

THE SITUATION OF ILLEGAL TIMBER AND FOREST PRODUCTS TRADING AND TRANSPORTATION IN VIETNAM

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1. The situation of timber and forest products trading and transportation in Vietnam

- * Till 31 December 2017, the forest area of Vietnam is 14,415,381 hectares, in which natural forests occupy more than 10 million hectares, artificial forests occupy more than 4 million hectares.
- * The annual production of timber logging is about 11.5 million m³.
- * Vietnam imports 7 million m³ of types of timbers from more than 90 countries in the world; exports timber and timber products, gaining \$ 8 billion, ranking fifth in the world.
- * There are now more than 15,000 timber and timber products businesses, in which about 4500 timber processing enterprises have provided nearly 500,000 permanent jobs for millions of rural and mountainous workers involved in planting material forest and auxiliary industries contributing to stabilize social security and economic development.

1. The situation of timber and forest products trading and transportation in Vietnam (continuing)

- * The situation of illegal timber and forest products trading and transportation occurs complicatedly.
- * The method of sophisticated tricks, constantly changing the modus operandi in order to deceive functional forces such as: using vehicles without number plates, with false number plates, constantly changing number plates; using expired vehicles, high-quality tourist cars; using legal documents rotating several times, making fake documents, forging fake seals of the forest protection force; taking advantage of the large river and stream to illegally transport timber ...

Using vehicles without number plates



Using fake number plates, high-quality tourist cars, designing more space to carry timber, hiding timber within other goods...



Using small cars to carry illegal timbers, rotating documents, ...



2. Legislation documents system

- * The Government of Vietnam has many legal documents:

- * **Criminal Code**

- Crime of violating the regulations on exploitation, protection of forest and forest products:

- + Fine from 50 million VND to 300 million VND, non-custodial reform, non-custodial reform to 03 years, imprisonment from 06 months to 03 years

- + Fine from 300 million VND to 1.5 billion VND, imprisonment from 02 to 07 years

- + Imprisonment from 05 to 10 years

- + Deal with legal entities

- Crime of violating the regulations on forest management:

- + Non-custodial reform to 03 years, imprisonment from 06 months to 03 years

- + Imprisonment from 02 to 07 years

- + Imprisonment from 05 to 12 years

- Crime of smuggling:

- + Imprisonment from 12 to 20 years

- + Possibly fine from 20 - 100 million VND, prohibit employment from 01 - 05 years, confiscate all assets

- + For legal entities: Fine from 07 to 15 billion VND

- * **Forestry Law**

- * **Law of handling administrative violations** (fine up to 500 million VND for individuals and 01 billion VND, confiscate exhibits and vehicles with organizations of conducting illegal timber and forest products trading and transportation)

- * **Decrees, Circulars** to prevent, combat illegal timber and forest products trading and transportation

3. Prevention and suppression results

- * The forces have detected and handled:
- * Leading the detection, prevention, suppression: From 2014 to mid-2018, the Environmental Police force has detected 2030 cases (1,692 individuals, 20 organizations), prosecuted 123 cases/161 defendants, handled 717 administrative violation cases (699 individuals, 22 organizations), fined 8,750 million VND, left for other agencies to handle: 1149 cases, 971 subjects

4. Some typical cases

- * 1. **Phuong Beard case:** On 27 April 2018, the Environmental Police Department, in collaboration with the Investigative Police Office and the Taskforce Command (Ministry of Public Security), arrested a group of people using two cars to carry timber, about 40m³ types of timber from group IIA to IV in Ea T'ling town (Cu Jut district, Dak Nong province).



Timber of Phuong “beard” arrested for further investigation



Subject: Phan Huu Phuong (48 years old) had 10 years in the field of timber trading.

4. Some typical cases (cont.)

- * 2. The case of Black Ha and his 16 accomplices committed crime on “Violating the regulations on exploitation and protection of forests” relating to the case of more than 1,200 m³ of timber in Lam Dong:

On 8 July 2016, the Environmental Police Department (Ministry of Public Security) and the Taskforce Command inspected the illegal timber logging camp at the reservoir area of Dong Nai Hydropower.



- * On 25/5/2018, the People's Court of Bao Lam district, Lam Dong province sentenced Le Hong Ha (50 years old, living in Bao Loc city, Lam Dong) and his 16 accomplices with the crime of violating the regulations on exploitation and protection of forests. Ha is responsible for the serious forest destruction case in the sub-areas 390A, 396, 397 and 419 of the reservoir area of Dong Nai Hydropower 5 (Loc Bac commune, Bao Lam district).