

Ministry of Agriculture
-Forestry

No. } 0429/AF^{MAF}

PROVISIONS
on the Rights and Duties in
Forestry Resources Management
at Village Level

- Based on the Constitution of the Lao People's Democratic Republic,
- Pursuant to the 1st National Conference on Forestry in May 1989,
- Pursuant to the Prime Minister's Decree No. 34/PM, dated 22/11/91 on the organization and operations of the Ministry of Agriculture-Forestry.

In view of managing forestry resources for the purpose of preserving and increasing forestry wealth, making appropriate and highly efficient use of the immense forestry resources' utilities,

The Ministry of Agriculture-Forestry issues
the following Provisions :

Chapter I
General Principles

Article 1 : Forestry resources (trees, water, land and wildlife) assigned by the State to villages for their preservation and use in accordance with state regulations and principles must see their standing trees continuously increasing. The right is granted to consider the allotment of afforested land and deteriorated forest land which are not located at water sources and on steep slopes to farmers in villages for afforestation and of which products may be inherited or transferred to other persons.

Article 2 : Forests and forest land in rural development areas depending of main village administrative authorities shall be used in the aim of increasingly improving and raising the living conditions of village inhabitants, where the natural forestry crops constitute forests protecting water sources,

land, air, animals and are also related to the humans' living conditions.

Article 3 : Village forests and forest land are clearly delineated. Distribution methods are based on the geographical conditions and such areas remain within administrative zones, such as: mountain slopes, mountain crest, streams, communication roads, village zones, etc. Such areas shall comprise natural forests, planted forests, forest fallows, degraded forests and non-forested land.

Article 4 : The Village administrative authorities shall have the duty to more effectively manage, preserve and make use of forests, while improving the living conditions of the population inhabiting such areas.

Article 5 : The entire population has the duty to protect forests, improve and re-forest degraded forest land, non-forested land, bald land into new ever wealthier evergreen forests again.

Chapter II Management and Preservation of Forestry Resources

Article 6 : The village administrative authorities have the duty to :

- 1/. Establish plans for the organization and implementation of instructions on village forests.
- 2/. Organize and direct the village forestry agency which is entrusted to manage forests and forest land in their village.
- 3/. Undertake propaganda and education of the village's population on the importance and utility of forests.
- 4/. Monitor, gather information on changes taking place in forests and the forestry activities within their village, then report to the District Forestry Department on a regular basis.
- 5/. Organize a system of forest protection and management network by the population in their village.
- 6/. Based on these regulations, study and promulgate appropriate specific rules on village forest management and protection to the reality in their village.
- 7/. Organize the arrangement of settled occupations in view of restraining and progress until cessation of shifting cultivation for the protection of natural environment.

Article 7 : Each citizen has the duty to :

- 1/. Mutually assist each other to preserve and not allow the existing forest area and forest land area to decrease.
- 2/. Participate in actions against negative activities impacting on the forestry resources, such as : illegal logging, disorderly forest burning, and hinder all destructive acts against forestry resources in due time.
- 3/. Mutually assist each other to preserve, improve and plant forests..
- 4/. Monitor, protect and destroy wood worms destroying forests, protect and extinguish forest fires.

Article 8 : Attention must be given to the preservation of the following factors:

- 1/. Protected forest areas, existing water source forests, forests along streams, water ponds, forests in hydropower reservoir areas, boundary forests, reserved forests.
- 2/. Reserved rare animal species' habitat areas.
- 3/. Improve degraded forests containing valuable tree species into evergreen forests.

Chapter III Forest Land Use

Article 9 : Through appropriate rural development methods, the use of degraded forest land and vacant land shall be managed by the village administrative authorities and its population for agricultural production, animal husbandry, improvement and development of forests.

Article 10 : Wherever certain families or individuals do not have the appropriate conditions to cultivate rice, they are authorized to make use of degraded forests which may not be rehabilitated or of vacant land lying outside water source areas and steep slopes, to plant trees in combination with the cultivation of cash crops and animal husbandry while giving permanent character to the use of such land.

Article 11 : Village administrative authorities shall organize and direct the population to undertake production in combination with agro-forestry, livestock-forestry wherever possible, in view of progressing to the point of ensuring settled occupations.

Chapter IV Rights and Benefit

Article 12 : Village population has the right to receive the following benefit:

- 1/. Enter forests to gather forestry product and uneconomic wood as firewood in order to improve their living conditions. In the event an individual desires to exploit forestry products enlisted by the State for commercial purposes, such individual should obtain authorization from the District administrative authorities and forestry zone officers beforehand and pay full fees for the maintenance of forests.
- 2/. The right to cut wood for firewood, coal, fences and wood utensils within the forest plot planted by themselves.
- 3/. In case it is necessary for a family in difficulty to cut from 1 to 10 cubic meters of second and third category of preserved wood for fence poles, fences, dwellings from the village's common forest, authorization must be required from the village administrative authorities according to the rules and principles outlined by the village. Simultaneously, the village must mobilize the population to use other non-wood material for the construction of hospitals, schools, houses, etc. such as rocks, bricks, tiles instead of wood and coal, sawdust instead of firewood.
- 4/. . The right to hunt non-protected animals and guarantee of appropriate hunt in strict accordance with the Decree No. 118/CCM of the Council of Ministers on the management and protection of rare wildlife species must be provided.

- In case where it is necessary to protect all wildlife within the village area, the village administrative authorities, together with the population have to right to issue specific regulations.

Chapter V Restrictions

Article 13 : Restrictions are:

- 1/. Forest land assigned by the State to each farmer family for use are not considered as commodities and are forbidden for sale, except for the products brought by the families.
- 2/. Disorderly forest burning is forbidden. In case it is allowed, after forest clearing, the limits of the cleared area should be protected then may such area be burned and it should be ensured that the fire will not propagate.

- 3/. It is forbidden to clear forests at water sources along national roads, mountain slopes, around water ponds, and in dense forests and all forms of forest destruction shall be strictly restrained.
- 4/. It is forbidden to hunt and fish with bombs, electricity, air gun, war weapons, poison, nets while fishes are producing eggs. Other restrictions are based on the management rules issued by the village.

Chapter VI Congratulation and Penalty

Article 14 : Any village, individual with achievements in the forestry resource protection and management shall be congratulated by the Forestry Zone agency, district administrative authorities, province, municipality, Ministry of Agriculture-Forestry or Government, as well as an appropriate reward.

Article 15 : In case an individual becomes invalid or dies while performing his duty in preserving and managing forestry resources, the State shall apply separate specific policies.

Article 16 : Individuals transgressing these provisions or other regulations outlined by the village must be warned, fined, the evidence seized and subjected to disciplinary measures according to the state of the committed fault. In case of serious offence, court proceedings shall be induced against them according to the laws and rules outlined by the State.

Chapter VII Organization and Implementation

Article 17 : The Ministry of Agriculture-Forestry, districts and forest zones are entrusted the duty to strictly organize and implement these provisions.

Article 18 : Ministries, agencies holding the status of ministry and other sectors concerned are to acknowledge and implement these provisions.

Article 19 : These provisions are effective from the day they are signed.

Vientiane, June 18, 1992
Minister of Agriculture-Forestry

Signed and stamped

Sisavat Keobounphan