



Lao People's Democratic Republic

Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry

No. 0054/MAF

Vientiane Capital, Date: 09 June 2016

Instruction

On

The expansion and implementation of the Order of the Prime Minister No. 15, dated 13 May 2016 on strengthening strictness on timber harvest management and inspection, timber transportation, and business

- Pursuant to the Forestry Law No. 06/NA, dated 24 December 2007
- Pursuant to the Decree of the Prime Minister No. 262/PM, dated 28 June 2012, on the establishment and function of the Ministry of Agriculture and Forestry.
- Pursuant to the Order of the Prime Minister No. 15/PM, dated 13 May 2016 on strengthening strictness on timber harvest management and inspection, timber transportation, and business.

To ensure the unification and the achievement of the expansion and implementation of the Order of the Prime Minister No. 15/PM, dated 13 May 2016, to strictly implement the management of forest, timber extraction, timber business, timber processing, and timber exportation in accordance with the law and other regulations, to halt and solve and to gradually reduce and eliminate destructive phenomenon within forestry sector,

The Minister of Agriculture and Forestry issued an Instruction for:

1. The Department of Forest, Department of Forest Inspection, Capital and Provincial Offices of Agriculture and Forestry are to strengthen their dedication and responsibilities and to take a leading role in expanding and exercising their rights and duties to effectively manage and inspect timber extraction, transportation, and timber business by integrating forest management into legal system strictly. Also, to emphasize the promotion, awareness raising, and dissemination of party's policy, state's laws and legislation, and international treaties related to forest management and protection which Laos is a member in order for officials, armies, polices, entrepreneurs, and publics to have awareness, to understand and correspond on the implementation nationwide.
2. Capital and Provincial Offices of Agriculture and Forestry are to strictly manage and inspect the transportation of timber and non-timber forest products in accordance with their duties. To absolutely not facilitate and issue transportation license for timber, sawn logs, processed timber, split timber, roots, stump, gnarls, branches that are not processed, as well as perennial plants or decorative trees that were extracted from

natural forests to foreign countries. The Department of Forestry is to revise request forms for transportation licenses for timber and non-timber forest products in domestic and international to be more consistent with different cases.

3. Capital and Provincial Offices of Agriculture and Forestry are to absolutely not facilitate and permit the importation of timber and non-timber forest products from foreign countries to transit to the third countries that are not compliant with law and international treaties which Laos is a member.
4. Capital and Provincial Offices of Agriculture and Forestry stop forest survey and request for permission to clear and collect tree branches, chumps, tip of tree trunks, and dead wood remaining in natural forest.
5. Forest extraction inside production forests and infrastructure development areas such as: road construction, hydroelectric dams construction, transmission lines construction, mining, irrigation constructions, agricultural production and other areas should be operated within the zones approved by the Government and which have already been surveyed and data on species, quantity and volumes of perennial trees has been collected and registered in accordance with regulations before proposing to the Ministry of Agriculture and Forestry to consider and incorporate into annual forest extraction plan; including:
 - 5.1. Timber extraction in production forest should strictly comply with the Instruction issued by the Department of Forestry, No. 2157/DOF, dated 6 November 2006, on the principles of timber extraction in production forest.
 - 5.2. Timber extraction in hydroelectric dam reservoir areas should strictly comply with the Regulation on timber extraction and clearance after extraction in hydroelectric dam reservoir areas, No. 0112/MAF, dated 25 November 2008.
 - 5.3. Timber extraction in road construction areas should comply with the Notification of the Government Office, No. 1434/GO. Secretariat Office, dated 15 October 2014, to: survey and register trees for cutting within road areas and 5 meter buffer from both sides of roads.
 - 5.4. Timber extraction in transmission line needs to survey and register trees to be harvested and should comply with the Regulation on safety of transmission lines and high-voltage electric stations, No. 2272/EDL, dated 05 October 2011, issued by Division of Energy and Mines, which includes the following details:
 - For 22 Kv, must clear trees within the area of 4.5 meters of both sides of the transmission line
 - For 35 Kv, must clear trees within the area of 5.5 meters of both sides of the transmission line
 - For 115 Kv, must clear trees within the area of 12.5 meters of both sides of the transmission line
 - For 230 Kv, must clear trees within the area of 17.5 meters of both sides of the transmission line
 - For 500 Kv, must clear trees within the area of 35 meters of both sides of the transmission line

- 5.5. For timber extraction in areas approved by the Government such as: mines extraction and exploration, agriculture production areas and so on, Capital and Provincial Offices of Agriculture and Forestry will collaborate with related agencies and local authorities to appoint an ad hoc committee to be responsible for strict management, monitoring, and inspection of logging, and transportation of timber. Capital and Provincial Offices of Agriculture and Forestry shall not permit and facilitate project developers or infrastructure construction companies to be responsible for timber extraction on their own.
- 5.6. Timber extraction for energy (such as: firewood and charcoal), fences, timber formworks, will be permitted only within areas that were approved by the Government for infrastructure constructions and exploratory areas for agricultural production. Extraction in areas under direct management of communities and community forests will be permitted only within areas that were allocated and where community forest management has been practiced through surveys which is conducted in accordance with regulations and which will be incorporated into annual extraction plan.
6. Capital and Provincial Offices of Agriculture and Forestry shall propose annual plans to request for permission to extract timber and non-timber forest products to the Department of Forestry before 30 September every year. Those plans shall be approved by capital and provincial authorities and assemblies. Any plan submitted after 30 September will not be considered to be incorporated into annual extraction plan of that year. Agencies responsible of surveying timber volumes shall take full responsibility on data on volumes of timber and non-timber forest products they proposed.
 7. Capital and Provincial Offices of Agriculture and Forestry shall provide guidance to Provincial Forestry Sections and Provincial Offices of Forestry Inspection to inspect annual forest extraction plan, in situations where extraction exceeds the amount approved by the Government, such cases will be confiscated into state property and prosecuted; timbers extracted without approvals and extracted illegally that are still remaining in the logging field or in the forests shall not be cleared and collected as it will provide opportunities for illegal logging and create conditions for proposing for Government approval for further clearance and collection.
 8. Capital and Provincial Offices of Agriculture and Forestry shall continue to collaborate with local authorities to examine the establishment of a timber extraction committee or enterprise as stated in the Decision No. 0182/MAF, dated 23 February 2009 on the establishment and management of timber extraction committee and enterprise based on the potential of state and enterprises which are units with professional operation to constantly operate and integrate with forest protection and restoration; in situations where establishment of committee or enterprise is not possible, firstly they shall examine and use potential of entrepreneurs which have registered under the law and approved by related agencies to specifically provide timber extraction services.
 9. Capital and Provincial Offices of Agriculture and Forestry to provide guidance to Provincial Forestry Sections to appoint their officers to manage and inspect timber

extractions as stated in the Section 8 of this Instruction as well as manage the transportation of timber from logging areas to Log Landing II as stated in the Instruction of the Department of Forestry, No. 0962/DoF, dated 9 April 2010 and measure-register and qualify timbers in Log Landing II in order to transfer to Divisions of Industry and Commerce, which requires detailed memorandums and handovers.

10. Vientiane Capital and Provincial Offices of Forestry and Agriculture shall urgently provide guidance to Provincial Forestry Sections and Provincial Office of Forest Inspection to collaborate with Divisions of Industry and Commerce and Divisions of Finance to inspect and collect data on the amount of timber remained in Log Landing II, gather detailed data and send to Divisions of Industry and Commerce to organize auctions for Lao Timber Processing Association and Furniture Association or other entrepreneurs who meet the conditions to process timbers for domestic consumptions or export to other countries.
11. Timber transportation will only be permitted during day-time starting from 6:00 am to 18:00 pm and should be consistent with the Joint Decision issued by the Ministry of Agriculture and Forestry and the Ministry of Public Works and Transportation No. 0019/MAF and 2139/PWT dated 14 February 2008 and the Instruction on management and transportation of timbers No. 0962/DoF, dated 9 April 2010. Before issuing timber transportation license, the Capital and Provincial Offices of Agriculture and Forestry shall give guidance to Provincial Forestry Sections and Provincial Offices of Forest Inspection to inspect source of timber, sales contracts with the State, and timber duty payment receipt. If documents are compliant and complete, timbers will be stamped with "DoF" loaded onto transportation vehicles. All transaction will require monitoring and management by a team of experts who are responsible for actual timber transportation. The team of experts and timber owners shall collaboratively record and monitor timber loading. Stamped timbers shall not be left for business owners to load onto vehicles by themselves and without a monitoring by the team of experts.
12. The team of experts who are responsible for monitoring and management of transportation of timber in the field shall create a tracking sheet for timber loading into each vehicle which will transport timbers, the tracking sheet should clearly indicate types of vehicle, vehicle license number and the destination of timber. In situations where officers found illegal timber transportation such as: no "DoF" stamps on transported timbers or types of timber, and amount of timber or with stamps but not correspondent with transportation license or exceed the amount permitted under regulations, in such cases timber owners and related team of experts shall take responsibilities for each case.
13. Capital and Provincial Offices of Agriculture and Forestry shall give guidance to Divisions of Forestry to collaborate with Industry and Commerce Sector to strictly monitor, manage the transportation of timber input and output of wood processing factories in provinces and Vientiane Capital which requires tracking book. Inspect at the end of each year in order for year-end closing.

14. Continue the temporary stoppage of timber extraction from production forests as stated in the Order of the Prime Minister No. 31/PM, dated 5 November 2013. Also, define duties and roles, mechanism and personnel to be stationed at production forest and strictly manage production forest in accordance with the defined allocation plan. Production forests that have allocation plan will be surveyed before the annual extraction in order to collect data and select trees that will be cut and to propose to the Government for their approval of the extraction plan.
15. Department of Forest, Capital and Provincial Offices of Agriculture and Forest to establish systems and mechanism for sustainable management and allocation of village forests. Collaborate with local authorities to expand rights and duties of village forest unit to manage forest, forest land, and forest activities in accordance with the article 108 of the Law on Forestry No. 06/NA, dated 24 December 2007.
16. Capital and Provincial Offices of Agriculture and Forestry to take a leading role in collaborating with Provincial Office of Natural Resources and Environment, Capital and Provincial Army Headquarter, and other related offices to patrol gap areas near borders where there are illegal timber extraction, transportation and intrusion of forest areas.
17. Capital and Provincial Offices of Agriculture and Forestry to give guidance to Provincial Office Forest Inspection to strengthen their dedication and strictness when performing their inspection duties and prosecute cases related to forest and forest resources in accordance with the Decision of the Ministry of Agriculture and Forestry, No. 0141/MAF, dated 18 November 2010. In situation where there are infringement and violation, such cases shall be investigated in both civil and criminal procedures; severe cases shall be filed for attorney to take further legal actions. Also, to continue the inspection of the import, merchandise, possession and utilization of equipment, machines, and vehicles used for timber extraction without permission from related agencies, in situation where such equipment is found to be used in secrecy, they will be confiscated and the owners will be proceeded onto legal actions. Strictly prevent hunting, transport, merchandise in local market, import-export and transit of aquatic and wild animals and their parts through Laos to the third countries. Commercial farming of aquatic and wild animals in the list I of CITES which is the list for merchandise prohibition is prohibited.
18. Department of Forestry, Capital and Provincial Offices of Agriculture and Forestry shall undertake a focal and precise survey and demarcate the boundary of forest restoration and growing areas. Widely and collectively implement the forest restoration and growing throughout society and aim to manage and protect such areas to become model forests.
19. Department of Forest shall collaborate with Capital and Provincial Offices of Agriculture and Forestry and other related agencies to monitor and assess projects granted by the government to invest in tree and non-timber forest products plantations in order to ensure that their activities are in accordance with the intent objectives.
20. Capital and Provincial Offices of Agriculture and Forestry shall monitor and evaluate the implementation of political tasks of the officials who are responsible for the

management and inspection of the forest. Differentiating between political awareness, morals, and ethics in order to reward those who have performed their tasks actively. Strictly discipline those who neglected their duties, conspired, or taken advantage of their position to violate regulations in both minor and severe cases. Appoint officials who have high ability, political awareness, morals, ethics, and honesty to important positions.

21. Capital and Provincial Offices of Agriculture and Forestry shall improve mechanism, working units and personnel and revise their roles and duties by transferring tasks to district and village level authorities to implement, assign committees to be positioned in each forest (production, conservation, and protection forests) for on-site management and protection.
22. Department of Forestry, Department of Forest Inspection shall collaborate with Capital and Provincial Offices of Agriculture and Forestry to take a leading role in disseminating, expanding, and implementing this Instruction extensively and locally at village-cluster and village levels. Assign an ad hoc unit to specifically take on the responsibilities to strictly promote, monitor and evaluate the implementation of this Instruction and report to the ministerial leaders periodically for prompt problem-solving.
23. Department of Forestry, Department of Forest Inspection, Capital and Provincial Offices of Agriculture and Forestry shall examine, consider, and report their leaders on the reward of those who have paid their dedication in management, protection, and development of forestry and to strictly discipline those who have neglected their duties.
24. This Instruction shall be in effect from the signature date onwards, and shall replace the Instruction of the Minister of Agriculture and Forestry, No. 0039/MAF, dated 11 March 2016 on the increasing strictness of the management and inspection of timber extraction and transportation.

Minister of Agriculture and Forestry

Dr. Lien Thikeyo

Send to:

Office of Prime Minister	1 copy
Government Inspection Authority	1 copy
Ministers, Vice-Ministers	5 copies
Provincial Administrative Offices	1 copy for each province
Office of the Department of Forestry	1 copy
Keep in reserve	2 copies