

3. Handling of non-compliances

- Remedial actions
- Assessment of remedial actions
- Closing of non-compliances

3. Verification Procedures: 2 Approaches



Frequency / Timing / Intensity: how often, when, who?

Frequency

- onetime check
- case-by-case basis
- once per year
- biannually
- several times per year

Timing (event, action)

- before
- during
- after
- open / not relevant

Intensity

- comprehensive
- sample of subjects

Reminder: frequency, timing and intensity are described in Appendix A (together with verification means)

Examples

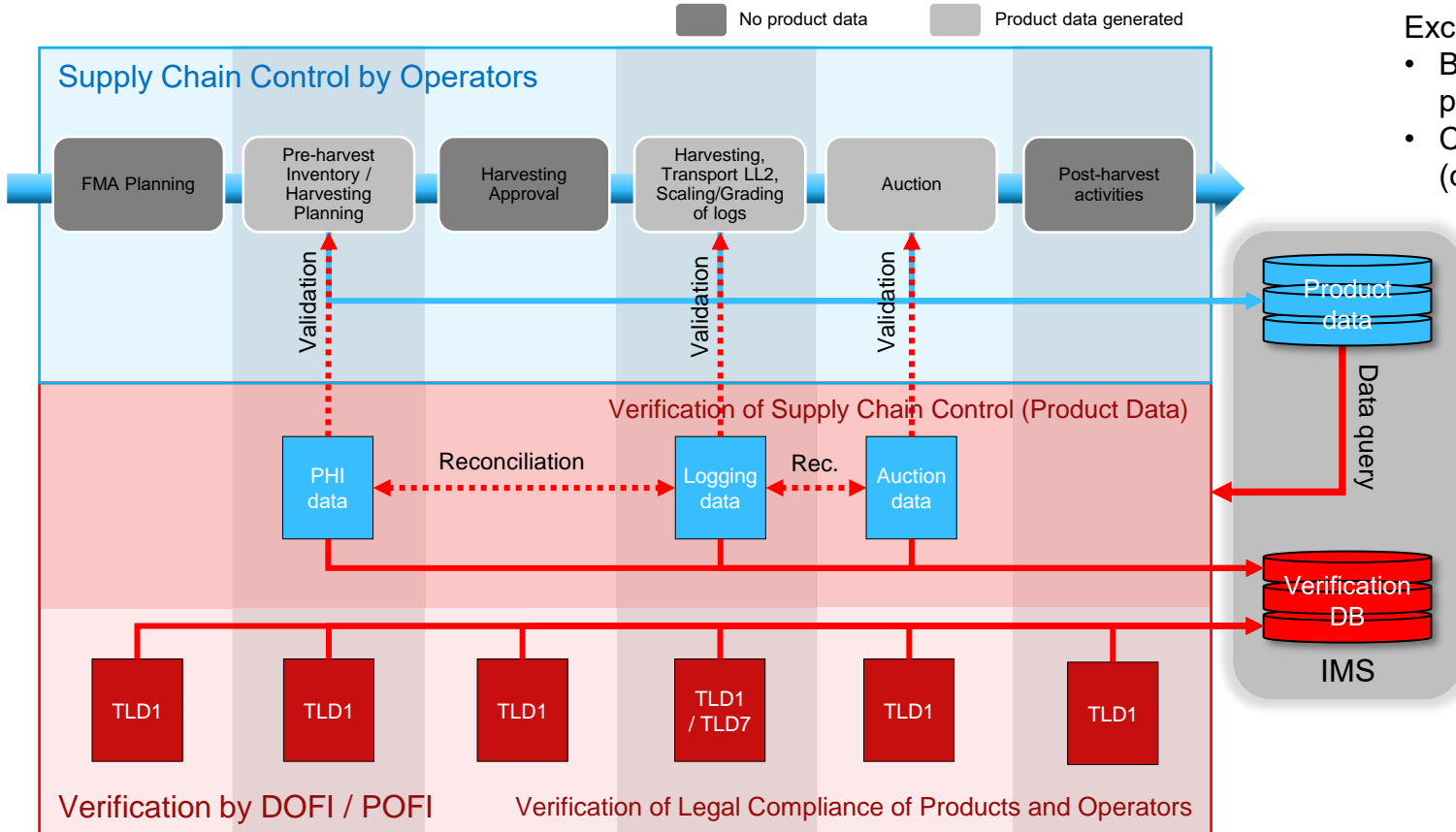
- **Onetime check:** concession agreements, management plans
- **case-by-case basis:** conflict resolution PFA
- **once per year:** harvesting plans
- **biannually:** confiscation by POFI
- **several times per year (risk-based*):** field visits to conversion areas during harvesting

- **before** annual operation plan is established
- **during** harvesting
- **after** auctioned timber has been cancelled from state assets registry
- **open / not relevant:** holding and handing over of confiscated timber

- **comprehensive**
 - all conversion areas
 - all plantation concessions
 - all wood processors
- **sample of subjects (risk-based*)**
 - sample of harvesting compartments in PFAs
 - sample of smallholder plantations

*needs to be defined in the verification manual

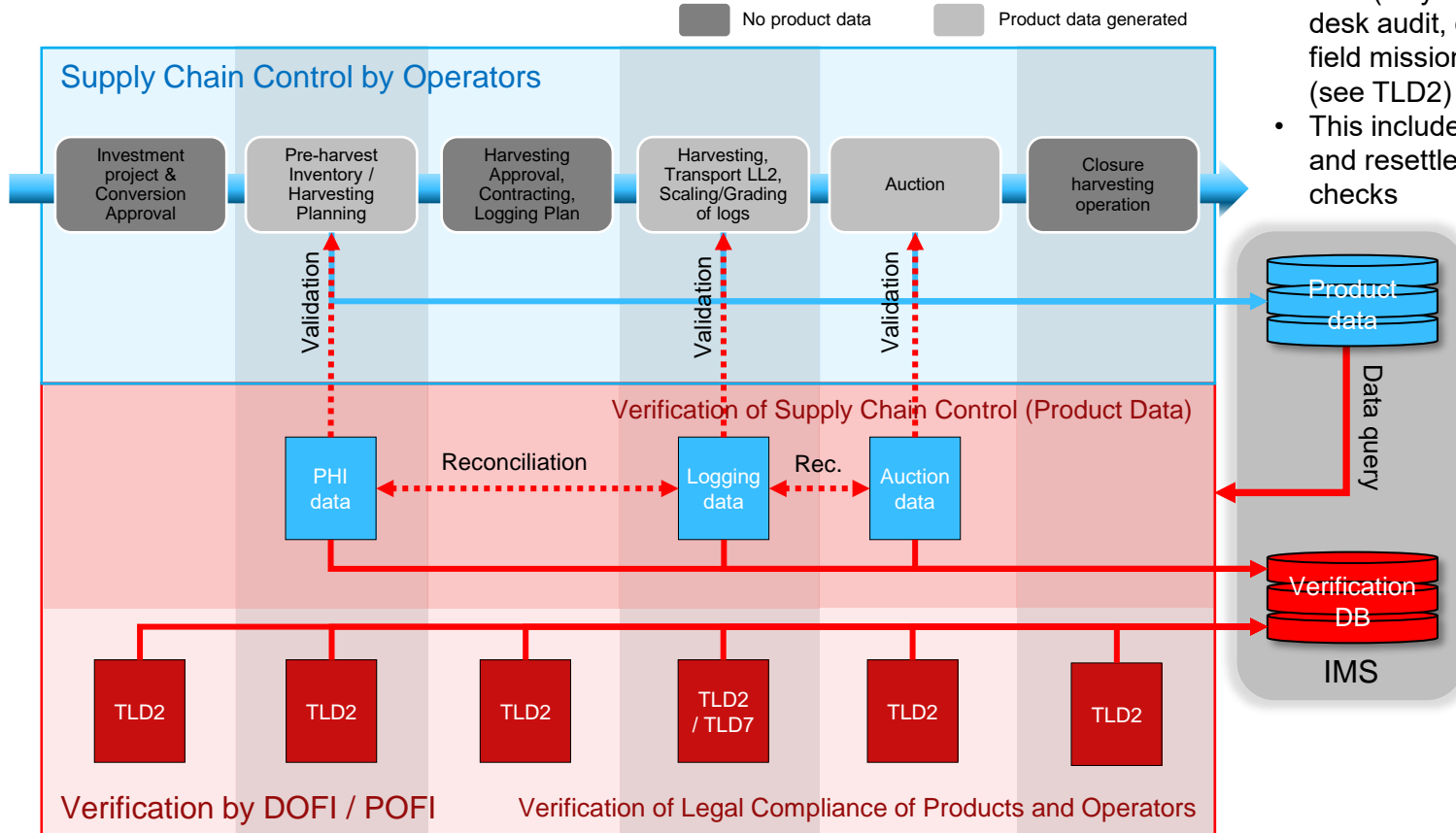
Verification Step-by-Step: Natural Production Forest



Exceptions

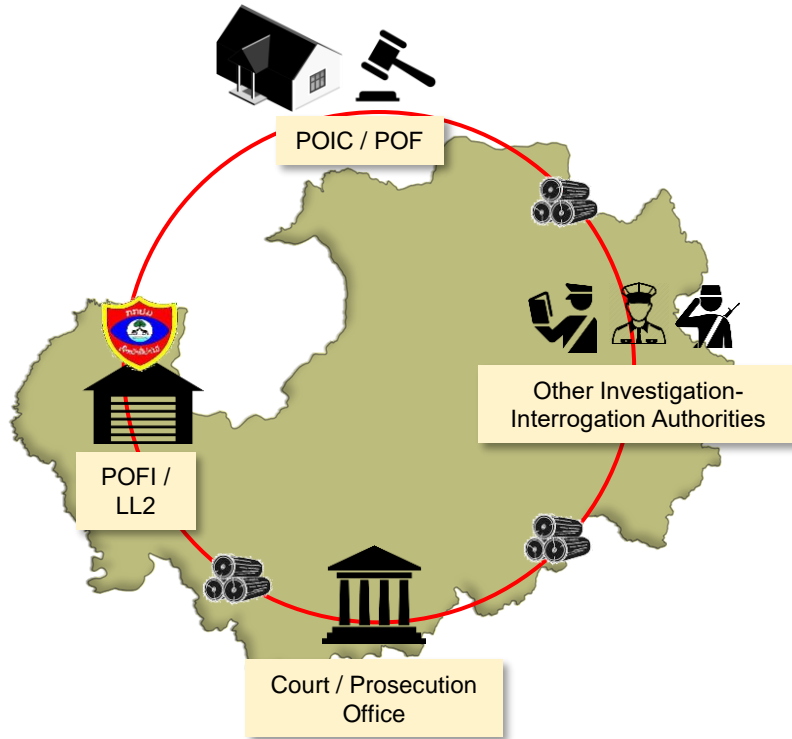
- Benefit sharing (once per year)
- Conflict resolution (case-by-case basis)

Verification Step-by-Step: Conversion Areas



- 3rd step is different compared to PFA (only harvesting approval - desk audit, consultation). There is a field mission to check logging plan (see TLD2)
- This includes EMMP implementation and resettlement and compensation checks

Verification by Subjects: Confiscated Timber



Verification body: DOFI

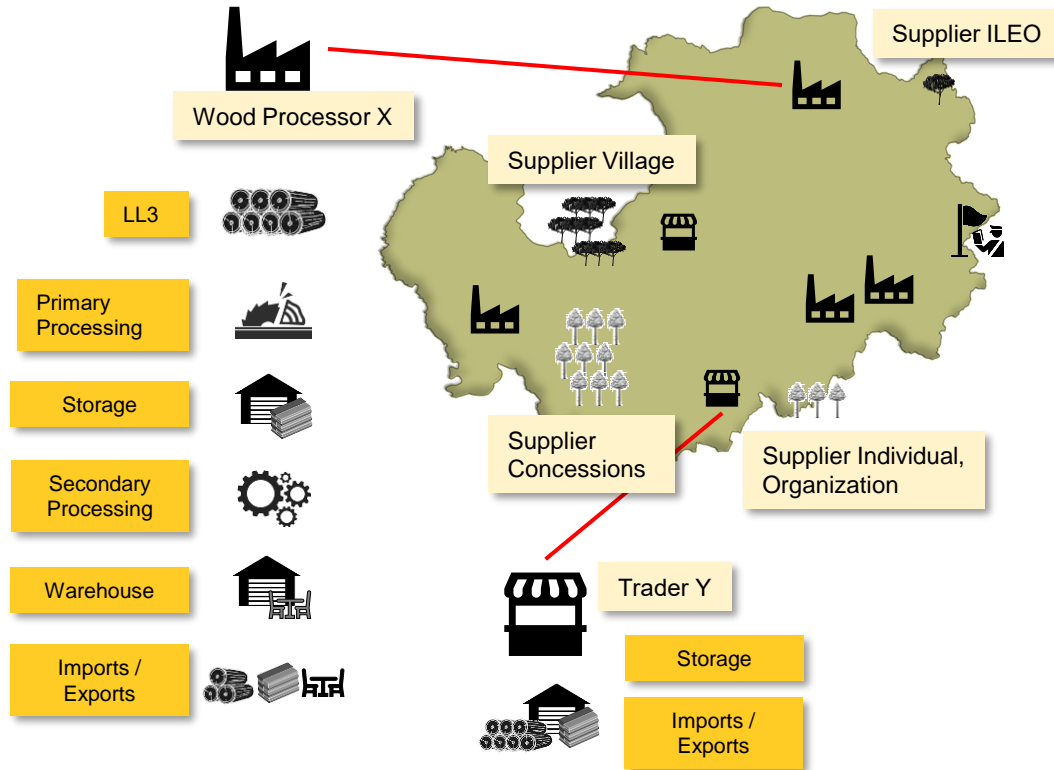
Verification subjects

- POFI (2x per year)
- Other investigation-interrogation authorities (once per year)
- Prosecution office (once per year)
- Courts (once per year)
- POIC / POF (SA) (Auction: case-by case)

Verification period

- Not relevant

Verification by subjects:, Timber Producers from Private Sector, Wood Processors, Traders



Timber Producers, Wood Processors, Traders

- Report to authorities and store SCC data in IMS

Regulatory inspection

- Wood processors and Traders (0777 or similar, adopted legislation under MAF)
- Plantations, VUF, ILEO: registration, reporting of volumes or weight of plantation timber

Verification body: POFI (supported by DFIU)

Verification subjects:

- Wood Processors / Traders (comprehensive, risk-based intensity: annually, several times per year)
- Suppliers: plantation concessions (comprehensive, risk-based frequency), plantations from individuals, organizations (sample), VUF (sample), ILEO (sample)
- Regulatory inspection organizations (“system check”, frequency depending on functioning of regulatory inspection)

4. Resources for Implementation

- In their review of the Draft TLAS Annex (v5.0, 11/2019) from April 2021, EU raised the question about capacities and resources of POFIs to perform the role as verification body.
- Although of course key for a successful implementation, resource aspects have not yet been considered
- Verification procedures have been further elaborated during piloting in 2021 and in TWG sessions of Q1/2022
 - Procedures allow rough estimates of necessary resources for the implementation of the verification function
 - A simple model, based on verification procedures has been developed to estimate the number of working days per year and province for regulatory inspection and verification

5. Initial Ideas for Organizational Setup of Verification Body in Provinces

- General Assumption

- Systematic verification work will constitute an important part of the work of POFI
- Current ad-hoc missions (reacting on potential violations of the law) could be handled by rapid response team (base on Lao-WEN, P-WEN?)
- Investigation-interrogation of non-compliances is separate from verification
- Closure of non-compliance (checking of remedial actions) not yet clear
 - Dashboard of model includes only an estimate for the number of verification subjects with a detected non-compliance

- Verification body (under Forest Inspection?)

- 1 verification team is focusing on PFA/CA (3 staff + 2 staff from respective DFIU)
- 2 teams of 4 staff each are focusing on other sources (challenging: involvement of DFIU when different districts affected)

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