

Short status report
regarding the legal logging of teak in Myanmar
and
legal export of teak and/or teak products to the Netherlands
(import in NL/EU)

This report has no intention to give a full insight in all legal frameworks and/or private or public sustainability schemes and certifications effective for both logging of teak in Myanmar or the import of teak and teak products in the EU. It only reflects some findings and current status of the logging and import/export of this wood from the perspective of the NL-embassy in Myanmar. Also driven by recent requests from Dutch companies for information or support to import legally produced teak and that import of teak from Myanmar has a high economic (commercial) interest for many involved.

In Myanmar the Forest Law and its regulations define if timber, including teak, can be logged legal.

For teak it was from 1 April 2016 to 31 March 2017 not possible to log teak trees (temporarily ban).

This changed per 1 April this year and for the budget year to come (1 April 2017 – 31 March 2018) a total of 15.000 tons teak can be legally logged again.

Within the legal framework of the Myanmar Forest Law, the Myanmar Timber Enterprise (MTE) plays a pivotal role. Companies that want to export to EU countries need certificates from MTE (see annex for an example of a certificate). MTE has different sectors including an export market department (EMD).

EMD has a tender system open to export companies at MTE compounds in every month (see annexed map that indicates the different areas).

The companies who get this tender need to get further approval for processing (semi products/ wood blocks/ furniture etcetera) by the Department of Forestry (part of MONREC).

MTE* recommends how many tons, where, when, type of timber and more can be logged and exported and issues certificates that guarantee that the teak is legally produced.

MTE doesn't allow for export: timber and logs from cultivated area, armed conflict area and confiscated logs.

Note: MTE was during the ban still selling teak and hardwood in local markets and also for export, because it has many legally logged and produced woods and logs in hand from previous years.

Import in Netherlands (EU) is regulated since 3 march 2013 by the European Union Timber regulation (EUTR) 11.1 which need to be controlled by the respective Competent Authorities (CA) in the EU-member states.

In the Netherlands this is done by the Netherlands Food and Consumer Product Safety Authority (NVWA).

Part of this set of rules and guideliness is that companies that want to import woods into the EU (e.g. teak from Myanmar) have to comply with a Due Diligence system in which they prove to a CA that they did the utmost to prevent for importing woods that have been logged illegally in the country of destination.

Some remarks from the embassy:

Important to note is that 11.1

A question to be answered in Europe (policy or CA-level) is if the MTE certificate is sufficient and/or what additional and/or alternative proofs need to provided and by whom. 11.1

The Due Diligence requirement is 11.1

LAN-YAN,
NL-embassy Yangon

July 2017

MINISTRY OF NATURAL RESOURCES AND ENVIRONMENTAL CONSERVATION
MYANMA TIMBER ENTERPRISE
EXTRACTION DEPARTMENT
CERTIFIED LETTER

THIS IS TO CERTIFY THAT THE FOLLOWING INFORMATION ON LOGS SOLD WITH DELIVERY ORDER NO. (522358), LOT NO. (-), SPECIFICATION NO. (-) AND QUANTITY OF (1575 LOGS) AND (756.342 TONS) EXTRACTED AND TRANSPORTED IN ACCORDANCE WITH RULES AND REGULATIONS PRESCRIBED BY EXTRACTION DEPARTMENT AND RELEVANT ORGANIZATIONS:

- (1) EXTRACTION AGENCY/RANGE -
(2) ADMINISTRATIVE DISTRICT/TOWNSHIP -
(3) RESERVED/UNCLASS FOREST -
(4) EXTRACTION YEAR -
(5) SPECIES -
(6) ENTRY PERMISSION -

BY FOREST DEPARTMENT

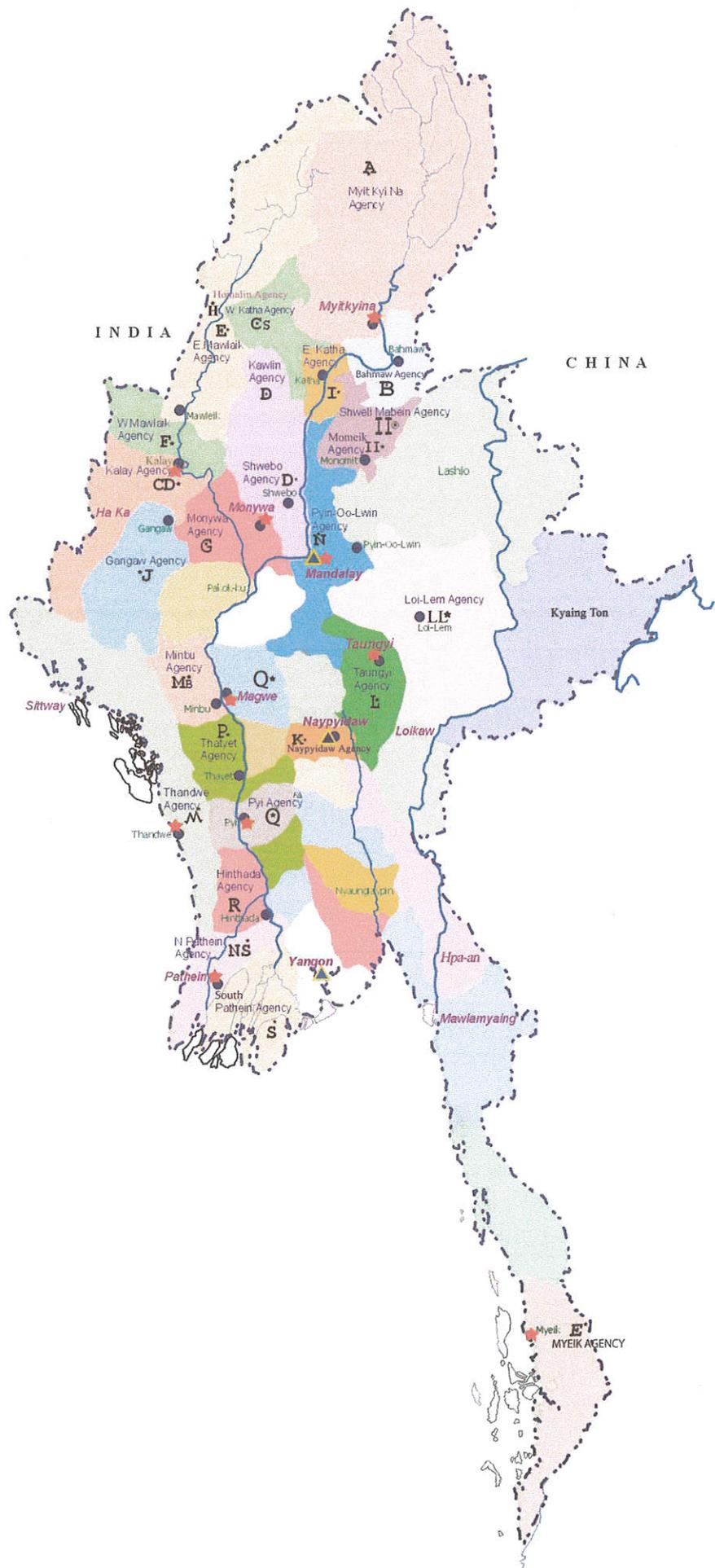
- (7) REVENUE MARK -
(8) AGENCY CLASSIFICATION HAMMER MARK -
(9) PRODUCTION DEPOT -

FOR GENERAL MANAGER
(KHIN MAUNG KYI)
DEPUTY GENERAL MANAGER

Dated: 2017

မြန်မာ့သစ်လုပ်ငန်း၊ သစ်ထုတ်ရေးဌာန၏ ကျွန်း/သစ်မာ ဒေသတံဆိပ်များနှင့် ပြည်နယ်/တိုင်းရုံးများ တည်နေရာမြေပုံ

No.	Agency	Teak	Hardwood
1.	Myitkyina	A	A
2.	Bahmaw	B	B
3.	Kalay	CD☆	CD☆
4.	Homalin	H	H
5.	East Mawlaik	E☆	E☆
6.	West Mawlaik	F☆	F☆
7.	East Katha	I☆	I☆
8.	West Katha	Cs	Cs
9.	Kawlin	D	D
10.	Shwebo	D☆	D☆
11.	Monywa	G	G
12.	Myeik	E☆	E☆
13.	Pyi	Q	Q
14.	Gan Gaw	☆J	☆J
15.	Thayet	P☆	P☆
16.	Minbu	M☆	M☆
17.	Naypyitaw	K☆	K☆
18.	Pyin Oo Lwin	N	N
19.	Thandwe	M	M
20.	Taunggyi	L☆	L☆
21.	Loi-lem	LL☆	LL☆
22.	Momeik	II☆	II☆
23.	Shweli/Mabein	II☆	II☆
24.	Hinthada	R	R
25.	North Pa Thein	NS	NS



★ State/Divisions
 D.G.M Offices
● Extraction Agency Offices