



Version 1.0 | 17 June 2020

Cambodia Document Guide

Timber



Introduction

Below is listed examples of key documents that can be used to mitigate legality risks for timber in Cambodia.

Example 1: Economic land concession (for forest plantation)

Example 2: Approved master plan

Example 3: Custom permit (for export)

Example 4: Export permit (PC-IMEX)

Example 5: Timber processing registration certificate

Example 6: Transport permit (PC-1)

Example 7: Transport permit (PC – 2)

Example 1: Contract on the investment in plantation

Name of document: Contract on the investment in plantation.

The document is based on a Prakas of Ministry of Agriculture, Forestry and Fisheries to agree with a company to run its forest plantations in the areas located in certain district and province in Cambodia.

Applicable for: Economic Land Concession (ELC).

Purpose and content of document: the ELCs are allocated for cultivating industrial crops, as well as for establishing forest plantations of either native tree species or exotic species such as acacia, eucalyptus and teak.

The contract on the investment of a plantation will provide confirmation that the legal foundation, as well as management planning has been conducted.

Prior to obtain a contract on the investment of a plantation, a Prakas on investment of XX – timber species plantation shall be obtained from MAFF. The Prakas is to provide the basic legal rights to run a plantation under an ELC allocation. The contract shall be signed between the ELC concession holder and MAFF based on the Prakas and the Approved Master Plan (Exhibit 2). When the ELC areas are issued on natural degraded forestlands, the natural forests should be cleared for land preparation for plantations. Without the Prakas, conversion of natural degraded forests cannot be legally harvested.

The contract will show the concession holder, ELC border delineation, as well as the period of validity of the concession lease (up to 50 years).

Holder of document: owner of ELC.

Signature required by: Minister of Agriculture, Forestry and Fisheries.

Gaps/limitations: Limitations could be:

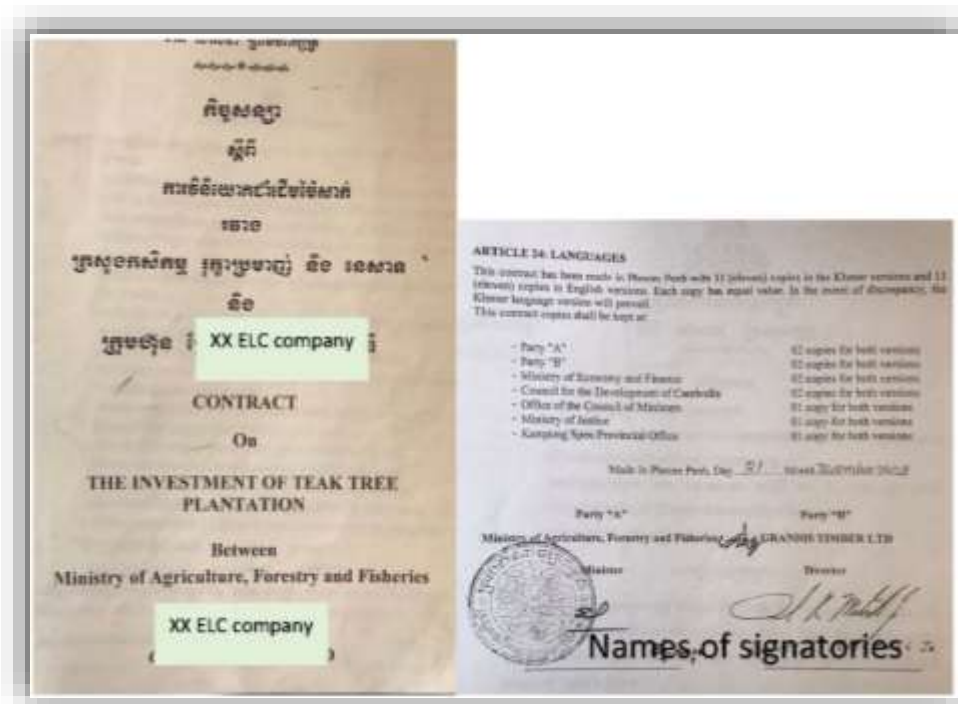
- Size of ELC areas on the map would not be matched with the actual areas on the ground;
- The map drawn in office and normally without properly ground checking, which causes conflicts between villagers and the concessionaires.

Key considerations when checking the document:

- Check the dates to ensure that the contract is valid
- Ensure that the contract looks authentic:
 - Check Stamp quality
 - Check quality of the paper
- Check the land size to verify that it is consistent with the regulation - meaning that the size should be less than 10,000 ha of ELC.
- Crosscheck information with the approved management plan (Exhibit 2).
- Due to the issues with the border delineation and conversion of non-degraded forest, field verification is needed:

- Do ground checking with standard technology such as Global Positioning System (GPS) and verify the map delineation;
- Check forest status on the ground whether the natural forests are really degraded as proposed in the contract.

Sample of contract on the investment of (XX – timber species) plantation



Example 2: Approved Master Plan

Name of document: Approved Master Plan

Applicable for: Economic Land Concession

Purpose and content of document: the Approved Master Plan shows planning and progress to be done during the validity of the ELC contract agreement (example 1). Once the Prakas has been obtained the master plan (Exhibit 2) shall be developed for the ELC prior to signing the contract (Exhibit 1).

Annual and five-year plans should be described in the Approved Master Plan.

Monitoring and evaluation of the work plans and progresses of the performance of the concessionaires shall be conducted by the officials of MAFF and the Ministry of Economy and Finance.

Holder of document: ELC concessionaires.

Signature required by: the Minister of Agriculture, Forestry and Fisheries.

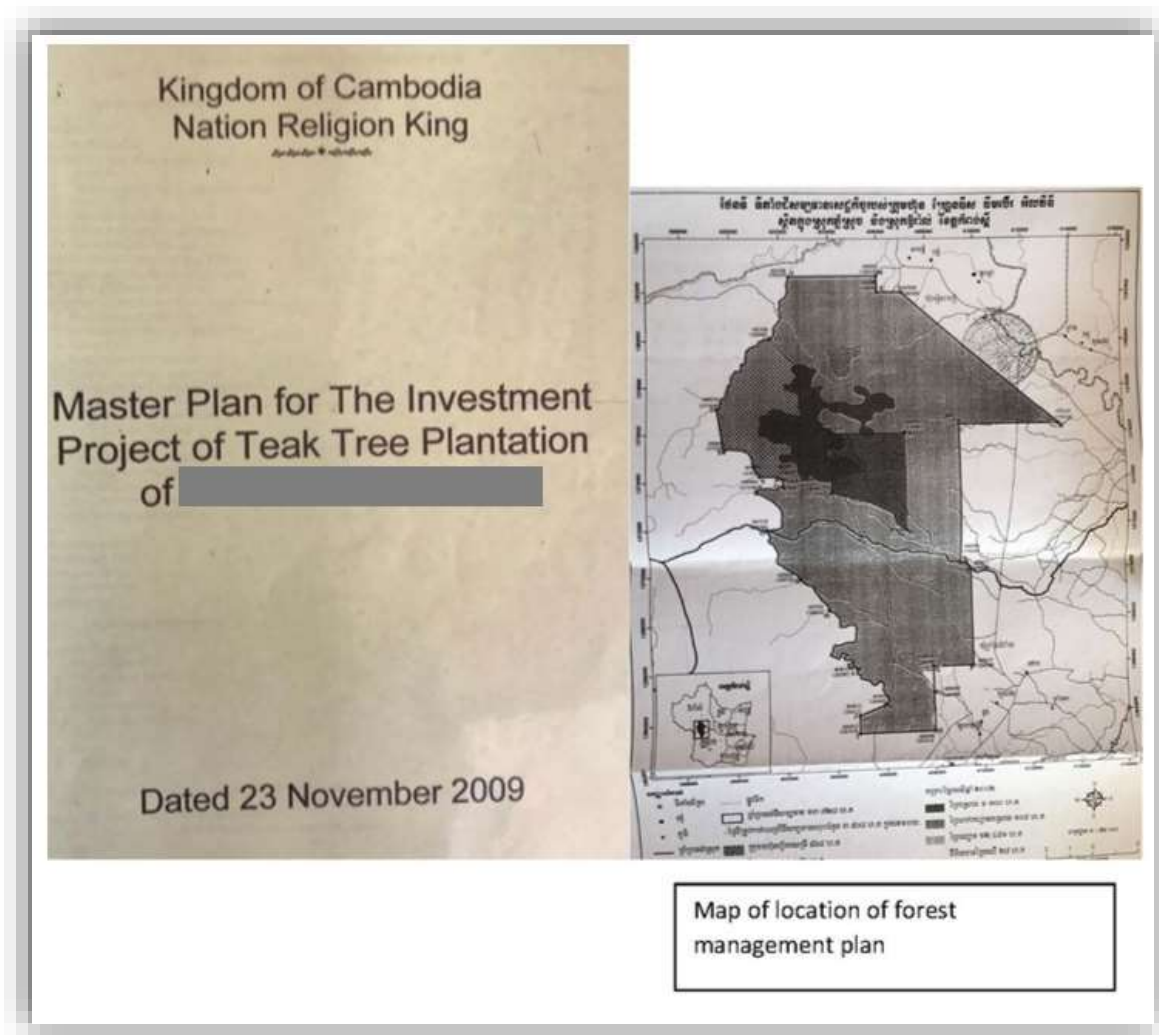
Gaps/limitations: limitations could be:

- There is a risk that the Approved Master Plan is not implemented due to the document being too ambitious for the concessionaire to fulfil the requirements. MAFF might not check the capacity of the concessionaires to fulfil the Master Plan before approving.

Key considerations when checking the document:

- Check appropriate number of target plans based on the capacity of the concession holder (this will require the expert knowledge of Cambodian forestry).
- Check the annually developed company progress report to ensure that the Approved Master Plan is implemented as planned.

Sample document of approved Master Plan



Example 3: Customs Permit (for export)

Name of document: Customs Permit.

Applicable for: all entities, which would export goods from the country.

Purpose and content of document: the customs permit is to show that tax of the exported goods is paid. Without the customs permit, timber cannot be exported. Officials of General Department of Customs and Excise (GDCE); and officials of the Forestry Administration (FA) will jointly check the containers for export and verify that the content matches the information on the custom permit at the point of export. The FA will check that the FA seal is on the outside of the container. With the customs permit in hands, the officials of the GDCE and FA will seal the export timber containers.

Custom permit is related to each individual shipment and valid for 1 month.

The custom permit will show the volumes, quantities and species of the material for export.

Holder of document: export entities.

Signature required by: Head of the General Department of Custom and Excise.

Gaps/limitations:

- There is a risk of falsifying the timber volume/quantity/species on the custom permits.
 - There is no third party allowed to verify the volumes/quantities/species of the exported timber and the information shown on the customs permit.

Key considerations when checking the document:

- Does the volumes/quantities/ timber inside the export container matched with the customs permit?
- Make sure the duration of the customs permit is valid for timber export.
- Make sure that the "seal" is unbroken before exportation of the timber.
- Make sure whether timber species are the same as the ones shown on the customs permit.

Sample of Customs Permit for Export of Goods

ព្រះរាជាណាចក្រកម្ពុជា
KINGDOM OF CAMBODIA
ជាតិ សាសនា ព្រះមហាក្សត្រ
NATION RELIGION KING

អគ្គនាយកដ្ឋានពន្ធដារ
GENERAL DEPARTMENT OF CUSTOMS AND EXCISE

លេខ : [REDACTED] អព
N° [REDACTED]

លិខិតអនុញ្ញាតនាំចេញ (នាំចេញ)
Customs Permit

ផ្តល់ជូន
Issue to
អាសយដ្ឋាន
Address
អាសយដ្ឋាន
Address

កម្រិត
Quantity
៥៣៥ - ០,៦០៧,៣១៦ m³ (៥៣៥ គូបម៉ែត្រ និង ៦០៧,៣១៦ ម៉ែត្រគូប)
535 - 0,607,316 m³ (535 cubic meters and 607,316 cubic meters)

តាមមាត់ព្រែក
Through Checkpoint
រូបិយប័ណ្ណ
1000.000

កូដនីតិវិធី
Customs Procedure Code
13372 - 2337 ប្រភេទ 169/៤៤អ.៥៧
13372 - 2337 type 169/44A.57

References
លិខិតអនុញ្ញាតនាំចេញ: ០១៩ ពណ. ៣៤៤ ចុះ ១៤ ០៣ ២០១៤
Permit to export: 019 TNA. 344 dated 14 03 2014

Valid From
14 03 14 ដល់ 14 04 14
14 03 14 to 14 04 14

Phnom Penh DD MM YY
Phnom Penh DD MM YY

ប្រតិភូរដ្ឋាភិបាល
Royal Government
អគ្គនាយកដ្ឋានពន្ធដារ
Department of Customs and Excise

Source: (available from Land and Forest Program Unit, NGO Forum)

Example 4: Sample of Export Permit (PC-IMEX)

Name of document: Export Permit (sometime called PC-IMEX).

Applicable for: exportation of wooden goods allowed for export.

Purpose and content of document: the permit is required to track the timber from the sawmill/processing facility to the export destined international port. The Export Permit is issued at the sawmill, and the timber transported is subject to control by government officials along the route of transport. It describes name of document holder, country of origin, amount of timber (or type of wood products) in cubic meter, destination of international exporting port and importing country.

Holder of document: export entities or companies.

Signature required by: Minister of Commerce and Co-signature by Head of Forestry Administration.

Gaps/limitations:


- When the PC-IMEX is issued the document issued prior to the PC-IMEX is checked. However, the officials do not necessarily check the forest origin, and the document is not a prove of origin.
- There is a risk of falsifying the timber information on the Export Permits.
 - There is no third party allowed to verify the information of Export Permit.

Key considerations when checking the document:

- Is the permit valid?
- Is the volume (cubic meter) of the wood product correct?
- Is the destination shown on the permit and does it correspond with the route of transport?
- Is the name of the driver shown on the permit and correspond with the person's ID?

Sample of Export Permit (PC-IMEX)

ក្រសួងពាណិជ្ជកម្ម
MINISTRY OF COMMERCE
អគ្គនាយកដ្ឋាននាំចេញ-នាំចូល
DEPARTMENT OF EXPORT - IMPORT



ព្រះរាជាណាចក្រកម្ពុជា
KINGDOM OF CAMBODIA
ជាតិ សាសនា ព្រះមហាក្សត្រ
NATION RELIGION KING

អាជ្ញាប័ណ្ណនាំចេញទំនិញនាំចេញ
LICENCE OF EXPORTATION **CUSTOMS HQ**

អ្នកនាំចេញ: Exporters:	រដ្ឋាករព្រៃឈើ Forestry Administration	លេខប័ណ្ណប្រតិបត្តិការ: Registration number:
អាសយដ្ឋាន: Address:	លេខ ១៤៤ ផ្លូវ ប្រេក ណេវតុង ប៊ែល ផ្សារ បេង No. 144 and Preah Norodon Blvd, Phnom Penh	ទូរស័ព្ទ: Phone:
ឈ្មោះធនាគារប្រតិបត្តិការ: Solicitor bank:	ធនាគារ អេស៊ីប៊ីបា ភីអិលស៊ី ACLEDA BANK PLC	លេខកូដនាំចេញ: Customs Code No A/C/Expit:
យោង: Reference:	លិខិតលេខ ១១១០ អនកា ចុះថ្ងៃទី ០៨-១១-២០១៧ របស់អង្គការពាណិជ្ជកម្មជាតិ	
ប្រសិនបើ: Purpose:	ជួសជុលស្រូវស្រែក ក្រុមហ៊ុន យូអិលអិលអិលអិល (អេសប៊ូម៉ា) ឯ.ក Fill in the form for UWC (Cambodia) Co., Ltd.	ប្រភេទទំនិញនាំចេញ: Used currency

ការពិពណ៌នាទំនិញនាំចេញ	បរិមាណ	តម្លៃទំនិញនាំចេញ	
		តម្លៃ	Unit
- ដីកាកសំបុកឈើ -	៦.០០០ តោន	-	-
- Wood Chip -	?	-	-
សរុប ដូចមានចែង		-	-
Total		-	-

សរុបប្រាក់នាំចេញ: ៥០៧.០០០.០០០ រៀល
Total amount in riels: 507.000.000 Riels

លក្ខខណ្ឌនាំចេញ: CIF
Condition of delivery: C.I.F

ប្រទេសដើម: ព្រះរាជាណាចក្រកម្ពុជា
Country of origin: Kingdom of Cambodia

លក្ខខណ្ឌនាំចេញ: T.T
Term of payment: T.T

សម្រាប់នាំចេញ: ថ្ងៃទី ១៥ ខែ ធ្នូ ឆ្នាំ ២០១៧
This licence is valid until: 15 DEC 2017

អ្នកនាំចេញ: រដ្ឋាករព្រៃឈើ (Exporter)	ធនាគារប្រតិបត្តិការ: ធនាគារ អេស៊ីប៊ីបា ភីអិលស៊ី (Solicitor Bank)	អ្នកនាំចេញ: អគ្គនាយកដ្ឋាននាំចេញ-នាំចូល (Customs)
Signature date 12 December 2017		Signature date 15 December 2017

Example 5: Timber Processing Registration Certificate

Name of document: Timber Processing Registration Certificate.

The foundation for the Registration Certificate is the Prakas of Ministry of Agriculture, Forestry and Fisheries to allow a company (*NAME*) to extend its legal processing activities in (XX) district, (XX) province), Cambodia.

Applicable for: timber processing activities.

Purpose and content of document: the Prakas allows the company to carry out timber processing. The permit shall be renewed annually, and the company is required to submit its new extension application one-month prior to the deadline of the Prakas. The document contains the following information:

- The Prakas gives rights to the company to process timbers from natural forests (a separate certificate is issued for processing of plantation timber);
- The location of the timber processing sawmill is indicated in specific sites with;
- The company had been allowed to continue its timber processing activity for another one more year.

Holder of document: timber processing company.

Signature required by: Minister of Agriculture, Forestry and Fisheries.

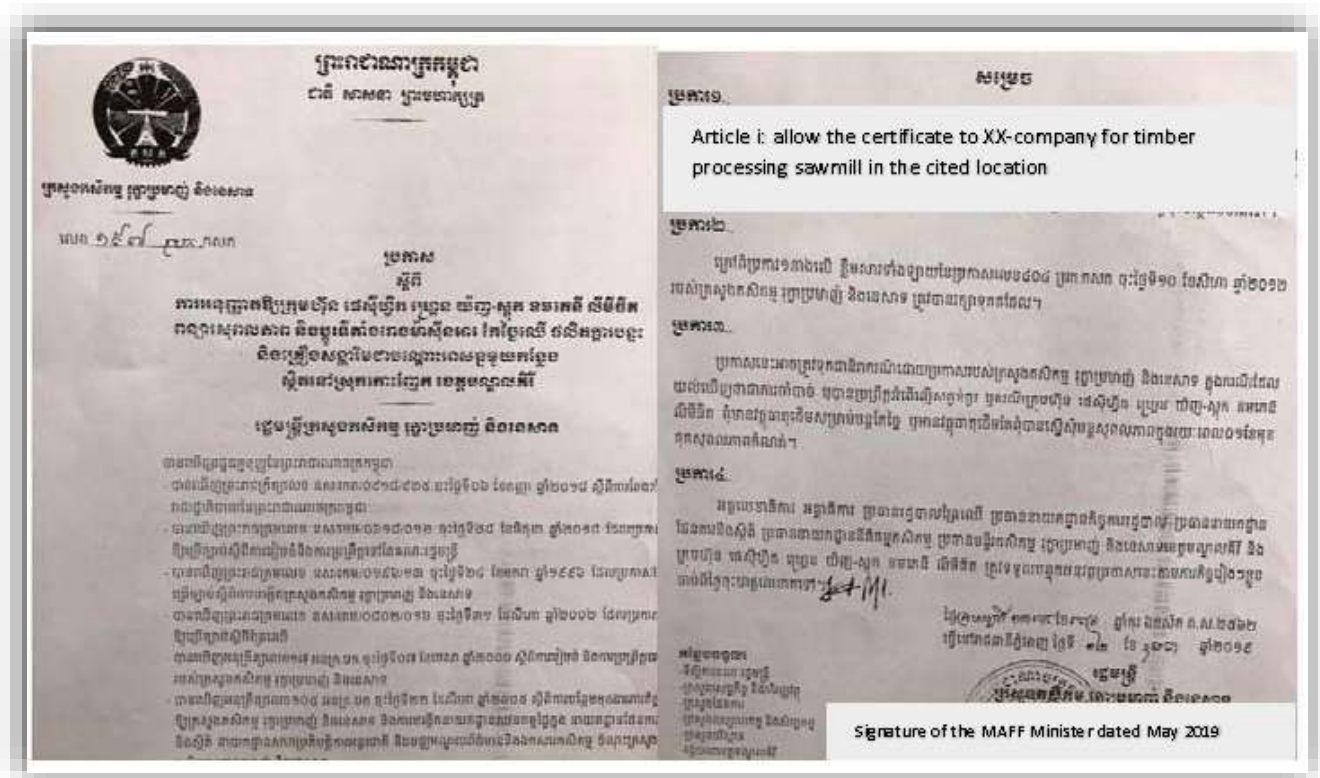
Gaps/limitations:

- The volume/quantity of timbers that the processing facility can process is not shown in the Prakas.
- Specific requirement of laboring standard within the sawmill/processing facility is not shown.

Key considerations when checking the document:

- Check the date of the document. Is the Timber Processing Registration Certificate valid?
- Does the document correspond to the correct company name and the correct type of processing?
- Is the document correctly signed by MAFF?
- Can timber input from legal sources be verified?
- Is the volume/quantity of timber used for processing consistent with the volumes stated on the PC-1 (transport permit for logs from forest to processing facility)?
- Where the sawn timbers sold to?
- Have the PC-2 obtained prior to transport of sawn timbers?
- Do the amount of timbers match with the allowed volumes shown on the PC-2?

Sample of Timber Processing Registration Certificate



Example 6: Transport Permit (PC – 1)

Name of document: Transport Permit (PC-1)

Applicable for: transport of round timber from forest to sawmill.

Purpose and content of document: The permit is required to track the timber from forests to sawmill. The PC-1 valid only within local-one province. The permit is issued by Head of Forestry Administration Cantonment of the same province. The permit mentions name of document holder, amount of round timber in cubic meter, place of forest origin, and destination of sawmill.

Holder of document: transportation entities or companies.

Signature required by: Head of Forestry Administration Cantonment.

Gaps/limitations:

- There is a risk of falsifying the round timber information on the transport permits.

Key considerations when checking the document:

- Is the permit valid?
- Is the volume (cubic meter) of the round timber correct?
- Is the destination shown on the permit and does it correspond with the route of transport?
- Is the name of the driver shown on the permit and correspond with the person's ID?

Sample of Transport Permit (PC-1)



The sample was excerpted from Technical Working Group on Forestry Reform (2014). *Understanding timber flows and control in Cambodia in the context of FLEGT*. [online]. Available at: <http://www.euflegt.efi.int/documents/10180/211477/Understanding+timber+flows+and+control+in+Cambodia+in+the+context+of+FLEGTc/03c0c17a-5dd0-43d6-9ccc-b4f661ba7463> [Accessed on 16 August 2019].

Example 7: Transport Permit (PC – 2)

Name of document: Transport Permit (PC-2).

Applicable for: transport of processed timbers throughout the country.

Purpose and content of document: the permit is required to track the timber from the sawmill/processing facility to point of destination within the country. The permit is issued at the sawmill and the timber transported is subject to control by government officials along the route of transport. It describes name of document holder, amount of timber in cubic meter, place of origin (normally name of timber depot) and destination.

Holder of document: transportation entities or companies.

Signature required by: Head of Provincial Department of Agriculture, Forestry, and Fisheries.

Gaps/limitations:

- There is a risk that the timber information on the transport permits has been falsified.

Key considerations when checking the document:

- Is the permit valid?
- Is the volume (cubic meter) of the wood product correct?
- Is the destination shown on the permit and does it correspond with the route of transport?
- Is the name of the driver shown on the permit and correspond with the person's ID?

Sample of Transport Permit: PC - 2

Source: Koh Santepheap (local newspaper). [Online]. Available at: <https://kohsantepheapdaily.com.kh/article/881787.html?fbclid=IwAR0FOgQ6MbXye8syWsEvG7W8kH7BBhagcp9FSKVANmHOjYn-V3n95K6SJSI> (Accessed on 16 August 2019).



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