

LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry

No. 0051/MAF.
Vientiane Capital City, dated 20 Apr. 2009

DECISION OF THE MINISTER
Regarding the regeneration of forest

- Referring to the forest law no.06/NA, dated 24 December 2007.
- Referring to the Prime Minister's decree no. 148/PM, dated 10 May 2007 regarding the organization and operation of the Ministry of Agriculture and Forestry.

The Minister for Agriculture and Forestry issues a decision:

Group I
General provisions

- Article 1 General principle
This decision has defined the objectives, goals and general principle of the maintenance, development and regeneration of degraded forests and barren land areas in across the country to make the destroyed forest in the previous time going to be the perfect natural forests again and be able to provide the services for sustainably socio-economic development and protection of the environment.
- Article 2 Objectives
1. To make the current forest resources becoming the management, maintenance, regeneration and planting by rehabilitation to the degraded forests and barren land areas in the past turning to be perfection and be able to use sustainably.
 2. To bring the natural forest degraded by shifting cultivation, forest fire and long term logging in the past to become the dense forest again which consists of diverse economic tree species, water origin, watershed, soil, wildlife and aquatic animal habitat, environment, erosion protection and preservation of soil qualities.
 3. To define the border, demarcate boundary, survey for classification and build fire break stripe in the regeneration forest areas.
 4. To preserve the indigenous endemic seed orchards, to upgrade the seed qualities and improve systems of indigenous seed orchards.
 5. To promote the active participation of the people, organizations both public and private and other economic parties in the regeneration of natural forest.

Article 3 Purposes

1. To preserve the current forest and dynamic extend the forest areas by using regeneration and planting application to the aim of forest cover to 70% of the total country areas by 2020.
2. To implement the legal action, particularly the laws, decrees, acts, regulation, directions, guide lines and the others legally related to the forests for the effective management of forest resources.
3. To maintain the valuable forest resources in the national socio-economic development, prevent the soil erosion, and reserve the soil quality, water origin, watershed, the richness of biodiversities and wildlife habitats, environment, and to provide for the carbon markets.
4. The border of regeneration forest are defined and demarcated clearly,
5. To effectively and sustainably manage, use and extend the seed orchard sites of Lao indigenous species.

Article 4 Definition

The regeneration of natural forest is the development of degraded forest, forestry land and barren land to become the perfect forests again by the application of appropriate technical practice.

Article 5 Glossary

1. The areas of regeneration forest is the forest area with the canopy density of lower than 20%, the forest area which is at the fallow stage or degraded forest, barren land areas across the whole country which identified for regeneration to become the dense forest again.
2. The forest cover lower than 20% is the assessment of tree coverage with the height of tree from 5 (five) meters and diameter from 10 (ten) centimeters over up.
3. The regeneration forest is the forest in degradation condition but seems to be able regenerating by themselves naturally such as: The young level fallow which identified for regeneration to become elder level fallow and going to be perfect natural forests again.
4. The regeneration of forests by natural process means the propagation of tree species by seeds, roots, stumps or stub, using the natural processes with divers of tree species which occur in that areas by cleaning the ground area and apply the thinning technique to expand the tree species together with the prevention of fire and encroachment.
5. The regeneration of forest by enrichment planting means the enrichment of the various tree species which considered appropriate in that areas in consensus with the objective and purpose of regeneration of the natural forest in that areas, particularly in the low density forest areas, the areas with erratic natural propagation or some native endemic tree species are at risk of extinction or already extinct, but necessary to be regenerated.
6. Fallow area: is the forest area which has experienced the shifting cultivation or encroached and damaged by various forms for a long time, this area has the opportunity to become the wealth natural forest.

7. The degraded forest is the forest which heavily damaged such as: unstocked forest land or barren land areas which identified for replanting, for permanent agro pastoral forestry or using for other purposes in the socio- economic development plans.
8. Biodiversity is the diversity of eco-systems, types, number and species of living things such as: flora, fauna, insect and micro organism in nature.
9. The eco-system means the relationship between living things and non-living things which exist in nature.
10. Barren land is the forestry land areas without trees stocked appearance from the natural occasion or destroyed by human activities.
11. Degraded forestry land is the forestry land areas, which heavily destroyed with long periods frequently that caused the unbalance of material organism and disable to regenerate by themselves in the natural process to become the perfect natural forest again. The vegetations occurring in the degraded forest land are mostly cogon grass, shrubs, small bamboos or ravena grass and so on.

Group II

Identification, forms and principles of regeneration of natural forest

- Article 6 Identification of regeneration area for natural forest
 The regeneration area for natural forest is allocated area from at least 0.5 (zero point five) hectares, emphasize on the fallow areas or degraded forests, the natural forest with the forest cover lower than 20% and the barren land of forest areas base on forest survey, boundary demarcation, information of tree species collection, abilities of natural regeneration and other factors related to the activities of the area will be identified as natural regeneration or enrichment planting regeneration.
- Article 7 Forms of natural forest regeneration
 There are two forms to rehabilitate natural forest: the regeneration by themselves naturally and regeneration by enrichment planting.
1. The natural regeneration can be defined in a small or large area depending on the reality of the information surveyed, and the plan for regeneration.
 2. The forest regeneration by enrichment planting can be implemented in some areas or considered as degraded areas, the low density forest areas or with erratic natural propagation and inappropriate by another regeneration form.
- Article 8 The principle of forest regeneration
 The regeneration of forest has to carry on the following principle:
1. Survey to collect the information of the forest status, the density of forest area, the regeneration in the area where will be carry out the regeneration;
 2. Allocate and demarcate the boundary at the site and on the map;
 3. Identify the tree species appropriated for the area;

4. Propose plan or project for regeneration including support budget for the regeneration of forests;
5. Proceeding the management and strengthen of maintenance;
6. Request for registration of the regeneration forest regarding to the regulation.

- Article 9 The principle of forest regeneration by natural methodologies
The principle to regenerate natural forest involves the application of measures in managing and maintaining the forest status identified as the natural forest regeneration area, particularly the prevention of forest fire, damage by live-stocks or the operation of any activities etc...as to allow seedling or saplings to develop and grow by themselves naturally.
- Article 10 Principle for enrichment planting
The principle for enrichment planting involves the use of seeds, natural seedlings or vegetative propagates of trees of economic and protective value or some endemic tree species, for enrichment planting in area identified as forest regeneration area aiming to improve the forest structure and quality so as to play the role in accordance with the objective of forest regeneration.
- Article 11 Identification of seedling for planting in the regeneration forest areas
The seedling to be planted in the regeneration forest areas have to be the native endemic species, the indigenous species which suitable with the climate of that area or the species are at risk of extinction or already extinct, necessary to select only the healthy seedling about more than 01 (one) year of age .
- Article 12 Forest regeneration in protection forest area
The forest regeneration in protection forest area involves the selection of tree species and vegetations which can meet the objective and goal of forest regeneration in the said forest area, particularly to improve forest qualities and forestry land by applying rehabilitation of fallow areas, degraded forests and barren lands purposed to protect watershed; to prevent the soil erosion; to prevent natural calamity; to protect the environment, strategic area for national defense etc...
- Article 13 Forest regeneration in the conservation forest area
The forest regeneration in conservation forest area involves the selection of tree species and vegetations which can meet the objective and goal of forest regeneration in the said forest area, particularly to improve forest qualities and forest lands to preserve the ecosystems of forest, enlarge of biodiversity, flora, fauna, conservation of cultural, historical heritage, tourism, education, scientific research and valuable things in the conservation forest areas.

- Article 14 Forest regeneration in the production forest area
The forest regeneration in production forest area involves the selection of tree species and vegetations which can meet the objective and goal of forest regeneration in the said forest area. To enrichment quantities and qualities of woods and forest products for using security and supply to the needs of raw materials and forest products sufficiency for the national socio-economic development and improving the livelihood of the population.

Group III

Activities and implementations of forest regeneration

- Article 15 Allocation and demarcation
The Provincial Department of Agriculture and Forestry, Capital city (Forest division, National Protected Area division) coordinate with local authorities and relevant sectors to carry out the survey, identify of boundary, demarcation, setting up the sign board showing boundary area and mapping the forest types in the maps
- Article 16 Planning development
After identification of forest regeneration area, the forestry division, national protected area division undertake the important role for planning of forest regeneration of each forest type in consent with the laws and regulations by defining the objectives and goals for forest regeneration in each forest type including technique, implementation methods and measurements to be used in the implementation (work, budget, manpower plan) according to the reality by approval of provincial agriculture and forestry, capital city.
- Article 17 Implementation of plan
District agriculture and forestry extension office is the master to coordinate with village authorities by participation of villagers to implement the plans of forest regeneration defining in the endorsed annual forest regeneration plan.
- Article 18 Maintenance
District agriculture and forestry extension office is the master to coordinate with village authorities by participation of villagers to manage the identified regeneration forest area and the maintenance must be carried out regularly, ground cleaning, thinning to extend the distances in accordance with technical principle to ensure that the trees naturally regenerating and planted seedlings can grow properly.
- Article 19 Forest fire prevention
The identified and implemented forest regeneration areas should become the attention for forest fire prevention in consequence from many causes such as: A fire for cooking in the forest, burning to clean the area etc...

The prevention and controlling the forest fire must absolutely follow up the article 29 of the forest law.

- Article 20 **Budget for the forest regeneration work**
The forest regeneration work can use the budgets from the government budget, forest and forest resources development fund, utility of forest resources projects, the participation of privates, families, collective, organizations and internal and external societies, international organization etc...
- Article 21 **Monitoring and evaluation**
The implementation activities of forest regeneration must be carried out the monitoring and evaluation regularly based on the plan endorsed by the authorities who have the right related to follow up and evaluate the implementation from time to time as specified in the plan.
- Article 22 **The registration**
 1. The regeneration forest, where has the area from 05 (five) hectares and lower authorized to sign the registration certificate by the head of district agriculture and forestry extension office.
 2. The regeneration forest, where has the area more than 05 (five) hectares authorized to sign the registration certificate by the head of Provincial agriculture and forestry according to the proposal of relevant district agriculture and forestry extension office.

Group IV

Encouragement of forest regeneration

- Article 23 **Encouragement for forest regeneration**
The State encourages individuals, families and organizations implementing the natural forest regeneration work in the degraded forest, fallow areas by applying the enrichment planting and rehabilitation to become the dense forest again and will receive support promotion as specified in the regulation.
- Article 24 **Participation in natural forest regeneration**
Individuals, families and organizations have the obligations to support of funds and labours for management, maintenance and development of forest regeneration to be rich forest.
- Article 25 **Right to use the regenerated forest**
Individuals, families and organizations who have spent their own money and labour in the regeneration of natural forest area until the forest has become dense rich forest will be granted the right to receive various benefits as specified in the State regulation as issued from time to time.

Group V
Rights and duties for management the forest regeneration

- Article 26 Rights and duties of Department of Forestry
1. Act as advisory and regulatory body to Ministry of Agriculture and Forestry for the expansion and implementation of policies and overall program of the government to realize into project and plan with detail for regeneration of forests in the whole country;
 2. Define the measurement to expand the law, resolution decision, order of the government by the provision of regulations, rule, recommendation and guide line related to forest regeneration;
 3. Explore and apply science and technology for the management, preservation, development and use of regeneration forest;
 4. Coordinate with the other sector, local authority and relevant party to monitor and evaluate forest regeneration work;
 5. Provision of training about technique of forest regeneration for technical staffs at local level;
 6. Contact and cooperate with international agencies to exchange the information, technical principle and search for funds for the forest regeneration work in the whole country.
- Article 27 Rights and duties of Provincial forest division
1. Act as advisory and regulatory body to Department of Forestry and Provincial, on the planning, monitoring and macro management regarding to the vertical organization line of forest sector about the forest regeneration work;
 2. Coordinate with related organization within their respective place to conduct the management, rehabilitation and reservation of forest resources in the regeneration forest areas;
 3. Explore and give the comments about all events to the Provincial agriculture and forestry about the implementation of activities in the regeneration forest areas pursuant to the proposal of the district agriculture and forestry extension office;
 4. Provision of training about technique of forest regeneration for technical staffs who has the related duties and for the villagers to implement the forest regeneration work;
 5. Supervise, monitor the implementation and evaluate the forest regeneration works.
- Article 28 Right and duties of district agriculture and forestry extension office
1. Act as advisory and regulatory to Provincial Agriculture and forestry to carry out the specific regulation for management, reservation and development of regeneration forest consensus with the law and regulation of the state from time to time.

2. Implementation of resolution order of the superior level related to the management, reservation and development of forest regeneration;
3. Report in summary about management and procedure of the forestry work in the regeneration forest areas according to the rights and duties within their respective responsible;
4. Monitor and evaluate about the implementation in the regeneration forest areas;
5. Create the annual plan for each management area of the regeneration forest areas within their respective responsible;
6. Coordinate with relevant organizations for the management implementation in the regeneration forest areas;

Article 29 Rights and duties of village forestry organization

1. Extent and implement decrees, orders and laws issued by the superiors.
2. Organize villagers to participate in the implementation of natural forest regeneration plan;
3. Organize villagers to participate in monitoring and preventing the violent behavior against law and regulation harmfully to the forest resources and the environment in the regeneration forest areas.
4. Report all events happening in the forest regeneration area to the District Agriculture and Forestry extension Office from time to time.
5. Manage the use of forest resources according to customary right and the use for another purpose of villagers pursuant the law and regulation.

Group VI

Prohibitions, incentives for good performer and measure violator

Article 30 Prohibitions

Prohibit to operate the activities in the regeneration forest areas as below:

1. Prohibit to change the boundary of regeneration forest area without the permission from relevant parties;
2. Absolutely prohibit to change the model of use the forest and the forestry land which stated in the plan of forest regeneration without the permission from relevant agency;
3. Prohibit the operation clearing the land, cutting, burn and any operation which would leads to forest fire or damage the forest regeneration areas.
4. Prohibit any operations considered negative impact to the forest, soil, aquatic and wildlife animals, environment etc. in the regeneration forest areas.

Article 31 Incentives for good performer

Individuals, families or organizations who have contributed with good performing in the management, prevention and development of forest resources in the regeneration forest areas or have participated in the prevention of forest fire and against the forest fire, clearing of land,

burning and any operation violated against law and regulation will receive congratulation and various incentives from the State appropriately.

Article 32

Measures against violator

Individuals, families and organizations violating the forest law, regulation about forest and forest resource management, regulation about forest regeneration and etc. will be subject to measures as stipulated in articles 123, 124, 125,126,127 and 128 of forest law and various regulations issued.

Group VII
Final Provision

Article 33

Implementation

1. Ministries, equivalent agencies, local authorities and all economical sectors of the society including individuals and organizations must acknowledge and cooperate in the effective implementation of this Decision.
2. Department of Forestry, the Agriculture and forestry institute, Agriculture and Forestry extension section, Provincial Department of Agriculture and Forestry, District Agriculture and Forestry Office coordination with local authorities, Village Agriculture and Forestry Units monitor, support and implement in this Decision in effective result.

Article 34

Effectiveness

This decision is effective from the date of signing and replaces the decision of Minister of the Ministry of Agriculture and Forestry regarding the natural regeneration forest number 0173/AF.05 dated 22 August 2005.

Minister of Agriculture and Forestry

Signed and sealed