

## Summary

Vietnam has made significant progress in its response to illegal logging and related trade since the previous Chatham House forest policy assessment in 2013. A government action plan to protect Vietnam's natural forests was adopted in 2017, and a prohibition on the export of logs and sawn timber from domestic natural forests was extended in 2018. The Vietnam Forest Certification Scheme was also introduced in 2018 and submitted to the Programme for the Endorsement of Forest Certification (PEFC) Council for endorsement in February 2020. A new Forest Sector Strategy 2030 and Vision for 2050 as well as a forest sector masterplan are expected to be approved by the prime minister at the end of 2020.

Vietnam has made notable progress in its international cooperation on the issue of illegal logging. The negotiation of a Forest Law Enforcement, Governance and Trade (FLEGT) Voluntary Partnership Agreement (VPA) between Vietnam and the EU was concluded in 2017, and the agreement was signed in October 2018 (and entered into force in June 2019). The Vietnam Timber Legality Assurance System (VNTLAS) is being developed under the VPA and will be introduced through national legislation and guidelines. The VPA covers primary and processed timber products, but paper and pulp are not covered.

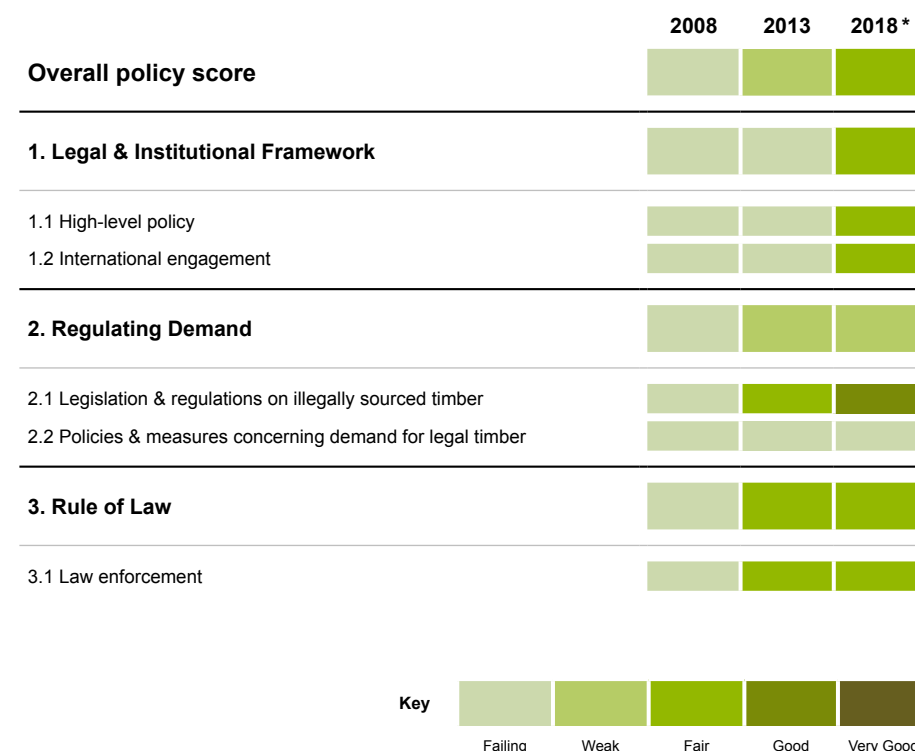
New legislation has been established to prevent illegally sourced timber from being imported, sold and exported. The new Law on Forestry prohibiting the trade in illegal forest products was promulgated by the National Assembly in 2017 and came into effect in January 2019. The law also contains requirements for forest product processing and trade, and provides a legal foundation for the establishment of the VNTLAS. As of June 2020, the VNTLAS was in draft form, awaiting approval by the central government. While the enactment of the new legislation is a promising step, it is too early to assess its implementation.

Provisions for sustainable forest management were included in the EU–Vietnam Free Trade Agreement as well as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). Since 2018, Vietnam has been working with Australia to prepare country-specific guidelines with respect to the Australia Illegal Logging Prohibition Act (2012). Vietnam country guidelines are also being prepared with respect to the Korea Revised Act on the Sustainable Use of Timbers (2017).

Vietnam's forest law enforcement framework has been strengthened. Sanctions and penalties are now applied through two parallel systems: (a) criminal law and (b) administrative sanctions and penalties. A new Criminal Code, promulgated in 2015, includes three articles that specifically cover forest crimes. However, enforcement officials lack the capacity and resources to effectively enforce forest laws; criminal charges are rarely applied.

Vietnam does not have a procurement policy in place for timber, but political momentum for such a policy has increased since 2018. In 2020 the prime minister directed the Ministry of Agriculture and Rural Development to work on a set of legality indicators to be adopted for all timber products purchased through a public procurement process.

Figure 1: Summary of the Vietnam's forest policy assessment



## Key Forest Policies and Resources

Law No.16/2017/QH14 (15/11/2017) Law on Forestry, see Article 9 Prohibited Acts and Chapter VII Forest Product Processing and Trade, <https://thukyluat.vn/vb/law-16-2017-qh14-forestry-5bc25.html?hl=en>.

Law No.100/QH13 (27/11/2015) Criminal Code and Law No.12/QH14 (20/06/2017) Law on Amendments to the Criminal Code No.100/2015/QH13. Article 232 Offences against regulations on extraction and protection of forests and forest products; Article 233 Offences against regulations on forest management; Article 243 Forest destruction, <https://vanbanphapluat.co/law-12-2017-qh14-amendments-100-2015-qh13>.

\* A number of questions were added to the assessment in 2018 (noted in the list of questions below and marked with '-' for 2008 and 2013 where applicable). Consequently, the overall scores for 2018 are not directly comparable with those from the previous assessments.

## About

Chatham House is monitoring forest governance to assess the effectiveness of government and private sector efforts to tackle illegal logging and trade. An assessment was undertaken of Vietnam's forest policy framework to evaluate the government's response to illegal logging and the related trade. A standard list of questions was used in the policy assessment, and answers were scored against three criteria: existence (scoring between 1 and 2, whereby 1 indicates partial coverage or a policy under development, and 2 indicates a policy is in place); design (scoring between 1 and 5, whereby 5 indicates very well designed); and implementation (scoring between 1 and 5, whereby 5 indicates consistent and comprehensive implementation).

## Timeframe for the research

This assessment is based on the situation at the end of 2018 and the scores refer to this date. However, where there have been significant developments in 2019, these have been noted in the text. The research was undertaken in 2019 and finalized in December 2019.

## Acknowledgements

The 2018 policy assessment for Vietnam was carried out by a country expert. Oversight was provided by Alison Hoare (Chatham House). The final assessment was edited by Alison Hoare, and the results were peer-reviewed by independent experts. The editor is responsible for the final text and scores.

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### Acronyms and Abbreviations

ASEAN WEN	Association of Southeast Asian Nations Wildlife Enforcement Network
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
FLEGT	Forest Law Enforcement, Governance and Trade
FTA	free-trade agreement
NGO	non-governmental organization
REDD	reducing emissions from deforestation and forest degradation
VCCI	Vietnam Chamber of Commerce and Industry
Vietnam WEN	Vietnam Wildlife Enforcement Network
VIFORES	Vietnam Forest Products and Timber Association
VNFOREST	Vietnam Administration of Forestry
VNTLAS	Vietnam Timber Legality Assurance System
VPA	Voluntary Partnership Agreement

## Table 1: Vietnam's Forest Policy Assessment

Note: Vietnam is both an importer and exporter of timber and paper products. This assessment looks at measures taken in relation to the domestic forest sector and the import of timber and paper products.<sup>1</sup> The legal and regulatory framework applies to both domestically produced and imported timber. In the table below, the questions that refer to 'illegal logging' and 'illegally sourced timber from being imported or sold' are generally interpreted to relate to both domestic and imported timber, unless otherwise specified.

### 1. Legal and Institutional Framework

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<b>1.1.1 Does the country have high-level political and governmental mechanisms in place to tackle illegal logging?</b>					
<i>a. Has a review been carried out which both assesses the impact of the country's market activities on the problem of illegal logging and related trade and also investigates the extent and sources of potential illegal imports?</i>	2008	1	Not applicable (n/a)	n/a	There has been no government-led comprehensive review of the impact of market activities on illegal logging and illegal imports. Some aspects of such a review have, however, been conducted in recent years by non-government actors and these have been used to inform policymaking processes.
	2013	1	n/a	n/a	There has, in particular, been more frequent and systematic use of trade statistics to inform policy.
	2018	1	n/a	2	For example, since 2013 a number of studies have been undertaken by Vietnamese timber industry associations <sup>2</sup> in collaboration with the non-profit organization Forest Trends. Using customs data, these studies have included analyses of imports and exports and foreign direct investment in the sector. In 2016, a study was undertaken into Vietnam's raw material supply and demand, which included the impact of illegal products; <sup>3</sup> and in 2019, a case study was conducted to examine the legality of timber products used in the public sector. <sup>4</sup>
There is some evidence that the findings of such studies have been taken into consideration in developing legislation relating to timber imports (for example, in developing 'risk filters' for the timber import controls being developed under the VPA, and in the government's 2016 ban on imports of logs and sawnwood from Cambodia and Laos for re-export).					

<sup>1</sup> According to data from the Vietnam Forest Products and Timber Association (VIFORES), while the quantity of timber imports (including logs, sawn timber, particle board and plywood) into Vietnam has continued to increase in recent years, from 8.28 million cubic metres (m3) roundwood equivalent volume (RWE) in 2015 to 8.47 million m3 RWE in 2017, the proportion of the total raw material supply for the timber industry coming from imports has reduced from over 50 per cent in 2013 to around 25 per cent in 2017. VIFORES estimates that Vietnam's factories consumed some 34 million m3 of timber and timber products in 2017, of which 75 per cent came from domestic plantations, many owned and managed by smallholders. Source: VIFORES (2018), 'Discussion paper on development of sustainable material sources for the timber processing industry: solutions and recommendations'. In terms of logs and sawn wood, Vietnam only imports an estimated 4–5 million m3 RWE every year, see: <http://goviet.org.vn/upload/aceweb/content/Vietnam%202019%20report.pdf>.

<sup>2</sup> Timber industry associations including the Vietnam Timber and Forest Products Association, the Handicraft and Wood Association of Ho Chi Minh City, the Binh Duong Furniture Association, and the Binh Dinh Forest Producers Association.

<sup>3</sup> See [http://goviet.org.vn/upload/aceweb/content/1482216238\\_Thuc%20trang%20nguyen%20lieu%20CBG.pdf](http://goviet.org.vn/upload/aceweb/content/1482216238_Thuc%20trang%20nguyen%20lieu%20CBG.pdf).

<sup>4</sup> See <http://goviet.org.vn/upload/aceweb/content/BAO%20CAO%20GO%20final.pdf>.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>b. Is a national action plan in place for preventing illegally sourced timber from being imported or sold?</i>	2008	0	n/a	n/a	<p>The rapid development of Vietnam's timber industry and the growth in export revenues in recent years have led to increased political attention and commitment to creating conditions conducive to sustainable development of the sector. This is reflected in several recent high-level events and government directives that have emphasized the importance of promoting legal timber supply chains.<sup>5 6</sup> Furthermore, since 2013 there have been three significant developments with respect to developing national action plans that relate to timber legality.</p> <p>First, the management and protection of domestic natural forest resources has been strengthened through a government action plan adopted in 2017.<sup>7</sup> This plan strengthens controls over the conversion of natural forest; reinforces the policy on prohibiting the harvesting of natural forest timber; and steps up measures to prevent illegal trade, transportation and export of natural forest timber. The action plan complements a prohibition on the export of logs and sawn timber from domestic natural forests, which was introduced in 2006 and extended in 2018.<sup>8</sup></p> <p>Second, a plan was introduced in 2016 to accelerate the development and application of sustainable forest management and certification, which resulted in the approval and establishment of the Vietnam Forest Certification Scheme in 2018.<sup>9 10</sup> Connected to this, new regulations and technical guidelines have been issued on sustainable forest management.<sup>11</sup> <b>Update since 2018:</b> the Vietnam Forest Certification Scheme was submitted to the Programme for the Endorsement of Forest Certification (PEFC) Council for endorsement in February 2020.</p> <p>Third, the negotiation of the FLEGT VPA between Vietnam and the EU was concluded in 2017 and the agreement signed in October 2018.<sup>12</sup> The Vietnam Timber Legality Assurance System (VNTLAS) is being developed under the VPA and will be introduced through national legislation and guidelines (see Question 2.1.1b).</p> <p><b>Implementation:</b> These developments are all fairly recent, and so it is too early to determine the extent to which they are being followed, but political commitment is generally high.</p> <p><b>Developments since 2018:</b> The VPA came into force in June 2019.</p>
	2013	0	n/a	n/a	
	2018	2	4	3	

<sup>5</sup> Proceedings of the conference on orientation and solutions for fast and sustainable development of timber and forest products processing and exporting, Ho Chi Minh City, August 2018.

<sup>6</sup> Directive No.08/2019/CT-TTg (28/03/2019) of the Prime Minister on a number of tasks and solutions for fast and sustainable development of timber and forest product processing for export.

<sup>7</sup> Resolution No.71/2017/NQ-CP promulgating the action plan of the Government to implement Directive No. 13/2017/CT-TW of the Central Party Secretariat on strengthening party leadership over management, protection and development of forests.

<sup>8</sup> Decree No.69/2018/ND-CP of the Government on guidelines for implementing the Law on Foreign Trade Management.

<sup>9</sup> Decision No.83/QĐ-BNN-TCLN (12/01/2016) approving the scheme to develop sustainable forest management and certification in the period 2016–20.

<sup>10</sup> Decision No.1288/QĐ-TTg (01/10/2018) of the Prime Minister approving the Project on Sustainable Forest Management and Forest Certification and approving the establishment and operation of the Vietnam Forest Certification Scheme.

<sup>11</sup> Circular No.28/2018/TT-BNNPTNT (16/11/2018) regulating sustainable forest management guidelines.

<sup>12</sup> European Commission (2018), 'EU and Vietnam sign deal to combat illegal logging and promote trade in legal timber', press release, 19 October 2018, [https://ec.europa.eu/info/news/eu-and-vietnam-sign-deal-combat-illegal-logging-and-promote-trade-legal-timber-2018-oct-19\\_en](https://ec.europa.eu/info/news/eu-and-vietnam-sign-deal-combat-illegal-logging-and-promote-trade-legal-timber-2018-oct-19_en); and also see <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52018PC0514>.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>c. Does a formal process exist for high-level coordination of action on illegal logging across departments and sectors (e.g. a parliamentary committee or inter-ministerial taskforce)?</i>	2008	0	n/a	n/a	A high-level coordination mechanism is in place. This does not only deal with illegal logging and timber trade but has broad sector coverage.
	2013	1	n/a	n/a	In 2014, the Central Steering Committee for Fighting against Smuggling, Counterfeit Goods and Trade Fraud was established to strengthen oversight and inter-agency coordination. <sup>13 14</sup> The steering committee has a broad mandate and covers all economic sectors. <sup>15</sup> It is led by a vice-prime minister, and includes 22 representatives from relevant ministries, law enforcement agencies and sociopolitical organizations. <sup>16</sup> The standing office of the committee is under the General Department of Vietnam Customs.
	2018	2	4	2	<p>A further decision in 2016 set out in more detail the responsibilities and coordination functions of concerned agencies in relation to the Central Steering Committee.<sup>17</sup> This identified the specific responsibilities of the Ministry of Agriculture and Rural Development as: 'a) Taking the lead and coordinating with other agencies in identifying, preventing and handling activities of harvesting, transporting and consuming illegal timber and wildlife...'</p> <p>Since 2013, the Vietnam Administration of Forestry (VNFOREST), under the Ministry of Agriculture and Rural Development, has established specific coordination and information-sharing mechanisms with the Command of the Border Defence Force (2016)<sup>18</sup> and the General Department of Customs (2018). These mechanisms cover, among other things, information sharing, coordination on efforts to counter smuggling and illegal cross-border transportation, and the import and export of forest and wildlife products.</p> <p>The Vietnam Wildlife Enforcement Network (WEN) was established in 2010 within the ASEAN WEN, with the aim of enhancing coordination among law enforcement agencies in Vietnam to fight illegal logging and the hunting and trade of wildlife products. Members of the Vietnam WEN Steering Committee include: the CITES Management Authority, Department of Forest Protection and Department of Biodiversity Conservation (under the Ministry of Agriculture and Rural Development); the Department of Market Management (under the Ministry of Industry and Trade); the Environmental Police and Department for Agriculture and Rural Security (under the Ministry of Police); the Department of Drug Prevention and Control and the Border Defence Force (under the Ministry of National Defence); and the Department of Investigation of Illegal Trade (under the General Department of Customs, Ministry of Finance). This committee has been active, and some arrests have been made by members of the network.<sup>19</sup></p> <p><b>Implementation:</b> There is limited information available publicly, and so assigning a score for implementation was difficult.</p>

<sup>13</sup> Decision No.389/QĐ-TTg (19/03/2014) of the Prime Minister on establishment of the Central Steering Committee for Fighting against Smuggling, Counterfeit Goods and Trade Frauds.

<sup>14</sup> Decision No. 31/QĐ-BCĐ389 (23/05/2014) promulgating the Regulation on operations of the Central Steering Committee for Fighting against Smuggling, Counterfeit Goods and Trade Frauds.

<sup>15</sup> Customs News (2019), 'Collected over 2,333 billion VND from anti-smuggling', 27 April 2019, <https://customsnews.vn/collected-over-2333-billion-vnd-from-anti-smuggling-10513.html>.

<sup>16</sup> Including the Central Party Committee, Government Office, Ministry of Finance, Ministry of Industry and Trade, Ministry of Public Security, Ministry of Defense, Ministry of Health, Ministry of Transport, Ministry of Agriculture and Rural Development, Ministry of Information and Communication, Ministry of Culture Sports and Tourism, General Department of Tax, General Department of Customs, General Police Department for Crime Prevention and Suppression, Command of the Border Guard, Command of the Coast Guard, Market Surveillance Agency, Fatherland Front and Vietnam Television.

<sup>17</sup> Decision No.19/2016/QĐ-TTg (06/05/2016) of the Prime Minister promulgating the responsibilities and coordination in activities of state management agencies in fighting against smuggling, counterfeit goods and trade fraud.

<sup>18</sup> Document No.3717/QCPh/BLBP-TCLN (27/10/2016) between Command of Border Defence Force and VNFOREST on coordination regulations in forest management and protection in border areas; and fighting against smuggling, illegal cross-border transportation of forest products.

<sup>19</sup> For Vietnam WEN, see <https://baophapluat.vn/trong-nuoc/viet-nam-ra-mat-mang-luoi-thuc-thi-phap-luat-ve-dong-thuc-vat-hoang-da-70388.html>. For ASEAN WEN, see <https://environment.asean.org/the-asean-wildlife-enforcement-network-asean-wen/>.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>d. Are formal consultation processes in place for multi-stakeholder involvement in developing policy and legislation to tackle illegal logging? These processes should ensure that viewpoints of stakeholders affected by legislation are taken into consideration.</i>	2008	0	n/a	n/a	Requirements are in place for consultation in developing all areas of policy and legislation. In addition, specific mechanisms have been established around VPA implementation.
	2013	1	n/a	n/a	The Law on Promulgation of Legislative Documents (2015) requires that opinions are sought in the preparation of all laws of the National Assembly, government decrees, and other high level legislative documents. <sup>20</sup> In Article 57 and Article 91 this is specified as follows: 'During the drafting process, the agency... in charge of drafting must seek opinions from the entities under the direct impact of the document and relevant organizations; specify the issues that need opinions and address for receipt of opinions; post the entire draft document and description on the information portal of the drafting agency... for at least 60 days in order to receive opinions...'. 'Apart from posting the draft document... opinions may be obtained by asking directly, sending the draft document, holding discussions, or using the media.' 'The drafting agency shall receive, consider the opinions, publish the explanation and feedbacks on the information portal of the Government and of themselves.' <sup>21</sup>
	2018	2	3	3	<p>Broadly following the above stipulations, stakeholder consultations have taken place on some key areas of forest policy development since 2013, including preparation of the new Law on Forestry which was promulgated in 2017, and in the VPA negotiation process. The extent of stakeholder participation is nonetheless variable. In particular, some primary target groups, such as forest communities and timber growers, usually participate through representative organizations.</p> <p>For implementation of the VPA, a multi-stakeholder core group was established in 2017, including representatives from timber industry associations, timber growers' associations, professional associations, Vietnamese non-governmental organizations (NGOs), research institutes, government verification agencies, and international NGOs and development partners. In addition to being a forum for regular communication and information exchange, the multi-stakeholder core group provides advice and feedback on the development of the VNTLAS.<sup>22</sup></p> <p><b>Design:</b> There are standardized requirements, but they are open to interpretation with respect to the identification and actual inclusion of relevant stakeholders and organizations. There are legal standards for the periods of time available for the receipt of and response to opinions.</p> <p><b>Implementation:</b> Consultation processes are widely followed as required by law, but they are variable in their actual extent and in the quality of application.</p>

<sup>20</sup> Law No. 80/2015/QH13 (22/06/2015) Law on Promulgation of Legislative Documents.

<sup>21</sup> Article 57 and Article 91 of the Law on Promulgation of Legislative Documents (2015).

<sup>22</sup> See <http://en.coregroup.flegtvp.com/>



1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>e. Are formal processes/policies in place aimed at ensuring a balanced participation of men and women in the development and implementation of forest sector policies? (Question added in 2018)</i>	2008	–	–	–	General requirements are in place for gender integration in the development and appraisal of all areas of policy and legal documents, but these are not specific to forest policies. The requirements are well defined.
	2013	–	–	–	The Law on Promulgation of Legislative Documents (2015) requires that gender equality considerations be integrated in the preparation process, specific contents and provisions, and appraisal and impact assessment of all legislative documents. Article 69 of the law indicates that the contents of the appraisal of integration of gender equality include: 'a) determination of gender issue in the project or draft document; b) the observance of gender equality principles of the project or draft document; c) compliance with procedures for assessing integration of gender equality in the project or draft document; d) feasibility of regulations in the draft document to ensure gender equality.' <sup>23</sup>
	2018	2	4	3	The National Strategy for Gender Equality (2011 to 2020) sets out targets under Objective 7 – to enhance capacity of gender equality in state management – as follows: 'Target 1 – 80% by 2015 and 100% by 2020 of legal drafts will be determined as having contents related to gender equality or gender inequality or discrimination; Target 2 – by 2015 and towards 2020, 100% of members of the drafting committees and editing teams for drafting and editing legal documents with contents related to gender equality or gender inequality or discrimination will be trained in gender knowledge, analysis and incorporation.' <sup>24</sup>  <b>Implementation:</b> the processes are widely followed as required by law, but the actual extent and quality of application are variable. There has been no specific monitoring of their application in connection with the development of forest policies.
<i>f. Is illegal logging/trade considered in the country's climate change strategy (NDC or other climate change national policies – e.g. in relation to embedded deforestation in imports)? (Question added in 2018)</i>	2008	–	–	–	Vietnam's National Strategy for Climate Change, approved in 2011, does not specifically refer to illegal logging and trade as a factor contributing to deforestation and climate change. <sup>25</sup> The National Action Program on REDD, Sustainable Management of Forest Resources, and Conservation and Enhancement of Forest Carbon Stocks, which was approved in 2012, refers to the need to ensure timber legality but does not provide any analysis of its contribution, for example, to embedded deforestation. It identifies a number of solutions and actions that relate to illegal logging and timber trade, including: developing systems of reduced-impact logging and monitoring; ensuring timber legality in logging, transportation, processing and import and export; and increased cooperation with other countries in the region on the implementation of REDD+ and FLEGT. <sup>26</sup>
	2013	–	–	–	
	2018	1	2	2	
					Implementation of the National Action Program on REDD is under way. By 2016, 16 out of 40+ provinces with significant forest resources were implementing provincial REDD+ action plans. Furthermore, in 2017, a prime minister's decision was issued approving the National Program on Green House Gas Emission Reduction through REDD+ and sustainable forest management until 2030. The decision aims to enhance the quality of natural forests and expand and improve planted forests. <sup>27</sup>

<sup>23</sup> Article 69 of the Law on Promulgation of Legislative Documents (2015).

<sup>24</sup> Decision No.2351/2010/QĐ-TTg (24/12/2010) of the Prime Minister approving the 2011-2020 National Strategy for Gender Equality.

<sup>25</sup> Decision No.2139/2011/QĐ-TTg (05/12/2011) of the Prime Minister approving the National Strategy for Climate Change.

<sup>26</sup> Decision No.799/2012/QĐ-TTg (27/06/2012) of the Prime Minister approving the National Action Program on reduction of green-house gas emissions through efforts to reduce deforestation and forest degradation, sustainable management of forest resources, and conservation and enhancement of forest carbon stocks, period 2011 – 2020.

<sup>27</sup> Prime Minister's Decision 419/QĐ-TTg, see <https://thuvienphapluat.vn/van-ban/Tai-nguyen-Moi-truong/Quyết-dinh-419-QĐ-TTg-Chuong-trình-quốc-gia-giam-phat-thai-khi-nha-kinh-quá-hạn-che-mat-rung-2017-345551.aspx>.



1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<b>1.2.1 What level of international cooperation is shown by the country?</b>					
<i>a. Does the country have formalized trade or customs arrangements with major trading partners e.g. FLEGT VPAs or free-trade agreements (FTAs) which include specific provisions on illegal logging?</i>	2008	0	n/a	n/a	Since 2013, a number of trade agreements and arrangements have been concluded, or are in process, which include provisions on illegal logging.
	2013	1	n/a	n/a	EU–Vietnam Free Trade Agreement (FTA). The negotiation of the EU–Vietnam FTA was concluded in December 2015. Chapter 13 on Trade and Sustainable Development, Article 13.8 on Sustainable Forest Management and Trade in Forest Products, states that each party shall:
	2018	2	4	n/a	<ul style="list-style-type: none"> <li>paragraph a) ‘...encourage the promotion of trade in forest products from sustainably managed forests and harvested in accordance with the domestic legislation of the country of harvest...’;</li> <li>paragraph c) ‘...adopt measures which are consistent with domestic laws and international treaties to which it is a party, to promote the conservation of forest resources and combat illegal logging and related trade...’;</li> <li>paragraph d) ‘...cooperate to maximise the impact and ensure the mutual supportiveness of their respective policies aiming at excluding illegally harvested timber and timber products from trade flows...’<sup>28</sup></li> </ul> <p>Chapter 13 on Trade and Sustainable Development also refers to the EU–Vietnam VPA.</p> <p><b>Developments since 2019:</b> The FTA was signed in June 2019.</p> <p><u>Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)</u>. The CPTPP came into effect in December 2018. Parties include Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam.</p> <p>Chapter 20 on Environment, Article 20.17 on Conservation and Trade, states that the parties to the CPTPP shall:</p> <ul style="list-style-type: none"> <li>paragraph 3a) ‘exchange information and experiences on issues of mutual interest related to combating the illegal take of, and illegal trade in, wild fauna and flora, including combating illegal logging and associated illegal trade, and promoting the legal trade in associated products...’;</li> <li>paragraph 4b) ‘maintain or strengthen government capacity and institutional frameworks to promote sustainable forest management...’;</li> <li>paragraph 5 ‘... take measures to combat, and cooperate to prevent, the trade of wild fauna and flora that, based on credible evidence... Such measures shall include sanctions, penalties, or other effective measures, including administrative measures, that can act as a deterrent to such trade. In addition, each Party shall endeavour to take measures to combat the trade of wild fauna and flora transhipped through its territory that, based on credible evidence, were illegally taken or traded.’<sup>29</sup></li> </ul>

<sup>28</sup> See [https://trade.ec.europa.eu/doclib/docs/2018/september/tradoc\\_157373.pdf](https://trade.ec.europa.eu/doclib/docs/2018/september/tradoc_157373.pdf).

<sup>29</sup> See <http://www.wto.org/center.vn/upload/files/fta/ftas-concluded/175-cptpp-tpp11/177-full-text/20.-Environment-Chapter.pdf>.

1.2 International engagement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
					<p><u>Other developments:</u></p> <p>Vietnam is currently working with Australia to prepare country specific guidelines with respect to the Australia Illegal Logging Prohibition Act (2012). Vietnam country guidelines are also being prepared with respect to the Korea Revised Act on the Sustainable Use of Timbers (2017).</p> <p>Bilateral agreements between the Vietnamese government and the governments of Cambodia and Laos include MoUs between VNFOREST, the Vietnamese departments for customs and border defence, the Vietnamese police and their counterparts in Cambodia and Laos. The MoUs allow for collaboration, capacity-building and information sharing between government agencies on cross-border issues and trade. Annual workplans detail activities to be co-implemented by both sides. WWF, GIZ and UN-REDD, among other agencies, have been supporting the governments in implementation of the MoUs.<sup>30</sup> There are also provincial-level MoUs between Vietnam and Cambodia and between Vietnam and Laos.</p> <p><b>Implementation:</b> Because the agreements are all relatively new, it is considered too early to assess the quality of implementation.</p>
<i>b. Does the country have a formalized system in place for sending and receiving enforcement alerts regarding illegal shipments in transit to destination countries?</i>	2008	0	n/a	n/a	A number of protocols have been established in relation to enforcement alerts between customs agencies; these are at various stages of being institutionalized and implemented.
	2013	0	n/a	n/a	The revised <u>Law on Customs</u> (2014) provides a basis to further establish and strengthen customs risk management and information systems, including the exchange of customs information with other countries. <sup>31</sup>
	2018	1	3	2	<ul style="list-style-type: none"> <li>Article 17 Risk Management in Customs Operations, paragraph 3, states that: '... For the purposes of serving the application of risk management to customs operations, the Customs authorities shall manage and apply the communication systems that automatically integrate and process data.'</li> <li>Article 94 Customs Communication System, paragraph 3, states that: '... The General Department of Customs shall set up, manage and develop the database and technical infrastructure of the customs communication system...' including:</li> <li>'... to connect and share information and data with the communication systems of entities outside the customs service, customs authorities of other countries and international organizations in accordance with Vietnamese law and treaties to which the Socialist Republic of Vietnam becomes a party.'</li> </ul> <p>International commitments, and in some cases specific protocols, on the exchange of customs information and intelligence have also been agreed under several international agreements, both before and after 2013.</p> <p><u>ASEAN Agreement on Customs</u> (2012), Chapter 4 Customs Enforcement and Mutual Administrative Assistance, Article 44 Mechanisms of Cooperation, states that: 'The customs authorities of Member States shall endeavour to cooperate with each other through exchange of information and intelligence or any other action as mutually agreed. The customs authorities of each Member State shall establish a contact point for the purpose of providing mutual administrative assistance...'<sup>32</sup></p>

<sup>30</sup> See <http://www.fao.org/documents/card/en/c/CA9340EN/>, [https://greatermekong.panda.org/our\\_solutions/projects/carbi/](https://greatermekong.panda.org/our_solutions/projects/carbi/); and <https://www.interpol.int/en/News-and-Events/News/2012/INTERPOL-launches-Project-LEAF-to-combat-illegal-logging-worldwide>.

<sup>31</sup> Law No.54/2014/QH13 (23/06/2014) Law on Customs.

<sup>32</sup> See <http://agreement.asean.org/media/download/20140117163238.pdf>.

1.2 International engagement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
					<p><u>EU–Vietnam Free Trade Agreement</u>, Protocol 2 on Mutual Administrative Assistance in Customs Matters, which is currently being established, includes:</p> <ul style="list-style-type: none"> <li>Article 3 Assistance on Request, paragraph 3(c), which states that the exchange of customs information covers ‘... goods that are or may be transported in such a way that there are reasonable grounds for believing that they are intended to be used in customs violations...’.</li> <li>Article 4 Spontaneous Assistance, paragraph a), which covers ‘...activities which are or appear to be customs violations and which may be of interest to the other Party...’.<sup>33</sup></li> </ul> <p><u>CPTPP</u>, Chapter on Customs Administration and Trade Facilitation, Article 5.2 Customs Cooperation, includes:</p> <ul style="list-style-type: none"> <li>paragraph 3: ‘If a Party has a reasonable suspicion of unlawful activity related to its laws or regulations governing importations, it may request that another Party provide specific confidential information that is normally collected in connection with the importation of goods.’</li> <li>paragraph 7: ‘Each Party shall endeavour to provide another Party with any other information that would assist that Party to determine whether imports from, or exports to, that Party are in compliance with the receiving Party’s laws or regulations that govern importations, in particular those related to unlawful activities, including smuggling and similar infractions.’</li> <li>paragraph 9: ‘The Parties shall endeavour to establish or maintain channels of communication for customs cooperation, including by establishing contact points in order to facilitate the rapid and secure exchange of information and improve coordination on importation issues.’<sup>34</sup></li> </ul>

<sup>33</sup> See [https://trade.ec.europa.eu/doclib/docs/2018/september/tradoc\\_157382.pdf](https://trade.ec.europa.eu/doclib/docs/2018/september/tradoc_157382.pdf).

<sup>34</sup> See <http://www.wtocenter.vn/upload/files/fta/174-ftas-concluded/175-cptpp-tpp11/177-full-text/5.-Customs-Administration-and-Trade-Facilitation-Chapter.pdf>.

## 2. Regulating Demand

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<b>2.1.1 Does the country have adequate legislation and regulations in place to prevent illegally sourced timber from being imported or sold?</b>					
<i>a. Has the country analysed its existing legislation and regulations on preventing imports and sales of illegally sourced timber?</i>	2008	0	n/a		Between 2012 and 2017, a comprehensive review of national legislation and regulations was conducted to prepare a definition of timber legality as part of the negotiations of the VPA between Vietnam and the EU. <sup>35</sup>
	2013	1	n/a		The scope of the review, and of the timber legality definition itself, includes the laws and regulations that apply to timber sources (including domestically harvested timber, confiscated timber, and imported timber sources) and to timber transportation and trade, timber processing, customs procedures for export, and regulations on tax and employees. These are covered in seven principles in the legality definition.
	2018	2	4		The review was led by a joint technical working group. Drafts of the legality definition were posted online for comments, and the process involved consultations with the private sector and NGOs.
<i>b. Has additional legislation been enacted and regulations put in place to prevent illegally sourced timber from being imported or sold?</i>	2008	0	n/a	n/a	Since 2013, there have been a number of significant pieces of new or additional legislation aimed at preventing illegally sourced timber from being imported or sold. Further legislation is in preparation and pending approval.
	2013	1	2	2	A new Law on Forestry was promulgated by the National Assembly in 2017 and came into effect in January 2019. <sup>36</sup> Article 9 of this law includes a prohibition on 'storing, trading in, transporting, processing, advertising, displaying, exporting, importing, temporarily importing, temporarily exporting or transiting forest products against regulations of Vietnam law and international agreements to which the Socialist Republic of Vietnam is signatory'. <sup>37</sup> For the first time, this new law contains a chapter on forest product processing and trade, and also provides a legal foundation for the establishment of the VNTLAS. <sup>38</sup>
	2018	1	4	n/a	The VPA, signed in 2018, sets out the scope, requirements and implementing mechanisms for the VNTLAS. According to the VNFOREST, the VNTLAS is a national system that will be applied to all timber sources, markets and operators. <sup>39</sup> It is based on existing national legislation and regulations, and on new legislation that will be introduced to implement the commitments in the VPA. These new commitments include stronger timber import controls; an organization classification system for risk-based verification; export controls; and FLEGT licensing for exports to the EU. As of June 2020, the VNTLAS was in draft form, awaiting approval by the central government.  The forest law enforcement framework has also been elaborated, updated and strengthened since 2013. A key element of the framework is that sanctions and penalties are applied through two parallel systems: through criminal law, and through administrative sanctions and penalties. A new Criminal Code was promulgated in 2015, <sup>40</sup> which includes three articles that specifically cover forest crimes. <sup>41</sup> A new Law on Handling Administrative Violations also came into effect in 2013, <sup>42</sup> followed by sectoral regulation in forestry in 2013 <sup>43</sup> and 2018, <sup>44</sup> and in other relevant sectors such as customs.

<sup>35</sup> See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52018PC0514>.

<sup>36</sup> Law No.16/2017/QH14 (15/11/2017) Law on Forestry.

<sup>37</sup> Article 9 Prohibited Acts in the Law on Forestry (2017).

<sup>38</sup> Chapter VII Forest Product Processing and Trade in the Law on Forestry (2017).

<sup>39</sup> Vietnam Administration of Forestry (2017), 'Voluntary Partnership Agreement on FLEGT between Vietnam and EU: Key Commitments and Implementation Framework', presentation to the Illegal Logging Update and Stakeholder Consultation Meeting, Chatham House, 19–20 June 2017.

<sup>40</sup> Law No.100/QH13 (27/11/2015) Criminal Code; and Law No.12/QH14 (20/06/2017) Law on Amendments to the Criminal Code No.100/2015/QH13.

<sup>41</sup> Article 232 Offences against regulations on extraction and protection of forests and forest products; Article 233 Offences against regulations on forest management; Article 243. Forest destruction.

<sup>42</sup> Law No.15/QH13 (20/06/2012) Law on Handling Administrative Violations.

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
					<p>The definitions of offences and violations, and of the corresponding sanctions and penalties, are much more detailed, measurable and proportionate in this recent legislation than previously. The definitions are applied according to the following factors: the volume and/or monetary value of illegally exploited products (for timber and non-timber products); the area of forest targeted for forest destruction and unlawful repurposing; and the lists of endangered species according to government regulations and CITES appendices.</p> <p>It is significant that the application of criminal law to forest offences has been strengthened in the new Criminal Code: with a maximum period of imprisonment for individuals of five to 10 years; and maximum fines of VND 3 billion to 6 billion (£104,186 to £208,352)<sup>45</sup> and/or suspension of operations from one to three years for corporate legal entities.</p> <p>Under the newly introduced decree on penalties for administrative violations against regulations in forestry, monetary fines for violations on timber legality can also be applied to the maximum enforceable amount according to the Law on Handling Administrative Violations (i.e. the upper limit of fines being VND 500 million (£17,363) for individuals and VND 1 billion (£34,725) for organizations).</p> <p>Available figures indicate, however, that a majority of forest crimes and violations are still handled through administrative procedures. According to one report, between 2009 and 2013 only around 1 per cent of cases resulted in criminal proceedings and only 0.15 per cent resulted in criminal convictions.<sup>46</sup> Recent figures suggest that of around 13,000 recorded violations in 2017, around 1.3 per cent resulted in criminal charges.</p> <p>The government has made some effort to prevent illegal timber imports from Cambodia and Laos, for example with the Circular 44/2018/TT-BCT on 15 November 2018 on the suspension of temporary import for re-export of logs and sawn timber from natural forests of Laos and Cambodia.<sup>47</sup> The government has also banned the import of timber from Cambodia via secondary/small border crossings.</p>
<i>c. If legislation is in place to prevent the import of illegal timber, how broad is the product scope of this legislation?</i> (Question added in 2018)	2008		–		<p>The timber import controls under the VNTLAS, as set out in the VPA, cover primary products (including both logs and sawn timber under the HS codes 4403, 4406 and 4407), complex products (including timber products under all the other HS codes of Chapter 44 and Chapter 94), and imported rubber wood.<sup>48</sup> The VNTLAS timber import controls do not include timber in transit. Legislation will be introduced to implement the VNTLAS timber import controls; as of June 2020, the VNTLAS was in draft form, awaiting approval by the central government.</p> <p>The VPA does not cover pulp and paper products.</p>
	2013		3		
	2018		3		
<i>d. If legislation is in place to prevent the import of illegal timber, does it apply only to importers or to all those along the supply chain?</i> (Question added in 2018)	2008		–		<p>As stated in the VPA, the timber import controls will apply to all those making customs declarations, including organizations and individuals as defined by Vietnam customs regulations, and organizations and households as defined under the VNTLAS.<sup>49</sup></p>
	2013		3		
	2018		3		

<sup>43</sup> Decree No.157/ND-CP (11/11/2013) of the Government on penalties for administrative violations against regulations on forest management, development, protection and forest product management.

<sup>44</sup> Decree No.35/2019/ND-CP (25/04/2019) of the Government on penalties for administrative violations against regulations in forestry.

<sup>45</sup> Using an exchange rate of VND 1 = £0.000347255. Converted at xe.com on 30 May 2020.

<sup>46</sup> Source: UNODC and the CITES Management Authority, presentation to workshop on the Wildlife and Forest Crime Toolkit Report for Vietnam, Hanoi, 25 September 2015.

<sup>47</sup> See <https://thuvienphapluat.vn/van-ban/Thuong-mai/Thong-tu-44-2018-TT-BCT-tam-ngung-kinh-doanh-tam-nhap-tai-xuat-go-tron-go-xe-tu-Lao-Campuchia-399830.aspx>.

<sup>48</sup> VPA Annex V VNTLAS, Section 2.1 Timber Sources.

<sup>49</sup> VPA Annex V VNTLAS, Section 6.3.7 Imported Timber.

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>e. If legislation is in place to prevent the import of illegal timber, does it include a requirement for businesses to implement due diligence?</i> (Question added in 2018)	2008		–		As stated in the VPA, importers shall take responsibility for the legality of imported timber in accordance with the relevant legislation of the country of harvest. For this purpose, they shall exercise due diligence over the legal origin of imported timber, which covers collection of information, risk assessment and mitigation of any risk identified. <sup>50</sup>
	2013		1		
	2018		3		
<i>f. Is implementation of the policy systematically monitored and assessed?</i> (Question added in 2018)	2008		–		As stated in the VPA, an independent evaluator will be commissioned to periodically assess the implementation, effectiveness and credibility of the VNTLAS and FLEGT licensing scheme, once they are operational. <sup>51</sup>
	2013		1		
	2018		5		

<sup>50</sup> VPA Annex V VNTLAS, Section 6.3.7.1 Due diligence and self-declaration requirements for importers.

<sup>51</sup> VPA Annex VI Independent Evaluation.

2.2 Policies & measures concerning demand for legal timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<b>2.2.1 Is there a public procurement policy in place excluding illegal (and/or unsustainable) timber products from government purchasing?</b>	2008	0		n/a	<p><b>Developments since 2019:</b> In 2019 some attention was given to public procurement. A background report on this issue was prepared by the Vietnam Chamber of Commerce and Industry (VCCI) and Forest Trends.<sup>52</sup> VCCI also sent a formal request to the prime minister suggesting the development of a mandatory policy on public procurement of timber products. Based on this request, the prime minister asked the Ministry of Planning and Investment and Ministry of Finance to review the existing legal framework, and to assess whether such a policy is required. The prime minister also issued Directive No. 8, on tasks and solutions for fast and sustainable development of timber and forest product processing for export, which mentions the need for 'issuing policy on public procurement, prioritizing use of timber from legal and sustainably produced sources'.<sup>53</sup></p> <p>On 1 February 2020, the prime minister directed the Ministry of Agriculture and Rural Development to work on a set of legality indicators to be adopted for all timber products purchased through a public procurement process. Currently, VNFOREST is working on those indicators.</p>
	2013	0		n/a	
	2018	1		n/a	
<i>a. What level of adherence does the policy require?</i>	2008		n/a		
	2013		n/a		
	2018		n/a		
<i>b. Does the policy cover all timber products, including paper?</i>	2008		n/a		
	2013		n/a		
	2018		n/a		
<i>c. Does the policy rest on independent certification or verification schemes (or equivalent) for identifying legal products?</i>	2008		n/a		
	2013		n/a		
	2018		n/a		
<i>d. Is assistance offered to government purchasers (advice, guidance, training, etc.)?</i>	2008		n/a		
	2013		n/a		
	2018		n/a		

<sup>52</sup> Vietnam Investment Review (2019), 'The legality of timber products in government procurement in Vietnam', 25 June 2019, <https://www.vir.com.vn/the-legality-of-timber-products-in-government-procurement-in-vietnam-68690.html>; and WTO and International Trade Center – VCCI (2019), 'Research: The legality of timber products in Government Procurement in Vietnam – Law, practices and challenges in implementing VPA-FLEGT', 8 July 2019, <http://www.wto-center.vn/chuyen-de/14081-research-the-legality-of-timber-products-in-government-procurement-in-vietnam-law-practices-and-challenges-in-implementing-vpa-flegt>.

<sup>53</sup> Directive No.08/2019/CT-TTg (28/03/2019) of the Prime Minister on a number of tasks and solutions for fast and sustainable development of timber and forest product processing for export.



<b>2.2 Policies &amp; measures concerning demand for legal timber</b>	<b>Year</b>	<b>Does policy exist? (1-2)</b>	<b>Quality of design (1-5)</b>	<b>Level of implementation (1-5)</b>	<b>Justification / additional qualitative explanation</b>
<i>e. Is implementation of the policy systematically monitored and assessed?</i>	2008		n/a		
	2013		n/a		
	2018		n/a		
<i>f. Does the procurement policy apply to subnational (provincial, regional, local) government?</i>	2008		n/a		
	2013		n/a		
	2018		n/a		

## 3. Rule of Law

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
3.1.1 Do government institutions and agencies have sufficient capacity and resources to monitor trade in timber products and detect and suppress any related crime?					
<i>a. Are the relevant law enforcement staff sufficiently resourced for monitoring and enforcement? (Relevant resources include budgets; numbers of staff; communications; equipment; salaries; as well as training in understanding of regulatory framework and knowledge of techniques for monitoring and enforcement.)</i>  <i>i.e. competent authorities for legislation to prevent illegally sourced timber from being imported.</i>  <i>(Question added in 2018)</i>	2008		–	–	Multiple state administration and law enforcement agencies are directly or indirectly involved in enforcement and monitoring (including the forest protection agencies, customs authorities, state and government inspectorates, border guards, traffic and environmental police, market inspectors and local government authorities, etc.). Therefore a general response is provided to this question, making a distinction between routine functions, coordination functions and specialized functions.  <u>Routine functions.</u> In general, sufficient basic staff numbers and state budget resources are made available to these agencies to carry out their core mandates and tasks. Foundation training and refresher training are provided for law enforcement officers on a periodic basis at specialized training schools and colleges. Budgets are allocated on an annual basis to assure these basic functions.  <u>Coordination functions.</u> Government regulations clearly set out the required inter-agency coordination and collaboration functions and responsibilities at the local level (i.e. at border crossings and along the border). A decree issued in 2015 sets out the responsibilities for preventing and controlling smuggling and illegal transportation of commodities across the border. <sup>54</sup> The scope of application of this regulation covers the customs authorities and officers at border points, the police, border guards, coastguards, market inspectors, local government authorities and other relevant agencies. In practice, when need arises on a case-by-case basis, resources are mobilized from relevant agencies to investigate and handle the situation.  <u>Specialized functions.</u> This is the area in which there are significant capacity gaps and resource constraints. Many studies and press reports have identified gaps and constraints, including: weak or ineffective coordination; minimal use of advanced investigative capabilities to address complex transnational organized crime; limited capacity to conduct proactive rather than reactive investigations; limited capacity to verify legality of imported timber with respect to legislation of the countries of harvest and export; and limited technical capacity in timber and species identification. There are shortages of dedicated staff, skills and resources in these areas. These constraints are compounded by the large size, complexity and dynamism of the timber industry and timber trade in Vietnam.  <b>On scoring:</b> Basic resources are available for routine functions, but specialized functions and coordination still lack resources and capacity.
	2013		–	–	
	2018		3	3	
<i>b. Are the following officials who are involved in forest sector enforcement trained and kept up to date on relevant forest sector issues? (Question added in 2018)</i>					
<i>i. Customs officials</i>	2008			0	Basic training and periodic refresher training for customs officers are provided by the Vietnam Customs School under the General Department of Customs. A redesigned five-month foundation training programme for newly recruited customs officers in customs knowledge, operations and skills was introduced in 2018. <sup>55</sup> Regular updates on customs regulations and enforcement measures for in situ customs officers are also provided through written instructions.  The provision of specialized and in-depth training on forest and wildlife crime, law enforcement issues and related customs controls is, to a large extent, dependent on external funding and support. Recent training has been provided, for instance, by organizations such as the UN Office on Drugs and Crime (UNODC), the US Agency for International Development, the German development agency GIZ and the NGO TRAFFIC.
	2013			2	
	2018			1	

<sup>54</sup> Decree No.01/2015/ND-CP (02/01/2015) of the Government specifying customs areas and responsibilities for collaboration in preventing and controlling smuggling and illegal transportation of commodities across borders.

<sup>55</sup> Customs News (2018), 'Vietnam Customs School: renovating the teaching and learning', 2 November 2018, <https://customsnews.vn/vietnam-customs-school-renovating-the-teaching-and-learning-8819.html>.

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>ii. Judges and prosecutors</i>	2008			–	As above, specialized awareness-raising and training for judges and prosecutors are in general dependent on external funding and support. <sup>56</sup>
	2013			–	
	2018			1	
<b>3.1.2 Are the penalties/sanctions for non-compliance with legislation to prevent illegally sourced timber from being imported (if in place) proportionate &amp; dissuasive?</b> <i>(Question added in 2018)</i>	2008		–	–	Under the Criminal Code (2015), Article 232 on Offences against regulations on extraction and protection of forests and forest products, level 2 penalties apply specifically in the case that 'illegal goods are transported or traded across the border', including: fines of VND 300 million to 1.5 billion VND (£10,418 to £52,092) or two to seven years' imprisonment for individuals; and fines of VND 1 billion to 3 billion (£34,729 to 104,186) or suspension of operations for six to 24 months for corporate entities.
	2013		–	–	
	2018		3	n/a	

<sup>56</sup> UNODC (2018), 'Supporting Viet Nam's judges to improve the adjudication of wildlife crime cases', 12 July 2018, <https://www.unodc.org/southeastasiaandpacific/en/vietnam/2018/07/wildlife-crime/story.html>.  
UNODC (2016), 'Viet Nam prioritizes effective prosecution of wildlife and timber Crimes', 20 June 2016, <https://www.unodc.org/southeastasiaandpacific/en/vietnam/2016/06/wildlife-timber-crimes/story.html>.