

GENERAL ANNEX 4.

Relevant Laws, Decrees and Regulations of the Lao PDR

4.1. THE CONSTITUTION (14/8/91)

NATIONAL ASSEMBLY**[SUPREME PEOPLE'S
ASSEMBLY]**

**Decision No. 01/SPA, dated
August 14, 1991, on the
adoption of the Constitution
of the Lao People's
Democratic Republic.**

Only the title is translated.
The full text is published in
the Official Gazette special
number, dated May 30,
1996, in Lao language.

**THE CONSTITUTION OF THE
LAO PEOPLE'S DEMOCRATIC
REPUBLIC****PREAMBLE**

For thousands of
years, the multi-ethnic Lao
People lived and grewed
on this beloved land. More
than six centuries ago,
during the time of Chao Fa
Ngum our ancestors
founded the unified Lane
Xang country and built it
into a prosperous and
glorious land.

From the 18th
century A.D. onwards, the
Lao land had been
repeatedly threatened and
invaded by outside powers.
Our people had united to
develop the heroic and
unyielding traditions of their
ancestors and continually
and persistently fought to
regain independence and
freedom.

Over the past 60
years, under the correct
leadership of the former
Indochinese Communist
Party and the present Lao
People's Revolutionary
Party, the multi-ethnic Lao
people had carried out a
difficult and arduous

struggle, filled with great
sacrifices, until they
managed to crush the yoke
of domination and
oppression of the colonialist
and feudalist regimes,
completely liberated the
country and established the
Lao People's Democratic
Republic on 2 December
1975; thus opening a new
era, an era of genuine
independence for the
country and true freedom
for the people.

In the recent years,
our people have together
implemented the two
strategic tasks of
safeguarding and building
the country, and have
initially achieved
satisfactory results.

And now in this new
period, the society requires
that the State must have a
Constitution. This
Constitution is the
Constitution of the People's
Democratic Regime in our
country. It recognizes the
great achievements
gained by our people in the
struggle for national
liberation and
development; it defines the
political regime, the socio-
economic system, the

fundamental rights and duties of citizens and the system of organisation of the state apparatus in this new period. This is the first time in the history of our nation that the people's right to mastery is defined in the fundamental law of the nation.

This Constitution is the product of the process of discussion by the people throughout the country. It reflects the long-term aspirations and strong determination of the national community to strive together to fulfill the objective of building the Lao nation into a country of peace, independence, democracy, unity and prosperity.

CHAPTER 1 THE POLITICAL REGIME

Article 1. The Lao People's Democratic Republic is an independent and sovereign country with territorial integrity covering both territorial waters and airspace. It is a unified and indivisible country belonging to all ethnic groups.

Article 2. The Lao People's Democratic Republic is a People's Democratic State. All power is of the people, by the people and for the interests of the multi-ethnic people of all strata in society with workers, farmers and intellectuals as the core.

Article 3. The right of the multi-ethnic people to be the masters of the country is exercised and ensured through the functioning of the political system, with the Lao People's Revolutionary Party as its leading nucleus.

Article 4. The National Assembly is the representative organ of the people. The election of members of the National Assembly shall be carried out through the principles of universal, equal and direct suffrage, and secret ballot. Voters have the right to propose the dismissal of their own representatives if they are found to be unworthy and lose the people's confidence.

Article 5. The National Assembly and all other state organizations are established and function in accordance with the principle of democratic centralism.

Article 6. The state protects the inviolable rights and democratic freedoms of the people. All state organizations and functionaries must inform the people of and educate them in the policies, regulations and laws, and together with the people, to implement them in order to guarantee the legitimate rights and interests of the people. All acts of bureaucratism and harassment that can be detrimental to the honour, body, lives, conscience and property of the people are prohibited.

Article 7. The Lao Front for National Construction, the Lao Federation of Trade Unions, the Lao People's Revolutionary Youth Union, the Lao Women's Union and other social organizations are the organs that unite and mobilize all strata of all ethnic groups in order to

take part in the tasks of national defence and development; to develop the right to mastery of the people and to protect the legitimate rights and interests of their members.

Article 8. The State pursues the policy of unity and equality among all ethnic groups. All ethnic groups have the right to protect, preserve and promote their fine customs and culture as well as those of the nation. All acts of division and discrimination among ethnic groups are prohibited.

The State takes every measure to upgraded the socio-economic development of all ethnic groups.

Article 9. The State respects and protects all lawful activities of Buddhists and of followers of other religions, mobilises and encourages the Buddhist monks, novices and priests of other faiths to participate in those activities which are beneficial to the country and its people. All acts of fomenting division among

religions and among the people are prohibited.

Article 10. The State manages the society by the provisions of the Constitution and the law. All party and state organizations, mass organizations, social organizations and all citizens must comply with the Constitution and the law.

Article 11. The State implements a policy of national defence and security with the participation of the entire people and in all aspects. The national defence and security forces must enhance their loyalty to the country and the people; carry out their duties to safeguard the gains of the revolution, the lives, property and labour of the people; and must contribute to the tasks of national development.

Article 12. The Lao People's Democratic Republic pursues a foreign policy of peace, independence, friendship and cooperation; and promotes relations and cooperation with all

countries based on the principles of peaceful coexistence; respect for each other's independence, sovereignty and territorial integrity; non-interference in each other's internal affairs; equality and mutual benefit.

The Lao People's Democratic Republic supports the struggle of the world people for peace, national independence, democracy, and social progress.

**CHAPTER II
THE SOCIO-ECONOMIC
SYSTEM**

Article 13. The economic system of the Lao People's Democratic Republic is a multi-sectoral economy having as objectives the expansion of production and increase of goods circulation, and the transform glean of the subsistence economy into a commodities economy in order to develop the national economic base and improve the material and spiritual living conditions of the multi-ethnic people.

Article 14. The state protects and promotes all forms of state, collective and individual ownerships, as well as the private ownerships of both domestic investors and foreigners who invest in the Lao People's Democratic Republic.

The State encourages all economic sectors to compete and cooperate with one another in expanding their production and business activities. All economic

sectors are equal before the law.

Article 15. The State protects the rights of ownership (right to possess, right to use, right to transfer) and organizations' and individuals' right to inherit property. As for the land which is owned by the national community, the State ensures the right to use, transfer, and inherit it in accordance with the law.

Article 16. Economic management is carried out according to the mechanism of the market with the adjustment by the State, and is implemented by the principle of the centralized, unified management of branches at central level in combination with a reasonable delegation of the responsibility to local authorities.

Article 17. All organizations and citizens must protect the environment and natural resources: land, underground, forests, fauna, water sources and atmosphere.

Article 18. The State promotes and advises on the development of economic relations with foreign countries in many forms, on the basis of the principle of respect for each other's independence, sovereignty, equality, and mutual benefit.

Article 19. The State strives to develop education in combination with raising the new generation to be good citizens. The objectives of the educational, cultural and scientific activities are to augment levels of knowledge, the spirit of patriotism, the spirit of cherishing the People's Democratic Regime, the spirit of maintaining unity and harmony among the people of various ethnic groups; and to enhance the peoples' sense of being masters of the country. The State implements a compulsory education system at primary levels. The State authorizes the operation of private schools which utilize the curricula of the State.

The State, together with the people, builds schools at all levels in order to assure a comprehensive system of education, and to pay attention to develop education in the areas where the ethnic minority people reside.

The State develops the fine, traditional culture of the nation in combination with promoting the progressive culture of the world and eliminating any regressive phenomena in the ideological and cultural spheres. The State promotes culture, art, literature and information activities, including in mountainous areas. The State protects the nation's antiquities and shrines.

Article 20. The State strives to expand public health services and authorizes the private sectors to provide medical services in accordance with state regulations. The State promotes the expansion of sports, physical education and tourism and provides care for disabled veterans, families of those who have sacrificed their lives and

who have performed good deeds for the nation, as well as for pensioners.

The State pursues a policy which favors mothers and children.

CHAPTER III FUNDAMENTAL RIGHTS AND DUTIES OF THE CITIZENS

Article 21. Lao citizens are the persons who hold Lao nationality as prescribed by law.

Article 22. Lao citizens, irrespective of their sex, social status, education, faith and ethnic group are all equal before the law.

Article 23. Lao citizens 18 years of age and over have the right to vote, and those 21 years of age and over have the right to be elected, except for insane persons and persons whose rights to vote and to be elected have been revoked by a court.

Article 24. Lao citizens of both sexes enjoy equal rights in political, economic, cultural, social and family affairs.

Article 25. Lao citizens have the right to education.

Article 26. Lao citizens have the right to work and engage in occupations which are not forbidden by law. Working people have the right to rest, to receive medical treatment in time of ailment, to receive assistance in case of incapacity and disability, in old age and other cases as prescribed by law.

Article 27. Lao citizens have freedom of movement and residence as prescribed by law.

Article 28. Lao citizens have the right to lodge complaints and petitions and to propose ideas to relevant state organizations in connections with issues pertaining to the rights and interests of collectives or of their individuals.

Complaints, petitions and ideas of citizens must be considered for solutions as prescribed by law.

Article 29. The right of Lao citizens to be secure in their persons and houses shall not be violated. Lao citizens shall not be arrested or searched without warrant or approval by an authorized organization, except in the case as prescribed by law.

Article 30. Lao citizens have the right and freedom to believe or not to believe in religions

Article 31. Lao citizens have freedom of speech, press and assembly; of associations, and of demonstrations, which are not contrary to the law.

Article 32. Lao citizens have freedom to conduct research, to apply advanced sciences, techniques and technologies; to create artistic and literary works and to engage in cultural activities which are not contrary to the law.

Article 33. The State protects the legitimate rights and interests of Lao citizens residing abroad.

Article 34. Lao citizens have the duty to observe the Constitution and the law, and to implement labour discipline, rules of good conduct in society and the public order.

Article 35. Lao citizens have the duty to pay taxes and duties in accordance with the law.

Article 36. Lao citizens have the duty of defend their country, to maintain security and to fulfill their military obligations as prescribed by law.

Article 37. Aliens and persons having no nationality have the right to enjoy those rights and freedoms protected by the provisions of the laws of the Lao People's Democratic Republic. They have the right to lodge petitions with courts and other concerned organizations of the Lao People's Democratic Republic. They have the duty to observe the Constitution and the law of the Lao People's Democratic Republic.

Article 38. The Lao People's Democratic grants asylum

to foreigners who are persecuted for their struggle for freedom, justice, peace or for their scientific activities.

CHAPTER IV THE NATIONAL ASSEMBLY

Article 39. The National Assembly is the legislative organ, which has the right to decide the fundamental issues of the nation. It is the organ that supervises and overseas the functioning of the executive and judicial organs.

Article 40. The National Assembly has the following rights and duties:

1. To establish, approve or amend the Constitution;
2. To consider, approve, amend, or abrogate laws;
3. To determine, change, or abolish taxes and duties;
4. To consider and approve strategic plans of socio-economic development and budgets of the State;
5. To elect or remove the President of the Republic and the Vice-President of the Republic on the recommendation of the

National Assembly Standing Committee;

6. To consider and approve the appointment or removal of members of the Government on the recommendation of the President of the Republic;

7. To elect or remove the President of the People's Supreme Court and the Public Prosecutor-General on the recommendation of the National Assembly Standing Committee;

8. To approve the establishment or dissolution of the ministries, ministry-equivalent organizations, provinces and municipalities and to determine the boundaries of provinces and municipalities on the recommendation of the Prime Minister;

9. To decide on granting general amnesties;

10. To decide on ratification or abolition of treaties and agreements signed with foreign countries in accordance with international law and regulations;

11. To decide on matters of war or peace;

12. To supervise the observance of the Constitution and the law;

13. To exercise other rights and execute other duties as prescribed by law.

Article 41. Members of National Assembly are elected by Lao citizens in accordance with the provisions prescribed by law.

The term of office of National Assembly is five years.

The election of a new National Assembly must be held not later than sixty days prior to the expiration of the term of office of the incumbent National Assembly.

In the event of war or any other circumstance that obstructs the election, the National Assembly may extend its term of office but it must carry out an election of a new National Assembly not later than six months after the situation has returned to normal.

Article 42. The National Assembly elects its own Standing Committee which consists of the President, Vice-President and a certain number of

members. The President and Vice-President of the National Assembly are also President and Vice-President of the National Assembly Standing Committee.

Article 43. The National Assembly Standing Committee has the following rights and duties:

1. To prepare for the National Assembly sessions and to ensure the implementation by the National Assembly of the program of activity it has set forth;

2. To interpret and explain the provisions of the Constitution and the various laws;

3. To supervise and oversee the functioning of the executive and judicial organs during the recess of the National Assembly;

4. To convene the National Assembly into session;

5. To exercise other rights and execute other duties as prescribed by law.

Article 44. The National Assembly convenes its ordinary session twice a year upon convocation by

the National Assembly Standing Committee.

The National Assembly Standing Committee may, if it deems it necessary, convene extraordinary session of the National Assembly.

Article 45. A National Assembly session shall be convened only with the presence of more than one-half of the total number of the National Assembly members.

Resolutions of the National Assembly shall be valid only when they are voted for by more than one-half to the total number of the National Assembly members present at the session, except in the cases prescribed in Article 54 and Article 80 of the Constitution.

Article 46. The organizations and persons that have the right to propose draft laws are as follows:

1. The President of the Republic;
2. The National Assembly Standing Committee;
3. The Government;

4. The People's Supreme Court;

5. The Public Prosecutor-General;

6. The mass organizations at the central level.

Article 47. Any law adopted by the National Assembly must be promulgated by the President of the Republic within thirty days following such adoption. During this period, the President of the Republic has the right to request to reconsider any such law. If the National Assembly affirms its initial decision, the President of the Republic must promulgate the law within fifteen days.

Article 48. Questions relating to the destiny of the nation and the vital interests of the people must be submitted for approval to the National Assembly or, between its two sessions, the National Assembly Standing Committee.

Article 49. The National Assembly establishes its own Committees to consider draft Laws, draft Decrees and draft Acts for submission to the National

Assembly Standing Committee and the President of the Republic; these Committees shall also assist the National Assembly and the National Assembly Standing Committee in exercising the right of supervision over the functioning of the executive and judicial organs.

Article 50. Members of the National Assembly have the right to question the Prime Minister or members of the Government, the President of the People's Supreme Court and the Public Prosecutor-General.

Organs or persons called for questioning must give verbal or written answers before a session of the National Assembly.

Article 51. Members of the National Assembly shall not be subject to prosecution or detention without the approval of the National Assembly or, between its two sessions, the National Assembly Standing Committee.

In cases involving gross and urgent offenses,

any organizations detaining a member of the National Assembly must immediately report the detention to the National Assembly or, between its two sessions, to the National Assembly Standing Committee for consideration and decisions. Inquiries and questioning are not valid reasons for causing the absence of a prosecuted member from any session of the National Assembly.

CHAPTER V THE PRESIDENT OF THE REPUBLIC

Article 52. The President of the Republic is the Head of State of the Lao People's Democratic Republic. He is the representative of the multi-ethnic Lao people both at home and abroad.

Article 53. The President of the Republic has the following rights and duties:

1. To promulgate the Constitution and the laws that have been duly approved by the National Assembly;
2. To issue Decrees and Acts on the

recommendation of the National Assembly Standing Committee;

3. To appoint or remove the Prime Minister and the members of the Government; such appointments and removals must be submitted to the National Assembly for approval;
4. To appoint, transfer or remove the Governors of the provinces and the Mayors of municipalities on the recommendation of the Prime Minister;
5. To decide on the promotion to or demotion from the rank of General Officer in the national defence and the security forces on the recommendation of the Prime Minister;
6. To be the Head of the People's Armed Forces;
7. To preside over meetings of the Government when necessary;
8. To decide on the conferment of the national gold medal, orders of merit, medals and highest honorific titles of the State;
9. To grant pardons;
10. To order general or partial military conscription and to declare a state of

emergency over the country or in any particular locality;

11. To promulgate the ratification or abolition of any treaties and agreements signed with foreign countries;
12. To appoint or recall plenipotentiary representatives of the Lao People's Democratic Republic to or from foreign countries, and to accept the plenipotentiary representatives of foreign countries accredited to the Lao people's Democratic Republic;
13. To exercise other rights and execute other duties as prescribed by law.

Article 54. The President of the Republic is elected by the National Assembly with two-thirds of votes of the total members of the National Assembly attending the session.

The term of office of the President of the Republic is five years.

Article 55. The President of the Republic may have a Vice-President to assist him and to act on his behalf during his absence.

The Vice-President of the Republic is elected by the National Assembly with the votes of more than one-half of total members of the National Assembly attending the session.

CHAPTER VI THE GOVERNMENT

Article 56. The Government is the executive organ of the State.

The Government manages in a unified manner the execution of state duties in all fields: political, economic, cultural, social, national defence and security, and foreign affairs.

Article 57. The Government has the following rights and duties:

1. To implement the Constitution and the laws, the resolutions of the National Assembly as well as Decrees and of the President of the Republic;
2. To submit draft laws to the National Assembly; draft Decrees and draft Acts to the President of the Republic;

3. To draw up the strategic plans on the socio-economic development and annual state budgets and submit them to the National Assembly for consideration and approval;

4. To issue Orders and Decisions on the management of socio-economic, scientific and technical fields, national defence and security; and foreign affairs;

5. To organize, guide and control the activities of the managerial organizations of all branches and of local administrative organizations;

6. To organize and control the activities of the national defence and security forces;

7. To sign treaties and agreements with foreign countries and guide their implementation;

8. To suspend or revoke decisions, orders of ministries, the ministry-equivalent organizations, organizations attached to the Government, and local administrative organizations if they are contrary to the law;

9. To exercise other rights and execute other duties as prescribed by law.

Article 58. The Government consists of the Prime Minister, Deputy Prime Ministers, Ministers and Chairmen of the ministry-equivalent committees.

The term of office of the Government is five years.

Article 59. The Prime Minister is appointed by the President of the Republic with the approval of the National Assembly.

Article 60. The Prime Minister is the Head of the Government. He guides and controls the work of the Government; represents the Government in guiding the work of ministries, the ministry-equivalent organizations and other organizations attached to Government; and guides the work of the Governors of provinces and the Mayors of municipalities.

The Prime Minister appoints Deputy Minister and Deputy Chairmen of the ministry-equivalent

committees. Deputy
Governors, Deputy Mayors
and district Chiefs.

Deputy Prime
Ministers are the assistants
of the Prime Minister. The
Prime Minister may assign a
particular Deputy Prime
Minister to act on his behalf
during his absence.

Article 61. The National
Assembly may pass a vote
of no confidence in the
Government or any
member of the
Government if either the
National Assembly Standing
Committee or at least one-
fourth of the total member
of the National Assembly
members raise the
question.

Within twenty-four
hours after the vote of the
no confidence in the
Government has been
adopted by the National
Assembly, the President of
the Republic has the right
to request the National
Assembly to reconsider the
question. This
reconsideration must be
held within the forty-eight
hours from the first
consideration. If a new
vote of no confidence is

adopted, the Government
must resign.

CHAPTER VII THE LOCAL ADMINISTRATIONS

Article 62. In the Lao
People's Democratic
Republic, there are
provinces, municipalities,
districts and villages.

Provinces and
municipalities have
Governors and Mayors
respectively. Districts have
district Chiefs and villages
have village Headmen.
Governors and Mayors
have Deputy Governors
and Deputy Mayors
respectively. District Chiefs
have deputy district Chief
as assistants. In densely
populated villages, village
Headmen have deputy
village Headmen as
assistants.

Article 63. The Governors,
the Mayors and the district
Chiefs have the following
rights and duties:

1. To ensure the
implementation of the
Constitution and the laws,
and to organize the strict

implementation of
decisions and orders issued
by higher levels;

2. To guide and supervise
the functioning of all
services at all levels within
the scope of their
responsibility;

3. To suspend
implementation or abolish
the decisions of all services
at their own or lower levels,
which are contrary to the
regulations and laws;

4. To consider and resolve
complaints, petitions and
proposals of the people
within the scope of their
jurisdiction as prescribed by
law.

Article 64. The village
Headmen are responsible
for implementing the
State's laws, decisions and
orders, for maintaining
peace and security of the
villages; and for developing
the villages in all aspects.

CHAPTER VIII THE JUDICIAL ORGANS

A. THE PEOPLE'S COURTS

Article 65. People's Courts
are the judicial organ of the
State consisting of the
People's Supreme Court,

the People's Courts of provinces, municipalities and districts and military courts.

Article 66. The People's Supreme Court is the highest judicial organ of the State.

The People's Supreme Court reviews the decisions of the people's local courts and the military courts.

Article 67. The Vice-Presidents of the People's Supreme Court and the judges of the people's courts at all levels are appointed or removed by the National Assembly Standing Committee.

Article 68. The People's courts make trials and pass sentence collectively. During the trials and sentence, judges are independent and must act only in accordance with the law.

Article 69. Court Proceedings must be conducted in public, except in cases as prescribed by law. The accused persons have the right to defend themselves.

The Board of legal Counsellors have the right to provide legal assistance to such accused persons.

Article 70. Representatives of social organizations have the right to take part in court proceedings as provided by law.

Article 71. Judgments made by the people's courts and having become legally effective must be respected by all party, State and social organizations and all citizens. Persons and organizations concerned must strictly implement them.

B. THE OFFICES OF PUBLIC PROSECUTION

Article 72. The Offices of Public Prosecution consist of the Office of Public Prosecutor-General, the Offices of Public prosecution of provinces, municipalities and districts, and the Office of military prosecution.

The Offices of Public Prosecution have the following rights and duties:

1. To control the correct and unified observance of laws by all ministries, organizations attached to the Government, mass organizations, social organizations, local administrative organizations, enterprises, state employees and all citizens.
2. To exercise the right of public prosecution.

Article 73. The Public Prosecutor-General directs the activities of all Offices of Public Prosecution in the Lao People's Democratic Republic.

The Deputy Public Prosecutor-General is appointed or removed by the National Assembly Standing Committee.

Public Prosecutors and Deputy Public Prosecutors of provinces, municipalities and districts and the military prosecutors are appointed or removed by the public Prosecutor-General.

Article 74. In carrying out their duties, the Offices of Public Prosecution are subject only to the law and

the instructions of the Public Prosecutor-General.

**CHAPTER IX
LANGUAGE, SCRIPT,
NATIONAL EMBLEM,
NATIONAL FLAG,
NATIONAL ANTHEM
AND CAPITAL CITY**

Article 75. The Lao Language and Lao script are the official language and script.

Article 76. The National Emblem of the Lao People's Democratic Republic is in the form of a circle, with its lower part depicting one-half of a cog-wheel and a red ribbon with the inscription "Lao People's Democratic Republic", framed on two sides with crescent-shaped ears of ripe rice with a red ribbon stretched between the middle of the rice ears with the inscription "Peace, Independence, Democracy, Unity, Prosperity". A picture of "That Luang" is located between the tips of the rice ears. A road, a paddy field, a forest, and a hydroelectric dam are

depicted in the middle of the form of a circle.

Article 77. The National Flag of the Lao People's Democratic Republic is a dark blue background with red borders and white moon. The width of the flag is two-thirds of its length. The area of each of the red borders on each side is one-half of the dark blue area. The area of the white moon is equal to four-fifths of the dark blue area.

Article 78. The National Anthem of the Lao People's Democratic Republic is "Xat Lao".

Article 79. The Capital city of the Lao People's Democratic Republic is "Vientiane".

**CHAPTER X
FINAL PROVISIONS**

Article 80. Only the National Assembly of Lao People's Democratic Republic in session has the right to amend the Constitution.

The amendment to the Constitution requires the votes of approval of at

least two-thirds of the total number of the National Assembly members.

PRESIDENT OF STATEUNOFFICIAL SECTION

Presidential decree No. 55/PDR, dated August 15, 1991 on the promulgation on the Constitution of the Lao People's Democratic Republic.

Notes and CommentsNotes

The words in [...] are added for better understanding.

Only the title is translated. The full text is published in the Official Gazette special number, dated May 30, 1996, in Lao language.

4.2. **PMs DECREE 164** (29/10/1993)

Establishment of National Protected
Forests

Prime Minister Office

No: 164/ PM

**Decree on the establishment of the National
Protected Areas for the whole country .**

-Based on the resolutions of the 5th. ,6th.and 7th.plenary session of the Party Central Committee during the 4th.and 5th. implementation period of the resolutions of the Lao People Revolutionary Party Congress.

-Based on the proposal of the Ministry of Agriculture and Forestry .

Since the forest in our country has been destroyed seriously in the past ,which has impacted on the environment , streams-rivers and caused drought in many streams-rivers , the natural habitats of wildlife and various aquatic animals have been also thereby gradually limited , and the number of wildlife population has been reduced , many aquatic animals are in danger and subject to the gradual extinction;

Therefore ,in order to manage and preserve the natural resources , in particular forest, wildlife and aquatic animals of the country , in a sustainable manner ,

The Prime Minister issues this Decree :

Article 1. The following protected areas in the whole country have been determined and established :

Sr/No.	Protected Areas	Area (ha)	Provinces	Location of the Protected Areas	
				Longitude	Latitude
1	Phou Khao Khouay	200,000	Vientiane , Bolikhamxay	102°31'-103°30'	18°14'- --18°33'
2.	Nam Kading	169,000	Bolikhamxay	100°31'-101°00'	20°57'- 21°09'
3.	Xe Bang Nouane	150,000	Savannakhet, Salavan	105°30'-- - 106°30'	15°30'- 16°01'
4.	Xe Pian	240,000	Champasack, Attapeu	105°55'-106°30'	14°02'- --14°45'
5.	Nam Poui	191,200	Xayaboury	101°05'-101°31'	18°13'- --19°02'
6.	Phou Xiang Thong	120,000	Salavan	105°05'-105°45'	15°20'- --15°55'
7.	Phou Xang He	109,900	Savannakhet	105°09'-106°06'	16°42'- --17°04'
8.	Nam Ha	69,000	Luangnamtha	101°08'-101°28'	20°33'- --20°53'
9.	Nakai-Namtheun	353,200	Khammouane	104°50'-105°10'	17°35'- --18°15'
10.	Gnot Namhoun	222,000	Phonsaly	102°00'-103°35'	21°52'- --21°15'
11.	Phou Loey		Huaphanh	103°02'-103°32'	19°50'- --20°

					804'
12.	Nam Et	170.000	Huaphanh	103 8 15 -103 875'	20 803'- --20 850'
13.	Nam Xam	70.000	Huaphanh	104 818'-104 849'	20 802'- --20 815'
14.	Phou Hin Poon	150.000	Khammouane	104 825'-104 810'	17 827'- --18 805'
15.	Dong Hua Sao	110.000	Champasack	105 855'-106 817'	14 850'- --15 811'
16.	Dong Amphanh	200.000	Attapeu	107 808'-107 838'	14 840'- --15 817'
17.	Phou Phanang	70.000	Vientiane municipality	102 812'-102 827'	18 801'- --18 825'
18.	Ilin Namno	82.000	Khammouane	105 843'-106 809'	17 813'- --17 840'

-As to the detailed boundaries of the above protected areas , please see the attached maps to this decree.

-The areas of the above mentioned protected areas can be expanded when establishing new protected areas in the future . The so expanded areas will be agreed and determined separately .

Article 2 : The protected areas formerly established are still endorsed by this decree.

Article 3: The Main objectives of the protected areas are:

- 3.1 To protect and preserve natural forestry resources , wildlife species , watersheds in a sustainable manner .
- 3.2 To preserve the natural richness and protect the natural environment to ensure natural balance and live bio-diversity.
- 3.3 To preserve the natural beauty for the purposes of recreation , tourism, education and scientific research.

Article 4: Measures and restrictions in the protected areas :

- 4.1 Any wood species exploitation shall be restricted unless the government of Lao PDR has authorized for the scientific research.
- 4.2 Harvesting non timber products , hunting and fishing in the prohibited area as detailed in the protected area management plan are prohibited , except in the case that the Ministry of Agriculture and Forestry gives authorization for each time for those activities within a defined timeframe , based on the proposal of the forestry officials responsible for the protected areas.
- 4.3 Surveys , mine exploitation , dam construction , construction activities and roads construction are prohibited without approval of the government of Lao PDR .
- 4.4 Retention of land areas , houses settlement and expansion of slash and burn cultivation areas and wet rice cultivation areas are prohibited .
- 4.5 Exploiting, excavating and removal of old history and cultural objects are forbidden.

- 4.6 Using explosion materials , chemical materials or poisoning materials and disposal of dirty waste in the protected area , which represent danger for forest, wildlife or streams , lakes and other river, are prohibited.
- 4.7 Burning forest and clear forest for shifting cultivation in the defined protected area are forbidden.
- Article 5. Collectives or individuals breaching this decree will be warned , fined and their evidences will be seized and they will be sued for destroying and stealing national assets
- Article 6. The ministry of Agriculture and Forestry is entrusted to establish provisions, detailed rules on the protected areas management and collaborates with the provincial administrative authority and implement the preparation of the detailed management plan for the areas and provide budgets and implement actual management in each protected area efficiently.
- Article 7. Ministries , organizations equivalent to the ministries , provinces , various agencies throughout the country shall cooperate and coordinate with the Ministry of Agriculture and Forestry to implement and disseminate this decree to official staff and people in the scope of their responsibilities and people in their localities to acknowledge this decree and participate in preservation of protected areas to ensure sustainability.
- Article 8: This decree is effective and applicable from the date of its signing . Any rules , instructions , regulations and authorizations formerly issued and inconsistent with this decree are superseded by this decree.

Vientiane , date : 29 /10 /1993

Prime Minister

Signature

Khamtay Sipphanhdone

4.3. PMs DECREE 186 (12/10/1994)

Allocation of Land and Forest for Forest
Plantations and Forest Protection

Lao Peoples Democratic Republic
Peace Independence Democracy Unity Prosperity

Prime Minister's Office

No. 186 / PM

Decree

Regarding the Allocation of Land and Forest Land for Tree Plantation and Forest Protection

- Based on the Party and Government Policy on protection, plantation and enrichment of the forest.
- Based on increased reduction of forest within the country.
- Based on the proposal from the Ministry of Agriculture and Forestry, No. 0626 /MAF dated 21/06/94.

To promote tree planting, regenerate, and protect forests among people in order to increase and enrich forest areas in Lao P.D.R.

Prime Minister issues this Decree

Chapter I

General Provisions

- Article 1. Natural forest areas, and unstocked forest lands as well as other land types are the resources of the national community of the Lao P.D.R. All Lao citizens have a common responsibility to occupy, protect, develop and enrich these forests and forest lands.
- Article 2. The State allows and supports the use of forest land as *hai*, which contains no commercial tree species, land without forest cover, degraded and eroded forest land to reforest with plantations. At the same time, the State has a policy to allocate natural forest to villages, institutions and communes for occupation and protection.
- Article 3. The State widely supports individuals, national and foreign enterprises to invest in plantations for reforestation and for protecting the forests in accordance with existing regulations.
- Article 4. Both indigenous and exotic fast growing species should be used in commercial plantations. Teak and other higher value species with hard wood should be used for long term plantation production.

Chapter II

Legitimate Persons to Receive Land Allocations for Plantations

- Article 5. The State allocates land for plantations to Laotian families, foreign residents for the establishment and management of plantations in order to reforest and enrich such lands.
- Article 6. The State allocates land for plantations to Government organisations such as; Departments, military and police units, service organisations, schools, hospitals, pagodas, to establish plantations dependent upon their capability to undertake the operation and the circumstances.
- Article 7. The State encourages and authorizes integrated State Forestry Enterprises to motivate, support and carry put plantation activities in various regions which are under their responsibilities in consultation with the local people and local authorities.
- Article 8. The State permits private enterprises and individuals in the country to invest in plantations on their individual land or to invest by means of contracting local people to undertake the activities.
- Article 9. The State does not authorise foreign companies or foreign enterprises to hold land concessions for plantations. The State does allow foreign investors to invest in wood industries and to supply raw material to processing plants. The State allows foreign companies, in the form of joint ventures with State Enterprises to contract local people for the establishment of plantations on land types mentioned in Article 2.
- Article 10. Apart from households, communities, local and foreign enterprises establishing plantations, the State can authorize people to establish and manage plantations, with the State paying for their labour and also for the distribution of a reasonable proportion of the net revenue from the sale of wood as defined by MAF. Further more, the State can contract foreign enterprises to establish plantations on State lands.

Chapter III

Legitimate Allocation of Forests for Management

- Article 11. The State allocates forest land surrounding villages to the military, police, and other government organisations to occupy and manage through a contract with the State. MAF will develop detailed instructions for these procedures.
- Article 12. Protected, Conservation, and Productive Forests as defined by the State, must be managed, regenerated, reforested, and be sustainably utilised by the people, military, police in cooperation with the State.

Article 13. Use of the forest lands which lead to their destruction is prohibited, unless approval is obtained from the Government.

Chapter IV

Incentives, Benefits and Other Restrictions

Article 14. The State has a policy of exempting land tax on land used for plantations, with the provision that the effective tree stocking is not less than 1100 stems per hectare. MAF will define separate detailed instructions.

Article 15. In the case where the plantation is intercropped with agricultural crops or used as an agro-silvipastoral system, the land will also be exempted from land tax if the trees are not less than the density as stated in Article 14.

Article 16. Individuals, households, communes, enterprises and private companies who have plantations have the legitimate right to sell their plantation grown wood exempt of stump tax and royalty (resource tax). They are required to pay income tax according to existing income tax regulations. If the grown wood is used for construction of their own houses, for their own use, or for community institutions, the wood is also exempted from stump and royalty tax.

Article 17. Forest lands allocated to individuals and enterprises for plantations are regarded under their ownership. The State secures their right to use, to transfer and to inherit such lands according to the laws, with the provision that the land must be used for plantation wood production as specified in Article 14.

Article 18. In the case of the State resumes plantation land for other purposes, the State will compensate the plantation trees, the State will not be liable for the loss of the trees.

Article 19. The State allows individuals, households, or communities to hunt and gather food and commodities for daily requirements, fuelwood, minor forest products which are not protected by law, from forest lands which have been allocated to them for these specified purposes. Trees cut from these forest lands can only be used for the needs of the individuals and communities according to MAF instructions.

Article 20. The State will not permit any exchange, purchase, sale, or transfer of ownership of allocated forest lands for the specified purposes in Article 19.

Chapter V

Implementation

Article 21. The allocation of between 1 and 100 ha of forest lands for plantations can be legitimately authorised only by the District authorities in consultation with the Provincial Agriculture and

Forestry Service. This will be recognised by the Provincial, Municipality and Special Regional Authorities.

Article 22. The allocation of between 101 and 1000 ha of forest lands for plantations can be legitimately authorised only by the Provincial, Municipality and Special Regional Authorities in consultation with the District and recognised by the Ministry of Agriculture and Forestry.

Article 23. The allocation of more than 1001 ha of forest lands for plantations can be legitimately authorised only by the Government before its validity can be effective.

Article 24. Foreign investment in forest plantations must have the approval of the National Planning and Cooperation Committee and the Ministry of Agriculture and Forestry.

Article 25. The allocation of forest land to villages, institutions, the military and police to occupy and protect as specified in Article 11 is to be recognised by the relevant Provincial and District authorities.

Article 26. The Ministry of Agriculture and Forestry, Provincial, Municipality and Special Zones are authorised to follow up progress on the impact of implementation of activities on forest lands through monitoring and evaluation and to take action by updating weaknesses.

Article 27. All Ministries, equivalent institutions, Provincial, Municipality and Special Regional Authorities must coordinate their forestry sector activities at their level in order to implement this decree uniformly and to disperse knowledge and promote awareness of the decree as widely as possible.

Article 28. The validity and effectiveness of this decree takes effect from the date of signature. Other regulations which are in existence and are contrary to this decree are abolished.

12/10/94.

Phnom Penh, 12 October 1994

Prime Minister



Ratanak Khy

4.4. Advisory Directive 03/PMO (25/6/96)

Continuation and Expansion of Land
Allocation & Transfer of Land &
Forests

ສາທາລະນະລັດປະຊາທິປະໄຕປະຊາຊົນລາວ
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນະຖາວອນ

ສຳນັກງານນາຍົກລັດຖະມົນຕີ

ເລກທີ 03/ນຍ

ຄຳສັ່ງແນະນຳ
ວ່າດ້ວຍການສືບຕໍ່ຜັນຂະຫຍາຍ ວຽກງານ
ຈັດສັນທີ່ດິນ ແລະ ມອບດິນ-ມອບປ່າ

ເຖິງ : ລັດຖະມົນຕີ ບັນດາກະຊວງ, ຫົວໜ້າອົງການທຽບເທົ່າ, ເຈົ້າຂອງ, ເຈົ້າ
ຄອງກຳແພງນະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ ໃນທົ່ວປະເທດ .

ເພື່ອເຮັດໃຫ້ດິນ ເຊິ່ງເປັນຊັບພະຍາກອນອັນລຳຄ່າຂອງຊາດ ໄດ້ຮັບການຄຸ້ມຄອງນຳໃຊ້
ແລະປົກປັກຮັກສາຢ່າງຖືກຕ້ອງຕາມກົດໝາຍ ແລະລະບຽບການ, ມີປະສິດທິພາບ, ປົກປັກຮັກ
ສາໄດ້ສະພາບແວດລ້ອມ, ປະກອບສ່ວນເຂົ້າໃນການພັດທະນາເສດຖະກິດ-ສັງຄົມ ຂອງຊາດນັ້ນ,
ລັດຖະບານ ໄດ້ອອກດຳລັດ ວ່າດ້ວຍທີ່ດິນ ເລກທີ 99/ນຍ ລົງວັນທີ 19/12/1992 , ດຳລັດ ວ່າດ້ວຍ
ການມອບດິນ-ມອບປ່າ ເລກທີ 186/ນຍ ລົງວັນທີ 12/10/1994 ນັບທັງດຳລັດ ແລະຂໍ້ກຳນົດ
ອື່ນໆ .

ເວົ້າລວມ ນັບແຕ່ໄດ້ມີນະໂຍບາຍກ່ຽວກັບບັນຫາທີ່ດິນ ແລະປ່າໄມ້, ຂະແໜງການ
ແລະທ້ອງຖິ່ນໃນທົ່ວປະເທດ ກໍໄດ້ເອົາໃຈໃສ່ຈັດຕັ້ງການເຊື່ອມຊຶມ, ຜັນຂະຫຍາຍ ແລະປະຕິບັດໃຫ້
ເປັນຈິງເທື່ອລະກ້າວ ເປັນຕົ້ນຢູ່ກຳແພງນະຄອນວຽງຈັນ ກໍໄດ້ມີການເຮັດທິດລອງວຽກງານຈັດສັນ
ດິນຄືນໃໝ່ຢູ່ 8 ຫມູ່ບ້ານເພື່ອຖອດບົດຮຽນ: ຢູ່ໄຊຍະບູລີ, ຫລວງພະບາງ, ສາລະວັນ, ຈຳປາສັກ
ແລະແຂວງອື່ນໆ ກໍໄດ້ຈັດຕັ້ງການມອບດິນ-ມອບປ່າໃຫ້ປະຊາຊົນ ໄດ້ຫລາຍພັນພັນຄວນ .

ຢ່າງໃດກໍດີ ເນື່ອງຈາກວຽກງານຈັດສັນທີ່ດິນ ແລະ ມອບດິນ-ມອບປ່າ ເປັນວຽກງານໃຫຍ່
ແລະສຳຄັນ, ພົວພັນເຖິງພັນທະ ແລະສິດຜົນປະໂຫຍດຂອງຫມົດທຸກຊັ້ນຄົນໃນສັງຄົມ, ທັງຍັງເປັນ
ບັນຫາທີ່ມີລັກສະນະການເມືອງ ເສດຖະກິດ ແລະສັງຄົມ. ແຕ່ວ່າ ໃນໄລຍະຜ່ານມາ ການຈັດຕັ້ງຊີ້
ນຳຈາກນີ້ແຕ່ເທິງລົງລຸ່ມ ບໍ່ທັນເປັນລະບົບແຂງແຮງເທື່ອ. ດ້ານຫນຶ່ງອີກ ຄວາມຮັບຮູ້ເຂົ້າໃຈຂອງອົງ

ນາຍການປົກຄອງ ແລະປະຊາຊົນຕໍ່ນະໂຍບາຍດັ່ງກ່າວກໍ່ບໍ່ເລິກເຊິ່ງ ຈຶ່ງພາໃຫ້ການຜັນຂະຫຍາຍຊັກຊ້າ ແລະຍັງເກີດມີຊ່ອງວ່າງສວຍໂອກາດຍຶດຈ່ອງທີ່ດິນແບບຜິດລະບຽບກົດໝາຍ ແລະການທຳລາຍປ່າໄມ້ໃນທຸລາຍບໍລິເວນ ກໍ່ຍັງແກ້ໄຂບໍ່ທັນຕົກ .

ດັ່ງນັ້ນ ເພື່ອເຮັດໃຫ້ນະໂຍບາຍທີ່ດິນ ແລະການມອບດິນ-ມອບປ່າ ໄດ້ຮັບການຈັດຕັ້ງປະຕິບັດຢ່າງເຖິງຖອງໃນທົ່ວປະເທດ, ນາຍົກລັດຖະມົນຕີ ອອກຄຳສັ່ງແນະນຳ ຄືດັ່ງນີ້ :

ກ. ຈຸດປະສົງລະດັບຄາດຫມາຍ :

1. ສືບຕໍ່ເຮັດໃຫ້ແຜນນະໂຍບາຍ ວ່າດ້ວຍການຈັດສັນທີ່ດິນ ແລະການມອບດິນ-ມອບປ່າ ໄດ້ຮັບການເຊື່ອມຊຶມຢ່າງກວ້າງຂວາງ ແລະເລິກເຊິ່ງກວ່າເກົ່າ ຢູ່ໃນຖິ່ນແຖວພະນັກງານ ແລະປະຊາຊົນ ແນໃສ່ໃຫ້ການຈັດຕັ້ງທຸກຂັ້ນ, ພົນລະເມືອງລາວທຸກຄົນ ເຫັນແຈ້ງພັນທະ, ຜົນປະໂຫຍດ ແລະຄວາມຮັບຜິດຊອບຂອງຕົນ ໃນການປົກປັກຮັກສາ, ຄຸ້ມຄອງ, ນຳໃຊ້ ແລະບຸລະນະຊັບພະຍາກອນ ທີ່ດິນ ແລະປ່າໄມ້ ໃຫ້ອຸດົມສົມບູນ ແລະບໍ່ມີວັນປົກເທັງຈັກເທື່ອ .

2. ເຮັດໃຫ້ດິນ ແລະປ່າໄມ້ໃນທົ່ວປະເທດ ໄດ້ຮັບການຈັດສັນຄືນໃໝ່ ໂດຍສອດຄ່ອງກັບແຜນພັດທະນາເສດຖະກິດ-ສັງຄົມແຫ່ງຊາດ, ປະກອບສ່ວນໃນການປັບປຸງ ແລະຍົກລະດັບຊີວິດການເປັນຢູ່ຂອງປະຊາຊົນລາວເຜົ່າຕ່າງໆ, ຮັກສາສະພາບແວດລ້ອມ ແລະທັນເສດຖະກິດທຳມະຊາດ ໄປສູ່ເສດຖະກິດຜະລິດສິນຄ້າ. ພ້ອມກັນນັ້ນກໍ່ຈຳກັດແກ້ໄຂສະພາບການບຸກລຸກຍຶດຈ່ອງທີ່ດິນ ແລະປ່າໄມ້ ຢ່າງຊະຊາຍ, ຜິດກົດໝາຍ .

3. ເພີ່ມທະວີປັບປຸງ ແລະຍົກລະດັບຄວາມອາດສາມາດ ຂອງອົງການຄຸ້ມຄອງວຽກງານທີ່ດິນ ແລະມອບດິນ-ມອບປ່າ ນັບແຕ່ຂັ້ນສູນກາງ ລົງຮອດທ້ອງຖິ່ນ, ນັບທັງດ້ານການຈັດຕັ້ງ, ຄວາມຮັບຜິດຊອບ, ລະບອບແບບແຜນວິທີເຮັດວຽກ ແລະການປະສານງານ. ພ້ອມກັນນັ້ນ ກໍ່ຄົ້ນຄວ້າວາງອອກຂໍ້ກຳນົດ ແລະລະບຽບການທີ່ຈຳເປັນຕ່າງໆ ເພື່ອມີບ່ອນອີງໃຫ້ແກ່ການຈັດຕັ້ງປະຕິບັດ ໄດ້ເປັນຢ່າງດີ

ຂ. ເນື້ອໃນວຽກງານ .

1. ບັນດາແຂວງ, ກຳພັງນະຄອນ ແລະເຂດພິເສດ ຕ້ອງຈັດຕັ້ງການສະຫລຸບຕີລາຄາການປະຕິບັດດຳລັດວ່າດ້ວຍທີ່ດິນ ເລກທີ 99/ນຍ, ດຳລັດວ່າດ້ວຍການມອບດິນ-ມອບປ່າ ເລກທີ 186/ນຍ ນັບທັງດຳລັດ ແລະຂໍ້ກຳນົດອື່ນໆທີ່ກ່ຽວຂ້ອງ ແນໃສ່ກວດກາຄວາມຮັບຜິດຊອບຂອງທ້ອງຖິ່ນຕົນ ຕໍ່ການຈັດຕັ້ງປະຕິບັດແຜນນະໂຍບາຍດັ່ງກ່າວໃນໄລຍະຜ່ານມາ ແລະວາງທິດທາງວຽກງານສຳລັບປີຕໍ່ໄປ, ໃນນີ້ໃຫ້ເອົາໃຈໃສ່ຜັນຂະຫຍາຍຜົນສຳເລັດຂອງກອງປະຊຸມວຽກງານຈັດສັນທີ່ດິນ ແລະແບ່ງດິນ-ແບ່ງປ່າ ໃນທົ່ວປະເທດ .

2 ໃຫ້ກະຊວງການເງິນ, ກະຊວງກະສິກໍາ-ປ່າໄມ້ ປະຊາກອນສົມທົບ ກັບຂະແໜງການ ກ່ຽວຂ້ອງ ແລະອຳນາດການປົກຄອງທ້ອງຖິ່ນ ຮັບຮ້ອນວາງແຜນການ ແລະດຳເນີນການສຳຫລວດທີ່ດິນ ແລະປ່າໄມ້ ໃນທົ່ວປະເທດ ເພື່ອແນໃສ່ເກັບກຳຂໍ້ມູນ, ຄົ້ນຄວ້າຈັດສັນ, ແບ່ງປະເພດທີ່ດິນ ໂດຍອີງໃສ່ແຜນພັດທະນາຕາມຂະແໜງການ ແລະເຂດແຄວ້ນ, ອີງໃສ່ວິທະຍາສາດການນຳໃຊ້ທີ່ດິນ ແລະສະພາບຄວາມເປັນຈິງ ເພື່ອສ້າງເປັນແຜນທີ່ທີ່ດິນຂັ້ນ ແລ້ວມອບສິດຄຸ້ມຄອງໃຫ້ແກ່ຂະແໜງການ ເຊັ່ນ: ດິນປູກຝັງ, ລ້ຽງສັດ ແລະດິນປ່າໄມ້ ແມ່ນກະຊວງກະສິກໍາ-ປ່າໄມ້ ເປັນຜູ້ຄຸ້ມຄອງ; ດິນປູກສ້າງ, ດິນແລວທາງ, ດິນທີ່ຢູ່ໃນແຜນພັດທະນາດ້ານຄົມມະນາຄົມ ແມ່ນກະຊວງຄົມມະນາຄົມ ເປັນຜູ້ຄຸ້ມຄອງ; ດິນເພື່ອການພັດທະນາດ້ານອຸດສາຫະກຳ ແມ່ນມອບໃຫ້ກະຊວງອຸດສາຫະກຳເປັນຜູ້ຄຸ້ມຄອງ; ດິນວັດທະນະທຳ ແມ່ນມອບໃຫ້ກະຊວງວັດທະນະທຳ ເປັນຜູ້ຄຸ້ມຄອງ ແລະອື່ນໆ . ກະຊວງການເງິນ ເປັນຜູ້ຄຸ້ມຄອງດິນທົ່ວໄປ ຫລືດິນທີ່ບໍ່ທັນມີແຜນການນຳໃຊ້ .

3. ບັນດາຂະແໜງການ ທີ່ມີໜ້າທີ່ຄຸ້ມຄອງທີ່ດິນແຕ່ລະປະເພດ ຕ້ອງອອກຂໍ້ກຳນົດລະອຽດ ແລະມີມາດຕະການຕົວຈິງ ເພື່ອຄຸ້ມຄອງທີ່ດິນ ທີ່ໄດ້ຈັດສັນໃຫ້, ທັງມີແຜນການພັດທະນາໃນໄລຍະສັ້ນ ແລະໄລຍະຍາວ . ໃນດ້ານໜຶ່ງເພື່ອເຮັດໃຫ້ທີ່ດິນແຕ່ລະປະເພດ ໄດ້ຮັບການພັດທະນາຢ່າງມີປະສິດທິພາບ ແລະສອດຄ່ອງກັບເປົ້າໝາຍນຳໃຊ້, ດ້ານໜຶ່ງອີກ ເພື່ອຫລີກເວັ້ນການນຳໃຊ້ທີ່ດິນແບບບໍ່ມີວິທະຍາສາດ, ຂາດການວາງແຜນ ແລະໄປເຖິງມີຄວາມສັບສົນໃນພາຍຫມ້າ .

ການຄຸ້ມຄອງຕົວຈິງ ຕໍ່ທີ່ດິນແຕ່ລະປະເພດ ຕ້ອງແບ່ງຄວາມຮັບຜິດຊອບໃຫ້ຈະແຈ້ງ ລະຫວ່າງຂະແໜງການຂອງສູນກາງ ກັບທ້ອງຖິ່ນ (ແຂວງ, ເມືອງ, ບ້ານ) . ອັນໃດແມ່ນທ້ອງຖິ່ນຄຸ້ມຄອງ, ນຳໃຊ້ ແລະອະນຸມັດ; ອັນໃດແມ່ນກະຊວງ ຫລືລັດຖະບານ ເປັນຜູ້ຕົກລົງ .

4. ການພິຈາລະນາມອບສິດຄອບຄອງ ແລະນຳໃຊ້ທີ່ດິນ (ອອກໃບຕາດິນ) ໃຫ້ແກ່ພົນລະເມືອງລາວ ໃຫ້ອີງໃສ່ເງື່ອນໄຂ ຄືດັ່ງນີ້ ເພື່ອປະຕິບັດ :

- ດິນ ແລະເຮືອນ ເຊິ່ງລັດໄດ້ມອບໂອນ ຫລືຂາຍໃຫ້ ຢ່າງຖືກຕ້ອງ (ມີເອກະສານຖືກຕ້ອງ, ຄົບຖ້ວນ) .

- ຜູ້ມີໃບຕາດິນ ທີ່ລະບອບເກົ່າໄດ້ອອກໃຫ້ ຢ່າງຖືກຕ້ອງ, ຄົບຖ້ວນ .

- ຜູ້ທີ່ໄດ້ຄອບຄອງ ແລະນຳໃຊ້ທີ່ດິນ ດ້ວຍການນຳໃຊ້ເທື່ອແຮງ ແລະທຶນຮອນຂອງຕົນເອງ ເພື່ອບຸກເບີກ ແລະພັດທະນາ ຫລືດ້ວຍການສືບທອດມໍລະດົກຕາມປະເພນີ (ຢູ່ເຂດຊົນນະບົດ) .

- ຜູ້ທີ່ໄດ້ຄອບຄອງ ແລະນຳໃຊ້ທີ່ດິນ ດ້ວຍການມອບໃຫ້ ຫລືແບ່ງປັນໂດຍສະຫະກອນ (ພາຍຫລັງຍຸບສະຫະກອນ) ແລະຜູ້ທີ່ໄດ້ມາຕາມການແບ່ງປັນຂອງຄະນະປະຕິບັດນະໂຍບາຍມອບດິນ-ມອບປ່າ ຂັ້ນໃດຂັ້ນໜຶ່ງ .

ສຳລັບດິນຂອງຄົນໂຕນຫນີ ແມ່ນໃຫ້ປະຕິບັດຕາມນະໂຍບາຍ ແລະມາດຕະການ

ທີ່ໄດ້ກຳນົດໄວ້ຢູ່ໃນດຳລັດ ວ່າດ້ວຍທີ່ດິນ ເລກທີ 99/ນຍ ຢ່າງເຂັ້ມງວດ, ກໍລະນີໄດ້ມີການມອບ ໂອນຊື່ຂາຍຢ່າງບໍ່ຖືກຕ້ອງນັ້ນ ມອບໃຫ້ອຳນາດການປົກຄອງ ແລະຄະນະຈັດສັນທີ່ດິນຂອງທ້ອງຖິ່ນ ເປັນຜູ້ພິຈາລະນາເປັນແຕ່ລະກໍລະນີ ທີ່ລົງມອບໃຫ້ສານຕັດສິນຕາມກົດໝາຍ .

5. ການໄດ້ມາ ທຣີຄອບຄອງທີ່ດິນຂອງບຸກຄົນໃດໜຶ່ງ ຍ້ອນເຫດຜົນອຳນາດການ ປົກຄອງຂັ້ນບ້ານ ຕົກລົງແລກປ່ຽນກັບສິ່ງບຸກຄົນເພື່ອສາທາລະນະປະໂຫຍດ (ຊັ້ນ: ເສັ້ນທາງ, ໄຟ ຟ້າ, ໂຮງຮຽນ, ໂຮງຫມໍ ແລະອື່ນໆ ໃນໄລຍະຜ່ານມານັ້ນ, ແມ່ນມອບໃຫ້ຄະນະຈັດສັນທີ່ດິນຂັ້ນທ້ອງ ຖິ່ນເປັນຜູ້ພິຈາລະນາແກ້ໄຂ ໂດຍອີງໃສ່ຄວາມສົມເຫດສົມຜົນ ລະຫວ່າງເນື້ອທີ່ດິນ ກັບມູນຄ່າສິ່ງ ບຸກຄົນ (ໃນເວລາແລກປ່ຽນນັ້ນ); ຖ້າເຫັນວ່າສົມເຫດສົມຜົນແລ້ວ ກໍໃຫ້ມອບສິດຄອບຄອງນຳໃຊ້ ແກ່ເຂົາເຈົ້າ, ແຕ່ວ່າຜູ້ໄດ້ຮັບສິດຄອບຄອງນຳໃຊ້ ຕ້ອງມີການພັດທະນາທີ່ດິນທີ່ມອບໃຫ້ ຕາມເປົ້າ ຫມາຍການນຳໃຊ້ທີ່ດິນ ທີ່ອົງການກ່ຽວຂ້ອງຂອງລັດອະນຸມັດ . ກໍລະນີມູນຄ່າສິ່ງບຸກຄົນເພື່ອປ່ຽນ ແທນໃຫ້ປະຊາຊົນ ຫາກບໍ່ສົມເຫດສົມຜົນ ແມ່ນໃຫ້ພິຈາລະນາຖອນຄືນສ່ວນທີ່ເກີນ ທຣີໃຫ້ເຊົ່ານຳ ລັດ (ຖ້າຜູ້ກ່ຽວ ຫາກມີຄວາມຕ້ອງການ).

ນັບແຕ່ໄດ້ມີຄຳສັ່ງສະບັບນີ້ ເປັນຕົ້ນໄປ, ທ້າມເດັດຂາດບໍ່ໃຫ້ອຳນາດການປົກຄອງ ທຸກຂັ້ນ ນຳເອົາທີ່ດິນໄປແລກປ່ຽນກັບສິ່ງບຸກຄົນຕ່າງໆອີກ .

ແຕ່ລະບ້ານທາກມີເງື່ອນໄຂ ກໍໃຫ້ສະຫງວນດິນໄວ້ ເພື່ອເປັນສະຖານທີ່ບຸກຄົນ ໂຮງຮຽນ, ທ້ອງການບ້ານ ແລະອື່ນໆ ນັບທັງດິນເພື່ອເຮັດປັດທ້າຍ ແລະສະໜາມເຝິກແອບການທະ ຫານ .

6. ເພື່ອສ້າງຄວາມເຊື່ອຫມັ້ນ ໃຫ້ແກ່ການລົງທຶນເພື່ອພັດທະນາທີ່ດິນ ກໍຄືຄວາມສະ ຫງົບອຸ່ນອຸ່ນຕໍ່ການດຳລົງຊີວິດອັນເປັນປົກກະຕິຂອງພົນລະເມືອງລາວທຸກຄົນ , ສະນັ້ນ ລັດຮັບຮູ້ ສິດອັນຖືກຕ້ອງ ຕາມກົດໝາຍ ຄືດັ່ງນີ້ :

- ສິດຄອບຄອງ ;
- ສິດນຳໃຊ້ ;
- ສິດໄດ້ຮັບຫມາກຜົນ ;
- ສິດໂອນ ;
- ສິດສືບທອດ ;
- ສິດໄດ້ຮັບການທົດແທນ ເມື່ອມີການໂອນຄືນເປັນຂອງລັດ

ສຳລັບອົງການຈັດຕັ້ງຂອງລັດ ແລະສັງຄົມ ທີ່ໄດ້ຮັບສິດນຳໃຊ້ ແລະປົກປັກຮັກສາ ທີ່ດິນ ຈະບໍ່ມີສິດໂອນທີ່ດິນນັ້ນໃຫ້ຜູ້ອື່ນ, ໃຫ້ເຊົ່າ, ໃຫ້ສຳປະທານ ແລະຕີລາຄາເປັນຫລັກຊັບຄຳປະ ກັນການກູ້ຢືມຕ່າງໆ .

ຄົນຕ່າງດ້າວ, ຄົນບໍ່ມີສັນຊາດທີ່ດຳລົງຊີວິດຢູ່ ສປປ ລາວ, ຄົນຕ່າງປະເທດ ທີ່ມາລົງທຶນ ຫລືເຄື່ອນໄຫວອື່ນໆ ລັດຮັບຮູ້ສິດນຳໃຊ້ທີ່ດິນ ດ້ວຍຮູບການເຊົ່າ ຫລືສຳປະທານ ຢ່າງຖືກຕ້ອງຕາມກົດໝາຍເທົ່ານັ້ນ .

7. ໃຫ້ກະຊວງກະສິກຳ-ປ່າໄມ້ ສົມທົບອຳນາດການປົກຄອງທ້ອງຖິ່ນ ສືບຕໍ່ສົ່ງເສີມການປູກໄມ້, ການປົກປັກຮັກສາປ່າໄມ້ ໂດຍຕິດພັນກັບນະໂຍບາຍ ມອບດິນ-ມອບປ່າ ການປູກໄມ້ ໃຫ້ເລັ່ງໃສ່ດິນປອກຫລ້ອນ ແລະທົ່ງຫຍ້າ, ດິນປ່າເຫລົ່າ ປ່າຄັງ ແລະດິນປ່າໄມ້ຊຸດໂຊມ ດັ່ງນັ້ນ ເພື່ອຊຸກຍູ້ການປູກໄມ້ໃຫ້ເປັນຂະບວນກວ້າງຂວາງແຂງແຮງໃນທົ່ວປະເທດ, ລັດຖະບານມີນະໂຍບາຍສົ່ງເສີມ ຄືດັ່ງນີ້ :

- ລັດຖະບານມອບທີ່ດິນ (ດິນທີ່ຖືກຈັດສັນໃຫ້ເປັນດິນປູກໄມ້) ໃຫ້ແກ່ຄອບຄົວ,ບຸກຄົນ ທີ່ເປັນພົນລະເມືອງລາວ ດຳເນີນການປູກໄມ້ ຕາມຄວາມເຫມາະສົມ ໂດຍສອດຄ່ອງກັບຄວາມສາມາດດ້ານແຮງງານ ແລະທຶນຮອນ ຜູ້ທີ່ໄດ້ປູກໄມ້ເປັນສິນຄ້າ ນັບທັງຄອບຄົວ ແລະການຈັດຕັ້ງລວມຫມູ່ ນັບແຕ່ 1.100 ຕົ້ນ/ ເຮັກຕາ ຂຶ້ນໄປ ແມ່ນຈະໄດ້ຍົກເວັ້ນພາສີທີ່ດິນ . ພ້ອມກັນນັ້ນ ລັດຍັງຮັບປະກັນສິດນຳໃຊ້ສິດໂອນ,ສິດສືບທອດ, ສິດໄດ້ຮັບທຸກາກຜົນ ແລະສິດໄດ້ຮັບການທົດແທນ ເມື່ອມີການໂອນຄືນເປັນຂອງລັດ .

- ຊາວຕ່າງດ້າວ ແລະຄົນຕ່າງປະເທດ ນັບທັງນັກລົງທຶນຕ່າງປະເທດ, ລັດຖະບານສ້າງເງື່ອນໄຂສະດວກໃຫ້ແກ່ການລົງທຶນປູກໄມ້ເພື່ອສະໜອງໃຫ້ໂຮງງານ ແລະເພື່ອສົ່ງອອກໂດຍນຳໃຊ້ແຮງງານປະຊາຊົນຢູ່ກັບທ້ອງຖິ່ນເປັນຜູ້ປູກ (ຢູ່ຕອນດິນທີ່ໄດ້ຮັບອະນຸຍາດ) ຫລື ເຊັນສັນຍາຮັບຊື້ໄມ້ປູກນຳປະຊາຊົນໂດຍກົງ .

ສຳລັບກໍລະນີການລັກລອບຈັບຈອງ ແລະລັກຊື້ຂາຍທີ່ດິນທີ່ເປັນປ່າໄມ້ຂອງລັດ ແມ່ນຈະຖືກດຳເນີນຄະດີຕາມກົດໝາຍ .

8. ອົງການກ່ຽວຂ້ອງຂອງລັດ ຕ້ອງຕິດຕາມກວດກາຢ່າງເປັນປະຈຳ ຕໍ່ການປະຕິບັດພັນທະຂອງຜູ້ນຳໃຊ້ທີ່ດິນ ແລະໄດ້ຮັບການມອບດິນ-ມອບປ່າ (ນັບທັງພົນລະເມືອງລາວ,ຄົນຕ່າງດ້າວ,ຄົນບໍ່ມີສັນຊາດ ແລະຄົນຕ່າງປະເທດ) ເປັນຕົ້ນ . ການນຳໃຊ້ດິນບໍ່ຖືກເປົ້າໝາຍ ຕາມທີ່ໄດ້ກຳນົດໄວ້ໃນສັນຍາ, ການປະປ່ອຍທີ່ດິນໄວ້ລ້າງເຖິງ 3 ປີໂດຍບໍ່ມີການພັດທະນາ, ການສ້າງຄວາມເສັຽຫາຍໃຫ້ແກ່ຄຸນນະພາບດິນ ແລະສະພາບແວດລ້ອມ, ການບໍ່ເສັຽພາສີທີ່ດິນ ຄ່າເຊົ່າ ຄ່າສຳປະທານ (ຕາມສັນຍາ) ແລະການບໍ່ປະຕິບັດ ລະບຽບການອື່ນໆ . ຜູ້ລະເມີດພັນທະດັ່ງກ່າວ ຕ້ອງໄດ້ຮັບການຕັກເຕືອນ ແລະປັບໃຫມ ຫລືໃນຂັ້ນຮ້າຍແຮງ ກໍ່ໃຫ້ຖອນສິດນຳໃຊ້ທີ່ດິນ ແລະດຳເນີນຄະດີ .

9. ໃຫ້ອົງການທີ່ກ່ຽວຂ້ອງ ຮັບຮອນຄົ້ນຄວ້າວາງ ຂໍ້ກຳນົດ ແລະ ລະບຽບການ

ຕ່າງໆ ເພື່ອຮັບໃຊ້ໃຫ້ແກ່ວຽກງານຄຸ້ມຄອງທີ່ດິນ ແລະການມອບດິນ-ມອບປ່າ, ເປັນຕົ້ນ. ຂໍ້ກຳນົດວ່າດ້ວຍການໂອນສິດຄອບຄອງ ແລະນຳໃຊ້ທີ່ດິນໃຫ້ແກ່ກັນ (ສະເພາະຄືນລາວ), ຂໍ້ກຳນົດວ່າດ້ວຍການຂຶ້ນທະບຽນຕາດິນ, ຂໍ້ກຳນົດວ່າດ້ວຍລະບຽບການຈັດສ້າງສຳມະໂນຕາດິນ, ຂໍ້ກຳນົດວ່າດ້ວຍການສົ່ງເສີມການປູກ ແລະປົກປັກຮັກສາປ່າໄມ້ ແລະຂໍ້ກຳນົດອື່ນໆຕື່ມອີກ.

10. ໃຫ້ຮັບຮ້ອນປັບປຸງການຈັດຕັ້ງ ຂອງຄະນະກຳມະການຈັດສັນທີ່ດິນຂັ້ນສູນກາງ ແລະຂັ້ນທ້ອງຖິ່ນຄືນໃໝ່ ໂດຍໃຫ້ກົມທີ່ດິນຂອງກະຊວງການເງິນ ແລະຂະແໜງທີ່ດິນທີ່ຂຶ້ນກັບພະແນກການເງິນຢູ່ຂັ້ນທ້ອງຖິ່ນ ເປັນທ້ອງການປະຈຳຂອງຄະນະດັ່ງກ່າວ. ພ້ອມກັນນັ້ນ ຕ້ອງກຳນົດທີ່ຕັ້ງ,ພາລະບົດບາດ,ຂອບເຂດສິດ ທນ້ຳທີ່ ແລະວິທີເຮັດວຽກ ໃຫ້ຈະແຈ້ງ.

11 ມອບໃຫ້ຄະນະຈັດສັນທີ່ດິນຄືນໃໝ່, ບັນດາຂະແໜງການຂອງລັດຖະບານ ແລະທ້ອງຖິ່ນໃນທົ່ວປະເທດ ເປັນຕົ້ນຈັດຕັ້ງການເຜີຍແຜ່ ແລະຜັນຂະຫຍາຍເນື້ອໃນຂອງຄຳສັ່ງສະບັບນີ້ ໃຫ້ໄດ້ຮັບຜົນດີ.

ຜ່ານການຈັດຕັ້ງປະຕິບັດແຕ່ລະໄລຍະ ໃຫ້ລາຍງານລັດຖະບານຊາບຢ່າງເປັນປະຈຳ

ວຽງຈັນ, ວັນທີ 25 ມິຖຸນາ 1996
ນາຍົກລັດຖະມົນຕີ,
ສີພັນດອນ



4.5. Advisory Note 822/MAF (2/8/1996)

Land and Forest Allocation for
Management and Use

ກະຊວງກະສິກໍາ-ປ່າໄມ້

ເລກທີ/ນປ
ວຽກຈັນ,ວັນທີ 02 AUG 1996

ບົດແນະນຳ ກ່ຽວກັບການມອບດິນ-ມອບປ່າ ເພື່ອຄຸ້ມຄອງ-ນຳໃຊ້

ເຖິງ: ເຈົ້າແຂວງທຸກໆ ແຂວງ, ເຈົ້າຄອງກຳແພງນະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ ໃນທົ່ວປະເທດ.

- ອີງຕາມດຳລັດ ຂອງນາຍົກລັດຖະມົນຕີ ສະບັບເລກທີ 99/ນຍ, ລົງວັນທີ 19/12/92 ວ່າດ້ວຍທີ່ດິນ.
- ອີງຕາມດຳລັດຂອງນາຍົກລັດຖະມົນຕີ ສະບັບເລກທີ 186/ນຍ, ລົງວັນທີ 12/10/94 ວ່າດ້ວຍການແບ່ງປັນແບ່ງປ່າ ເພື່ອການປູກໄມ້ ແລະ ການປັກປັກຮັກສາ.
- ອີງຕາມດຳລັດຂອງນາຍົກລັດຖະມົນຕີສະບັບເລກທີ 169/ນຍ, ລົງວັນທີ 03/11/93 ວ່າດ້ວຍການຄຸ້ມຄອງ ແລະ ນຳໃຊ້ປ່າໄມ້ ແລະ ດິນປ່າໄມ້.
- ອີງຕາມຂໍ້ກຳນົດຊົ່ວຄາວ ເລກທີ 22/ປສລ, ລົງວັນທີ 21/03/1989, ວ່າດ້ວຍການຄຸ້ມຄອງ ແລະ ນຳໃຊ້ທີ່ກະສິກຳ ໃນ ສ.ປ.ປ.ລາວ.
- ອີງໃສ່ຄຳສັ່ງແນະນຳ ວ່າດ້ວຍການສືບຕໍ່ ຜັນຂະຫຍາຍວຽກງານຈັດສັນທີ່ດິນ ແລະ ມອບດິນ-ມອບປ່າ ເລກທີ 03/ນຍ, ລົງວັນທີ 25/06/1996.
- ອີງໃສ່ນະໂນຍຂອງກອງປະຊຸມສະຫຼຸບຖອດຖອນບົດຮຽນວຽກງານຈັດສັນທີ່ດິນຄືນໃໝ່ ແລະ ການມອບປ່າ ມອບປ່າ ທົ່ວປະເທດ ວັນທີ 19/07/96.

ເພື່ອຈັດຕັ້ງປະຕິບັດ ບັນດາດຳລັດ, ຂໍ້ກຳນົດ ແລະ ຄຳສັ່ງດັ່ງກ່າວໃຫ້ປະຕິບັດຜັນແປ ຈົ່ງປ່າໆ ເປັນເອກກະພາບແລະມີປະສິດທິຜົນສູງ ໃນຂອບເຂດທົ່ວປະເທດ ກະຊວງກະສິກຳ-ປ່າໄມ້ ຈຶ່ງໄດ້ອອກບົດແນະນຳກ່ຽວກັບການ ມອບດິນ-ມອບປ່າ ໂດຍມີເນື້ອໃນດັ່ງລຸ່ມນີ້:

1. ຈຸດປະສົງ ລະດັບຄາດຫມາຍ:

ກ.) ຈຸດປະສົງ:

1./ ເພື່ອຄຸ້ມຄອງ ແລະ ນຳໃຊ້ຊັບພະຍາກອນທຳມະຊາດ ເວົ້າລວມກໍຄື ຊັບພະຍາກອນດິນ, ປ່າໄມ້ ແລະ ແຫລ່ງນ້ຳ ຢ່າງມີປະສິດທິຜົນສູງ ແລະ ໜັກຄົງຖາວອນ ທັງຮັບປະກັນ ການປັກປັກຮັກສາ ສະພາບແວດລ້ອມ ແລະ ຄວາມອຸດົມສົມບູນຂອງທຳມະຊາດ ຕະຫຼອດໄປ.

2./ ເພື່ອຫລຸດຜ່ອນ ແລະ ກຳລັດໄປເຖິງບ່ອນ ຢູ່ດິນການປ່າໄມ້ຢ່າງເຮັດໄດ້ເຄື່ອນທີ່ປ່າໄມ້ເຊິ່ງ ໂດຍການຫຼີກ
ມາເຮັດການພັດທະນາລະບົບກະສິກຳ-ປ່າໄມ້ ແລະ ຄຸ້ມຄອງທີ່ຄິດທີ່, ແນ່ໃສ່ກັກສູງຊີວິດການເປັນຢູ່ຂອງ
ປະຊາຊົນບັນດາເຜົ່າ ດ້ານແມ່ນຄອບຄົວຊາວໄຮ່ ແລະ ຄອບຄົວທີ່ຍັງຫຼາຍກາ ໃຫ້ມີຄວາມອຸດົມສົມບູນ
ລາຍ ເພື່ອ ລະຫວ່າງ.

3./ ເພື່ອຊຸກຍູ້ສິ່ງເສີມ ການຜະລິດອາຫານ ແລະ ທັນຍາຫານກັບທີ່ ໃຫ້ເໝາະສົມ.

4./ ເພື່ອຊຸກຍູ້ສິ່ງເສີມ ການລົງທຶນ ໃສ່ການຜະລິດເປັນສິນຄ້າ ສ້າງລາຍຮັບເພີ່ມໃຫ້ ແກ່ຄອບຄົວ

2.) ລະດັບຄາດຫມາຍ:

1./ ໃຫ້ປັກຮັກສາໄດ້ເຄື່ອທີ່ປ່າໄມ້ທີ່ມີຢູ່ໃນປະຈຸບັນ ແລະ ຂະຫຍາຍເຄື່ອທີ່ປ່າໄມ້ໃຫ້ຫລາຍຂຶ້ນເປັນລາດັບ.

2./ ຈົດຕັ້ງປະຕິບັດໂດຍກຳນົດ, ກົດລະບຽບ ເກົ່າລັດ ແລະ ກົດໝາຍທີ່ກ່ຽວຂ້ອງ ກັບການຄຸ້ມຄອງຊັບພະຍາກອນທຳມະຊາດ ໂດຍສະເພາະແມ່ນ ຊັບພະຍາກອນປ່າໄມ້ ຢ່າງມີປະສິດທິຜົນໄປ ເພື່ອລະກ້າວ

3./ ສ້າງໂຕແຜນ ແບ່ງປັນທີ່ດິນ ເຮັດໃຫ້ທຸກປະເພດ ທີ່ດິນ ທຸກໆຕອນ ໃນຂອບເຂດບ້ານ ຢູ່ທົ່ວປະເທດ ມີເຈົ້າ ຂອງຄຸ້ມຄອງ ປັກຮັກສາ ແລະ ນຳໃຊ້ຢ່າງຈະແຈ້ງ ແລະ ຕາວນານ.

4./ ເສີມຂະຫຍາຍ ຄວາມເປັນເຈົ້າການ ທີ່ມີທົ່ວຄິດ ປະດິດສ້າງ ແລະ ຄວາມເຫວັດຫັນຂອງປະຊາຊົນ ບັນດາເຜົ່າ ໃນການລົງທຶນ ເຂົ້າໃສ່ ການຜະລິດ ຢ່າງຕັ້ງໜ້າ ແລະ ຈິ່ງຈິ່ງ.

5./ ມີລະບົບ ຄຸ້ມຄອງທີ່ດິນ ຕົ້ນຕໍ ແມ່ນດິນ ກະສິກຳ ແລະ ດິນປ່າໄມ້ ຢ່າງເປັນແອກກະພາບ ໃນ ທົ່ວປະເທດ ເຮັດໃຫ້ການຕິດຕາມ ກວດກາ ການນຳໃຊ້ ທີ່ດິນ ສະດວກ ສະບາຍຂຶ້ນ ໂດຍສະເພາະແມ່ນການປະຕິບັດນະໂຍບາຍພາສີ ທີ່ດິນ ຂອງລັດຖະບານ.

6./ ແຕ່ລະແຂວງ ຕ້ອງມີແຜນການ ຫລຸດຜ່ອນ ແລະ ກ້າວໄປເຖິງການຢຸດຕິຢ່າງສິ້ນເຊີງ ການຫາງ ປ່າ ເຮັດໃຫ້ເກີດອາຫິ ທັງມີແຜນຜະລິດ ສະບຽງອາຫານ ແລະ ຜະລິດເປັນສິນຄ້າ ໂດຍເອົາວຽກງານມອບດິນ ພອບປ່າ ເປັນວຽກງານກຳໜ້າ ແລະ ເໝາະສົມໃສ່ການປັກຮັກສາປ່າໄມ້ ແລະ ສິ່ງແວດລ້ອມ ຄາດຫມາຍ ແຕ່ປີ ຫາປີ 2000 ຕ້ອງເຮັດໃຫ້ ສຳເລັດ ໂດຍສິ້ນສຸດ.

II. ວິທີການ.

ກ.) ຫລັກການລວມ:

1./ ການມອບດິນ-ມອບປ່າ ເພື່ອມອບໃຫ້ຄອບຄົວປະຊາຊົນ, ບ້ານ, ລວມໝູ່, ກິນ ກອງໃນບົດແນວນຳ ສະກັບ ທີ່ແມ່ນກຳນົດ ການວາງແຜນນຳໃຊ້ທີ່ດິນໃນຂັ້ນບ້ານ, ຕົ້ນຕໍແມ່ນດິນກະສິກຳ-ປ່າໄມ້, ດິນທີ່ມີສະພາບດີເພາະ ສິນເກ່ການຜະລິດກະສິກຳ ກໍມອບໃຫ້ຄອບຄົວເພື່ອຜະລິດກະສິກຳ ໂດຍມີເປົ້າໝາຍຜະລິດເປັນສິນຄ້າ, ດິນທີ່ບໍ່ສາມາດເຮັດການກະສິກຳໄດ້ ມອບໃຫ້ຄອບຄົວ ຫລື ລວມໝູ່ເປົ້າເກີນການປູກໄມ້, ກໍໃຫ້ນຳເອົາດິນກະສິກຳປູກໄມ້ ເດັດຂາດ ດິນທີ່ມີປ່າໄມ້ຫຼືຄວາມກຳນົດຈາກ 3 ປະເພດຢ່າຄື: ປ່າພອດນ້ຳ, ປ່າສະຫງວນ, ປ່າຊົມໃຊ້ ແລະ ມອບໃຫ້ຊຸມຊົນບ້ານປັກຮັກສາ ໂດຍມີລະບຽບການຄຸ້ມແນ່.

2./ ການມອບດິນ-ມອບປ່າ ແມ່ນໃຫ້ເໝາະສົມກັບໃຜເປັນ ທີ່ບໍ່ທັນມີການຜະລິດຄົງທີ່ ເພື່ອໃຫ້ຜູ້ທີ່ຍັງ ບໍ່ທັນມີດິນຜະລິດ ຫລື ເພື່ອປ່າໄມ້, ສ່ວນຜູ້ທີ່ມີດິນ ເຮັດການຜະລິດຄົງທີ່ ມາແຕ່ກ່ອນໂດຍແມ່ນລັດ ຫລື ສັງຄົມໃດໜຶ່ງຖືກ ຮັບຮູ້ແລ້ວກັນ, ໃຫ້ຂຶ້ນທະບຽນໃຫ້ເຂົ້າເຈົ້າໂລດ ເພື່ອໃຫ້ເຂົາເຈົ້າໄດ້ເສັຍພາສີໃຫ້ລັດຕາມກົດໝາຍ.

3./ ໃຫ້ແກວດກາຄືນການມອບດິນ-ມອບປ່າທີ່ໄດ້ເຮັດສຳນວນຖ້າຫາກເຫັນວ່າມີການມອບແລ້ວກັນແຕ່ຍັງບໍ່ທັນ

ຖືກຕາມຈົດໄຈຂອງບັນດາພະນັກ ສະບັບນີ້ ໂດຍສະເພາະແມ່ນມອບໃຫ້ບໍ່ໄດ້ນຳໃຊ້ ຖືກຕ້ອງ ຕາມເປົ້າໝາຍຂອງ ການມອບ ຫຼືມີໂດຍຫຼາຍ ເກີນ ຄວາມສາມາດຂອງຕົນ ແລ້ວປະດິດໂວ້ລ້າງ ບໍ່ນຳໃຊ້ເຮັດການຜະລິດຫຍັງ ແມ່ນ ຕ້ອງໄດ້ສຶກສາ ຂົບຂົນ ພະນັກຊຸກຍູ້ໃຫ້ເຮັດການຜະລິດ ຖ້າກັບບໍ່ເຮັດແມ່ນໃຫ້ເກັບເກືອບ, ຖ້າກັບເກີນເສີຍແມ່ນໃຫ້ ປົກໃໝ່ ຕາມລະບຽບເລົ່າການ ແລະຖ້າກັບຕື້ດຳ ແມ່ນໃຫ້ ຢຶດດິນຄືນເປັນ ຂອງລັດ ເພື່ອຈະໄດ້ມອບໃຫ້ຜູ້ອື່ນ ນຳໃຊ້ເຂົ້າໃນການຜະລິດ

4./ ການມອບດິນ-ມອບປ່າ ຕ້ອງຕິດລັກກັບການຝຶກເປັນເຈົ້າຜູ້ນຳໄມ້ ແລະ ສິ່ງແວດ ລອຍແລະຫລອດ ທັງຄວາມ ອຸ່ນຸ່ມສັນຍາຂອງດິນແລະພື້ນດຽວກັນກັບຍັງຕິດລັກກັບການຜະລິດເປັນສິນຄ້າດຳເນີນສື່ງາ-ປ່າໄມ້ເວົ້າສະເພາະ ກໍ່ຄືການລັດທະນາສາດທະນາຄະນະກູ້ໄຊ-ສັງຄົມຂອງປະເທດໃນສະເພາະຫນ້າແລະຍາວນານເວົ້າລວມ ສະກັດຕ້ອງອີງໃສ່ ບັນດາ ໄດ້ໃຈເຫລົ່ານີ້ເປັນພື້ນຖານວາງແຜນ ແລະ ເຄື່ອນໄຫວດຳເນີນ ການມອບດິນ-ມອບປ່າ.

5./ ການມອບດິນ-ມອບປ່າຕ້ອງໄດ້ດຳເນີນໃນເຂດຈຸດສູນ ເລັ່ງໃສ່ເຂດປ່າຍອດນ້ຳ, ປ່າສະຫງວນຂອງລັດ, ເຂດອ່າງນ້ຳເຄືອກໄຟຟ້າ, ເຂດຊັ້ນລະປະທຸນ, ເຂດລັດທະນາຊື່ນກະບົດຂອງແຂວງ, ເຂດສ້າງພູມລຳດົງໄພ, ເຂດ ຖາງປ່າເຮັດໂຮ່ເຄື່ອນນ້ຳ ເປັນຕົ້ນ.

6./ ການມອບດິນ-ມອບປ່າຕ້ອງປະຕິບັດໃຫ້ສຳເລັດເປັນບ້ານໄປໂດຍໃຫ້ປະຊາຊົນເຂົ້າມີສ່ວນຮ່ວມໃຊ້ວິທີການ ແບ່ງງ່າຍໃຫ້ປະຊາຊົນເຂົ້າໃຈ ມີຄວາມເປັນເອກກະລາຍ ແຕ່ໃຫ້ມີປະສິດທິຜົນ ອາດຈະເຮັດຢູ່ເນື່ອງໜຶ່ງໂດຍເລືອກ ເວົ້າບ້ານໜຶ່ງ ເປັນເອກະພື້ນດຽວ ຖອດຖອນບົດຮຽນຄັກແນ່ ແລ້ວຈຶ່ງຄຳຂະຫຍາຍ ອອກໄປບ້ານອື່ນ.

7./ ເມື່ອສຳເລັດການມອບດິນ-ມອບປ່າແລ້ວ ໃຫ້ເຮັດໃນມອບສິດຄຸ້ມຄອງນຳໃຊ້ຊ່ວຍຄາວ ໃຫ້ກວມໃນກຳນົດ 3 ປີ ເລີ່ມຕິດຕາມ, ຖ້າຜູ້ໃດປະຕິບັດຖືກຕ້ອງ ຕາມໃນມອບສິດຄຸ້ມ ແມ່ນມອບໃຫ້ຫຍັງການທີ່ດິນເມືອງອອກໃບຕາດິນ ໃຫ້ເລີຍ, ແຕ່ຖ້າຜູ້ໃດ ບໍ່ປະຕິບັດຕາມ ລັດຈະຖອນສິດຄຸ້ມຄອງນຳໃຊ້ຄືນ.

2. ປະເພດດິນທີ່ຈະແບ່ງໃນບ້ານໜຶ່ງ: ໃນບ້ານໜຶ່ງອາດແບ່ງປະເພດການນຳໃຊ້ ດິນອອກເປັນ 3 ປະເພດຄື
1. ປະເພດດິນທີ່ມີການຜະລິດຄົງທີ່ແລ້ວເຊັ່ນ: ດິນກາ, ດິນປູກສ້າງ, ດິນສວນ ເກັບ, ອ້ອມ, ດິນໄມ້ໃຫ້ໝາກ ແລະ ອື່ນໆ ... ດິນປະເພດນີ້ບໍ່ໄດ້ທຳການແບ່ງ ມອບໃຫ້ຫຍັງການ ທີ່ດິນ ລົງວັດແທກເອກະດິນຕົວຈິງ ເພື່ອອອກ ສຳນະໂນທີ່ດິນ ແລະ ອອກໃບກຳນະສິດໃນ ການຄຸ້ມ ຄອງນຳໃຊ້ ໃຫ້ປະຊາຊົນ ຕາມລະບຽບກົດໝາຍ.

2. ປະເພດດິນທີ່ບໍ່ມີການຜະລິດຄົງທີ່ເຊັ່ນ: ດິນໂຮ່, ປ່າເລົ່າ, ດິນທີ່ບໍ່ມີປ່າໄມ້ ແລະ ອື່ນໆ. ດິນປະເພດນີ້ ຈະໄດ້ມີການ ແບ່ງ ໂດຍມີການຕັດສິນ ຮັບປະກັນ ໃຫ້ແຕ່ລະຄອບຄົວ ມີດິນທຳການຜະລິດໂດຍອີງຕາມແຮງງານ, ທຶນຮອງ ຂອງ ແຕ່ລະຄອບຄົວ, ມີການແບ່ງກຳນົດທີ່ເໝາະສົມກັບດິນແຕ່ລະເອກະພື້ນທີ່ທີ່ໄວ້ແບ່ງດິນ ແລະ ອະນຸ ລັກ ດິນແລ້ວ.

3. ປະເພດດິນທີ່ເຫລືອ ຈາກການແບ່ງດິນ ເພື່ອຜະລິດກະສິກຳແລ້ວ ຖ້າຄອບຄົວໃດມີຄວາມ ສົນໃຈ ກໍ່ແບ່ງໃຫ້ປູກ ໄມ້ ຫລືແບ່ງໃຫ້ກິນກອງລວມໝູ່ ເພື່ອປູກໄມ້ເປັນສິນຄ້າ ຫລືອາດແບ່ງໃຫ້ເອກະຊົນ ລົງທຶນເຮັດການປູກໄມ້ເປັນ ສິນຄ້າ ແຕ່ດິນປະເພດນີ້ ຕ້ອງທຳການປູກໄມ້ເທົ່ານັ້ນ ແລະ ບໍ່ອະນຸຍາດໃຫ້ ທຳການປູກໄມ້ ໃສ່ດິນກະສິກຳຢູ່ ແຕ່ຂາດ.

4. ປະເພດດິນທີ່ສະຫງວນໄວ້ເປັນຄັ້ງໃນຂອງບ້ານ ເພື່ອຮັບປະກັນການຂະຫຍາຍຕົວ ຂອງປະຊາກອນບ້ານ ແລະ ເພື່ອຂະຫຍາຍເນື້ອທີ່ການຜະລິດໃນຍາວນານ ມີການຄິດໄລ່ວ່າ 5-10% ຂອງເນື້ອທີ່ດິນຂອງບ້ານ ແຕ່ຕ້ອງໄດ້

ສາມາດປະຊາຊົນ ເພື່ອນຳໃຊ້ໄດ້ມີຜົນປະໂຫຍດ ຕໍ່ໃຫ້ ປະເທດເປັນສະຫງ່າໄວ້.

- ຢູ່ແຕ່ເດີນປ່າໄມ້ແບ່ງອອກເປັນ 3 ປະເພດຄື : ປ່າສັກສາຍອາໄສຊີວິດ, ປ່າສະຫງວນຂອງບ້ານ ແລະ ປ່າສັກສິນ
- ປ່າປະເພດນີ້ ແລະ ປ່າຊຸ່ມໃຊ້, ໃນກໍລະນີ ບ້ານທີ່ບໍ່ມີປ່າໄມ້ ກໍ່ຕ້ອງໄດ້ ກຳນົດເດີນເພື່ອປ່າໄມ້ໃວ້ລຸ້ນໃຊ້
- ໃນ ບ້ານເດີນທາງໄມ້ໄຜ່ໄມ້ໃຫຍ່ໄວ້ເພື່ອແກ້ໄຂໄມ້ໄຜ່ໄມ້ສ້າງສາຈຳນວນເບິ່ງຕົວ.

ໃນກໍລະນີ ບ້ານໄດ້ຄຽງມີປ່າຊຸ່ມໃຫຍ່ມີສັນຍາປ່າໄມ້ສາທາລະນະ ແລະ ກຳໃຊ້ ພ້ອມທັງເປັນບ້ານຮັກສາປ່າໄມ້.

ຜູ້ທີ່ມີສິດໄດ້ຮັບການມອບດິນ-ມອບປ່າ

ຄອບຄົວ

- ປະຊາຊົນລາວ ທຸກຄອບຄົວມີສິດ ທີ່ຈະໄດ້ຮັບການມອບດິນກະສິກຳ ແລະ ດິນປ່າຊຸ່ມໂຊນ ເພື່ອເຮັດການຜະລິດກະສິກຳ, ຝັ່ງປ່າ ແລະ ປ່າໄມ້ຕາມຄວາມສະມັກໃຈຂອງຕົນເອງ, ແຕ່ຕ້ອງໄດ້ໃຫ້ເຫຼືອສິດສິດແກ່ຄອບຄົວທີ່ຂຶ້ນກັບບ້ານກູ້ກູ້ອອກ ໂດຍໃຫ້ເຫຼືອກັບໜ້າໃສ່ຄອບຄົວທີ່ບໍ່ມີອາຊີບຖາວອນ.
- ຄອບຄົວໃດ ທີ່ມີອາຊີບຖາວອນແລ້ວ, ບໍ່ອະນຸຍາດໃຫ້ ເຮັດໂຮງຖາວອນ, ແຕ່ໄດ້ ມີນະໂຍບາຍມອບດິນ ເປັນຫວ່າງເດືອນທີ່ປ່າຊຸ່ມໂຊນເພື່ອປ່າໄມ້ ຫລື ດິນຜະລິດກະສິກຳເພື່ອເຮັດການຜະລິດ ກະສິກຳ-ປ່າໄມ້, ລ້ຽງສັດ ຖ້າຫາກມີຄວາມຕ້ອງການ ສວ່ນຂະໜາດ ແລະ ເຄື່ອງທີ່ຈະໄດ້ຮັບກັບແມ່ນຂຶ້ນກັບສະພາບທີ່ດິນ ເທົ່າທີ່ມີ ຂອງທ້ອງຖິ່ນ ແລະ ຄວາມສາມາດຕົວຈິງ ຕາມແຮງງານ ແລະ ທຶນຮອນຂອງ ແຕ່ລະຄອບຄົວ.

ຄອບຄົວຢູ່ບ່ອນອື່ນ ຫລື ພະນັກງານ ບໍ່ມີສ່ວນປະໂຫຍດໃນບ້ານ ກໍ່ມີສິດໄດ້ຮັບການມອບດິນ ເພື່ອເຮັດການຜະລິດກະສິກຳ ແລະ ດິນປ່າຊຸ່ມໂຊນເພື່ອປ່າໄມ້ເຊັ່ນກັນ ໃນເງື່ອນໄຂທີ່ວ່າທ້ອງຖິ່ນບໍ່ມີເດີນເພື່ອແກ້ໄຂຢູ່ແລະ ຜູ້ຕ້ອງການດິນຕ້ອງໄດ້ສະເໜີຂໍ້ຕາມຂັ້ນຕອນ ເວັ້ນເສຍແຕ່ຜູ້ກ່ຽວ ໄດ້ເຮັດມາກອາດແລ້ວ ໂດຍມີການ ຮັບຮູ້ ຈາກລັດ ຫຼື ຈາກສັງຄົມ ໃນທ້ອງຖິ່ນ ຫຼື ແກ້ໄຂມາລະດັບຕົກທອດມາໃຫ້ໃນກໍລະນີດັ່ງກ່າວກໍ່ ກໍ່ຕ້ອງໄດ້ຮັບຮູ້ຕາມ ຕົວຈິງ ຊຶ່ງ ອາດຈະມີ ຜູ້ອື່ນເຊິ່ງເຮັດການຜະລິດຢູ່ກໍ່ໄດ້.

♦ **ນິຕິບຸກຄົນ, ລວມໝູ່ ແລະ ກົມກອນ**

ມີສິດໄດ້ຮັບການມອບດິນກະສິກຳ ແລະ ດິນປ່າຊຸ່ມໂຊນ ເພື່ອປ່າໄມ້ ໃນການເຮັດ ຫຼວງກິດ ຂອງຕົນ ຈະໄດ້ຮັບຜົນປະໂຫຍດ ແລະ ນະໂຍບາຍ ຕາມລະບຽບຫລັກການ ທີ່ລັດຖະບານໄດ້ວາງອອກ ແລ້ວຢ່າງເປັນເອກກະພາບ.

♦ **ບ້ານ**

ມີສິດໄດ້ຮັບການມອບປ່າໄມ້ ອາດລວມເຖິງປ່າປ້ອງກັນ, ເຂດປ່າເຊື່ອມຕໍ່ລະຫວ່າງປ່າ ສະຫງວນ ກັບເດືອນທີ່ອື່ນ, ປ່າຝັ່ງ ແລະ ປ່າສະຫງວນກຳນົດອອກແລ້ວກັນ ໃນຝັ່ງຖານ ສ້າງບາ ແລະ ລະບຽບຫຼັກການ ຄຸ້ມຄອງກຳໃຊ້ ສະເພາະຂອງແຕ່ລະປະເພດປ່າ ແລະ ແຕ່ລະຕອນ ສຳລັບການມອບເຂດປ່າເຊື່ອມຕໍ່ ແລະ ປ່າສະຫງວນກໍ່ຕ້ອງໃຫ້ສອດຄ່ອງ ກັບ ແຜນຄຸ້ມຄອງຈັບສັນ ປ່າສະຫງວນສະເພາະຂອງແຕ່ລະແຫ່ງ. ນອກຈາກປ່າໄມ້ ທີ່ມອບໃຫ້ບ້ານ ໃນເຂດຄຸ້ມຄອງບ້ານແລ້ວ ຖ້າຫາກມີປ່າໄມ້ ໃກ້ຄຽງບ້ານກໍ່ ຄວນຟັງຈາລະນາ ມອບໃຫ້ບ້ານດັ່ງກ່າວຄຸ້ມຄອງກໍ່ໄດ້ ໂດຍອີງຕາມເງື່ອນໄຂ ຕົວຈິງ ແລະ ຄວາມສະໝັກໃຈ ຕົນຕົວຂອງບ້ານຕົວ.

III. ບາດກ້າວການຈັດຕັ້ງປະຕິບັດ:

ສານຜິດຕິກຳຕົວຈິງໃນແຕ່ລະໄລຍະ ສາມາດສັງລວມບາດກ້າວ ການຈັດຕັ້ງປະຕິບັດ ຕົວຈິງມີ 8 ບາດກ້າວ ໃຫຍ່ດັ່ງນີ້ :

1. ບາດກ້າວທີ່ໜຶ່ງ : ບາດກ້າວ ກະກຽມ

- ກະກຽມ ບັນດາເອກກະສານ ທີ່ພົວພັນເຊັ່ນ (ຕຳລັດ, ມະຕິ, ລະບຽບການ ຕ່າງໆ)
- ແບບຝອນ ການເກັບກຳຂໍ້ມູນ ສະພາບເສດຖະກິດສັງຄົມ ແລະອື່ນໆ....
- ກະກຽມ ກຳລັງແລະກິດຈະການວິຊາການເຂົ້າຮ່ວມ ແບ່ງເກັບ ສະກົດງານກະສິກຳ, ປ່າໄມ້, ຫ້ອງການ ທີ່ດິນ ແລະ ມາກສ່ວນອື່ນ ທີ່ມີຄວາມຈຳເປັນ.
- ກະກຽມ ເຄື່ອງມືປະກອບ ແລະ ງົບປະມານ .
- ກະກຽມ ແຜນດຳເນີນງານ ລະອຽດ.
 - + ເກັບກຳຂໍ້ມູນເບື້ອງຕົ້ນ ກຳບັ້ງ ຈະດຳເນີນການມອບດິນ-ນອນປ່າ
 - + ສຳຫລວດ ເບື້ອງຕົ້ນ ເກັບກຳຂໍ້ມູນການນຳໃຊ້ທີ່ດິນ ຂອງບ້ານໃນອາດິດ ແລະ ປະຈຸບັນ.
 - + ສ້າງ ແລະ ຂະຫຍາຍແຜນທີ່ ມາດຕາສ່ວນ 1/10 000, 1/5000 ຫລື 1/2000 ອີງຕາມ ຄວາມ ເໝາະສົມ ຖ້າມີພາບຖ່າຍທາງອາກາດໃຫມ່ ໃນມາດຕາສ່ວນ 1/5000 ນຳໃຊ້ເຂົ້າ ໃນການ ວາງແຜນ ຢ່າງເປັນການຕີ.

2. ບາດກ້າວທີ່ສອງ : ບາດກ້າວ ລົງສົມທົບ ປົກສາຫາລິ ກັບບ້ານ.

- ປົກສາຫາລິ ກັບການຈັດຕັ້ງ ແລະ ອຳນາດການປົກຄອງບ້ານ.
- ລົງການລາຍງານ ສະພາບເສດຖະກິດ ສັງຄົມຂອງບ້ານ
- ເຊື່ອມຊືມກັນຕາຕຳລັດ ທີ່ພົວພັນ ທີ່ດິນ ແລະ ຕຳລັດທີ່ພົວພັນ ປ່າໄມ້.
- ຕຳແໜ່ງແຜນດຳເນີນງານ ວຽກງານມອບດິນ-ນອນປ່າຂອງບ້ານ.
 - + ແຜນນຳໃຊ້ທີ່ດິນ ອຳນາດສະສົມຂອງບ້ານ ເພື່ອໃຫ້ສອດຄ້ອງ ກັບແຜນລັດທະນາເສດຖະກິດສັງຄົມ ຂອງແຂວງ ແລະ ເມືອງ.

3. ບາດກ້າວທີ່ສາມ : ບາດກ້າວ ເກັບກຳຂໍ້ມູນ ຕົວຈິງ

- ຈັດຕັ້ງທີມງານເປັນ 2 ທີມຄື :
 - + ທີມງານມອບປ່າ.
 - + ທີມງານມອບດິນ.
- ທີມງານມອບປ່າ: - ເດີນສຳຫລວດຂອບເຂດບ້ານ ຂອບເຂດປ່າໄມ້ ຂອບເຂດດິນ ຜະລິດອື່ນໆ.
- ທີມງານມອບດິນ :- ລົງເກັບກຳສະພາບ ແລະ ປົກສາຫາລິ ກັບແຕ່ລະຄອບຄົວ ກ່ຽວກັບການ ຜະລິດ ກະສິກຳ.
- ວິເຄາະບັນຫາ ລົງທົບກັນ ປົກສາຫາລິ ແລະ ແຜນການນຳໃຊ້ດິນ ພາຍໃນບ້ານ ແລະ ກຳນົດ ເຂດ ມອບດິນ-ນອນປ່າ.
 - + ປົກສາຫາລິ ແກ້ໄຂຂໍ້ຂັດແຍ້ງ ການນຳໃຊ້ດິນ ແລະ ການຕັດສິນແບ່ງເກັບຜະລິດກະສິກຳ.
 - + ປົກສາຫາລິ ຊອກຫາທາງອອກໃຫ້ແກ່ປະຊາຊົນ ອີງຕາມຈຸເສດ, ກູນເຊື້ອ ແລະ ເງື່ອນໄຂອື່ນໆ.

4. ບາດກ້າວທີ່ສີ່ : ເປີດກອງປະຊຸມ ປົກສາຫາລິ ໝົດບ້ານ .

- ເພື່ອຕົກລົງເປັນເອກກະພາບ ຕໍ່ແຜນນຳໃຊ້ ທີ່ດິນຂອງບ້ານ ແລະ ການນຳໃຊ້ເຂດ ມອບດິນ- ນອນປ່າ ພາຍໃນບ້ານ.

ບາດກ້າວທີໜຶ່ງ : ບາດກ້າວ ລົງວັດແທກ ຕົວຈິງ.

- ໃນການປະຕິບັດຕົວຈິງ ເວລາວັດແທກ ຄວນຈັດຕັ້ງກິດວັດແທກ ຕາມໝວດທີ່ມີ ຂອງບ້ານ ຫລື ຕາມກຸ່ມຜະລິດ ເຊັ່ນ: ປູກເຂົ້າ, ປູກກວ້າງ, ປູກອຣັກ, ປູກຕົ້ນໄມ້ກິນໝາກ ແລະ ອື່ນໆ...

ບາດກ້າວທີໜຶ່ງ : ບາດກ້າວ ສະຫຼຸບ.

- ຜ່ານບົດລາຍງານ ຂອງແຕ່ລະທີມງານ.
- ຜ່ານກິດລະບຽບ ທີ່ສ້າງຂຶ້ນ ຮ່ວມກັບຊາວບ້ານ ໃນແຕ່ລະປະເພດການນຳໃຊ້ ດິນກະສິກຳ ແລະ ດິນປ່າໄມ້.
- ຊ່ອຍໃນ ປັບປຸງການຜະລິດ ນຳໃຊ້ດິນຊຶ່ງຄາວໃຫ້ແຕ່ລະຄອບຄົວ.
- ເຮັດສັນຍາ ລະຫວ່າງ ຄະນະກຳມະການຄອບຄົວ-ຄອບຄົວປ່າໄມ້ ແລະ ອົງການການເງິນຄອງ ບ້ານ ກັບຄອບຄົວ ຕາມແຕ່ລະປະເພດດິນ.
- ຈັດຕັ້ງກຸ່ມຜະລິດ, ກຸ່ມອະນຸລັກ ສາຍໃນບ້ານ.

ບາດກ້າວທີເຈັດ : ບາດກ້າວ ສົ່ງເສີມ.

ທຸກການກະສິກຳ-ປ່າໄມ້ເນື່ອງ ຕ້ອງມີພະນັກງານ ລົງຊຸກຍູ້ສົ່ງເສີມ ແກະກຳດ້ານວິຊາການ ພ້ອມທັງດູດດຶງ ສາມສ່ວນເສດຖະກິດຕ່າງໆ ແລະ ພະນາຄານສົ່ງເສີມກະສິກຳ, ອົງກອນທະຫຸກຊຸກຍູ້ການຜະລິດດິນສົມຄຳ ເຊັ່ນ : ຟ້ອຍສິນເຊີຍ, ສະໜອງຝຸ່ນປູກ, ຢາຂ້າສັດຕູພືດ, ອຸປະກອນການຜະລິດຕ່າງໆ ທີ່ຈຳເປັນ ແລະ ຜົວເັນຕະລາດ ຈຳໜ່າຍ ດ້ວຍ.

ເອົາໃຈໃສ່ ການສ້າງກັກພັດທະນາກອນກັບທີ່ ຂັ້ນເບື້ອງໃນແຕ່ລະ ຂະແໜງການຕົ້ນຕໍແມ່ນຂະແໜງກະສິກຳ, ປ່າໄມ້, ລຽງສັດ ແລະ ອື່ນໆ.

8. ບາດກ້າວທີແປດ : ບາດກ້າວ ການຕິດຕາມ ກວດກາ ປະເມີນຜົນ.

- ເຮັດເປັນປຶ້ມກະສິ ຕາມລະບຽບການ ຖອດຖອນບົດຮຽນ ປັບປຸງວຽກງານໃຫ້ມີປະສິດທິຜົນ ສູງ ຂຶ້ນເລື້ອຍໆ ຮອດຕົ້ນປີ 3 ປີ ທີ່ດິນໄດ້ຖືກກະສິບຣຽງງານ ມີການຜະລິດຕົວຈິງ ຈຶ່ງມອບ ໃຫ້ພາກສ່ວນທີ່ດິນອອກ ສຳນວນຕາດິນ ແລະ ນຳ ກະສິບ ໃນການນຳໃຊ້ຖາວອນ ໂດຍຖືກຕ້ອງຕາມ ກິດໝາຍ.

ຂໍ້ຄວນເອົາໃຈໃສ່ ໃນເວລາແບ່ງດິນ : ນາດຕາການ ກຳນົດການນຳໃຊ້ດິນ

- | | |
|------------------------------|--|
| - ຄວາມຄອ້າງຂຶ້ນ ແຕ່ 0 - 12% | ເປັນດິນກະສິກຳ. |
| - ຄວາມຄອ້າງຂຶ້ນ ແຕ່ 12 - 25% | ສາມາດເຮັດນາຂັ້ນໃຕ້, ລຽງສັດ, ປູກຕົ້ນໄມ້ໃຫ້ໝາກ, ປູກພືດເປັນສົນຄຳ ແຕ່ຕ້ອງໃຊ້ນາດຕາການ ໃຫ້ເກັບເຮັກສາດິນໄປສອນ. |
| - ຄວາມຄອ້າງຂຶ້ນ ແຕ່ 25 - 36% | ສາມາດປູກພືດໂຮ່, ລຽງສັດ, ປູກຕົ້ນໄມ້ໃຫ້ໝາກ, ປູກພືດເປັນສົນຄຳລະບົບ ກະສິກຳ-ປ່າໄມ້ ແຕ່ຕ້ອງມີນາດຕາການ ຕາມການເຊາະເຈື່ອນຂອງດິນ. |
| - ຄວາມຄອ້າງຂຶ້ນ ແຕ່ 36 - 45% | ສາມາດປູກພືດໂຮ່ ຕາມຄວາມຈຳເປັນ, ປູກຕົ້ນໄມ້ໃຫ້ໝາກ, ນຳໃຊ້ລະບົບ ກະສິກຳ-ປ່າໄມ້ ແຕ່ຕ້ອງມີນາດຕະການ ຕາມການເຊາະເຈື່ອນຂອງດິນ. |
| - ຄວາມຄອ້າງຂຶ້ນສູງກວ່າ 45% | ຮັກສາໃຫ້ມີປ່າໄມ້ ເພື່ອປ້ອງກັນ ການເຊາະເຈື່ອນຂອງດິນ. |

- ສ່ວນປະເພດທຸກໆ ນຳຈຳເປັນຕ້ອງແບ່ງຕາມກິດ ກິດໝາຍນີ້ ເພື່ອທຳວ້າງຂວາງ ແຕ່ໃຫ້ຢືນໃສ່ ສະພາບຕົວຈິງ ເພື່ອຈັດຕັ້ງປະຕິບັດ, ແຕ່ສິ່ງສຳຄັນ ຕ້ອງໄດ້ເຂົ້າໃຈ ປຸງລະບົບກິດໝາຍ ຂອງສິ່ງທີ່ເປົ້າໝາຍ ກິດໝາຍ ດ້ານເຊາະສາຍ

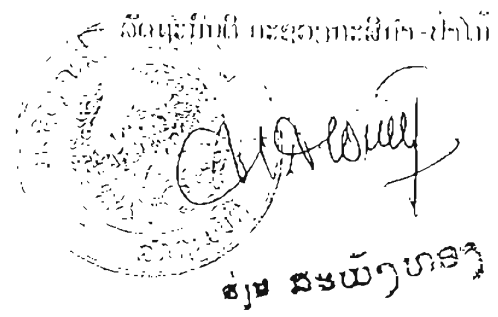
ບວກເຂົ້າກັບການກຳແໜ້ນພຶດຊະນະ ລະບົບ ຜະລິດກະສິກຳ ປ່າໄມ້ ຂອງປະຊາຊົນ ກັບຕາເວົ້າທີ່ມີປະສິດທິພາບ ສິນທິ
 ກັບການກຳໃຊ້ລະບົບ ເຕັກໂນໂລຊີສູງສຸດ ການແປພາບຖ່າຍທາງອາກາດ ມາດຕາສ່ວນໃຫຍ່ 1-5000, ສ້າງແຜນທີ່
 ໃຊ້ ທີ່ຕິດໃນປະຈຸບັນໂຄສາຫາລື ກຳນົດການກຳໃຊ້ທີ່ດິນ ຍັງແບບກະສິກຳບ້ານ ຈຶ່ງວ່າງແຜນການລະອຽດ ເຂົ້າ
 ວຽກງານມອບເຕີນ-ມອບປ່າຈຶ່ງຈະລົບປະກັນໄດ້ ການຜະລິດ ກະສິກຳ-ປ່າໄມ້ ທີ່ມີຄວາມໝັ້ນຄົງ ຄົບຖ້ວນ ແລະ
 ມີປະສິດທິພາບ ທັງປົກປັກຮັກສາປ່າໄມ້ ແລະສິ່ງແວດລ້ອມທຳມະຊາດ, ພ້ອມກັບກັບກຳລັງເອົາໃຈໃສ່ເຕີມ ຂະໜານ
 ພຶດຊະນະທີ່ຖອດຖອນໄດ້ໃນຂະບວນວິວັດ ຂອງວຽກງານ ມອບເຕີນ-ມອບປ່າໃນໄລຍະຜ່ານມາ ແລະ ນຳໃຊ້ທຸກໜ້າທີ່
 ປະດິດສ້າງ ຈົນໃໝ່ເລື້ອຍໄດ້ ວຽກງານມອບເຕີນ-ມອບປ່າ ມີຄວາມອຸດົມສົມບູນ ຂຶ້ນເລື້ອຍໆ ສາມາດເປັນມາດ
 ບາບ ເພື່ອຂາດໃນການແກ້ໄຂການຈຳກັດ ກ້ຽວໄປເບິ່ງ ບ່ອນຢູ່ເກີ ການຖາງປ່າເຮັດໂຮ່ ຂອງປະຊາຊົນກັບຕາເວົ້າ
 ສ່ວນລາຍລະອຽດຕ່າງໆ ກັບ ກະຊວງກະສິກຳ-ປ່າໄມ້ໄດ້ມີໄລຍະວິຊາການແບບກຳນົດຮ່ວມ
 ບາດກ້ວນການດຳເນີນງານ ການມອບເຕີນ-ມອບປ່າ.

ສຳນັກງານຈັດຕັ້ງປະຕິບັດລະບະໂຕກຶ່ງຢູ່ແຕ່ທ້ອງຖິ່ນ ເຖິງເທິງມີຂອດໃດກຶ່ງໃນບົດແນະນຳສະບັບ ນີ້ຈຶ່ງ
 ບໍ່ທັນສອດ ຄ່ອງກັບສະພາບ ຕົວຈິງ ເຊິ່ງສາໃຫ້ ເພີ່ມເບີກຫາທີ່ທາງແຂວງ ແລະ ເມືອງ ບໍ່ສາມາດແກ້ໄຂໄດ້
 ຈຶ່ງຮິບຮັອນລາຍງານສ່ອງແສງ ໄປຍັງກະຊວງກະສິກຳ ປ່າໄມ້ ເພື່ອພິຈາລະນາ ແລະ ແກ້ໄຂໃຫ້ ສອດຄ່ອງ
 ຢ່າງທັນການ

ດັ່ງນັ້ນ ຈຶ່ງໄດ້ອອກບົດແນະນຳສະບັບນີ້ ເພື່ອເປັນພື້ນຖານໃນການຈັດຕັ້ງປະຕິບັດ ວຽກງານມອບເຕີນ-
 ມອບປ່າ ໃຫ້ມີປະສິດທິພາບສູງ

- ບ່ອນສົ່ງ**
- ຫ້ອງວ່າການສູນກາງພັກ
 - ເລື່ອລາຍງານ 1 ສະບັບ
 - ຫ້ອງວ່າການ ສຳນັກງານນະຄອນ
 - ລັດຖະມົນຕີ ເລື່ອລາຍງານ 1 ສະບັບ
 - ກະຊວງການເງິນ ເລື່ອຊາບ 1 ສະບັບ
 - ກະຊວງຖະແຫລ່ງຂ່າວວັດທະນະທຳ
 - ເລື່ອຊາບ ແລະ ອອກຂ່າວ 1 ສະບັບ
 - ຫ້ອງການຄະນະກຳມະການຈັດສັນ
 - ທີ່ດິນ ແລະ ມອບເຕີນ-ມອບປ່າ
 - ເລື່ອຊາບ 1 ສະບັບ
 - ເລື່ອເກີນັກຮຽນ 1 ສະບັບ

ລັດຖະມົນຕີ ກະຊວງກະສິກຳ-ປ່າໄມ້



ສົມ ສະພັງບອງ

4.6. Forestry Law (11/10/1996)

Supercedes all previous decrees and regulations not consistent with the forestry law

DRAFT

THE FORESTRY LAW

Adopted by the National Assembly 11 October 1996
Promulgated by the President of the State 2 November 1996
Effective 2 November 1996

Supplants:

Decree No. 169/PM, 6 November 1993, regarding the Administration of Forests and Forest Lands; and Decree 186/PM, 12 October 1994, regarding the Division of Land and Forests for Tree Planting and Forest Preservation.

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Table of Contents

DECREE OF THE PRESIDENT ON THE PROMULGATION OF THE FORESTRY LAW.....	5
RESOLUTION OF THE NATIONAL ASSEMBLY ADOPTING THE FORESTRY LAW.....	6
PART I.....	1
GENERAL PROVISIONS.....	1
Article 1: <i>Function of the Forestry Law</i>	1
Article 2: <i>Forests</i>	1
Article 3: <i>Forest Resources</i>	1
Article 4: <i>Forest Land</i>	1
Article 5: <i>Ownership Relative to Forests and Forest Lands</i>	1
Article 6: <i>Promotion of the Preservation and Propagation of Forests</i>	1
Article 7: <i>Rights, Benefits Relative to Preserving and Administering Forests and Forest Land</i>	2
Article 8: <i>Obligations in the Preservation of Forests and Forest Land</i>	2
PART II.....	2
ADMINISTERING FORESTS AND FORESTRY ACTIVITIES.....	2
Chapter 1.....	2
ADMINISTERING FORESTS.....	2
Article 9: <i>Administering Forests</i>	2
Article 10: <i>Surveying, Allocation and Categorization of Forest Type and Area</i>	2
Article 11: <i>Administrative Planning, Forest and Forest Land Use</i>	2
Article 12: <i>Assignment of Forests and Forest Lands to Local Authorities for Administration and Use</i>	2
Article 13: <i>Assignment of Forest and Forest Lands in Individuals and Organizations for Possession and Use</i>	3
Article 14: <i>Transformation of Forests and Forest Land</i>	3
Article 15: <i>Transformation Fees for Natural Forests or Forest Land</i>	3
Chapter 2.....	4
CATEGORIZATION OF FOREST TYPE.....	4
Article 16: <i>Forest Types</i>	4
Article 17: <i>Protected Forests</i>	4
Article 18: <i>Forest Reserves</i>	4
Article 19: <i>Production Forests</i>	4
Article 20: <i>Rehabilitated Forests</i>	4
Article 21: <i>Degraded Forests</i>	4
Chapter 3.....	4
ADMINISTRATION OF FORESTRY ACTIVITIES.....	4
Article 22: <i>Forestry Activities</i>	4
Article 23: <i>Undertaking Forest Activities</i>	5
Article 24: <i>Registration of Forestry Activities</i>	5
PART III.....	5
REGULATIONS FOR THE USE OF FORESTS AND FOREST LAND.....	5
Chapter 1.....	5
EXPLOITATION OF WOOD AND FOREST DERIVED PRODUCTS.....	5
Article 25: <i>Exploitation of Wood and Forest Derived Products</i>	5
Article 26: <i>Moving Wood and Forest Derived Products</i>	5
Article 27: <i>Cutting of Self-Planted Trees</i>	5
Article 28: <i>Wood Exploitation and Harvesting Wood Derived Products from Controlled Forests and Village Use for Family Construction</i>	6
Article 29: <i>Export of Wood and Forest Derived products Abroad</i>	6
Article 30: <i>Customary Use of Forests and Forest Lands</i>	6
Chapter 2.....	6
FOREST INDUSTRIES AND FOREST DERIVED PRODUCTS.....	6

Article 31:	Establishment and Undertakings of Wood or Forest Derived Products Processing Plants	6
Article 32:	Administration of Wood Exploitation Machinery and Wood Processing Machinery	6
Chapter 3:	.....	7
PLANTING AND REHABILITATING TREES		7
Article 33:	The Purpose of Planting and Rehabilitating Forests	7
Article 34:	Promotion of Tree Planting	7
Article 35:	Promotion the Rehabilitation of Reed Forests	7
Article 36:	Location and Species of Trees to be Planted	7
Article 37:	Plans for Planting Trees and Rehabilitating Forests	7
Article 38:	Regulations for Planting and Rehabilitating Forests	7
Chapter 4:	.....	7
MARINE ANIMALS AND WILDLIFE		7
Article 39:	Marine Animals and Wildlife	7
Article 40:	Having Possession of, Hunting, and Removing Marine animals and Wildlife	8
Chapter 5:	.....	8
PRESERVATION OF FORESTS		8
Article 41:	Preservation of Protected Forests	8
Article 42:	Preservation of Forest Reserves	8
Article 43:	Preservation of Flora, Species of Marine Animals, Wildlife Outside of Forest Reserve Areas	9
Article 44:	Protection Against and Prevention of Tree Species Diseases and Insects	9
Article 45:	Protection and Prevention of Forest Fires	9
Article 46:	National Arbor Day, National Fishery and Marine Animal and Wildlife Protection Day	9
Article 47:	Forestry and Forestry Resources Development Fund	10
Part IV:	.....	10
RIGHTS AND OBLIGATIONS OF FOREST AND FOREST LAND USERS		10
Article 48:	Obtaining the Right to Possess and Use Forests and Forests Lands	10
Article 49:	Rights of those who Possess and Use Forests and Forest Lands	10
Article 50:	Assignment of the Right to Possess and Use Forests and Forest Lands	10
Article 51:	Rights to Possess and Use Forests and Forest Lands	10
Article 52:	Rights to Receive Benefits from Forests and Forest Lands	10
Article 53:	Rights to Transfer Forests and Forest Lands	11
Article 54:	Rights to Succeed to Forests and Forest Lands	11
Article 55:	Customary Rights to Use Forests and Forest Lands	11
Article 56:	Lease of Forests and Forest lands	11
Article 57:	Obligations of those who Use Forests and Forest Lands	11
Article 58:	Expiration of the Right to Possess and Use Forests and Forest Lands	11
PART V		11
FORESTRY ADMINISTRATION AND INSPECTION AGENCIES		11
Chapter 1:	.....	11
FOREST ADMINISTRATION AGENCIES		11
Article 59:	Forestry and Forestry Activities Administration Agency	11
Article 60:	Rights and Duties of the Ministry of Agriculture and Forestry	12
Article 61:	Rights and Duties of the Provincial and Prefectural Agriculture and Forestry Division	12
Article 62:	Rights and Duties of the District Agriculture and Forestry Office	12
Article 63:	Rights and Duties of the Village Administrative Authorities	13
Chapter 2:	.....	13
FOREST INSPECTIONS		13
Article 64:	The Purpose of Forest Inspections	13
Article 65:	The Forestry Inspection Agency	13
Article 66:	Types of Forest Inspections	13
Article 67:	Rights and Duties of Forest Inspection Agencies	14
PART VI		14
PRIVILEGES [GRANTED TO] PRODUCTIVE PERSONS AND MEASURES AGAINST OFFENDERS		14
Article 68:	Privileges for Productive Persons	14

DRAFT

<i>Article 69</i>	<i>Measures Against Violators</i>	14
<i>Article 70:</i>	<i>Education and Training Measures</i>	14
<i>Article 71</i>	<i>Fines</i>	15
<i>Article 72</i>	<i>Criminal Measures</i>	15
<i>Article 73:</i>	<i>Additional Punitive Measures</i>	16
Part VII.....		16
FINAL PROVISIONS		16
<i>Article 74</i>	<i>Implementation</i>	16
<i>Article 75:</i>	<i>Effectiveness</i>	16

DRAFT

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No. 04/96

DRAFT

RESOLUTION
of the
NATIONAL ASSEMBLY
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the adoption of the Forestry Law

- Pursuant to Article 40, Clause 2 of the Constitution and Article 2, Clause 2 of the National Assembly Law of the Lao People's Democratic Republic;
- Pursuant to the proposal of Mr. Kham-Ouane Boupha, Minister of the Ministry of Justice of the Lao People's Democratic Republic;
- After extended and in-depth research and consideration regarding the contents of the Forestry Law, the 9th Ordinary Meeting of the IIIrd Congress of the National Assembly on the afternoon agenda of Friday, the 11th of October 1996.

Resolved:

Article 1: To adopt the Forestry Law by unanimous vote.

Article 2: This Resolution is effective from the day it is signed.

Vientiane, 11 October 1996
President of the National Assembly
(seal of the President of the National Assembly)
(signature)
Samane Vignaket

(National Seal)

Lao People's Democratic Republic
Peace Independence Democracy Unit Prosperity

DRAFT No. 125/PDR

DECREE
of the
PRESIDENT
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the promulgation of the Forestry Law

- Pursuant to Article 53, Article 1 of the Constitution of the Lao People's Democratic Republic;
- Based on the Resolution of the 9th ordinary session of the National Assembly, IIIrd Congress on the adoption of the Forestry Law No. 004, dated 11 October 1996.
- Pursuant to the proposal of the Standing Committee of the National Assembly No. 08/SCNA, dated 16 October 1996.

*The President of the
Lao People's Democratic Republic*
issues this decree to:

Article 1: Promulgate the Forestry Law.

Article 2: This Decree is effective from the day it is signed.

Vientiane, 2 November 1996

(seal of the President of the State)
(signature)
Nouhak Phoumsavan

Lao People's Democratic Republic
Peace Independence Democracy Unit Prosperity

National Assembly

No. 01-96
Date: 11/10/96

The Forestry Law

Part I

General Provisions

Article 1: Function of the Forestry Law

This Forestry Law determines basic principles, rules, and measures relative to the administration, maintenance, use of forestry resources and forest lands, promotion of rehabilitation, planting and propagation of forestry resources in the Lao People's Democratic Republic in order to balance nature, make forests and forest lands a sustainable source of sustenance and used by the people, ensure the protection of water resources, preventing soil erosion, protecting flora, trees, aquaculture and wildlife and the environment, contributing to national socio-economic development for continually increasing wealth.

Article 2: Forests

Forests are a precious national natural resource comprise of flora, multiple types of trees which grow naturally or which are planted and the existence of which is necessary for the preservation of the environment and the existence of humanity.

Article 3: Forest Resources

Forest resources are resources which have life and which do not have life which are comprised of soil, flora, trees, water, marine animals, wildlife, etc., which are all in the area of forest land.

Article 4: Forest Land

Forest lands are all parcels of land which do or do not have forest coverage which the State has determined are forest lands.

Article 5: Ownership Relative to Forests and Forest Lands

Natural forests and forest lands are the property of the national community whom the State represents in the administration and allocation of individual use and reasonable organization. Individuals and organization shall be the right to possess and use any tree, natural forest and forest land provided only that (they) have received approval from the relevant authorized agency.

For trees and forest which individuals or organizations have planted or have rehabilitated by their own labors or funds with the acknowledgement of the State, [such shall be considered] the property of the planter or the rehabilitator who has the right to possess and use, to receive the results of, transfer and succeed to [the interests thereof] according to the laws and regulations.

Article 6: Promotion of the Preservation and Propagation of Forests

The State promotes individuals and organizations to participate in the preservation, rehabilitation, planting of trees and propagation of forestry resources by issuing policies, rules and measures in order to make forests and abundant, valuable and natural resource which will never be exhausted.

Article 7: Rights, Benefits Relative to Preserving and Administering Forests and Forest Land

Individuals and organizations who the State has assigned forests [or] forest lands for preservation and administration have the right to receive compensatory benefits, i.e.: use of wood, harvesting forest products, etc. according to specific regulations issued by the relevant agency.

Article 8: Obligations in the Preservation of Forests and Forest Land

Individuals and organizations have the obligation in the preservation of forests, forestry resources, forest lands, water sources, marine animals, wildlife and the environment, proper use of forests and forest lands according to regulations, to not degrade forests, to exhaust them, to issue necessary measures for the prevention of forest fires, contribute to preventing the destruction of forests by any means.

Part II***Administering Forests and Forestry Activities*****Chapter 1*****Administering Forests*****Article 9: Administering Forests**

The administration of forests is comprised of surveying, forest allocation, forestry data and statistics collection, listing, categorization, demarcation of forest areas and forest lands, planning use, issuing regulations, distribution of forest and forest land use [and] technical recommendations.

Article 10: Surveying, Allocation and Categorization of Forest Type and Area

The Government assigns the Ministry of Agriculture and Forestry to co-ordinate with relevant sectors, local authorities to conduct forest surveys and allocation, to collect data relative to forests in the entire country to categorized type, to determine area, to monitor the circumstances of forest changes, the area of forest lands and the environment.

Determination of the types of forest, the area and the forest land area for each type must principally reference the location the circumstances, the significance and the suitability of the forestry resource and forest lands existing in each geographical area of the country.

In addition, there must be a determination of forest types, the area of the forest, and forest land under central, provincial, prefectural, district, village, organizational, and individual administration.

Article 11: Administrative Planning, Forest and Forest Land Use

The Government determines the general administrative and use plans for forests and forest land throughout the country, which plan is comprised of long, medium, and short term plans which are thereafter submitted to the National Assembly for consideration and adoption.

Local authorities, with reference to the Government's general plan and actual local circumstances shall make an administrative and a use plan for forests and forest lands in their localities and shall thereafter submit such to higher authorities for adoption.

Article 12: Assignment of Forests and Forest Lands to Local Authorities for Administration and Use

After allocation and division of forest types and determining forest areas and forest lands, the Government shall assign rights to local authorities, from there the province and the prefecture shall assign to the district and the district to the village to be responsible.

In the assignment of forests and forest lands, the provincial authorities, the prefecture, the district or the village which have adjoining borders shall participate and acknowledge such.

Article 13: Assignment of Forest and Forest Lands in Individuals and Organizations for Possession and Use

The State assigns rights to use degraded forest lands or defoliated lands to individuals and organizations according to their labor and financial capacity to plant and rehabilitate forests for individuals the area shall not exceed three hectares for each laborer in a family. In case more is needed, [the concerned individual] has the right to lease [more] than from the State. For organizations, reference is made to actual production capacity.

For enterprises which need to use degraded forests or defoliated land to plant trees, the state shall have a specific policy on a case by case basis.

Individuals and organizations are absolutely prohibited from using dense or reed natural forests for planting their trees which [forests] can themselves grow as natural forests.

Article 14: Transformation of Forests and Forest Land

It is prohibited to transform forestry area or forest lands which the State administers or which the State has assigned to an individual or an organization to possess and use according to purposes provided for some other purpose. In necessary cases and for the public good there may be transformation of forests or forest land to use for some other purpose, but there must first have been approval from the relevant authorized agency.

The authorized agency in approving relevant to transformation of forest and forest lands are comprised of:

- District authorities for forest area or forest lands of three or less hectares with the approval of the Provincial or Prefectural Agriculture and Forestry Division;
- Provincial and Prefectural authorities for forest areas or fore lands in excess of three hectares to one hundred hectares with the approval of the Ministry of Agriculture and Forestry;
- Ministry of Agriculture and Forestry for forest and forest land areas in excess of one hundred hectares to ten thousand hectares with the approval of the Government;
- Government for forest and forest land area in excess of ten thousand hectares of more with the approval of the National Assembly.

Article 15: Transformation Fees for Natural Forests or Forest Land

When there is transformation of a natural forest or forest lands into some other purpose, whether that change is permanent or temporary, those who have received permission for the transformation must be able labile to pay fees for such transformation, modifications to the land and to replant trees, for wood and forestry resources, such are the property of the State.

Chapter 2

Categorization of Forest Type

Article 16: Forest Types

Forests in the Lao People's Democratic Republic are divided into the following types:

1. Protected forests;
2. Forest Reserves;
3. Production Forests'
4. Rehabilitated Forests;
5. Degraded Forests or Defoliated Land

Article 17: Protected Forests

Protected forest are forests and forest land which are divided for the purpose of protecting water sources, preventing soil erosion, strategic areas for natural defense, prevention of natural disasters, the environment, etc.

Article 18: Forest Reserves

Forest reserves are forests and forest lands which are separated for the purpose of preserving species of flora and fauna, nature and other precious things in terms of history, culture, tourism, the environment, education and experimental scientific research.

Article 19: Production Forests

Production forests are forest and forest lands which have been separated to provided for the requirements of national socio-economic development and peoples' regular and continual daily living needs in terms of wood and forest derived products which do not seriously affect the environment.

Article 20: Rehabilitated Forests

Rehabilitated forests are young reed forests which are separated for rehabilitation and complete restoration into old natural reed forests.

Article 21: Degraded Forests

Degraded forest are forests which have been heavily damaged, i.e.: the land area has no forest [coverage] or the are is defoliated which is separated for reforestation or to assign to an individual and to an organization to use for reforestation, and to organize reforestation, permanent agro-forestry and livestock production or use for some other purpose according to the national socio-economic development plan.

Chapter 3

Administration of Forestry Activities

Article 22: Forestry Activities

Forestry activities are all undertakings relative to forests and forest resources perform in or outside of forest areas and forest land, i.e.: surveys, design, planting, rehabilitation, maintenance and preservation, forest development, exploitation, moving wood and wood products, processing, protection of forestry resources, preservation of water sources, forest related natural environment and propagation of species of flora, species of trees and marine animals including stopping dry rice cultivating forests [and encouraging relevant individuals] to undertake fixed occupations.

Article 23: Undertaking Forest Activities

Individuals or organizations may undertake any forestry activity provided only that approval has been received from the relevant forestry administration agency.

Article 24: Registration of Forestry Activities

Registration of forestry activities shall be conducted according to the Business Law promulgated by the State.

Part III***Regulations for the Use of Forests and Forest Land*****Chapter 1*****Exploitation of Wood and Forest Derived Products*****Article 25: Exploitation of Wood and Forest Derived Products**

Exploitation of wood and forest derived products can be undertaken specifically in production forest which have been surveyed and allocated and surveyed for exploitation, [and] only in areas which forestry exploitation has been planned in order to ensure that the exploitation of wood is continuous and exploitation can be repeated in areas which have already been exploited.

The exploitation of wood must be performed according to the following principle regulations:

- use of selective cutting, clear cutting is prohibited except in necessary cases;
- cutting of pre-determined trees to ensure continuity of species;
- cut trees must be collected to utilize for maximizing [wood] value;
- cut trees according to technical [standards];
- cut trees by restricting destruction of surrounding trees, ensuring that there will be no environmental impact, soil erosion or drought,
- after cutting, the forest must be maintained and protected or reforested;

For the exploitation of forest derived products, i.e.: mushrooms, roots, bulbs, vine, sprigs, shoots, leaves, flowers, fruits, bark, oils, sap, etc., shall be performed according to specific regulations issued by the relevant authorized agency.

Article 26: Moving Wood and Forest Derived Products

Moving wood and forestry derived products must be undertaken according to regulations, i.e.: payments for resources, each log must be marked and stamped, be accompanied by removal documents, be removed according to a pre-determined road and must be declared at the declaration post.

Article 27: Cutting of Self-Planted Trees

Cutting of self-planted trees for family use shall be reported to the village administrative authorities for notice and inspection.

If wood is to be moved to another district, a report must be made to the district forestry officials for inspection.

For the cutting of trees as commodities, approval must be obtained from the Provincial or Prefectural Agriculture and Forestry Division by a request through the District Agriculture and Forestry Office.

Article 28: Wood Exploitation and Harvesting Wood Derived Products from Controlled Forests and Village Use for Family Consumption

Cutting trees in village production forests for building, repairs and family consumption is allowed but in the area of village production and of wood types which are not prohibited of which the volume does not exceed five cubic meters, one log per family which needs [the wood] which must be cut from a pre-determined area and undertaken according to regulations issued by the village administrative committee. Harvesting forest derived products for family consumption shall be pursuant to village regulations as adopted by the District Agriculture and Forestry Office.

Article 29: Export of Wood and Forest Derived products Abroad

The export of wood and forest derived products abroad must be pursuant to regulations, i.e.: received Government approval, exported pursuant to an approved amount and via an approved [export] post.

Article 30: Customary Use of Forests and Forest Lands

Customary use of forests and forest lands is the use of the forests, forest lands and forest derived products which have been undertaken for a long period of time and which are recognized by society or by law by which the harvesting of wood which is not of a prohibited type to make fences, for firewood, harvesting forest derived products, for hunting and for harvesting marine animals which are not prohibited for family use and for other customary uses. Such customary use shall not cause damage to forests or forest resources and are not to prejudice the rights and benefits of individuals or organizations.

The customary use of forests, forest lands and forest derived products must be undertaken according to regulations regarding forest and forest land issued by village administrative authorities in compliance with the special objectives of the village from time to time and which are proper and in accordance with Article 63 of this law.

Chapter 2

Forest Industries and Forest Derived Products

Article 31: Establishment and Undertakings of Wood or Forest Derived Products Processing Plants

The establishment of wood processing plants or processing plants for forest derived products must be undertaken strictly pursuant to regulations regarding the establishment of wood processing plants or processing plants for forest derived products and must have received approval from the Ministry of Agriculture and Forestry and other relevant agencies. The undertakings of such plants must be according to regulations, i.e.: use of proper raw materials and maximization of utility, proper distribution of processed products according to regulations.

Article 32: Administration of Wood Exploitation Machinery and Wood Processing Machinery

The importation and distribution of all types wood exploitation machinery and wood processing machinery must be approved by the Ministry of Agriculture and Forestry and must be pursuant to other relevant regulations.

The possession and use of wood cutting machinery and wood chopping machinery must be registered with the Provincial or Prefectural Agriculture and Forestry Division.

Chapter 3

Planting and Rehabilitating Trees

Article 33: The Purpose of Planting and Rehabilitating Forests

Planting and rehabilitating forests is to preserve and to propagate national forest resources in order to provide for a non-exhaustible wood and forest derived products use, to protect water sources, land, marine animals, wildlife and the environment for a balance as well as being significant State, organizational and individual revenue.

Article 34: Promotion of Tree Planting

The state promotes individuals and organizations to widely plant trees and as groups, whether [planting specific] species of flora, short term, medium term or long term species by issuing various suitable policies for domestic and foreign investment, i.e.: credit policies, taxation, species of flora and trees, lease extensions as well as increasing the leasehold area, etc., pursuant to regulations.

Article 35: Promotion the Rehabilitation of Reed Forests

Individuals or organizations who have preserved and rehabilitated reed forests and have restored them as dense forests by restoring the forest, forbearing from clearing land for dry rice cultivation, from cutting trees and from burning such forest, shall receive special commendations and privileges from the Government, i.e.: credit and tax privileges.

Article 36: Location and Species of Trees to be Planted

The planting of trees principally shall be conducted on degraded lands, vacant land, defoliated lands which have been allocated and lands where there has been approval for cutting trees for which there are plans to sue such for some other purpose.

Article 37: Plans for Planting Trees and Rehabilitating Forests

Reference the Government's forestry development plans, local forestry agencies under the recommendation of local administrative authorities shall be responsible for drafting planting plans and for short term, medium term and long term rehabilitation of forests within their own localities, including express provisions regarding species of trees to be planted, locations, and areas for planting or rehabilitation, both in rural and urban areas, as well as those who will conduct the planting or rehabilitation and the budget for planting, rehabilitation, and preservation.

Article 38: Regulations for Planting and Rehabilitating Forests

In order to make the conditions of planted and rehabilitated forests be proper and in accordance with standards as issued by the Forestry agency, it is necessary to ensure proper and appropriate planing and rehabilitation techniques.

The Ministry of Agriculture and Forestry has the duty to issue various regulations to promote and administer techniques and nature studies relative to the natural succession of species, production of species and planting selective cutting, clearing forests, and other technical measures relative to planting and rehabilitating forests.

Chapter 4

Marine Animals and Wildlife

Article 39: Marine Animals and Wildlife

Marine animals and wildlife living naturally in the territory of the Lao People's Democratic Republic are the property of the national community, of which the State is the central administrative representative

and which is uniform throughout the country. The State assigns rights and responsibilities to Lao citizens to preserve, propagate species and use such animals according to laws and regulations of the State and to ensure the continuing increase in the number of marine animals, wildlife.

The State will determine types of restricted and unrestricted marine animals and wildlife according to specific terms which a relevant agency will issue.

Article 40: Having Possession of, Hunting, and Removing Marine animals and Wildlife

The possession of certain aquatic animals and wild life shall be first authorized by the relevant authorities.

Certain categories of animals may be caught or hunted, however, it is prohibited to hunt during prohibited seasons or in prohibited areas; its is prohibited to use equipment with destructive features such as bombs, poisons, electricity, etc.

For the animals in prohibited categories which are close to extinction, it is absolutely prohibited to catch or hunt them except for necessary study and research purposes and which is necessary since that animal will injure people. Before or after killing approval must be requested or there must be a report to the relevant authorities. The animals killed will become the property of the State.

It is prohibited to remove, export, import, or buy or sell prohibited marine animals and wild life whether dead or alive, including animal carcasses or any part of that animal, except if approval has been received, but such must be undertaken according to regulations. Significant hunting implements such as any type of hunting guns must have received approval and be registered.

Chapter 5

Preservation of Forests

Article 41: Preservation of Protected Forests

To protect water sources, to prevent erosion, strategic national defense areas, to protect against natural, environmental and other disasters, it is necessary to strictly protect protected forests e.g.: it is prohibited to practice dry rice cultivation, to cut, to destroy, to burn, to move the trees, to cut wood for fuel wood, to raise live stock [in the forest], erect houses, build other activities, including digging soil, rocks or minerals, hunting or collecting prohibited animals or forest products.

Article 42: Preservation of Forest Reserves

To protect forests in order that they be abundance, as well as vegetation, animals species, and bio-diversity for sustainability and expansion while allowing forests, the beautiful natural panorama for development national parks appropriate for tourism and scientific research and experimentation, it is necessary to protect reserved forests and reserved forests must be divided into absolutely prohibited areas, areas of controlled use and border areas.

Absolutely prohibited areas: are forest areas and forest lands which are places where animals live, forage, and propagate their species and are places where there are many dense species of flora. It is absolutely prohibited to undertake forestry activities and to collect forest products in this area, including entering into that area without authorization. The removal of flora and fauna is similarly prohibited provided only if special authorization has been granted by the local administrative authorities and the Ministry of Agriculture and Forestry.

Areas of Controlled Use: are forest areas or forest lands which adjoin or are near to areas which are absolutely prohibited, in which areas public use is restricted relative to harvesting wood, forestry products and game hunting which will be defined in detail in specific regulations in order to give effect to such absolutely prohibited area.

Adjoining Areas: are forest trails or forest lands which are serve as animal trails connecting reserved forests or between reserved forests and other types of forests to preserve the existence and the expansion of wildlife. In that area, it is prohibited to hunt animals, to cut wood, to carry on forestry activities or other activities that can be obstruct or which can destroy animals trails.

Article 43: Preservation of Flora, Species of Marine Animals, Wildlife Outside of Forest Reserve Areas

Trees species, aquatic animals species, rare wild life, nearly extinct or having special value which are outside of the preserved forest shall be protected as well as in side the preserved forest that the forestry management agency in collaboration with the local authorities have outlined the specific regulations.

It is absolutely prohibited to export the said trees species or animals species except it is specially authorized by the Ministry of Agriculture and Forestry only.

Article 44: Protection Against and Prevention of Tree Species Diseases and Insects

The forestry management agency concerned shall be responsible in the study of data on the occurrence and the epidemic of the disease and the worms, organize the protection and control the epidemic of the vegetation disease and the worms in their forest are by coordinating with other relevant work units, shall be responsible in discriminating the category of seeds or seedlings free of disease, create free of disease zone and protecting zone, set up institute to ensure the issuance of production management certificate, the distribution and the use of the seeds free of disease.

To restrict the epidemic of trees species disease and worms, it is absolutely prohibited to import or remove trees species affecting the said disease.

Article 45: Protection and Prevention of Forest Fires

The prevention and restriction of forest fire are common duties responsibilities the forestry management agency and local authorities have duties to train the people to be aware about the danger of forest fire and outline the regulations and take necessary measures so that forest fire can not be occurred.

In case of forest fire, the local authorities and the forest management agency shall be enterprising to solve the problem by mobilizing the vehicles, materials, equipment, labors of all factors to put out the fire. Upon putting but the fire, the vehicles, materials, equipment shall be delivered to the initial owner or indemnify the cost of the vehicles, materials, equipment according to the appropriateness. The individuals and organization including the defense forces shall collaborate with local authorities in putting out the fire very thoroughly and promptly.

Article 46: National Arbor Day, National Fishery and Marine Animal and Wildlife Protection Day

To build up an awareness of a love for and sustainable preservation of forests, marine animals, wildlife and the natural environment for the people of the many ethnic groups, the State has determined the 1st of June as National Arbor Day.

Authorities at all levels must co-ordinate with relevant sectors. Be enterprising in planning and widely mobilizing all labor forces, and capital from all parties, including the armed forces, civil servants, primary and secondary students, and people to participate in planting trees. After planting, attention must be paid to the maintenance and protection of the planted trees so that they can grow and develop.

Besides National Arbor Day, the State has determined that the 13th of July as National Fishery and Marine Animal and Wildlife Protection Day. As for the methodology and measures in the organizational implementation of National Fishery and Marine Animal and Wildlife Protection Day is to

be carried out similarly to National Arbor Day. Actual tree planting and the release of fish can be carried out all year.

Article 47: Forestry and Forestry Resources Development Fund

To ensure the forestry protection, work forestalled and forestry resources to be conducted very effectively, the state has created forest and forestry resources development funds.

The source of forest and forestry resources development funds is derived from the state budget and the individual, juridical person, collective, social organization, intonation organization contributions and others.

The forest and forestry resources development funds are to be used particularly in the forestry works mainly the protection of protected forest and preserved forest, plantation and forest rehabilitation to protect water-shed and environment, to protect and develop aquatic animals and wild life, propaganda, training about the policy, regulations, laws and forestry tectonics, protection of water-shed environment and others in connection with the forest and forestry resources.

For the organization, management and activities of forest and forestry resources development funds, there will be specific regulations.

Part IV

Rights and Obligations of Forest and Forest Land Users

Article 48: Obtaining the Right to Possess and Use Forests and Forests Lands

Possession of forest and forest land is derived from:

- the transfer;
- the deliver;
- the succession

Article 49: Rights of those who Possess and Use Forests and Forest Lands

The possessor of the forest and forest land has right to possess, use, benefit usufruct, transfer and succeed the forest and forest land.

As for the state organization has the rights to manage, use and protect according to the regulations.

Article 50: Assignment of the Right to Possess and Use Forests and Forest Lands

Assignment is the decision of the competent agency to assign the forest and forest land to the individuals 85%8 and organization for the possession and long term use and have the tranquillity according to the contract and specific regulations.

Article 51: Rights to Possess and Use Forests and Forest Lands

Possession of forest and forest land are the rights to protect, use the forest and forest land that one has acquired. As for the right of using the forest and forest land are the rights to use the forest and forest land according to the target set to satisfy the requirement of the possessor.

Article 52: Rights to Receive Benefits from Forests and Forest Lands

Rights to benefit usufruct from the forest and forest land are the rights to benefit advantages from the forest and forest land that one has developed such as: advantages from the lease, advantages from the mortgage.

Article 53: Rights to Transfer Forests and Forest Lands

The transfer is the delivery of possession of the forest and forest land that one has developed to other person to benefit the advantages that one has created. The transfer shall be notified the relevant authorities and shall undertake new registration and pay the fees according to the regulations.

Article 54: Rights to Succeed to Forests and Forest Lands

The succession, possession of the forest and forest land is the succession of the said rights to the children, nephew, nieces, father, mother, or the relatives after the possessor of the forest land was dead. The succession must be notified the relevant authorities and shall undertake new registration and pay the fees according to the regulations.

Article 55: Customary Rights to Use Forests and Forest Lands

Customary rights to use forests and forests land is to be performed according to Article 30 of this Law.

Article 56: Lease of Forests and Forest Lands

Forests and forest lands may be leased or licensed to individuals and enterprises for planting, preservation, and extraction activities, and to use by a relevant agency approving and contracting for such according to regulations.

Article 57: Obligations of those who Use Forests and Forest Lands

Users of forests and forest lands have the following obligations:

- To properly use forests and forest lands according objectives as determined and in accordance with a contract and the law;
- To use all means to preserve and develop forests and forest lands for continuous abundance;
- To use forests and forest lands while preserving water sources, marine animals, wildlife and the environment;
- To pay royalties, forest fees, and rental for forest land according to regulations and law;
- To report and provide data to the forest management authorities, local authorities and the government on the use of forests and forest lands.

Article 58: Expiration of the Right to Possess and Use Forests and Forest Lands

Rights to possess and use forests and forest lands may expire in the following cases:

- Forfeiture of the right to possess and use;
- Transfer of the right to possess and use;
- Withdrawal of the right to possess and use.

Part V***Forestry Administration and Inspection Agencies*****Chapter 1*****Forest Administration Agencies*****Article 59: Forestry and Forestry Activities Administration Agency**

Forests and forestry activities administration agencies are comprised of the Ministry of Agriculture and Forestry, the provincial and prefectural Agriculture and Forestry Divisions, the district Agriculture and Forestry Office, and village administrative authorities.

Article 60: Rights and Duties of the Ministry of Agriculture and Forestry

In the administration of forests, forest lands and forest activities, the Ministry of Agriculture and Forestry has the following principal rights and duties:

1. Be the governmental logistics center in developing and propagating strategic policy guidelines and Party and State policies into work programs, detailed projects and regulations and laws to administer forest lands, water sources, marine animals, wildlife and forestry activities throughout the country;
2. [Conduct] technical scientific forestry research, create a statistics center network and information on forests, forest lands, forestry resources and water resources;
3. Co-ordinate with relevant parties and localities to survey the natural forestry potential in order to categorize forest areas; determine areas for forest preservation, types of wildlife and marine animals to be preserved as well as organizing the preservation of forestry resources and the natural environment relative to forests;
4. Research and issue opinions regarding investment in forestry activities;
5. Research and train and upgrade forestry technocrats;
6. Consider the conversion of forests or forest lands as determined in Article 14 of this Law;
7. Cooperate with foreign [parties] with respect to forestry activities.

Article 61: Rights and Duties of the Provincial and Prefectural Agriculture and Forestry Division

In the administration of forests, forest lands, and forestry activities, the provincial Agriculture and Forestry Division has the following principle rights and duties:

1. Be the direct logistics [coordinator] to the Ministry of Agriculture and Forestry and the provincial and prefectural administrative authorities in researching, directing, planning, inspecting and vertical and horizontal macro-organization regarding forests within the scope of its responsibility under the supervision and inspection of the provincial governor and the mayor of the prefecture;
2. Co-ordinate with relevant parties in its locality. Conduct surveys of the natural forestry potential in order to allocate forest areas, determine natural preserves, types of wildlife and marine animals which must be preserved as well as organizing preservation of forestry resources and the natural environment relative to forest within its scope of authority.
3. Research and issue opinions regarding investment in forestry activities;
4. Issue license for the exploitation of wood, forestry products as approved by the Government and according to specific regulations;
5. Consider the conversion of forests or forest lands as determined in Article 14 of this Law;
6. Administer and register wood cutting machinery and all types of game hunting guns.

Article 62: Rights and Duties of the District Agriculture and Forestry Office

In the administration of forests, forest lands, and forestry activities, the district Agriculture and Forestry Office has the following principle rights and duties:

1. As the logistics coordinator for the provincial and prefectural Agriculture and Forestry Division and district administrative authorities in researching and implementing plans, work plans, projects, provisions, regulations, orders and notices and instructions of the Ministry of Agriculture and Forestry and the provincial and prefectural Agriculture and Forestry Division under the management of the district chief.
2. Be responsible for organizing people at the village level, manage and preserve forests and forests land, organize the assignment of forest lands and degraded forests or defoliated land to people and families at every village to plant or assign reed forests to rehabilitate or maintain them so that they become dense and abundant, while also protecting forestry resources, forests protecting water sources, marine animals, wildlife and protecting the natural environment relative to forests.

3. Monitor and inspect the adherence to regulations relative to cutting trees, processing wood, and forestry products, game hunting, fishing and selling wildlife.
4. Research and issue opinions relative to investment in forestry activities.
5. Consider the conversion of forests or forest lands as provided for in Article 14 of this Law.

Article 63: Rights and Duties of the Village Administrative Authorities

In the administration of forests, forest lands, and forestry activities village administrative authorities have the following principles rights and duties.

1. Organize the implementation of the district's directives regarding the forest, forest land and forestry activities,
2. Implement the assignment of village forests and forest lands for individuals and inter village organizations, administer, preserve, rehabilitate, plant, propagate and make effective use according to contract, according to plan and approved regulations from the district Agriculture and Forestry office.
3. Publicize, educate, and train regarding the significance and benefits of forests, forest lands, marine animals, wildlife, water resources and the natural environment so that people in their villages actually understand [such significance].
4. Monitor and record the conditions of change in forests, the environment and the circumstances of the undertaking of forestry works in their villages, and thereafter report such to the district Agriculture and Forestry Office.
5. Appoint people to administer forests and forest lands within its village area.
6. Draft specific administrative regulations, for preservation of forests, water sources, marine animals, wildlife and the natural environment within the village for consistency with the actual conditions of that village.
7. Establish fixed occupations for people of its villages in order to restrict and progressively cease the cutting and destruction of forests and protection of the natural environment, making forests and forestry resources return in abundance.
8. Consider approval for peoples cutting of wood within its own village according to regulations.
9. Monitor and inspect and prevent the hunting of game and the illegal buying and selling of wildlife.
10. Be enterprising in timely fighting bad activities impacting forest resources, water sources, and the environment such as illegal logging, burning forests and restricting all acts which are detrimental to the forest resources, marine animals, wildlife and water sources.

Chapter 2

Forest Inspections

Article 64: The Purpose of Forest Inspections

Inspection is the follow-up and observation of the activities, administration and use of forests and forest lands by individuals, organizations, enterprises and forestry authorities so that such may be effectively and properly carried out in conformity with forest regulations, law and other laws of Lao PDR to protect and develop forests, forest lands, and forestry resources.

Article 65: The Forestry Inspection Agency

The forestry inspection agency is an agency established under the same system as the forestry administration agency as provided for Article 59 of this law

Article 66: Types of Forest Inspections

There are three types of forestry inspections:

- Regular systematic inspection;

- Inspection by advance notice;
- Surprise inspections;

Regular systematic inspection is inspection which has features of regular inspections with specific times which must be conducted at least once per year

Inspection by advance notice is inspection when deemed necessary by notifying parties responsible for or who are conducting forestry activities at least twenty-four hours in advance.

Surprise inspection is inspection when deemed necessary but such inspection is conducted urgently without advance notice to parties responsible for or who are conducting forestry activities.

Inspections are to be conducted for the inspection of documents and on site inspection of actual activities

Article 67: Rights and Duties of Forest Inspection Agencies

The Forestry Inspection Agency has the following principal rights and duties:

1. Inspection of documents and inspect activities on site.
2. Order those inspect to cooperate and to provide data to it within a specific period of time.
3. Implement measures regarding inspection such as: entering into to inspect a location, order the suspension of activities, issue orders prohibiting the removal of items to be inspected etc.
4. Apply measures regarding violations of forest laws such as: reeducation, fines, taking into custody or arresting offenders, seizing paraphernalia of the offense, take legal action against offenders according to the law;
5. Request assistance from individuals and State and social organizations including the armed forces in the execution of its inspection duties, such individuals and organizations have the duty to cooperate appropriately with inspection officials.

In conducting inspections, forestry officials must execute such in conformity with regulations and the law.

Part VI

Privileges [Granted to] Productive Persons and Measures Against Offenders

Article 68: Privileges for Productive Persons

Individuals, organizations or enterprises having exemplary deeds in the protection, management, plantation, forestry rehabilitation and preventing forest destruction and forestry resources will receive commendations and privileges provided by the government such as: bonuses, credit privileges, taxes, duties, extension of lease, increase in the leased area, etc., according to regulations.

Article 69: Measures Against Violators

The principal measures against violators of the forest law are the following:

- Reeducation;
- Fines,
- Criminal punishment

In addition, there are additional punitive measures.

Article 70: Education and Training Measures

Education and training measures will be applied to the following first offense violations, causing the damages of less than Kip 50 000 in value;

1. Clearing forests for dry rice cultivation outside the scope of authority for clearing or dry rice cultivation inconsistent with regulations;
2. Cutting of wood fuel, wood fence posts, wood for construction purposes, for family consumption inconsistent with regulations;
3. The harvesting of forestry products in prohibited areas or harvesting which is inconsistent with regulations;
4. Hunting wildlife or harvesting marine animals in prohibited category in prohibited areas or during prohibited seasons;
5. Having possession of prohibited wildlife inconsistent with regulations;
6. Having possession of game hunting weapons inconsistent with regulations;
7. The import of plant species, marine animal species, and wildlife inconsistent with regulations;
8. The use of forest lands inconsistent with regulations;
9. Failure to cooperate with forestry authorities who are performing their duties;
10. Failure to report use and data to forestry authorities regarding forests and forest lands;
11. Other minor violations.

Article 71: Fines

There shall be fines equal to twice the cost of damages, the cost of the goods or the offending materials or the cost of remedying [the damages], the costs of the resources, fees or rental for any individual who commits the following offenses:

1. For the first offense as referred to in clauses 1, 2, 3, 4, 5, 6, 7, and 8 of Article 70 above of which the value of damages is from Kip 50,000 to Kip 500,000 or such act is a second offense with a value of less than Kip 50,000;
2. The import, sale, having in possession of wood harvesting or wood processing machinery without having received approval;
3. Having in possession, remove or export wood or forestry products inconsistent with regulations;
4. Using raw materials of wood processing factories inconsistent with regulations;
5. Failure to pay royalties, forestry fees or rental for forest land;
6. Hunting wildlife or harvesting marine animals in prohibited categories having a value not exceeding Kip 500,000;
7. Taking over forest lands without having received approval;
8. Converting forest lands without having received approval;
9. Use of forest lands inconsistent with objectives as determined [for such use].

Article 72: Criminal Measures

There shall be punishment of deprivation of liberty from three months to five years and there shall be a fine of twice the value of the goods or material or of the damage costs [against] an individuals who commits the following offenses:

1. Cuts wood, clears and burns forests, the damages of which exceed Kip 500,000 or is an act which is a repeated offense of three or more instances and the damages of each instance is not in excess of Kip 500,000.
2. Hunts species of wild animals or marine animals which are prohibited, i.e.: the Ba ox, the Cao La ox, wild buffalo, elephants, the long tailed gray monkey (*Presbytis phagrei* or *Presbytis francoisi* laotum Thomas), khadaeng??, dolphins, etc., as determined by the relevant agency;
3. Indiscriminate hunting of wild animals or harvests marine animals with explosives;
4. Three or more instances of importing, selling or having in their possession wood cutting machinery or wood chopping machinery as provided for in Article 32, paragraph 2 of this Law without having received approval, or importing, selling or having in their possession

such machinery to harvest wood or to process wood.

There shall be punishment of six months to five years for employees [civil servants] who approve the cutting or removal of trees for which [he/she] has no right to approve or issue a license to cut trees in excess of what was approved, improperly approving the conversion, assigning or transferring forest lands in contravention or regulations and the laws or taking advantage of [his/her] position and title for [his/her] personal benefit or receiving bribes.

Article 73: Additional Punitive Measures

In addition to the principal penalties provided for in Article 70, 71 and 72 above, violators may receive additional punishment, i.e.: suspension or withdrawal of the license, withdrawal of the right to possess and use a forest, to replant trees, equipment, vehicles, and items involved in the offense will be nationalized.

Part VII
Final Provisions

Article 74: Implementation

The Government of the Lao People's Democratic Republic is assigned to issue detailed regulations and to implement this law.

Article 75: Effectiveness

This law shall be effective from the date that the President of the Lao People's Democratic Republic issues a Decree to promulgate it.

This law supersedes Decree 169/PM, dated 6 November 1993 regarding the Administration of Forests and Forest Land and Decree 186/PM, dated 12 October 1994 regarding the Division of Land and Forests for Tree Planting and Forest Preservation.

Additionally, all other provisions conflicting with this Law are hereby canceled

Vientiane, 11/10/1996
President of the National Assembly

[seal of the President of the National Assembly]
[signature]

Samane Vignaket

4.7. Water Law (October, 1996)

THE WATER AND WATER RESOURCES LAW

Adopted by the National Assembly 11 October 1996
Promulgated by the President of the State 2 November 1996
Effective 3 February 1997
(90 days after promulgation by the President [Article 42])

Unofficial Translation by
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Table of Contents

Page ii of ii

DECREE OF THE PRESIDENT ON THE PROMULGATION OF THE WATER AND WATER RESOURCES LAW.....	4
RESOLUTION OF THE NATIONAL ASSEMBLY ADOPTING THE WATER AND WATER RESOURCES LAW.....	5
CHAPTER I.....	
..1	
<i>GENERAL</i>	
<i>PROVISIONS.....</i>	1
Article 1. Function of the Water and Water Resources law.....	1
Article 2. Water and Water Resources.....	1
Article 2. Water and Water Catchment.....	1
Article 4. Water and Water Resources Ownership.....	1
Article 5. Promotion, Development and Preservation of Water and Water Resources.....	2
Article 6. Basic Principles of Water and Water Resource Management.....	2
Article 7. Obligations to Protect Water and Water Resources.....	2
CHAPTER II.....	2
<i>SURVEYING, LISTING, AND DETERMINATION OF WATER SOURCE TYPES AND RESERVOIRS.....</i>	2
Article 8. Surveying and listing.....	2
Article 9. Determination of Water Source Types.....	2
Article 10 Types of Catchments.....	3
Article 11. Water sources and Catchment Allocation.....	3
Article 12 Determination of Water and Water Resources Allocation.....	3
CHAPTER III.....	3
<i>WATER AND WATER RESOURCE USE.....</i>	3
Article 13. Objectives of Water and Water Resources Use.....	3
Article 14. Right to Use Water and Water Resources.....	3
Article 15 Small Scale to Use.....	4
Article 16. Medium Scale Use.....	4

Article 17. Large Scale Water Use.....	4
Article 18. Each Type of Use.....	4
Article 19. Water and Water Resources Management.....	4
CHAPTER IV.....	5
DEVELOPMENT OF WATER SOURCES AND MANAGEMENT OF WATER SOURCE DEVELOPMENT ACTIVITIES.....	5
Article 20. Water Development Activities.....	5
Article 21. Conducting Water Source Development Activities.....	5
Article 22. Principles Governing Water Source Development Activities.....	5
Article 23. Management of Water Source Development Activities.....	5
Article 24. Funds Contributed to the Preservation of the Origins of Water and Water Resources.....	6
Article 25. Promotion of Preservation of the Development of the Origins of Water and Water Resources for Use in Producing Electrical Power.....	6
Article 26. Promoting of Public Building of Water Catchments.....	6
Article 27. Diversion, Separation or Modifying Waterflow.....	6
Article 28. Removed of Peoples.....	6
CHAPTER V.....	6
PROTECTION OF WATER AND WATER RESOURCES.....	6
Article 29. Protection of Water and Water Resources.....	6
Article 30. Areas of Protected Water and Water Resources.....	7
Article 31. Prohibitions.....	7
Article 32. Water Quality Standards.....	7
CHAPTER VI.....	7
UNDENIABLE TRUTHS.....	7
Article 33. Facts.....	7
Article 34. Natural Facts.....	7
Article 35. Legally Facts.....	8
Article 36. Rights of Those Who Possess or Reside Near Land Over Which Water Flows.....	8
Article 37. Rights and Obligations of Water and Water Resources Use and Management Agencies.....	8

Article 38. Dispute Resolution	8
CHAPTER VII.....	8
<i>PREVENTING AND FIGHTING WATER DAMAGES</i>	8
Article 39. Water Damages	8
Article 40. Prevention of Flooding	8
Article 41. Prevention of and Fighting Erosion.....	9
Article 42. Preventing Polluted and Waster Water.....	9
Article 43. Monitoring and Inspections.....	9
CHAPTER VIII.....	10
<i>INTERNATIONAL COOPERATION RELATIVE TO THE USE, CONTROL, PROTECTION AND DEVELOPMENT OF WATER AND WATER RESOURCES</i>	10
Article 44. Development and Control of Water and Water Resources between Countries.....	10
Article 45. Resolution of Disputes relative to Water and Water Resources between Countries.....	10
CHAPTER IX.....	10
<i>PRIVILEGES FOR PRODUCTIVE PERSONS AND MEASURES AGAINST OFFENDERS</i>	10
Article 46. Application of Privileges to Productive Persons.....	10
Article 47. Measures Against Offenders	10
CHAPTER X.....	11
<i>FINAL PROVISIONS</i>	11
Article 48. Implementation.....	11
Article 49. Effectiveness.....	11

(National Seal)

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

No. 126/PDR

DECREE
Of the
PRESIDENT
Of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the promulgation of the Water and Water Resources Law

- Pursuant to the Constitution of the Lao People's Democratic Republic, Chapter V, Article 53, Clause 1;
- Based on the Resolution of the 9th ordinary session of the National Assembly, IIIrd Congress on the adoption of the Water and Water Resources Law No. 005, dated 11 October 1996.
- Pursuant to the proposal of the Standing Committee of the National Assembly No. 08/SCNA, dated 16 October 1996.

**The President of the
Lao People's Democratic Republic**
Issues this decree to:

Article 1 Promulgate the water and Water Resources Law

Article 2 This Decree is effective from the day it is signed.

Vientiane, 2 November 1996

(seal of the President of the State)
(signature)
Nouhak Phoumsavan

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No. 05-NA

RESOLUTION
Of the
NATIONAL ASSEMBLY
Of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the adoption of the Water and Water Resources Law

- Pursuant Article 40, Clause 2 of the Constitution and Article 2, Clause 2 of the National Assembly Law of the Lao People's Democratic Republic,
- Pursuant to the proposal of Mr. Kham-Ouane Boupha, Minister of Justice of the Lao People's Democratic Republic,
- After extended and in-dept research and consideration regarding the contents of the Water and Water Resources Law, the 9th Ordinary Meeting of the IIIrd Congress of the National Assembly on the afternoon agenda of Friday, the 11th of October 1996

Resolved:

Article 1: To adopt the Water and Water Resources Law by unanimous vote

Article 2: This Resolution is effective from the day it is signed

Vientiane, 11 October 1996
President of the National Assembly
(seal of the President of the National Assembly)
(signature)
Samane Vignaket

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No. 02-96

Date 11/10/1996

The Water and Water Resources Law

Chapter I

General Provisions

Article 1. Function of the Water and Water Resources Law

This Water and Water Resources Law determines necessary principles, rules, and measures relative to the administration, exploitation, use and development of water and water resources in the Lao People's Democratic Republic to preserve sustainable water and water resources and to ensure volume and quality providing for people's living requirements, promoting agriculture, forestry, and industry, developing the national socio-economy and ensuring that no damage is caused to the environment.

Article 2. Water and Water Resources

Water is one type of liquid natural resource which is the most basic and principal of resources among water resources

Water resources are natural resources which are comprised of things inhabiting water or water resources which do or do not have life, e.g., plants, marine animals, rocks, minerals, sand, mud, stones, etc

Article 3. Water and Water Catchment

A water source is place where there is an accumulation, an abiding [body of water], a [body of water at] rest, or a permanent or temporarily active [body of] naturally occurring water. Water exists above and underground and in the atmosphere

- Aboveground water sources are water sources above the surface of the ground which occur in long connecting flows and in spots, e.g., rivers, small waterways, tributaries, ponds, canals, swamps, streams, bogs, springs,
- Underground water sources are water sources below the surface of the ground occurring in levels, in aquifers, as a stream, or are mixed in with the ground;
- Atmospheric water sources are water sources in the atmosphere which are in the form of the steam, or in small accumulated particles such as fog, clouds, rain, or hail,

- Catchments are all areas of ground surface and forests, from river sources to the mouths of rivers where water is distributed and in places where raindrops are accumulated into a water sources system

Article 4. Water and Water Resources Ownership

Water and water resources are the property of the national community whom the State represents in managing and thoroughly and reasonably allocating its use to various parties.

Individuals, juristic entities, or organizations shall have the right to control and use any natural water and water resource in any activity only so long as they have received approval from relevant authorized agencies, except in the case of small scale usage as provided by this Law.

Article 5. Promotion, Development and Preservation of Water and Water Resources

Page 2 of

10

The Government promotes the development, exploitation, use, preservation and protection of water and water resources including the prevention of ill effects [arising] from water and all acts which cause depletion

Article 6. Basic Principles of Water and Water Resource Management

Water and water resources management and use must be conducted according to centralized and integrated comprehensive management principles, according to the allocation plan provided for in Article 22 of the Law

Article 7. Obligations to Protect Water and Water Resources

In order to successfully protect and use water and water resources, individuals, juristic entities or organizations are obligated to strictly comply to water resource and water source management regulations

Chapter II

Surveying, Listing and Determination of Water Source Types and Reservoirs

Article 8. Surveying and Listing

The Ministry of Agriculture and Forestry is directly liable for water source and water catchment surveying and listing throughout the country through coordination with relevant sectors and localities.

Article 9. Determination of Water Source Type

For use in the National Socio-Economic and Environmental Development Plan in the Lao People's Democratic Republic, water sources are categorized according to the following purpose types.

- 1 Water sources for drinking and use are water sources which are allocated for peoples' consumption and [for their use of it] as a commodity.
- 2 Reserved water sources are water sources which are allocated for the care of animals, vegetation, living and non-living things, etc., including the natural environment and important and precious things;
- 3 Water sources for irrigation are water sources allocated to agro-forestry production and raising livestock,

4. Water resources to produce electrical power are water sources which are allocated to the production of electrical power;
5. Industrial water sources are water sources which are allocated to industrial production;
6. Water sources for water transportation are water sources allocated to boat travel and water transport
7. Water sources for tourism are water sources allocated to tourist use;
8. Water sources for protection of health and hygiene are water sources allocated to use for health and medical care
- 9.

Article 10. Types of Catchments

There are three types of catchments, namely a main catchment, a tributary catchment, and a branch catchment.

1. A main catchment is a catchment where water flows in from the Mekong River which is in the territory of the Lao People's Democratic Republic.

2. A tributary catchment is a water source catchment in the territory of the Lao Peoples' Democratic Republic which is a branch of the Mekong river or of some other river.
3. A branch catchment into which branches flow is a water source catchment which feeds into branches of the Mekong River or the other rivers in the territory of the Lao People's Democratic Republic

The agencies responsible for water must determine to scope and type of catchments provided for in Article 9 of this Law

Article 11. Water Source and Catchment Allocation

In allocating water sources and catchments, reference shall be made to surveying and data collection in order to determine effective division, administration, and use of water and water resources.

Article 12. Determination of Water and Water Resource Allocation

To ensure that water and water resources existing in the Lao Peoples' Democratic Republic are used thoroughly and according to plan, the Government shall determine the distribution of water and water resources.

Chapter III

Water and Water Resource Use

Article 13. Objectives of Water and Water Resources Use

Water and water resources can be used for various purposes, e.g.: for family consumption and as a commodity, irrigation, fishing and raising fish and other marine animals, agro-forestry production, livestock, producing electrical power, industrial production, communications and transportation, athletics, leisure, medicinal, cultural, and other uses.

The use of water in the production of electrical power and irrigation shall be specifically regulated.

Any water and water resource may be used for any purpose or purposes, as the case may be and as is appropriate. For underground water sources, such must principally be reserved for drinking and for use. Use of underground water in medium and large scale activities must have received approval from a relevant agency

Article 14. Right to Use Water and Water Resources

Individuals, juristic or organizations have the right to use water and water resources [at the level of] family use or in business operations.

The right to use water and water resources exists at three levels as

- Small scale
- Medium scale
- Large scale

The right to use water and water resources must be pursuant to the water sources allocation plan.

Article 15. Small Scale to Use

Small scale use is the use of water and water resources which is not of a business nature for the following purposes.

- 1 Family [residential] use for the benefits of the general household or for cultural and athletic use;
2. Fishing and raising fish or other marine animals,
- 3 Collecting dirt, rocks, gravel, sand, mud, and other vegetation in or around a water source;

Page 4 of

10

- 4 Use in agro-forestry production and for livestock for basic family use.

Such small scale use may be undertaken provided that there is no prohibition from a relevant ministry or a local administrative authority.

Article 16. Medium Scale Use

Medium scale water use is the use of water and water resources for the following purposes

- 1 Construction of small scale weirs or dams, building things which impede or divert the flow of water or building a dam or raising an embankment to divert water flow for navigation or as a small reservoir for the production of electrical power or for irrigation, livestock, fishing, etc.,
- 2 Harvesting rocks, gravel, sand, soil, mud, trees, etc. in or around a water source having a nominal effect on nature and the environment;
3. Installation of small mechanical water pumps to undertake production or services which are not family use,
- 4 Use of water sources for tourism, athletics, and culture businesses.

Article 17. Large Scale Water Use

Large scale water use is the use of water and water resources for the following purposes:

- 1 Construction of medium and large scale reservoirs for the purpose of irrigation, consumption, as a commodity and to produce electrical power;
- 2 Construction of buildings or installation of plants, factories, equipment, large scale machinery in the area of, close of, or around the water source area.
- 3 Use of water and water resources in large volumes in the field of industrial plant production

Article 18. Each Type of Use

Small scale use does not require approval. For medium and large scale use, approval must be obtained, there must be registration, and an arrangement must be made. In addition, large scale use must be accompanied by a feasibility study, an environment and social impact assessment.

Article 19. Water and Water Resources Management

Water and water resource management shall be centrally controlled and management shall be divided according to size and water use right as provided for in Article 14 of this Law.

Large scale use shall be government approved.

Medium scale usage shall be approved by a relevant agency, but for significant medium scale use, there must be government approval.

Management, monitoring, and inspection of such use is assigned to relevant divisions and local administrative authorities for execution.

Chapter IV

Development of Water Sources and Management of Water Source Development Activities

Article 20. Water Development Activities

Water source development activities are activities which relate to construction, digging, drilling, installation, improvements, expansion, and repair of reservoirs or water catchments, ponds, shallow wells, deep aquifer wells, canals, breakwaters, or drainage pipes for exploitation, collecting, or to catch (accumulate) aboveground, underground, and atmospheric water sources for use for any purpose as provided for in Article 13 of this Law, including activities to protect against ill effects from flooding, drought, and erosion.

Page 5 of

Article 21. Conducting Water Source Development Activities

Individuals, juristic entities, and organization any conduct any water source development activity provided only that they have obtained approval from the relevant authorized agency, except for small scale water source development activities whose objectives have not been prohibited.

Article 22. Principles Governing Water Source Development Activities

Water development activities must be conducted according to the following principles.

- 1 Must be conducted in compliance with the Socio-Economic and Environmental Development Plan, master plans and development plans from time for each sector and construction plans for each approved project.
- 2 Must ensure the preservation of water resources, the environment and the natural panorama,

- 3 Must prevent ill effects arising from water
- 4 Must conduct [activities] under the inspection of relevant authorized agencies for water and water resources

Article 23. Management of Water Resource Development Activities

Divisions and agencies responsible for water and water resources have the duty to issue regulations regarding water source development activities

Individual, juristic entities or organizations which conduct water source development activities have the duty to maintain and preserve their constructed items in good condition and to ensure safety

Individuals, juristic entities, or organizations which have used or have received benefits from water source development activities have the duty to participate in providing data, maintenance, and preservation of those water source development activities.

Article 24. Funds Contributed to the Preservation of the Origins of Water and Water Resources

Those conducting development activities and who use water and water resources must contribute funds for the maintenance of the origins of water and water sources

Article 25. Promotion of Preservation of the Development of the Origins of Water and Water Resources for Use in Producing Electrical Power

The Government promotes the development and the use of water resources in the production of large, medium and small scale electrical power at water sources where there are [suitable] conditions for the production of electrical power. Use of water resources must refer the capacity and impact where there are conditions conducive to the construction of many [hydro]electric dams or the construction of multipurpose [hydro]electric dams which are planned for the same waterway

In the building of a [hydro]electric dam, reference must be made to preserving the origins of water, forests, the environment, prevention of flooding, water supply, irrigation, water communications, fishing, raising fish, marine animals, etc

Article 26. Promoting Public Building of Water Catchments

The State promotes public building water catchments to ensure agro-forestry production and livestock. Local administrative authorities have the duty to mobilize and to [create] appropriate encouragement, e.g. principally: give credit privileges, give tax exemptions or rebates

Article 27. Diversion, separation or Modifying Waterflow

Page 6 of

10

In water source development activities, small scale diversion, separation, or modification of waterflow must be approved by provincial or prefectural administrative authorities; medium scale must be approved by the Government, large scale must be approved by the National Assembly

Article 28. Removal of Peoples

When necessary to remove peoples from a site or an area of water source development, the project owner must assist in searching for an appropriate residence and livelihood. Funds for use in the removal,

assistance or compensation for damages for such persons shall be calculated in the project investment value

Chapter V

Protection of Water and Water Resources

Article 29. Protection of Water and Water Resources

Individuals, juristic entities, or organizations are obligated to preserve water and water resources, shall not cause water to dry up or be depleted, polluted or become noxious and shall not cause damage to water, water resources, public property and other individual's property. Water and water resources use must be thrifty and there must be measures to diminish undesirable effects upon the environment and natural beauty. In addition, there are still strict obligations to preserve and rehabilitate and maintain forest resources and forest lands in water catchment areas in conformity with the water source allocation plan, forests, land and seasons, specifically in the area of water origins or around water sources.

The Government shall determine protected and reserved areas to preserve water resources

Article 30. Area of Protected Water and Water Resources

The Government determines areas of protected water and water resources in order to supply [a certain] volume and quality of water to the populace in urban and rural areas. Such protected areas may be demarcated or fenced in. Within the protected areas, there shall be no construction, agro-forestry production or industry, livestock, quarrying, mineral excavation, soil, sand, dumping of trash, waste, waste water, poisons, chemical substances, bombs, burials of human or animal cadavers, etc., which cause damage

In the case that it is seen that there is serious damage to water volume and quality or there is risk of spreading disease, the Government shall determine an additional protected area or region or shall use other protective measures

Article 31. Prohibitions

For water and water resource preservation to be effective, it is absolutely prohibited for any individual, juristic entity, or organizations to

- 1 Conduct use, exploit, or destroy water and water resources within reserved areas;
- 2 Cut trees within water origination protected areas or around water sources,
- 3 Dig, drill, excavate or modify land surfaces which will cause erosion in the catchment area, throw or pour materials into the water source which will cause the water source to become shallow and saline or dry up or become noxious and poisonous.

The following acts are prohibited except if approval has been granted:

- 1 Construction or building by water, on the shoreline or in water;
- 2 Exploitation, pumping or digging sand, gravel, minerals, soil or mud from surfaces adjacent banks or surrounding water sources;
- 3 Digging water drainage, filling, modifying or changing water areas, ponds, marshes, streams which are in public areas, including organizations and individuals, which will cause damage to the public good and other persons,
- 4 Construct impediments to water flow or items which impede avenues of water communications,

- 5 Modify water flows or build water regulating gates, dig or excavate medium or small scale drainage ditches

In addition to the above prohibitions, the Government promotes the planting of trees and the rehabilitation of forests in areas of water source protection

Article 32. Water Quality Standards

The responsible water authority shall determine quality standards for drinking water and used water which is drained in to water sources or into some other place

Chapter VI
Undeniable Facts

Article 33. Undeniable Facts

Realities which must be accepted are actual conditions which must occur naturally or as provided for by law

Article 34. Undeniable Natural Facts

Those who possess land upstream do not have the right to block the regular flow of water which will cause damage to those who use water on downstream land

If there is blockage which causes damage to those who use water on downstream land, the possessor of upstream land must be responsible to appropriately compensate the damaged party

Those who possess land downstream must allow water to flow naturally from the upstream land into or across their land

If the person who possesses downstream land dams the water, causing damage to the possessor of the upstream land, that possessor of the downstream land must be liable to compensate for damages which arise.

Article 35. Undeniable Legal Facts

Those who have build or who have received approval to conduct any activity have the right to receive a right of way for any type of water, including polluted water, waste water or toxic water via a pipe or by digging a trench across an individual, a juristic entity's or an organization's and, but must apply appropriate measures and cannot cause damage to the possessor of the land over which the water flows.

If there is a violation of the specific legal realities which must be accepted which causes damage to an individual, a juristic entity, or an organization, the offender and the person enjoying benefits from such instance must compensate damages as appropriate. If the person accepting legal facts is injured but has already received benefits, they must still make appropriate compensation

Article 36. Rights of Those Who Possess or Reside Near Land Over Which Water Flows

Those who possess land over which water flows or land which is close [to water flows] have the right to make use of activities provided for in Article 35 of this Law, but they must contribute to various costs. e.g : construction costs, use costs and costs to maintain and protect the portion which they use for such activities

Article 37. Right and Obligations of Water and Water Resources Use and Management

The water and water resource use and management agency has the right to install and construct necessary items upon the land of individuals, juristic entities, or organizations to distribute and inspect water or improve water quality, including the right to lay electricity lines and water pipes across such land, but must make appropriate compensation for damages which arise

Article 38. Dispute Resolution

Administrative authorities shall resolve disputes arising from specific undeniable truths through arbitration. If no agreement can be reached, the courts shall consider and resolve the matter.

Chapter VII

Preventing and Fighting Water Damages

Article 39. Water Damages

Water damages are damages which arise from water due to natural disaster or due to acts of man, e.g.: floods, rising water, fast rising water, water salinity, polluted water, waste water, muddied water, drying up to the flow of water, erosion etc.

Article 40. Prevention of Flooding

All levels of administrative authorities must be responsible for leading and using effective measures, and applying a central plan and instructions relative to and against flooding. If there is flash flooding the administrative authorities at that place must resolve the matter.

To prevent and to fight flooding, administrative authorities to each level the right to mobilize materials and equipment and labor and use budgets of the State, individuals, juristic entities or organizations in preventing and fighting floods. When the works have ended, such materials and equipment must be returned to their owners and appropriate damage compensation must be made for such materials and equipment.

Individuals, juristic entities or organizations have the duty to cooperate with administrative authorities in preventing and fighting flooding.

Article 41. Prevention of and Fighting Erosion

Agencies responsible for water administrative authorities at all levels must augment their leadership in preventing and fighting erosion. It is prohibited to carry out activities which cause erosion, e.g.: construction, cutting trees, rock quarrying, gravel quarrying, soil, sand, minerals, etc. In addition, in order to prevent erosion impacts, such agencies must have a plan to prevent erosion where necessary, e.g.: reforestation on shorelines and undertaking various other measures.

Article 42. Preventing Polluted and Waste Water

Polluted water is water which is not clear or water which has been used which can be reused after being recycled.

Waste water is water which has been used which has dirty matter in it [or] has chemicals mixed in it which causes it to lose its characteristics as water, being dangerous to the environment.

Individuals, juristic entities or organizations must adhere to regulations regarding the prevention of waste water.

All acts which causes damage to water or water resources, the environment, animals, and the living conditions of the people are prohibited. It is prohibited to throw or release waste of all types which will cause water pollution or waste water into water resources in excess of approval water pollution levels and water quality standards.

Before throwing or releasing polluted water, waste water or waste into water sources in excess of standard levels, there must first have been recycling, e.g.: water from mechanical plants, factories, abattoirs, hospitals, etc.

Should any individual discover any act referred to above, they must report such to the village administrative authorities or to a responsible organization for timely resolution [of the problem]

It is prohibited to throw into or release waste or any matter [whatesoever] into water sources causing damage beyond the approved standards level of water pollution and water quality.

Before throwing or releasing waste water or waster into the water sources, individuals, organizations or juristic entities must first treat[/recycle] it.

Article 43. Monitoring and Inspections

The agency responsible for water and other relevant agencies have the duty to regularly monitor and inspect the adherence to and the application of the following measures

- 1 Standards, volume and quality of water as provided by regulations and laws;
- 2 The proper use of water and water resources according to type and system of use,
- 3 Execution of construction projects relative to the development of water sources so that they are in accordance with the socio-economic development plan, the environment, the water sources allocation plan, the masterplan and the construction plan relative to development of water resources.

In addition to applying other regulations and laws relative to water and water resources, a fund must also be organized for the protection and development of water and water resources.

Chapter VIII

International Cooperation relative to the Use, Control, Protection, and Development of Water and Water Resources

Article 44. Development and Control of Water and Water Resources between Countries

The exploitation, use, control, protection, and development of water and water resources between countries must be conducted in compliance with signed treaties and conventions, e.g . use and preservation of water and water resources between the Lao Peoples' Democratic Republic and neighboring countries must be carried out based upon fairness, reasonableness, equality, recognition of independence, sovereignty and autonomy

Article 45. Resolution of Disputes relative to Water and Water Resources between Countries

Disputes which arise between the Lao People's Democratic Republic and adjoining countries regarding exploitation, usage, control, and protection of water and water resources and the prevention of water damage must be resolved by the Government of the Lao People's Democratic Republic and the government of the relevant country based upon friendship and equality via diplomatic channels and as provided for by treaty entered into and acknowledged by the Lao People's Democratic Republic

Chapter IX

Privileges for Productive Persons and Measures Against Offenders

Article 46. Application of Privileges to Productive Persons

Individuals, juristic entities or organizations who have outstanding and effective results in the protection, development, exploitation, use, and preservation of water resources and the environment pursuant to the socio-economic development plan, the water resources allocation plan, the environmental preservation and protection plan including building catchments and reforestation in water sources protected areas shall receive commendations and other privileges to be determined by the Government

Article 47. Measure Against Offenders

Individuals, juristic entities or organizations who violate this Law shall be educated and trained, or rehabilitated or shall be punished according to laws and regulations of the Lao Peoples' Democratic Republic on a case by case basis according to the seriousness of the offense.

Page 10 of

10

Chapter X
Final Provisions

Article 48. Implementation

The Government of the Lao People's Democratic Republic has the duty to issue detailed terms for the implementation of this Law.

Article 49. Effectiveness

This Law shall be effective 90 days from the date that the President of the Lao People's Democratic Republic issues a Decree promulgating it. Terms and regulations which conflict with this Law are hereby canceled.

Vientiane, 11/10/1996
President of the national Assembly
[seal of the President of the National Assembly]
[signature]
Samane Vignaket

4.8. Land Law (2/4/1997)

THE WATER AND WATER RESOURCES LAW

Adopted by the National Assembly 11 October 1996
Promulgated by the President of the State 2 November 1996
Effective 3 February 1997
(90 days after promulgation by the President [Article 42])

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(National Seal)

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

No 33/PDR

EXECUTIVE DECREE
of the
PRESIDENT
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the promulgation of the Land Law

- Pursuant to Section V, Article 53, clause 1 of the Constitution of the Lao People's Democratic Republic,
- Based on the Resolution of the 10th ordinary session of the National Assembly, IIIrd Congress on the adoption of the Land Law No. 01-97/NA, dated 12 April 1997.
- Based upon the application of the Standing Committee of the National Assembly, No 13/SC, dated 7 May 1997.

The President of the
Lao People's Democratic Republic
decrees

Article 1: The promulgation of the Land Law.

Article 2: This Executive Decree is effective from the day it is signed

Vientiane, 31 May 1997

(seal of the President of the Lao People's Democratic Republic)
(signature)
Nouhak Phomsavan

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No. 01/97/NA

Date: 12/4/97

THE LAND LAW

PART I

General Provisions

Article 1. Function of the Land Law

The function of the Land Law is to establish a regime for the productive administration, preservation and use of land which is a national resource to meet its objectives and according to laws and regulations, contributing to increased national socio-economic development including protection environment and water territories of the Lao People's Democratic Republic.

Article 2. Lao PDR Land

Land of the Lao People's Democratic Republic is the area of land which is located within the territory of the Lao PDR, comprised of the land's surface, subjacent land, mountains and cliffs, islands, including land under water, territorial waters and territorial airspace.

Lao PDR land is a principal national resource which provides a residence and livelihood for Lao citizens, is an important vehicle for production, socio-economic development and national peace and security.

Article 3. Land Ownership

Lao PDR land is the property of the national community as provided in Article 15 of the Constitution for whom the State is the uniform central administrative representative throughout the country, and individuals, families, and various organizations: economic organizations, armed forces, state organizations, political organizations, and the public are assigned to productively use [that land] and resident aliens, stateless persons, and foreign persons are allowed to lease [that land].

Individuals or organizations may not treat land as tradable commodity.

Article 4. Promotion of Land Development

The State promotes land development by issuing policies, methodologies, and measures: education and training and the establishment of a fund for the preservation and improvement of land for ever increasing quality and abundance.

Article 5. Protection of the Rights and Benefits of Those Who Have Received the Right to Use Land

The State productively protects the legal rights and benefits of those who have received the right to use land; [they shall enjoy] normal peaceful and long-term land use, while also

guaranteeing the rights to preserve, the right to use, the right to receive benefits, the right to transfer and the right to succeed to [land]

Article 6. Preservation of Land and the Environment

Individuals and organizations have the duty to preserve land in a good condition, without erosion, sinking, degrading, preserve the condition of the land to be suitable for each type of land, [and to] not diminish the area of each type of land without approval

Article 7. Prohibition on Squatting

Illegal squatting occurring before or after the promulgation of the Constitution is hereby cancelled.

From the promulgation of this Law, any individual or organization seeking to use land must have received approval from the State.

PART II

Land Administration and Land Registration

Chapter I

Land Administration

Article 8. Land Administration

The State uniformly and centrally administers land throughout the country of which the Government assigns administration to relevant ministries: the Ministry of Agriculture and Forestry, the Ministry of Industry and Handicrafts, the Ministry of Communications, Transportation, Posts, and Construction, the Ministry of Information and Culture, the Ministry of Defense, the Ministry of Interior with the Ministry of Finance assigned as the central administrative [authority with the right to] register land, issue land titles, lease out land according to the National Socio-Economic Development Plan and to directly administer construction land.

Article 9. Duties in Land Administration

Principle duties in land administration are as follows:

1. Survey and allocate land;
2. Central land planning;
3. Measure and evaluate land quality;
4. Allocate land areas;
5. Categorize land types;
6. Draft a land master plan;
7. Draft a land use plan;
8. Inspect and pass [adopt] land use plans;
9. Land registry (statistics);
10. Make a land registration book;
11. Determine land values;
12. Assign the right to use land,
13. Issue land titles;
14. Transfer, lease out;

15. Inspect land.
16. Withdraw or retransfer land [back to the Start];
17. Resolve land disputes.

Article 10. Land Surveying and Allocation

The Government establishes specific committees for the survey and allocation of land, land inspection and collection of data to divide land into areas and types and drafts a country-wide general plan, and thereafter assigns such to the relevant sector for administration and to the local administrative authority for administration.

Article 11. Dividing Land into Areas and Types

Land throughout the entire country is divided into areas and types as follows.

1. Division of areas:
 - plains areas which are comprised of:
 - urban areas,
 - remote areas;
 - special economic zones;
 - plateau areas which are comprised of:
 - urban areas,
 - remote areas;
 - special economic zones.
 - mountainous areas which are comprised of:
 - urban areas;
 - remote areas;
 - special economic zones.
2. Division of types:
 - agricultural land,
 - forestry land;
 - construction land;
 - industrial land;
 - communications land;
 - cultural land,
 - national defense land, public peace and order;
 - land in water areas.

Article 12. Determination of the Scope of Each Type of Land

The Government allocates and divides the area of each type of land throughout the country and submits such to the National Assembly for consideration and adoption.

Local administrative authorities shall determine the area of different types of land within their scope of authority in compliance with determinations of the area of types of land that the State has issued and thereafter submits such to the next higher level authorities above it for consideration and adoption.

Article 13. Land Leases

The State shall authorize Lao citizens to take leases on land not to exceed thirty (30) years and [such leases] may be extended on a case by case basis

For leases of the right to use developed land between Lao citizens, [such lease] shall not exceed twenty (20) years and may be extended on a case by case basis according to approval from the district administrative authorities where that land is located.

The actual land lease period shall be subject to the features and the size of activities which will use such land

Article 14. Changing Land Type

Changing one type of land to another type of land may be undertaken provided that it is seen necessary to use that land for another purpose [and there shall be] no adverse effect on the environment or upon the public and [such change] must first have been authorized by a relevant administrative agency

Chapter 2

Administrative of Agriculture Land

Article 15. Agricultural Land

Agriculture land is land which has been so determined for use in planting, animal husbandry, and agricultural experimentation including irrigation land

Article 16. Administration of Agricultural Land

The Ministry of Agriculture and Forestry administers agricultural land, determines types of agricultural land, researches and issues regulations for the administration, preservation, development and use of such types of land, and thereafter submits, [those regulations] to the Government for consideration and adoption

Article 17. Determination of the Scope of the Right to Use Agricultural Land

The State authorizes individuals and families to use agricultural land [in a manner which is] proper in accordance with the allocation plan, [contemplated] objectives for long term productive use according to the following amounts

- those growing rice and raising aquatic animals in an amount not to exceed one (1) hectare per one laborer in a family
- those conducting industrial farming [perennial plants] and seasonal vegetable farming in an amount not to exceed three (3) hectares per laborer in a family
- fruit orchards in amount not to exceed three (3) hectares per laborer in a family
- those who use defoliated land or other type of forests to plant grass for livestock in an amount not to exceed fifteen (15) hectares per one laborer in a family.

In approving agricultural land area for the person so using the land, the State will consider such on a case by basis by reference to the features, size, actual capacity to produce conditions and local agricultural land allocation plans.

One laborer can receive the right to use many types of agricultural land if the concerned individual has the conditions and actual ability to produce.

If anyone seeks to use more types of agricultural land than the proportion that person has received the right to use, they may apply to lease land from the State.

Regarding approval for an area of agricultural land upon which production will take place, reference shall be made to the actual capacity of that organization.

Article 18. Grant of the Right to Use Agricultural Land

The district administrative authority considers, decides and assigns the right to use agricultural land under its authority to individuals and organizations for their use by issuing a land certificate [to them]. This land certificate shall have a term of three (3) years. If within that period of time, land is used in accordance with [the stated] objectives and regulations and there is no objection claim, or such objection or claim has been resolved, then there will be a right to request a land title relative to a right to long term use from the provincial, prefectural or special zone land administration office.

Chapter 3

Administration of Forest Lands

Article 19. Forest Lands

Forest land area is all parcels of forest lands upon which there is forest coverage or land upon which there is no forest coverage which the State determines is forest land as provided in the Forest Law.

Article 20. Administration of Forest Lands

The Ministry of Agriculture and Forestry administers forest lands and determines other types of forestry land, researches and issues regulations for the administration, preservation, development, and use of that type of land, including preservation of the environment and thereafter submits such to the Government for consideration and adoption

Article 21. Determination of the Scope of the Right to Use Forest Land

The State authorizes individuals and families to use forest lands which has been defoliated or degraded forests properly according to objectives [and] productive long term use in an amount not to exceed three (3) hectares per one laborer in a family. If anyone requires the use of forest land in excess of [the above amounts] they shall have the right to request a lease from the State.

For organizations, approval of forest land area for use shall be subject to the actual production capacity

Article 22. Grant of the Right to Use Forest Land

The district administrative authority coordinates with the village administrative authority as the entity which considers and makes a decision to grant the right to use agricultural land within its administration to individuals and organizations to use by issuing certificates. Land certificates have a term of three (3) years. If within that period of time, use has been in accordance with laws and regulations, and there has been no objection or claim, or such objection or claim has been resolved, there will be a right to request a land title relative to the right to long term use from the provincial, prefectural or special zone land administration office.

Chapter 4

Administration of Construction Land

Article 23. Construction Land

Construction land is land which has been determined to be used in building residences, buildings, plants, factories, offices, organizations, [and] public places.

Article 24. Administration of Construction Land

The Ministry of Finance administers construction land, researches and issues regulations regarding the administration, preservation, development and use of that type of land and thereafter submits such to the Government for consideration and adoption.

Article 25. Types of Construction Land

Construction land is divided into the following types:

- Construction land for public use,
- Construction land for residences;
- Construction land for factories and plants,
- Construction land for office, bureaus

Construction land for public use is land used for the common benefit such as: parks, schools, hospitals, markets, playgrounds, athletics fields, etc., which are used by the public.

Construction land for residences is land used for building residences for all people and families.

Construction land for factories and plants is land used for industrial production and processing

Construction land for offices and bureaus is land used for the purpose of building offices and bureaus of the State, enterprises, embassies or international organizations

Allocation of construction land must adhere to a city plan and according to the proportion of each type of construction land as pre-determined

Article 26. Regulations for Construction Land Use

The State must reserve construction land for public use to serve the public interest. If there is a change to the purpose of the use of that land, it must be similarly used for the common good and must have received approval from the relevant agency

The use of construction land cannot prejudice the interests of others and must ensure irrefutable actual circumstances. Building must receive approval from the town planning agency and must strictly adhere to town planning regulations, have received approval from relevant authorized agencies, ensure complete technical standards while also guaranteeing the conditions of the environment.

Article 27. Determination of the Scope of the Right to Use Construction Land

The State authorizes individuals and families to use construction land consistent with objectives, for peaceful, long term and productive use in an amount not exceeding eight hundred (800) square metres per each person in a family. If anyone requires the use of more construction land they shall be entitled to lease [more] from the State

For organizations, approval to use construction land area shall be subject to the actual use capacity

Chapter 5

Administration of Industrial Land

Article 28. Industrial Land

Industrial land is the area or the region of land that the State determines as the location of a plant, factory, industrial cooperative, industrial scientific technology research center, a water recycling plant, an industrial waste disposal area, a power source, and electrical transmission right of way, a power or gas pipe right of way, a municipal water pipe, a mining area and other land used for an industrial purpose.

Article 29. Administration of Industrial Land

The Ministry of Industry and Handicrafts administers industrial land, researches and issues regulations regarding the administration, preservation, development and use of that type of land, including preservation of the environment and thereafter submits such to the Government for consideration and adoption

For the administration of land which is an electrical transmission line right of way, a power or gas pipeline right of way, a municipal water pipe, there shall be coordination with telecommunication and transportation division and other relevant divisions.

Article 30. Regulations for Industrial Land Use

Individuals and organizations who use industrial land must adhere to the following conditions

1. Received approval from the industry and handicrafts division;
2. Received approval from the city planning agency;

3. Does not create damage to others, the public, or the environment.
4. Repair the surface and rehabilitate the land to return [the land] to its original condition after use has ceased for mining land

Chapter 6

Administration of Communications Land

Article 31. Communications Land

Communications land is land used for roads, curbs, canals, bridge sites, telephone line rights of way, locations of communications stations including air fields, boat docks [ports], goods and passenger transportation vehicle stations, tunnels, railways, location of transportation warehouses and other land used in communications and transportation works.

Article 32. Administration of Communication Land

The Ministry of Communication Transportation Posts and Construction administers communication land, researches and issues regulations regarding the administration, preservation, development and use and maintenance of that type of land and thereafter submits such to the Government for consideration and adoption.

Article 33. Communication Land Use

Communication land use must properly adhere to specific regulations issued by the relevant agency

Chapter 7

Administration of Cultural Land

Article 34. Cultural Land

Cultural land is a location of cultural heritage related to historical vestiges, ancient articles, venerable items, temples, the natural panorama, cultural constructions and other locations that the state determines as cultural and tourism land.

Article 35. Administration of Cultural Land

The Ministry of Information and Culture administers cultural land throughout the country, researches and issues regulations regarding the administration, preservation, development and use of that type of land, and thereafter submits such to the Government for consideration and adoption.

Individuals or organizations who use cultural land must adhere to regulations regarding the administration, use, and preservation of cultural land

Chapter 8

Administration of Lands Involved in National Defense and Public Order

Article 36. Land [Involved in] National Defense and Public Order Lands

Land [involved in] national peace and security land is land used in national peace and security works: military bases, offices and organs' residences, schools and army and police training fields, large artillery fields, air fields and army boat docks, warehouses, hospitals, plants, factories, army and police rest and relaxation areas and other land used in national defense and public order works.

Article 37. Administration of Lands [Involved in] National Defense and Public Order

The Ministry of Defense and the Ministry of Interior administer Land [involved in] national defense and public order, research and issue regulations regarding the administration, preservation, development and use of that type of land, and thereafter submits such to the Government for consideration and adoption

Article 38. Use of Other Types of Land in the Protection of National Peace and Security

When necessary, the armed forces for the protection of national defense and public order may use other types of land whether belonging to an individual or organization in national defense and public order activities by Government agreement.

After the period of necessity is over to use the land, such land must be returned to its original owner. If such use caused damage to the person who has received the right to use the developed land, there should be consideration of reasonable compensation for such damage.

Chapter 9

Administration of Land in Water Areas

Article 39. Land in Water Areas

Land in water areas is land which is under water or is in the area surrounding a source of water: under water land, land surrounding a water source, land adjoining water, land in the middle of water, and land newly emerged, land where water has receded or land arising from the modification or the diversion of a water course

Article 40. Administration of Land in Water Areas

The Ministry of Agriculture and Forestry administers Land in water areas, researches and issues regulations regarding the administration, preservation, development and use of that type of land in coordination with the administrative authorities where that land is located in a area of water, and thereafter submits such to the Government for consideration and adoption.

Article 41. Regulations of the Use of Land in Water Areas

Use of land in water areas must ensure the following conditions.

1. That there is no erosion;
2. That there is no interference with water flow;

- 3 That the water does not become shallow or flood;
- 4 There is no pollution which is toxic to the water sources;
- 5 That there is no logging and destruction of forests in water source areas;
- 6 That there is no excavation of peat and restricted soils, if necessary there must be approval from the relevant agency

Article 42. Use of Land in Water Areas

Village administrative authorities where the land in a water area is located shall research and submit to the district administrative authorities relative to the transfer of such lands to individuals or organizations to preserve and use [of such land] as appropriate

If that land located in a water area happens to come under the scope of an individual or organization's right to use, if the agency administering water and water resources [conducts an inspection] and the Science, Technology and Environment Organization inspects and sees that such land use has no adverse impact on that land area, that land shall come under the use right of that individual or organization from thence forward.

Chapter 10 **Land Registration**

Article 43. Land Registration

Land registration is the recording of information into a Land Registration Book: name and surname of the husband and wife who have received the right to use land, the type of land, extent and area of the land, acquisition and location of the land, into the Land Registration Book

Land registration is the certification of the right to use land legally for individual or organizations, to avoid falsification of the right to sue land, to facilitate the uniform administration and protection of land throughout the country.

Article 44. Forms of Land Registration

There are two (2) forms of land registration, i.e

- The systematic registration of land,
- The registration of land by request.

Systematic land registration is the registration of land without request, is done systematically in an area necessitated by the allocation and division of areas and types of land for administration.

The registration of land by request is the registration of land which is done according to an individual's or an organization's request for a certification relative to the right to use its land.

Article 45. Requests to Register Land

Individuals or organizations seeking to register land must file a request to register with the provincial, prefectural, or special zone office of land administration via the village administrative authorities and the district land administration unit.

Land registration requests are comprised of

1. Certificate of land acquisition succession [inheritance], transfer, and land certificate if the land is agricultural or forestry land,
2. Certificate of transaction history of the land,
3. Certificate of Land Guarantee from the original Land Owner or the administrative authority where the land is located;
4. Other necessary documents.

Article 46. Inspection of the Application Requesting Land Registration

When the application dossier requesting land registration reaches the district land administration unit, that unit must inspect the correctness [of the application] against the truth and the law by coordinating with the village administrative authorities where that land is located

After it is seen that the information is correct according to the truth and laws, civil servants surveyors from the unit will conduct a measuring and make a land plat attached to the application documents to submit to the provincial, prefectural, or special zone land administration office for consideration and registration

Article 47. Land Registration Book

The Land Registration Book is a book used to record in numerical order the registration of land in the Land Registration Book the first page of which is signed and sealed by the Minister of Finance with running numbers and a seal on each page.

The Land Registration Book must have the following main contents:

1. Name and surname of individuals or organizations who have received the right to use land;
2. The day, month, year of birth, nationality, profession, present address;
3. Name of father and mother of the person who has received the right to use land,
4. Number of land title,
5. Number of the specific plat;
6. Region, area and boundaries of the land;
7. Land plat

Article 48. Land Certificate

Land Certificates are official documents which certify the right to temporarily use and possess agricultural or forest land which the district administrative authorities issue to individuals or organizations who have the right to use and possess that land.

Individuals and organizations who have received Land Certificates are entitled to succeed to the time remaining on such certificate, but are not entitled to transfer such use it as a capital [contributed for] shareholding, charge it over as security, or lease it out.

Article 49. Land Titles

A Land Title is the sole evidentiary document relative to the permanent right to use land of which only one (1) copy is taken from the Land Title book for hand over to the land owner [for him] to hold as long term evidence until there is a change according to conditions as provided for by law

Before issuing a Land Title, the relevant agency must make a declaration at the office of land administration, the district administrative office, the village administrative office, the place where the land is located issues a notice through the State mass media, publish in the newspaper and declare by radio broadcasts for 90 days for public notice from the date of signing that declaration. If within that period, there is no objection [to such land holding] or that objection has been resolved, then a Land Title will be issued to the person who has received the right to use land.

Article 50. Issuance of Copies of Land Titles (Substitutes for Titles)

In the case that Land Titles are lost or is destroyed, the provincial, prefectural or special zone land administrative office shall issue a copy of the Land Title to the individual or organization so requesting it.

If the Land Title which is so lost or destroyed has left no trace of evidence substantiating that it is that relevant Land Title, before issuance of a copy of that Land Title, there must first be a decision of the local people's courts where that land is located.

Issuance of Land Title copies in all cases must be declared to the public in thirty (30) days in advance according to the regulations as provided for in Article 49 above.

Article 51. Registration of Legal Acts Relative to Land

The registration of legal acts relative to land is the recording of all activities relative to the changes in the right to use land: transfers, [use of land as] security [for loans] into the Registration Book of Legal Acts at the district land administration work unit as assigned by the land administration office of the province, prefecture or special zone for monitoring the circumstances of changes to that land

PART III

Rights and Obligations of Those Using Land

Chapter I

Rights and Obligations of Lao Citizens relative to Land

Article 52. Receipt of the Right to Use Land

Individuals or organizations will receive the right to use land based upon any of the following:

1. State grant;
2. Transfer;
3. Inheritance;

Article 53. Rights of Those Using Land

Those who have received the right to use land have rights as follows:

- Right to protect and preserve land;
- Right to use land;
- Right to receive the fruits from the land,
- Right to transfer the right to use land,
- Right to succeed to the right to use land.

Article 54. Right to Protect and Preserve Land

The right to protect and preserve land is a right granted by the State to individuals or organization to protect the land for use for a definite objective.

Article 55. Right to Use Land

The right to use land is the right to use land for a purpose according to the State allocation plan to meet the needs of the person who has received the right to use land.

Article 56. Right to Receive Fruits of the Land

The right to receive fruits of developed land is the right to reap the fruits of land belonging to one who has received the right to use: from leasing the land, from contributing it as capital, and using the developed land as [loan] security.

Article 57. Right to Transfer the Right to Use Land

The right to transfer the right to use land is the right to grant the use and exclusivity of the right to use land to another person. Only land that has been specifically developed to improve its productivity may be transferred.

Article 58. Right to Succeed to the Right to Use Land

Succeeding to the right to use developed land is the right of one's child, niece, nephew, grandchild, parents or close relatives to succeed to the right to use after the person who had received the right to use land has died.

Those succeeding to an inheritance of developed land have the right to use the land received [as a result of such] succession, and even if the area of such land so received from such succession added to the land being used exceeds the proportion of the type of land provided for by the law, land tax must be paid on the portion in excess of the usual proportion.

Article 59. Rights of State and Political and Socio-Economic Organizations

State, political, and socio-economic organizations that have been granted land to use and protect only have the right to possess, use, and protect and preserve that land, but do not have the right to transfer, lease out, be share capital, or charge over as security [for loans] whatsoever.

Article 60. Obligations of Land Users

Those who use land have the following obligations:

1. Use the land correctly in accordance with objectives;
2. To not cause injury to the condition of the land, to not cause adverse impacts upon the natural or social environment;
3. To not violate rights and interests of others;
4. Adhere to irrefutable circumstances as provided for in the laws;
5. Adhere to land-related obligations as follows: land tax, taxes from transfers and assignments, income taxes from leases, inheritance taxes, fees for transfer to names, fees for registration of legal acts relative to land, other fees according to [relevant] time periods [for performance of such obligations],
6. Completely adhere to other regulations regarding land.

Article 61. Irrefutable Circumstances

Individuals or organizations who are enclosed by a nother's land without road access are entitled to request a right of way from the person who has received the right to use land who is closest to a road. The person who has received the right to use land who is so requested must allow a right to way where he views appropriate and has the right to request compensation for damage to his crops, items built upon the land, or developments where that right of way will cross over.

In the case of laying electricity lines, telephone lines, digging of canals, laying of water pipes or municipal water pipes, etc., across the land of a person who has received the right to use land which causes damage to trees, crops, or items built [on the land] or causes damage, that individual has the right to request damages arising from that act. If the person giving the right of way has already received a benefit, then no further damages shall be calculated [as owing to him], except if those damages are substantial. In that case, a reasonable damages calculation shall be made.

Article 62. Loss of Right to Use Land

A person who has received the right to use land will lose that right in the following cases:

1. Use of State granted land inconsistent with [its contemplated] purpose;
2. Continuous failure to pay land tax for three (3) years;
3. Failure to use land according to contract and the Land Law;
4. Those adjudicated by a court as having lost their rights.

Article 63. Termination of Rights to Use Land

The right of an individual or organization to use land shall terminate as follows:

1. Voluntary forfeiture of the right to use land;
2. State takes the land back for use in the public interest.

Chapter 2

Rights and Obligations of Resident Aliens, Stateless Person and Foreign Persons Relative to Leasing Land

Article 64. The Right of Resident Aliens, Stateless Persons and Foreign Persons to Lease Land

Resident aliens, stateless persons, foreign persons and their organizations of those persons and foreign persons investing and conducting other legal activities can lease land from the State.

Resident aliens and stateless persons and their organizations who require the lease of developed land from Lao citizens must first receive approval from the provincial or prefectural, or special zone administration authorities where that land is located. Foreign persons and their organizations who require the lease of developed land from Lao citizens must receive approval from the provincial, prefectural or special zone administrative authorities where that land is located and they must submit such to the Ministry of Finance for approval

Article 65. Lease Terms

Terms of land lease from the State to resident aliens, stateless persons and their organizations shall be subject to the characteristics, size, and conditions of the activities, but at most shall not exceed thirty (30) years and may be extended on a case by case basis by Government approval.

Terms of leases for developed land by resident aliens, stateless persons and their organizations from Lao citizens shall not exceed a maximum of twenty (20) years and may be extended on a case by case basis by approval from the provincial, prefectural or special zone administrative authorities where the land is located. For foreign persons and their organizations, the provincial, prefectural or special zone administrative authorities where the land is located must submit such to the Ministry of Finance for approval.

For foreign persons who invest in the Lao PDR, the lease term shall be subject to the features, size and conditions of the activity or project, but shall not exceed a maximum of fifty (50) years and can be extended on a case by case basis according to Government agreement

For special economic zones, the maximum lease term shall not exceed seventy-five (75) years and may be extended on a case by case basis by approval from the National Assembly

For leases of land which have an area larger than ten thousand (10,000) hectares or more there must be similar approval from the National Assembly.

The determination of actual lease terms shall be subject to the features, size and conditions of each activity

For embassies or international organizations which need to use land in the Lao PDR, they may lease, exchange or transfer by agreement between the Government of the Lao PDR

and the Government of the relevant country. In such cases, the lease term shall not exceed ninety-nine (99) years.

Article 66. Obligations relative to Leases of Land by Resident Aliens, Stateless Persons and Foreign Persons and Their Organizations

Obligations relative to leases of and by resident aliens, stateless persons, foreign persons and their organizations shall be performed as follows

1. Use land properly in accordance with objectives;
2. Do not create damage to the quality of the land, do not create adverse effects upon the natural or social environment;
3. Do not violate the rights and interests of others;
4. Adhere to irrefutable circumstances as provided for in the law;
5. Pay land lease and other land-related fees;
6. Completely adhere to other regulations regarding land.

Chapter 3

Damages Compensation

Article 67. Causes of Damages Compensation

There are three (3) types of causes of damage compensation as follows:

1. Causing damage due to a violation of laws and regulations;
2. Causing damage from irrefutable circumstances;
3. Causing damage from the retransfer of land [by the State].

Article 68. Compensation for Damage Due to Violation of Laws and Regulations

Individuals or organizations who use land that cause damage to others or to the public due to a violation of laws and regulations must make compensation for damages which arise from their acts. In case of violations which cause serious damage, a court must render a decision according to the laws.

Article 69. Compensation for Damages from Irrefutable Circumstances

Individuals or organizations who have received the right to use land due to irrefutable circumstances of others who have reserved a right of way or a water ditch for itself which causes the crops, constructed items of others or of the public to be damaged, that individual and organization must make reasonable compensation for that damage.

Article 70. Compensation for Damages Arising From the Retransfer of Land [Back to the State]

When it is necessary to use an individual's or and organization's land for the public interest, the State or the cooperative must make appropriate compensation for damages to the person who has had their land transferred [away from them and] back [to the State].

To ensure compensation in the retransfer of land [back to the State] there shall be reserved land in the proportion of five (5%) percent of the total land of the village district, province, prefecture or special zone.

Article 71. Determination of Damages

In determining damages, there must be committee comprise of representative of interested parties for an assessment to determine the value of the damages.

Chapter 4

Land that Administrative Authorities have Granted the Right to Use to the People during the Struggle for Liberation and Land of those Who Abandoned the Country and Fled Abroad

Article 72. Land that Administrative Authorities have Granted the Right to Use to the People during the Struggle for Liberation

The State does not acknowledge the claim for the return of land that administrative authorities have granted the right to use to the people during the period of the struggle for liberation.

Article 73. Land of those Who Left their Homes during the Period of the Struggle for Liberation

The State does not acknowledge claims for the return of land that the owner has abandoned in their homes during the period of the struggle for liberation.

Article 74. Land Granted as Common Property

The State does not acknowledge claims for the return of land of individuals and organizations who transferred their lands as common property either during the period of the struggle for liberation or during the present.

Article 75. Land of those who Fled Abroad

The State does not acknowledge claims for the return of land by those who have fled abroad.

PART IV

Land Use Inspection

Article 76. Land Use Inspection

Land use inspection is the monitoring and observation of activities of the administration, preservation, development and use of land by individuals and organizations for compliance to objectives and laws and regulations [to ensure] productivity [of land use]

Article 77. Land Use Inspection Agency

The inspection of each type of land use for compliance with objectives and laws and regulations is the duty and responsibility of the agency administering the relevant type of land as provided for in Article 8 of this Law

The Ministry of Finance inspects land grants, land leases and land registrations.

Article 78. Rights and Duties of Land Use Inspection Agency

Agencies inspecting land use have the following rights and duties:

1. Demand necessary documents relative to inspection from individuals or organizations;
2. Inspect the location of the land;
3. Give guidance to land users;
4. Order a suspension or a temporary cessation of activities relative to improper land use;
5. Apply to relevant agencies to consider withdrawal of land use rights;
6. Exercise other rights and duties relative to the inspection of land use.

PART V

Resolution of Land Issues, Policies toward those who are Productive and Measure against Offenders

Article 79. Resolution of Land Issues which are of an Administrative Nature

Resolution of land issues which are of an administrative nature: unauthorized land use, use of land not in compliance with objectives, failure to use land according to a time schedule after having received the land, failure to pay land taxes, duties, or fees according to regulations as provided and other land issues which are of an administrative nature, the relevant land administration agency in coordination with the administrative authorities at its level where the land is located will resolve [such issues].

If the concerned land user is dissatisfied with the resolution, they shall have the right to submit such to the next higher level authority for resolution.

Article 80. Resolution of Land-Related Issues which are of a Civil Nature

The people's courts shall consider and issue decisions pursuant to legal proceedings regarding disputes relative to land which are of a civil nature: inheritance of developed land, transfer of the right to use and other civil contracts relative to land.

In the resolution of disputes relative to land which are of a civil character, the administrative authority where that land is located shall first conduct mediation. If no agreement can be reached a suit may be lodged with the people's courts for a decision according to the law.

Article 81. Policies towards those who are Productive

Individuals or organizations who legally use land, effectively protect, preserve and productively develop land shall receive commendations, shall receive facilities in leasing additional land or in sub-leases and other policies which the Government shall determine.

Article 82. Measures against Offenders

Individuals or organizations that use, protect, preserve and develop land who violate the laws and regulations, cause damage to the public, the environment, property, health or the

lives of others shall be fined or criminally punished according to the seriousness of the case including compensating for the damages which it caused to arise.

In addition to the major penalties referred to above, offenders may be additionally punished: have their Land Certificates, Land Titles, or other permits relative to the right to use land withdrawn.

Article 83. Criminal Measures

In the performance of works relative to land, individuals who violate the laws and regulations: abuse of title and position, abuse of authority, accepting bribes, falsifying documents, improperly issuing land documents for personal benefit, causing damage to the interests of the State, cooperatives or other individuals, shall be disciplined or shall be criminally punished according to the seriousness of the case while also having to compensate for damages which one creates

PART VI

Final Provisions

Article 84. Implementation

After the promulgation of this Land Law, the Government of the Lao People's Democratic Republic shall have the duty to issue detailed regulations for the implementation of this Law and to conduct systematic inspections relative to land throughout the country specifically relative to inspections of the acquisition of the right to use land, the size of the land, and land use

Article 85. Term for Resolution [of Problems Relative to] Land

Lao citizens who properly and legally held land previously but who have an area of land in excess of what the Land Law provides must adjust [their holdings] to comply with the Land Law within a period of three (3) years from the date of the promulgation of this Law onwards. Beyond this date, concerned individuals shall no longer have rights to use such excess land. Should [those individuals] seek to continue [their] use, they shall have priority in requesting a lease from the State.

After the promulgation of this Law, those holding land in excess of the proportion provided for by the law because the members of their families have changed must still properly adhere to the land ratios within a period of three (3) years from the date that their family membership has changed.

For resident aliens, stateless persons, and foreign persons and their organizations who had previously held land, they must adjust [their holdings] in compliance with the provisions of this Law within a period of three (3) years from the date this Law is promulgated onwards. Beyond this period, concerned parties shall lose their rights to use such land. If they want to continue their use, they shall receive priority from the State in their requests to lease the land that they had been using.

For embassies and international organizations, the Government will agree [to such use specifically].

Article 86. Effectiveness

This Land Law is effective from the date that the President of the Lao People's Democratic Republic issues an Executive Decree promulgating it.

This Land Law supersedes provisional regulations no 22/CM dated 21 March 1989 regarding the Administration and Use of Agricultural Land in the Lao PDR, Decree No. 129/PM dated 18 November 1979 regarding Land and Houses of Adjudicated Counter Revolutionaries. Those Who Fled and Seminararians, and Decree 99/PM, dated 19 December 1992 regarding Land, [and] all other terms and provisions that conflict with this Law are hereby repealed.

Vientiane, date 12/4/1997

President of the National Assembly

(seal of the President of the National Assembly)

(signature)

Samane Vignaket

4.9. Provincial Declaration 3/BSP (8/12/00)

Establishment of the Nam Chad-Nam
Phan, Bolikhamsai Provincial Protected
Area

NOTICE
ON THE ESTABLISHMENT OF THE
NAMCHAT – NAMPAN AREA
INTO AN NBCA IN KHAMKEUT DISTRICT,
BOLIKHAMXAY PROVINCE

- Pursuant to Chapter 5, Article 41 on the preservation of protected forests and Article 42 on the preservation of reserve forests of the Forest Law No. 01-96, dated 11/10/96,
- Pursuant to proposal 0279/AFS of the Province Agriculture & Forestry Service, dated 3/1/2001,

Due to the encroachment and serious destruction of forests in Bolikhamxay Province that negatively affects the environment and climatic conditions, causing low water levels during the dry season and soil erosion at high levels, and impacting on the wildlife habitat, thereby entailing their gradual extinction,

Therefore, to ensure the sustainable management and preservation of natural resources and more specifically of forests, aquatic and wild life, and the environment,

The Governor of Bolikhamxay Province declares:

Article 1. The establishment of the Namchat – Nampan NBCA covering an area of 37,600 hectares in Khamkeut District, Bolikhamxay Province, as a province NBCA, within the following coordinates:

- From latitude 104°55' to 105°12'
- From longitude 18°20' to 18°48'

Article 2. The water sources surrounding forests (protected forests) formerly identified are further confirmed.

Article 3. Measures and Restrictions within the NBCA's area

1. *Restricted Zones*

It is strictly prohibited to carry out any forestry and gathering activities or to access these zones without approval. Removal of any plant and animal species is also prohibited, unless when specially authorized by the local administrative authorities and the Ministry of Agriculture & Forestry only.

2. *Management Zones*

These zones are forests or forest land neighboring or adjacent to restricted zones, where the population is authorized to carry out limited exploitation of wood, forest produce gathering and hunting, which will be set out in detail under specific rules to ensure the restricted zones' efficient protection.

Article 4. All organizations, collectives or individuals breaching this notice will be warned, fined, the evidence will be seized or legal proceedings induced according to the nature of such breach on the charge of destroying the national community's property.

Article 5. The Agriculture & Forestry Service is entrusted to elaborate decisions, regulations and measures for the management of this NBCA in coordination and in unanimity with the district administrative authorities (District Governor) to ensure effective and efficient implementation.

Article 6. The Province Agriculture & Forestry Service, the District Agriculture & Forestry Office and authorities concerned throughout the province shall extend cooperation and coordination for the implementation and dissemination of this Notice among civil servants, the population and the administrative authorities at all levels for due acknowledgment and understanding, for the purpose of providing assistance in the sustainable preservation of this NBCA as a precious heritage of Lao PDR.

Article 7. This Notice is effective and binding from the date it is signed.

Paksan, 8 December 2000
Deputy Governor of Bolikhamxay Province
Thongkhon KHAMPHOUBAN

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Bolikhamsay Province
Agriculture & Forestry Service

No. 0167/AF.BSP

DECISION
OF THE PROVINCE AGRICULTURE
AND FORESTRY SERVICE ON THE APPOINTMENT
OF OFFICERS IN CHARGE OF NAMCHAT –
NAMPAN NBCA

- Pursuant to Notice 03/BSP of 8 December 2000 on the establishment of province's Namchat – Nampan NBCA in Khamkeut District, Bolikhamsay Province,
- Based on the examination and proposal of the Province Forestry Division,

To efficiently implement the spirit of the above, the Bolikhamsay Province Agriculture & Forestry Service decides to:

Article 1: Appoint officers in charge of the Namchat -- Nampan NBCA as follows:

1. Mr. Keovongduan PHANTHANOUSY, Forestry Division, as Team Leader
2. Mr. Hatsadong CHANTHAVONGSA, Khamkeut District Forestry Section, as Deputy Team leader
3. Mr. Sommay, Khamkeut District Forestry Section, as member
4. Mr. Phone PHOMMACHAN, Khamkeut District Forestry Section, as member
5. Mr. Poun, Khamkeut District Forestry Section, as member

Article 2: The hereby-appointed officers are entrusted to jointly organize the efficient implementation of assigned tasks.

Article 3: This Decision is effective from the date it is signed.

Deputy Director, Agriculture & Forestry Service
Maychon VANNASANKHAM

4.10. PMs DECREE 193 (29/12/2000)

Definition of the NT2 watershed (the NNT NPA, and 2 corridors), the NT2 reservoir, the resettlement area and the resettlement forest.

(Unofficial Translation (19/1/2001))

**Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity**

Prime Minister Office

No.: 193/PM

**Prime Minister Decree
on the establishment of the Nakai-Nam Theun NBCA
Corridor Areas, NT2 Project Reservoir Area, and Resettlement and
Forest Area for people affected by the Project**

Reference is made to:

- ✧ The Law on the Government of Lao PDR No 01/NA, dated March 8, 1995.
- ✧ The Forestry Law No. 125/PO, dated November 02, 1996.
- ✧ The Water and Water resource Law No.126/NA, dated 02 November 1996
- ✧ The Environment Protection Law No.02/99 NA, dated April 3, 1999
- ✧ The Project Development Agreement on the development of the Nam Theun 2 Hydroelectric Project between the Government of Lao PDR and Developers of the Nam Theun 2 Hydroelectric Project, dated November 16, 1998
- ✧ The letter of proposal of the Minister of the Ministry of Agriculture and Forestry, No.1576/MAF 2000, dated December 18, 2000.

The Prime Minister issues this Decree

Article 1: For the purpose of the implementation of the Nam Theun 2 Hydroelectric Project, this Decree determine the following main areas related to the Project:

- 1.1 Nakai-Nam Theun National Biodiversity Conservation Area (NBCA)
- 1.2 Corridor Area between the Nakai-Nam Theun National Biodiversity Conservation Area and the Phou Hin Poun National Biodiversity Conservation Area.
- 1.3 Corridor Area between Nakai-Nam Theun National Biodiversity Conservation Area and the Phoun Hin Nam No National Biodiversity Conservation Area.
- 1.4 Reservoir Area at the water Full Supply Level of El 538 for the purpose of electricity generation. The other project areas will be separately agreed between the Government and Developers.
- 1.5 Resettlement Area and Forest Area for the people directly affected by the NT2 Project.

Article 2:

2.1 The determination of the boundaries is based on the map with a scale of 1:1000.000 by comparing the latitudes and longitudes to the actual geographic areas using the mountains chain, streams, rivers, roads, the lowest level or the highest level as references to enable the detailed survey of the areas, the proper implementation of the project, to facilitate the acknowledgement and understanding of the local authorities, local ethnic peoples to the areas boundaries and to receive good cooperation on the implementation from the local people.

2.2 The boundary and area provided in the article 1 of this decree are shown on the attached map and document to this Decree, which is a part of this Decree.

Article 3: Area and boundary of the Nakai-Nam Theun NBCA

Total area: 353,200 ha

Area within Khammouane Province	326.130 ha
Area within Bolikhamxay Province	27.070 ha

		First Point	Second Point
North:	Longitude	105° 09' 30";	105° 29' 21"
	Latitude	18° 23' 23";	18° 12' 07"
East:	Longitude	105° 29' 21";	105° 46' 00"
	Latitude	18° 12' 07";	17° 40' 20"
South:	Longitude	105° 46' 00";	105° 03' 39"
	Latitude	17° 40' 20";	17° 51' 02"
West:	Longitude	105° 03' 39";	105° 09' 30"
	Latitude	17° 51' 02";	18° 23' 23"

Article 4: Area and boundary of the corridor between the Nakai-Nam Theun NBCA and the Phou Hin Poon NBCA (Limestone NBCA).

Total area: 73,860 ha

Area within Khammouane Province	37.310 ha
Area within Bolikhamxay Province	36.550 ha

		First Point	Second Point
North:	Longitude	104° 48' 45";	105° 03' 15"
	Latitude	18° 04' 30";	17° 59' 35"
East:	Longitude	105° 03' 15";	105° 03' 35"
	Latitude	17° 59' 35";	17° 51' 10"
South:	Longitude	105° 03' 35";	104° 57' 45"
	Latitude	17° 51' 10";	17° 45' 50"
West:	Longitude	104° 57' 45";	104° 48' 45"
	Latitude	17° 45' 50";	18° 04' 30"

Article 5: Area and boundary of the corridor between the Nakai-Nam Theun NBCA and Phou Hin Nam No NBCA.

Total:		3,310 ha	
North:	Longitude	First Point 105° 46' 00";	Second Point 105° 46' 17"
	Latitude	17° 40' 20";	17° 40' 00"
East:	Longitude	105° 46' 17";	105° 45' 38"
	Latitude	17° 40' 00";	17° 35' 57"
South:	Longitude	105° 45' 38";	105° 43' 09"
	Latitude	17° 33' 57";	17° 34' 33"
West:	Longitude	105° 43' 09";	105° 46' 00"
	Latitude	17° 34' 33";	17° 40' 20"

Article 6: Area and boundary of the reservoir at El 538

Total area:		45,000 ha	
North:	Longitude	First Point 104° 56' 00";	Second Point 105° 05' 00"
	Latitude	17° 58' 00";	17° 53' 00"
East:	Longitude	105° 05' 00";	105° 21' 40"
	Latitude	17° 53' 00";	17° 37' 35"
South:	Longitude	105° 21' 40";	104° 59' 00"
	Latitude	17° 37' 35";	17° 46' 25"
West:	Longitude	104° 59' 00";	104° 56' 00"
	Latitude	17° 46' 25";	17° 58' 00"

Article 7: Area and boundary of the Resettlement area

Total area:		20,800 ha	
North:	Longitude	First Point 105° 03' 10";	Second Point 105° 21' 40"
	Latitude	17° 50' 40";	17° 37' 35"
East:	Longitude	105° 21' 40";	105° 24' 35"
	Latitude	17° 37' 35";	17° 36' 20"
South:	Longitude	105° 24' 35";	104° 59' 00"
	Latitude	17° 36' 20";	17° 46' 25"
West:	Longitude	104° 59' 00";	105° 03' 10"
	Latitude	17° 46' 25";	17° 50' 40"

Article 8: The main objectives of the corridors and all prohibition measures shall follow article 3 and 4 of the Decree 164/PM dated 29/10/1993 on the establishment of the NBCAs for the whole country.

- Article 9:** The Resettlement Area will be the new settlement for the resettlers and will be allocated to each family for establishing its new house and will be given to the resettlers for sustainable uses in accordance to the laws
- Article 10:** The boundary of the reservoir at the water Full Supply Level of El 538 is determined for the purpose of proper reservoir clearing and removal of trees before filling the reservoir to ensure water quality and environment, and in the areas where there is difficulty in level determination and demarcation of logging areas, the rest of the trees will be cut and removed from those areas after filling the reservoir and when the actual inundated area will be known.
- Article 11:** The Ministry of Agriculture and Forestry in collaboration with the local Authorities and the Nam Theun 2 Project is hereby assigned to do the detailed survey and clear demarcation on the actual ground and disseminate this decree to government officials and ethnic people in order to make them understand this Decree and implement this strictly, and participate in the implementation of the protection of forest in order to conserve forest for the future.
- Article 12:** This Decree becomes effective on date of signing.

Vientiane, date 29 December 2000

Prime Minister

Signature

Sisavath Keobounphanh

4.11. PMs DECREE 25 (26/2/2001)

Establishing the Nam Theun 2
Watershed Management and Protection
Authority

(Unofficial Translation)

LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity

Prime Minister

No.25/PM

Decree of the Prime Minister
on the establishment and activities of the Nam Theun 2
Watershed Management and Protection Authority

Reference is made to:

- The Law on Government of Lao PDR No 01/96 dated March 8, 1995
- The Forestry Law No. 125/PO dated November 2, 1996
- The Law on Water and Water Resources No. 126/NA dated November 2, 1996
- The Environment Protection Law of Lao PDR No. 02/99/NA dated April 3, 1999
- The Letter of Proposal of the Ministry of Agriculture and Forestry No. 1493/MAF.2000 dated November 27, 2000

The Nam Theun 2 Watershed Area (comprising the Nakai-Nam Theun National Biodiversity Conservation Area, the Southern Corridor and the Nam Theun Corridor as shown in Annex 1) is a conservation area which is abundant in forest and various wildlife species including rare wildlife species and wildlife species which are threatened with extinction and besides it is an area inhabited by various ethnic population considered as indigenous peoples with traditional and cultural differentiation. For the purpose of the conservation and protection of the richness of the nature and considerable cultures in the area,

the Prime Minister issues this Decree;

Chapter I
General Provisions

Article 1 **Definitions**

The following words shall have these meanings in this Decree:

Authority means the Nam Theun 2 Watershed Management and Protection Authority established by this Decree.

Board or Board of Directors means the Board comprising members nominated and appointed in accordance with Chapter III.

Concession Agreement means the terms and conditions of the concession granted to the developers for development, ownership and operation of the Nam Theun 2 Hydropower Project by the Government of Lao PDR in terms of an binding agreement.

Fund means the fund established under Chapter VI.

Implementing Agencies means the parties engaged by the Authority to implement the Management Plans and Operational Plans which may include but are not limited to Stakeholders, non governmental organisations and private sector

Management Plan means a strategic framework for management of the Nam Theun 2 Watershed Area, including but not limited to the setting and planning considerations of the Nam Theun 2 Watershed Area, principles of management and priorities for the activities designed to further the Objectives

Nakai Nam Theun NBCA means the Nakai Nam Theun National Biodiversity Conservation Area as defined in Decree No. 193 PM

Nam Theun Corridor means the area as set out in Decree No. 193 PM dated 29 December 2000

Nam Theun 2 Hydropower Project or Project means the hydroelectric power project constituted by a dam, the Nam Theun 2 Reservoir, power station, transmission system and associated infrastructure in the area adjacent to the catchment area.

Nam Theun 2 Reservoir means the reservoir of the Nam Theun 2 Hydropower Project.

Nam Theun 2 Watershed Area means the area including the Nakai Nam Theun National Biodiversity Conservation Area, the Southern Corridor and the Nam Theun Corridor, as set out in Decree No. 193-PM dated 29 December 2000, such area to be surveyed and demarcated by the Ministry of Agriculture and Forestry in accordance with the classifications set out in Article 42 of the Forestry Law

[Note: A separate regulatory authority or unit is envisaged to be responsible for the Nam Theun 2 Reservoir. However if no such authority is established, it may be necessary for the reservoir to be included in the Nam Theun 2 Watershed area, and for its management to be undertaken by a separate program of the Authority. This issue remains to be resolved separately.]

Nominating Organisation has the meaning given to that term in Article 8(2).

NTEC means the Nam Theun 2 Electricity Consortium

NTECo means the company to be established under Lao law to develop, own and operate the Nam Theun 2 Hydropower Project during the concession period for that Project and its official permitted assigns after the end of the concession period.

[Note: References in the Decree to "NTECo" should be replaced with the name of the company to be incorporated.]

Objectives means the objectives specified in Article 4

Operational Plan means a plan of operations or activities that the Authority proposes to coordinate or permit in or in relation to the Nam Theun 2 Watershed Area over a specific period and prepared by the Authority in consultation with the Stakeholders to further the Objectives

Secretary means the Secretary to the Board of Directors

Southern Corridor means the southern corridor as set out in Annex 1, such area to be surveyed and demarcated by the Ministry of Agriculture and Forestry.

Stakeholders in the Nam Theun 2 Watershed Area include concerned Ministries, departments, provincial, district and village authorities, mass organisations and persons residing within the Nam Theun 2 Watershed Area and adjacent areas.

Article 2 Establishment of the Authority

There is established by this Decree an Authority by the name of the Nam Theun 2 Watershed Management and Protection Authority.

Article 3 Status and purpose of the Authority

The Authority is a special authority of the Government of Lao PDR. The Government of Lao PDR has authorised the development and operation of the Nam Theun 2 Hydropower Project in the area adjacent to the Nam Theun 2 Watershed Area. The Authority is established as a result of that authorisation to have responsibility for the management, development and protection of the Nam Theun 2 Watershed Area.

Article 4 Objectives of the Authority

The Objectives of the Authority are

- 1 protection and rehabilitation of forest cover in the Nam Theun 2 Watershed Area to assure adequate water flows with low sedimentation to or away from the Nam Theun 2 Reservoir;
- 2 conservation, maintenance and promotion of biological diversity coupled with the development of national park appropriate for tourism and scientific research;
- 3 building and strengthening capacity of the Authority and those Stakeholders contributing to management and implementation of the Authority's activities;
- 4 facilitation of improved livelihoods for inhabitants of the Nam Theun 2 Watershed Area by focussing on poverty reduction through environmentally sustainable development; and
- 5 prudent management and effective use of funds for the purpose of furthering the above objectives.

Chapter II

Functions and Powers of the Authority

Article 5 Functions of the Authority

The functions of the Authority are:

- 1 to coordinate and manage all activities designed to further the Objectives in the Nam Theun 2 Watershed Area;
- 2 to consult and plan with Stakeholders to prepare Management Plans and Operational Plans;
- 3 to prepare detailed annual budgets based on the Management Plans and Operational Plans;
- 4 to coordinate, facilitate, and, as necessary, fund implementation of the Management and Operational Plans by Implementing Agencies;
- 5 to receive, disburse and account for moneys paid to the Authority by NTECo and other donors to further the Objectives;
- 6 to manage and control activities that may impact upon the Objectives by:
 - (a) developing rules and regulations, systems of permits and licences applicable in the Nam Theun 2 Watershed Area for activities which may impact on the Objectives;
 - (b) enforcing and monitoring enforcement of such rules and regulations, systems of permits and licences applicable in the Nam Theun 2 Watershed Area; and
 - (c) monitoring implementation of Management Plans and Operational Plans;
- 7 to promote and support the carrying out of scientific surveys, technical research and data collection in the Nam Theun 2 Watershed Area;
- 8 to facilitate improved livelihoods for inhabitants of the Nam Theun 2 Watershed Area by focussing on poverty reduction through environmentally sustainable development; and
- 9 to perform such other activities consistent with the Objectives as may be approved by the Board of Directors.

Article 6 Powers of the Authority

The Authority may do all things that are necessary or convenient to be done for or in connection with the performance of its functions and, in particular, may:

- 1 liaise with and coordinate Stakeholders and Implementing Agencies to further the Objectives;
- 2 enter into contracts;
- 3 acquire, hold and dispose of real or personal property;
- 4 accept gifts and donations of moneys and other property and to hold, invest and apply same to further the Objectives;
- 5 open and operate such bank accounts in its name in Lao PDR and off-shore to receive and disburse money received;
- 6 consider and permit, on such terms as the Board of Directors considers appropriate, any activities in the Nam Theun 2 Watershed Area which impact on the Objectives; and
- 7 do anything incidental to any of its powers

Subject to the laws of Lao PDR, the Authority has power to perform any of its functions within or outside Lao PDR and in cooperation with any Stakeholders or any other person deemed appropriate by the Board of Directors.

The Authority's powers as specified in this Article prevail over local administrative authority except in respect of national security and defence.

Chapter III The Board of Directors of the Authority

Article 7 Nature of the Authority

The Authority,

- 1 has perpetual succession;
- 2 shall have a common seal; and
- 3 may sue and be sued in its name.

Article 8 Membership of the Board of Directors

- 1 The Board of Directors shall comprise:
 - 1.1 The Minister of the Ministry of Agriculture and Forestry Chairman
 - 1.2 The Vice Governor of Khammouane Province Vice-Chairman and Standing Member;

- 1.3 The Vice Governor of Bolikhamxay Province Vice Chairman
- 1.4 The Director of the Forestry Department of the Ministry of Agriculture and Forestry Member
- 1.5 Director of the Provincial Department of Agriculture and Forestry of Khammouane Province Member
- 1.6 Director of the Provincial Department of Agriculture and Forestry of Khammouane Province Member
- 1.7 A Director from a concerned department or the cabinet of the Ministry of Industry and Handicrafts to be nominated by the Minister for Industry and Handicrafts Member
- 1.8 A Director from the Ministry of Finance to be nominated by the Minister of Finance Member
- 1.9 A Director from STEA to be nominated by the President of STEA Member
- 1.10 The Chief of Nakai District Member
- 1.11 The Chief of Khamkeut District Member
- 1.12 A Director from Lao Women's Union of Khammouane Province to be nominated by the President of Lao Women's Union Member
- 1.13 A Director from Lao Women's Union of Bolikhamxay Province to be nominated by the President of Lao Women's Union Member
- 1.14 A Director from NTECo to be nominated by the board of directors of NTECo (for so long as NTECo is providing funds to the Authority) Member

In the period before NTECo is incorporated, the GOL NT2 Project Director and a Director representing NTEC are to be co-members
- 1.15 Representatives from other donors or intergovernmental organisations as may be approved from time to time by the Board of Directors to become members of the Board
- 2 The organisation responsible for nominating a Director under Article 8(1) ("**Nominating Organisation**")
 - (a) shall provide details of its inaugural nominee to the Prime Minister's Office, and
 - (b) may from time to time provide details of a proposed replacement of its member to the Prime Minister's Office.

such appointment or replacement to be effective upon formal appointment by the Prime Minister

- 3 The performance of the functions or the exercise of the powers of the Authority is not affected by reason only of there being a vacancy or vacancies in the membership of the Board of Directors.
- 4 The Director of the Executive Secretariat shall attend Board meetings and act as Secretary to the Board of Directors but shall not be a member of the Board.
- 5 The Chairman may from time to time invite representatives of other organisations (including non-government or intergovernment organisations) to attend meetings as non-voting members or observers.

Article 9 Remuneration for Members of the Board of Directors

A member of the Board of Directors is entitled to be paid bona fide remuneration for services rendered and for any expenses incurred on behalf of the Authority.

Article 10 Alternate members of the Board of Directors

Whenever a member of the Board of Directors is:

- 1 temporarily absent from Lao PDR or from duty;
- 2 unable for any reason to attend a meeting of the Board of Directors; or
- 3 otherwise unable to perform the duties of a member of the Board of Directors,

the Nominating Organisation may appoint an alternate member to act in the place of that member, provided the power given to such alternate member is in writing.

Article 11 Committees

- 1 The Board of Directors may appoint committees for the purpose of investigating proposals and presenting their findings and suggestions to the members at a meeting.
- 2 A committee is to meet as directed by the Board of Directors or, in the absence of such direction, as often as it sees fit.
- 3 A decision of a committee is not a decision of the Board of Directors, unless ratified by the Board of Directors.

Article 12 Common Seal

- 1 A person must not use the common seal of the Authority without the authority of the Board of Directors
- 2 Every instrument and document on which the common seal is placed is to be signed by:
 - (a) the Chairman and initialed by the Secretary; or
 - (b) such other Board members appointed by the Board of Directors for the purpose.

Chapter IV
Meetings of the Board of Directors of the Authority

Article 13 Annual Meetings of the Board of Directors

- 1 Once in every financial year, the Board of Directors shall meet at such time and at such place in Lao PDR as the Chairman determines
- 2 Meetings of the Board of Directors shall be called at the request of the Chairman by notice from the Secretary specifying the time and place for the meeting and the date on which it is to be held, not being a date earlier than 15 days after the notice is given.
- 3 The business of the annual meeting of the Board of Directors is to include:
 - (a) the receipt of an annual report of the activities of the Authority (including reports prepared by the independent monitoring agency and independent auditor referred to in Chapter VII), presented by either the Chairman or the Secretary; and
 - (b) the receipt of the audited financial statements for the previous financial year; and
 - (c) the conduct of any other business placed on the agenda before the commencement of the meeting.

Article 14 Special Meetings of the Board of Directors

In addition to annual meetings, special meetings may be called by the Chairman of the Board of Directors or by any three members of the Board of Directors. Notice of any special meeting shall be given to members of the Board of Directors by the Secretary and shall specify the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

Article 15 Quorum

Any ten members of the Board of Directors constitute a quorum for the transaction of the business of any meeting of the Board of Directors. No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned and shall be automatically held without need for further notice at the same place and time on the following day. At any adjourned meeting of the Board of Directors, any eight members of the Board of Directors shall constitute a quorum. The only business which may be conducted at the adjourned meeting is that on the agenda for the original meeting.

Article 16 Decisions of the Board of Directors

At a meeting of the Board of Directors at which a quorum is present a decision of two thirds of the members of the Board of Directors present and voting is a decision of the Board of Directors.

Article 17 Disclosure of interests of members

- 1 A member of the Board of Directors who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board of Directors shall, as soon as practicable after the relevant facts have come to the knowledge of the member, disclose the nature of the member's interest at a meeting of the Board of Directors
- 2 The interests of a member of the Board of Directors arising by virtue of the office he holds entitling him to be a member or arising by virtue of the fact that he has been appointed by an organisation specified in Article 8(1) shall be assumed and need not be disclosed
- 3 A disclosure under Article 17(1) shall be recorded in the minutes of the meeting of the Board of Directors and the member shall not, unless the Chairman otherwise determines:
 - (a) the present during any deliberation of the Board of Directors with respect to that matter, or
 - (b) take part in any decision of the Board of Directors with respect to that matter
- 4 A member failing to make a disclosure under Article 17(1) may be expelled from the Board of Directors at its next meeting following the Board of Directors becoming aware of the breach. A motion for expulsion must be carried by members of the Board of Directors excluding that member, but otherwise such breach shall not invalidate any determination by the Board of Directors.

Article 18 Minutes of Meeting

- 1 The Secretary shall keep an accurate record of the resolutions and proceedings of each meeting of the Board of Directors together with a record of the names of persons present and provide copies of such resolutions and proceedings to members of the Board of Directors within 7 days of a meeting.
- 2 A member of the Board of Directors who considers that the minutes of a meeting are inaccurate shall notify the Secretary and the Chairman of the inaccuracy within 7 days of receipt of those minutes and the Chairman shall ensure that any inaccuracy is corrected before approving the minutes

Article 19 Duties of Chairman

- 1 The primary duty of the Chairman is to ensure the successful functioning of the Authority and achievement of the Objectives. Accordingly, the Chairman must:
 - (a) uphold the rules of the Authority;
 - (b) preside at meetings of the Board of Directors; and
 - (c) represent and act, subject to the instructions of a meeting of the Board of Directors, on behalf of the Authority in the interval between meetings.

- 2 If the Chairman is not present within 30 minutes after the time appointed for the holding of the meeting, the Vice Chairman shall preside at the meeting. If both the Chairman and Vice-Chairman are absent, a Chairman appointed by the members of the Board of Directors present shall preside at the meeting.
- 3 The Chairman must:
 - (a) before a meeting of the Board of Directors:
 - (i) consult with the Secretary in the preparation of an agenda;
 - (ii) read over any correspondence or other material to be brought forward at the meeting; and
 - (b) call meetings and give the proper notice for meetings in accordance with this Decree; and
 - (c) open the meeting when a quorum is present and ask for any apologies to be tabled; and
 - (d) sign minutes of previous meetings as correct once the Chairman has corrected any inaccuracies advised by members of the Board under Article 18(2); and
 - (e) take charge of the general conduct of the meeting and of the procedures to be adopted at the meeting and may require the adoption of any procedure which is in the Chairman's opinion necessary or desirable for proper and orderly debate or discussion and the proper and orderly casting or recording of votes at the meeting;
 - (f) rule "out of order" any motion which involves the Authority acting outside its functions or powers or the law; and
 - (g) close or adjourn the meeting when:
 - (i) a motion to that effect is carried, or
 - (ii) all business has been finished, or
 - (iii) a quorum of the Board of Directors is no longer present.

Article 20 Appointment of Standing Member

The Board of Directors may nominate a Director to act as Standing Member and provide guidance to the Executive Secretariat in relation to the performance of its duties from time to time.

Article 21 Duties of Secretary to the Board of Directors

The duties of the Secretary are:

- 1 to cause written notice of each meeting of the Board of Directors to be given to each member of the Board of Directors by delivering it to the member at a reasonable time before the meeting or by sending it by pre-paid post addressed to him or her at his or her office;

- 2 to prepare an agenda for each meeting of the Board of Directors, in consultation with the Chairman, before each meeting;
- 3 to keep minutes of each meeting of the Board of Directors in accordance with Article 18;
- 4 to distribute quarterly reports prepared by the Executive Secretariat in accordance with Article 24(12) to the Board of Directors;
- 5 to maintain any correspondence to and from the Authority and inform the Board of Directors of such correspondence; and
- 6 to keep the Authority's common seal in safe custody.

Article 22 Duties of the Board of Directors

The duties of the Board of Directors are:

- 1 to promote the Objectives of the Authority;
- 2 to formulate policy and management guidelines for the Executive Director and Staff to effect the policy and perform the functions of the Authority;
- 3 to monitor the activities of the Executive Secretariat, as required;
- 4 to approve Management Plans, Operational Plans and annual budgets prepared by the Executive Secretariat;
- 5 to approve of rules and regulations, systems of permits and licences applicable in the Nam Theun 2 Watershed Area formulated by the Executive Secretariat in relation to activities which may impact on the Objectives;
- 6 to appoint a duly qualified professional investment agency to manage the Fund and invest surplus funds;
- 7 to determine investment policies and management guidelines for the professional investment manager to effect the policy;
- 8 to appoint an independent monitoring agency and an independent auditor, both of which shall be of international standing, to perform the functions specified in Chapter VII and to facilitate transparency and accountability of management and activities undertaken under supervision of the Authority;
- 9 to appoint the Director of the Executive Secretariat of the Authority;
- 10 to fix appropriate remuneration for the Director and staff of the Executive Secretariat, as well as advisors and consultants to the Authority;
- 11 to report the progress of the Authority to the Government on a regular basis; and
- 12 to perform such other activities consistent with the Objectives as are resolved by the Board of Directors.

Chapter V

Executive Secretariat, Consultants and Advisers

Article 23 Director of the Executive Secretariat

- 1 The Director of the Executive Secretariat is responsible to the Board of Directors for:
 - (a) the day to day management of the Authority in accordance with the general policies and specific directions of the Board of Directors; and
 - (b) the proper execution of the Executive Secretariat's rights and duties.
- 2 The Board of Directors may from time to time appoint a person to act in the office of the Director of the Executive Secretariat during an extended absence of the Director of the Executive Secretariat. The person appointed has all the functions of the Director of the Executive Secretariat while acting in that position and will be paid such remuneration as the Board of Directors determines is appropriate.

Article 24 Duties of the Executive Secretariat

The rights and duties of the Executive Secretariat under the direction of the Director of the Executive Secretariat are:

- 1 to coordinate and carry out the day-to-day activities of the Authority in accordance with the general policies and specific directions of the Board of Directors;
- 2 to consult and plan with Stakeholders to prepare Management Plans and Operational Plans for approval by the Board of Directors;
- 3 to prepare detailed annual budgets based on the Management Plans and Operational Plans for approval by the Board of Directors;
- 4 to coordinate, engage, facilitate and supervise implementation of the Management Plans and Operational Plans by Implementing Agencies;
- 5 to enter into contracts under the authority of the Board of Directors;
- 6 to ensure that all money received is deposited as soon as possible in the Authority's bank account;
- 7 to disburse funds in accordance with the annual budgets approved by the Board of Directors;
- 8 to manage and control activities that may impact upon the Objectives by:
 - (a) developing the rules and regulations, systems of permits and licences applicable in the Nam Theun 2 Watershed Area for activities which may impact on the Objectives, following consultation with Stakeholders, for approval by the Board of Directors; and

- (b) enforcing and monitoring enforcement of such rules and regulations, systems of permits and licences applicable in the Nam Theun 2 Watershed Area;
 - (c) monitoring implementation of Management Plans and Operational Plans;
- 9 to promote and support the carrying out of scientific surveys, technical research and data collection in the Nam Theun 2 Watershed Area;
 - 10 to facilitate the development of environmentally sustainable forms of livelihood for local communities within the Nam Theun 2 Watershed Area; and
 - 11 to keep proper accounts and records of financial transactions and affairs of the Authority and arrange for accounts to be audited at the end of each financial year;
 - 12 to prepare quarterly progress reports of the Authority for distribution to the Board of Directors, such reports to include:
 - (a) the proceedings and activities of the Authority for that quarter;
 - (b) a summary of the financial transactions of the Authority for that quarter;
 - (c) the extent to which the objectives, policies or plans of the Authority have been achieved or realised in that quarter; and
 - (d) the plans of the Authority for future quarters, and
 - 13 to perform such other activities consistent with the Objectives as are authorised by the Board of Directors and under the guidance and direction of the Board of Directors.

Article 25 Location of the Executive Secretariat

In order to facilitate implementation and communication within the Nam Theun 2 Watershed Area, the office of the Executive Secretariat shall be established in Khammouane Province.

Article 26 Staff of and Advisers to Executive Secretariat

- 1 The Executive Director may, from time to time, as the Executive Director sees fit:
 - (a) employ and dismiss managerial, technical and administrative staff as required; and
 - (b) engage consultants and advisers,
 to enable the Executive Secretariat to perform its functions.

- 2 The Executive Director may, with the consent of a State organisation and on such terms as may be mutually arranged, make use of the services of any of the officers or employees of that State organisation.

Chapter VI

Funding of the Authority and its Activities

Article 27 Establishment of Fund

- 1 The activities of the Authority shall be funded by:
 - (a) moneys provided to the Authority by NTECo as required by the Concession Agreement;
 - (b) such other moneys as the Authority shall be able to obtain from governmental and other public and private sources; and
 - (c) the proceeds of investment of such moneys in accordance with investment policies and guidelines approved by the Board of Directors under Article 22(7),

and all such moneys shall be paid into and form part of the Fund.
- 2 The Board of Directors shall be responsible for managing the Fund so as to provide a long-term reliable source of funding for the Authority's activities.
- 3 To give effect to Article 27(2), the Board of Directors shall instruct the Executive Secretariat to open and maintain such bank accounts in the name of the Authority in Lao PDR and offshore (with approval from the Bank of Lao PDR) and in such currencies as the Board of Directors shall determine, and without being obligated to convert from any currency to another currency.
- 4 The Executive Secretariat shall deposit all moneys referred to in Article 27(1) into such bank accounts and may pay from the moneys standing to the credit of those accounts at any time:
 - (a) disbursements in accordance with annual budgets approved by the Board of Directors;
 - (b) moneys to be invested in accordance with investment policies and guidelines approved by the Board of Directors; and
 - (c) any other payments authorised by or under this Decree,

upon the signature of persons authorised by the Board of Directors and pursuant to a resolution of the Board of Directors.

Article 28 Professional Investment Manager

The Board of Directors may engage a professional investment manager to assist it in managing the Fund and investing surplus funds in accordance with the investment policies and guidelines referred to in Article 21(7). Surplus funds may

be invested in Lao PDR, or, with approval from the Bank of Lao PDR, offshore.

Article 29 Not for Profit

- 1 The assets and income of the Authority must be applied exclusively to the promotion of the Objectives of the Authority and no portion of the assets or income must be paid or distributed directly or indirectly to the members of the Board of Directors, except as bona fide remuneration for services rendered or expenses incurred on behalf of the Authority.
- 2 The Board of Directors may set policies requiring the Executive Secretariat to minimise its overhead and administrative costs.

Chapter VII

Independent Monitoring, Auditing and Reporting on the Authority and Activities coordinated by the Authority

Article 30 Independent Monitoring of the Authority and Activities coordinated by Authority

An independent monitoring agency engaged by the Board of Directors shall be of international standing and shall annually monitor and evaluate the performance of the Authority and the activities coordinated by the Authority and report to the Board of Directors on the Authority's progress in meeting the Objectives.

The Board of Directors, Executive Secretariat and Implementing Agencies shall give the monitoring agency full cooperation and provide it with access to all relevant data, documentation, program activities and sites to facilitate the effective monitoring and evaluation of the Authority and the activities coordinated by it.

Article 31 Independent Auditor of Authority and Activities coordinated by Authority

An independent auditing agency engaged by the Board of Directors shall be of international standing and shall conduct an annual independent audit of the Fund and of the Authority's financial, accounting and record keeping operations, and data of the Authority, applying generally accepted international auditing principles. This agency shall have the right to access at all reasonable times, all relevant records and documents related to the management of the Fund, the financial activities and operation of the Authority including information related to staff and Directors.

Article 32 Annual reporting to Interested Parties on Activities coordinated by Authority

The Authority shall make available to donors of funds to the Authority and other interested parties, annual progress reports and annual reports of the independent monitoring agency and independent auditor upon request.

Chapter VIII

Final Provision

Article 33 Decree Implementation

The Prime Minister Office, the line Ministries, Committees equivalent to a Ministry, Organisations and relevant local Governments are hereby designated to execute this decree effectively.

The Nam Theun 2 Watershed Area is to be surveyed, demarcated and maintained as Total Protection Zones, Controlled Use Zones and Corridor Zones as defined in Article 42 of the Forestry Law.

Article 34 Effectiveness

This Decree becomes effective on the date of signing

Vientiane, Date.....

The Prime Minister of Lao People's Democratic Republic

ANNEX 1:

[MAP OF NAM THEUN 2 WATERSHED AREA TO BE INSERTED BEFORE ENACTMENT
OF DECREE]

4.12. REGULATION 0535/MAF
(18/6/01)

Management of Village Forests



Lao People's Democratic Republic
Peace Independence Democracy unity Prosperity

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Ministry of Agriculture and Forestry

No. 0535/MAF.2001
Vientiane ,18 June 2001

REGULATION ON THE MANAGEMENT OF VILLAGE FORESTS

- Based on the Forestry Law No. 01-96 dated October 11, 1996 .
- Based on the Prime Minister's Decree No. 198/PM dated July 5, 1999 on the implementation of the Forestry Law.
- Based on the Prime Minister's Decree No. 102/PM of 5 July 1993 on the organization and administration of villages .
- Based on the Prime Minister's Instruction No. 01 /PM of 11 March 2000 on the conversion of provinces into strategic units ,districts into planning and budgeting units and villages into basic implementation units .

To ensure the management , preservation , rehabilitation , expansion and sustainable use of current forestry resources ,and to mobilize the active participation of the population and village organizations in the preservation of forests and forest lands in a duly manner and in accordance with the policy guidelines of the government and the spirit of the Forestry Law ,

The Minister of Agriculture and Forestry
issues the following regulation :

Chapter 1 **General Provisions**

Article 1. Objectives

The objectives of this village forest management regulation is to :

- 1.1 Encourage the population of villages having their settlements and traditionally leading a livelihood linked to the forest to initiate and participate in the management, preservation , rehabilitation ,forestation and use benefits from forest resources in a sustainable manner ; raise awareness among villagers on their status as genuine representatives of the Government in preserving forest resources and forest land within the village's scope of responsibility, in view of ensuring that forest resources and forest land within the village boundary represent sustainable sources of livelihood for the population.
- 1.2 Endorse the ownership in the customary use of village forests and forest land on the basis of the laws and regulation outlined by the Government .

- 1.3 Reduce the destruction of forest resources until stabilization of shifting cultivation , uncontrolled wood exploitation ,while preserving the environment and progressively developing the pluri-ethnic people's living conditions.

Article 2. Definition

Villages Forests refer to a forested area delineated after land allocation and handed over by the Government to a village for its management , preservation and planned use for the sustainable development of village forests . Some villages may manage from 2-3 or 5 types of forests and some villages only one type of forest depending on the types of forest existing within the territory of a village , such as protection forest, reserve forest, production forest, degraded forest or barren land .

Village production forests : are forests and forest lands allocated for customary use of forest resources as described under article 28 of the forestry law , which authorizes the exploitation of non- restricted wood species and gathering of forestry produces for family consumption in view of improving the pluri-ethnic people's livelihood in a normal and sustainable manner .

Chapter 2
Forest classification and village forest management planning

Article 3. Classification of village forests

Forests classified as village forests include 5 types of forests ,such as protected forests ,reserve forests , production forests , regenerated forests and degraded forests or barren land . The forest land area designated by the Government for the purpose of defense and security strategies ,and the forest land area designated for scientific research trials may not be classified as village forests.

Article 4. Procedures in designating village forest areas

The designation of forest and forest land areas as village forest land shall follow the procedure described under instruction No. 0822/AP,dated August 2 1996 , of the ministry of Agriculture and Forestry on land and forest allocation for management and use in accordance with the village's specific features .

Article 5. Management of village forests

The management of village forests must be supported by periodical plans , such as long-, medium-, and short-term management plans. Such plans shall require the approval of the district agriculture and forestry office .

Article 6. Delineation of village forest area

The area of each type of village forest shall be marked by natural indicators , with solid border marks, boards or other marks clearly indicating the territory of each type of forest to avoid misunderstanding , infringement or encroachment and forest destruction ,such as specifically of protected and production forests.

Chapter 3

Ownership and benefit in the management and preservation of village forests and forest land

Article 7. Ownership in the forest management

- 7.1 Natural wood and forestry produces entrusted by the government to a village's management remains the property of the national community. The government does not authorize persons or entities to undertake commercial wood exploitation, but allows households within a village to exploit wood for the purpose of house construction and repair and household consumption as provided under article 8 of this regulation.
- 7.2 Trees planted and regenerated by persons or entities on the basis of their own funds and labor with the government's acknowledgement are their property and such persons or entities have the right to possess, use, benefit, transfer, hand over and inherit such forests.
- 7.3 Forestry produces in natural forests may be gathered for commercial purposes, provided such activities are performed by a group or association based on sustainable management rules and plans endorsed by the head of the district agriculture and forestry office and approved by the district governor.

Article 8. Benefit from the preservation and management of village forests and forest land.

- 8.1 Persons and organizations within a village may make use of forests, forest land, and forestry produces according to the traditions of the village, such as felling non-restricted wood species in village production forests for the purpose of building fences, producing firewood, repairing and building houses, which total volume shall not exceed 5 cubic meters of lumber per family requiring such wood. Forestry produces may be gathered from natural forests for commercial purposes, such as mushrooms, bamboo shoots, stick-lack, benzoin, cardamom, palm fruits and others to generate additional household incomes. However, in doing so, article 22 on restrictions to the exploitation and gathering of forestry produces as provided under the regulation 0221 /MAF .2000, dated October 13 2000, on the management of wood and forestry produce exploitation, shall be strictly implemented.
- 8.2 The repair and construction of schools, hospitals, temples and other buildings of public utility within a village shall be considered as special cases by the head of the district agriculture and forestry office in relation with the authorized volume of wood based on the actual conditions for each site required for public benefit.
- 8.3 Persons and organization within a village may use degraded forest land, vacant land and barren land within the village forests according to their labor and financial capacity to grow trees and conduct integrated agro-forestry production over an area not exceeding 3 hectares per labor in the household.

Chapter 4

Rights and duties in the village forest management

Article 9. Rights and duties of the district agriculture and forestry office

- 9.1 coordinate with the village forest units and village authorities in guiding the village population and mass organizations in delineating the village forests , conducting forest surveys, managing , using forests and forestry produces in accordance with the regulations and technical recommendations and the actual conditions .
- 9.2 Coordinate with the village forest units and the village authorities in mobilizing, encouraging and promoting the village's pluri-ethnic people's strong participation inn the forests management.
- 9.3 Coordinate with the village forest units and village authorities in encouraging , facilitating , managing ,controlling, and monitoring changes in the forests and forestry activities , including restricting forest resources destroying activities in a timely manner.
- 9.4 Provide basic technical training to the population emphasizing on village forest survey and management and control planning for the purpose of planting , regenerating ,and preserving the villages forests .

Article 10. Rights and duties of village administrative authorities

- 10.1 Publicize, disseminate and train the villagers to understand and assimilate the forestry law , resolutions and instructions related to forest activities and the importance of forests
- 10.2 Approve specific rules on the management of village forests outlined by the village forest unit in accordance with the actual conditions based on unanimity within the village .
- 10.3 Organize the village population and existing village mass organizations by dividing responsibilities in detail to efficiently manage the village forest within the areas of their villages.

Article 11. Rights and duties of village units

- 11.1 Assist the village economic committee and the village administrative authorities in outlining specific rules for the management and preservation of forests , water sources , wildlife , aquatic life and the natural environment within the village forests in accordance with the actual conditions of each type of forest .
- 11.2 Strictly implement instructions issued by the district , the district agriculture and forestry office and the village administrative authorities in relation with the preservation and management of forests , forest land and village forest activities.

- 11.3 Coordinate with the district and agriculture and forestry office and other parties concerned in planning the management of village forests by type of forest from time to time in accordance with the socio-economic development programs and projects .
- 11.4 Propose the establishment of groups or associations of forestry produces users to conduct forestry activities within the area of village forests , such as gathering forestry produces , growing trees , caring and regenerating forests and others under the regulations and management of the village.
- 11.5 Manage , preserve, protect and regenerate forests and forests resources to achieve ecological balance and sustainable use .
- 11.6 Patrol , monitor and control activities in village forests , such as : restriction of hunting , illicit trade of aquatic life and wildlife , exploitation of wood and forestry produces , processing , planting , regeneration and maintenance of village forests .
- 11.7 Restrict activities negatively affecting forest resources ,water sources and the environment .
- 11.8 Provide mediation and educational measures when persons and organizations enter into disputes in relation with activities and use of village forests .
- 11.9 Instruct the temporary suspension , apply educational measures , seize evidences , impose fines and detain offenders violating the regulations on the management of village forests and other relevant rules . Offenders will be handed over to the village administrative authorities for further action as provided by law .
- 11.10 Record and report the management of and activities in village forests within the scope of their rights and duties to assist the district agriculture and forestry office in planning , monitoring , control and assessment .
- 11.11 Guide the population and organizations of the village in fighting and restricting forest fires in due time , and outline necessary measures to avoid forest fires .
- 11.12 Participate in consultations and reach unanimity with parties concerned in formulating socio-economic development guidelines and plans for the village.

Article 12. Rights and duties of the village population and organizations .

- 12.1 Assist in the management and preservation of existing village forests and forest land from reduction and ensure their sustainable wealth.
- 12.2 Initiate the restriction of activities led by a group of bad persons and negatively affecting forest resources such as tree felling, sawing, forest slashing and burning , fishing and hunting restricted species , and restricting any acts of destruction against the forest resources of the village.

- 12.3 Any acts of destruction against forest resources by a group of bad persons , when discovered, shall be urgently reported to the village forest unit and the village administrative authorities in view of jointly restricting such activities in a timely manner.
- 12.4 Initiate the preservation , regeneration and development of forests within the village territory , while also restricting and extinguishing forest fires within the village forests in joint and timely efforts .

Article 13. Restrictions within the village forests

- 13.1 Retention, transfer and trade of village forest area and forest land by persons and organizations.
- 13.2 Construction , slashing , burning ,feeling, gathering of forestry produces and hunting of restricted species or other activities without authorization which lead to degradation of the village forest resources and environment.
- 13.3 Exchange of forests and forest resources against materials ,objects or construction works for public interest or village property .
- 13.4 Exploitation of protected wood species for construction , repair and consumption needs of a household in excess of 5 cubic meters of lumber per household as provided under article 28 of the forestry law.
- 13.5 Exploitation of restricted wood species , exploitation of wood for commercial and exchange purposes as described under article 13.3 within the area designated as village forests , unless when specially authorized by the government.
- 13.6 Exploitation of forestry produces ,fishing and hunting of non –restricted species in a manner leading to extinction.
- 13.7 Removal ,change or destruction of border marks , boards or other marks in village forests by persons and organizations .
- 13.8 Conversion of the forest and forest land area allocated by the government without authorization from the authorities competent in deciding over the alteration of forests and forest land .
- 13.9 Retention or use by persons and organizations within the village of dense natural forests or degraded forests , which have the potential to grow into natural forests for the purpose of planting trees .

Chapter 5

Obligations ,rewards and Measures against Offenders

Article 14, Obligations towards village forests activities

Persons and organizations within a village have the obligation to preserve and develop the forests, forest resources , forest land ,water sources , wildlife and the environment in a sustainable manner , to use the allocated village forest land in accordance with the

regulations ,and prevent their degradation and extinction , outline the necessary measures to prevent forest fires and firmly contribute to the restriction of all forms of forest resources destruction.

Article 15. Rewards for persons performing outstanding works

- 15.1 Persons and organizations effectively contributing to the organization and implementation of village forest activities , in accordance with contracts , plans and regulations , will be awarded and benefit from special treatments granted by state organizations and other organizations concerned as appropriate .
- 15.2 Persons affected by the performances of duties in relation with village forests and their families shall receive appropriate care .

Article 16. Measures against offenders

Persons and organizations breaching the village forests management rules and obstructing the activities of village forest units will be warned , educated, subjected to disciplinary measures , detained and handed over to the administrative authorities for further action as provided by law .

Chapter 6 **Final Provisions**

Article 17. Implementation

- 17.1 The provincial , municipal and special zone agriculture and forestry departments and district agriculture and forestry offices shall coordinate with village administrative authorities and village economic committees to disseminate and strictly implement this rule within the scope of their respective roles , duties and rights .
- 17.2 State agencies and all economic sectors , including individuals and entities shall acknowledge and encourage the realization of this regulation .

Article 18. Effectiveness

This regulation replaces Decree No. 0429/MAF ,dated June 18 ,1992, on the rights and duties in the management of forest resources at the village level , and others regulations formerly issued and inconsistent with this regulation are superseded. This regulation is effectively from the date of its signing.

Minister of Agriculture and Forestry

SIENE SAPHANTHONG

4.13. MAF REGULATION 360 (8/12/2003)

Regulations on National Protected Area
Management, Aquatic Animals and
Wildlife

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry

No. 0360/AF.2003
Vientiane, 8 December 2003

NATIONAL BIODIVERSITY CONSERVATION AREAS,
AQUATIC AND WILD LIFE
MANAGEMENT REGULATIONS

- Based on the Forestry Law 01-96 of 11 October 1996,
- Based on the Prime Minister's Decree 198/PM dated 15 November 1999 on the implementation of the Forestry Law,

The Minister of Agriculture and Forestry issues the following regulation:

Section 1
General Provisions

Article 1: Purposes

The purposes of this regulation are:

1. To set the rules, principles and measures to be applied in relation with the establishment, management and use of all categories of forest land included in reserve forests, and the rights and obligations of Lao citizens in preserving reserve forests, aquatic and wild life.
2. To preserve the sustainable existence of reserve forests, aquatic and wild life, biodiversity, ecological balance and natural biodiversity reproduction, and to ensure beautiful forests and sceneries appropriate for conservation, promotion of eco-tourism and scientific educational, research and experimental purposes.
3. To preserve areas of geographical, historical and cultural importance.
4. To ensure implementation consistent with forest reserves, aquatic and wild life preservation agreements entered jointly with neighboring countries and at the international level.

Article 2: Ownership of Reserve Forests, Aquatic and Wild Life

Reserve forests, aquatic and wild life are the property of the national community, which is represented by the State in their countrywide centralized and unified management for the preservation of their wealth and increase of aquatic and wild life.

Article 3: Obligations in the Preservation of Reserve Forests, Aquatic and Wild Life

Persons, public and private organizations have the obligation to preserve forests, forest resources, forest land, water sources, wild and aquatic life and the

environment, and participate to the protection and prevention of forest fires and destruction of forest fires in reserve forests in any way.

Article 4: Definitions

NBCAs are forests and forestland which establishment into NBCAs has been approved by the Prime Minister and categorized for the preservation of animal species and plant varieties, nature and things of biological, historical, cultural, tourism, environmental, educational and scientific research value.

Restricted areas are forests and forestland providing habitat, living and reproduction sites for animals and a wealth of plant species, where forestry activities, forest produce gathering, including the removal of animal and plant species are strictly forbidden unless specially authorized by the Ministry of Agriculture and Forestry only.

Managed use areas are forest areas or forestland adjoining or neighboring restricted areas, which the population may make limited use in wood exploitation, gathering of forestry produces and hunting. The population previously inhabiting the reserve forests may carry out different activities and use forest resources in accordance with the rules and regulations, management plans and specific rules aiming at ensuring the sustainable use of forestry resources in such areas and the efficient preservation of reserve forests.

Corridors are alignments or forestland used as passageway by animals between reserve forests or between reserve forests and other categories of forests and aiming at preserving the existence and reproduction of wild life. Hunting, tree felling, forestry or other activities in these areas likely to impede or destroy such passage are forbidden.

Buffer zones are forest areas and forestland surrounding reserve forests and corridors. They are established to protect reserve forests from encroachment. Customary activities and use of forest resources in these areas for household consumption in strict accordance with the regulations are permitted, such as sustainable forest produces gathering, tourism, cultivation and animal husbandry, plantation and others. The different activities in buffer zones require approval from the local administrative authorities or from the organizations concerned.

Ecological system is the mutual relationship between living and non-living elements of a particular natural environment.

Biodiversity covers all living things, including all species of fauna and flora, the natural biological wealth which includes the habitat of fauna, flora, people and components of species.

Restricted animal species are rare, near extinct, high value, especially important wild and aquatic life in socio-economic and natural environment terms.

Managed animal species are wild and aquatic life that may be found in substantial number in the nature and which the plural-ethnic population may still consume for their livelihood according to the customs and within specified seasons, and that are not near extinct.

Reserve bays are certain portions of streams, rivers and naturally occurring water bodies and designated as such by individuals, collectives and village administrative authorities for the purpose of preserving the habitats and reproduction of aquatic life. Any use of aquatic resources in such areas must comply with the outlined regulations.

Hunting restricted season is the period from May 1st to October 31st of each year, which is the season where wild and aquatic life has the opportunity and conditions for natural reproduction.

Possession is the ownership of plants, wild and aquatic animals, including parts of wild and aquatic animals, for the purpose of their reproduction, rearing, use, trade and scientific studies and research.

Section 2 Establishment of NBCAs

Article 5: NBCA Establishment Procedures

The Ministry of Agriculture and Forestry coordinates the full documentation required to apply for the establishment of NBCAs with the provincial, municipal and special zone authorities for submission to the Prime Minister.

Technical documents relating to applications for the establishment of NBCAs include:

- Report of initial site and socio-economic survey of villages within and around the NBCA.
- Maps of a minimum scale of 1:100,000 ***or 1:50,000*** indicating locations and scopes.
- Report of consultations with organizations and agencies concerned and likely to be affected by the NBCA's establishment.

Article 6: Provisional Management of NBCAs

Following the submission of justifying technical documents to apply for the establishment of a NBCA, pending the approval, provisional management shall be ensured and no forestry activities likely to contravene the laws and regulations shall be allowed in the NBCA's area. At the same time, the Ministry of Agriculture and Forestry shall notify the province, Vientiane City and special zone Agriculture and Forestry Departments to carry out the NBCA's provisional management.

Article 7: NBCA Area Modification Procedures

In the case the area of an NBCA is required, the provincial, Vientiane City and special zone Agriculture and Forestry Departments shall submit the rationales, coordinates and areas requiring modifications and relating to the NBCA's management plan. At the same time, unanimous approval shall be required from the district and provincial administrative authorities concerned. The proposal for modification shall then be submitted to the Ministry of Agriculture and Forestry, which shall review and provide comments for the Prime Minister's consideration and approval.

Article 8: Established NBCA Countrywide

The Lao PDR currently has 20 NBCAs covering a total area of 3,310,200 hectares and include:

No.	NBCA	Province	Area (Ha)
1.	Phoo Dendin NBCA	Phongsaly	222,000
2.	Nam Ha NBCA	Luang Namtha	222,400
3.	Nam Et NBCA	Huaphan	170,000
4.	Phoo Luey NBCA	Luang Prabang, Huaphan, Xiengkhuang	150,000
5.	Nam Sam NBCA	Huaphan	70,000
6.	Nam Puy NBCA	Sayabouly	191,200
7.	Phoo Phanang NBCA	Vientiane City, Vientiane Province	70,000
8.	Phoo Khao Khuay NBCA	Vientiane City, Vientiane province, Bolikhamsay	200,000
9.	Namkading NBCA	Bolikhamsay	169,000
10.	Phoo Hinpoun NBCA	Khammuan	150,000
11.	Nakay-Nam Theun NBCA	Khammuan, Bolikhamsay	353,200
12.	Hin Nammo NBCA	Khammuan	82,000
13.	Phoo Sang He NBCA	Savannakhet	109,900
14.	Dongphoovieng NBCA	Savannakhet	197,000
15.	Sebangnuan NBCA	Savannakhet, Salavan	150,000
16.	Sesap NBCA	Salavan, Sekong	133,500
17.	Phoo Siengthong NBCA	Salavan, Champassak	120,000
18.	Donghuasao NBCA	Champassak	110,000
19.	Dong Amphan NBCA	Attapeu	200,000
20.	Sepien NBCA	Champassak, Attapeu	240,000

Article 9: Classification of Forest Resources Conservation Areas

Forest resources conservation areas in Lao PDR are classified in 4 categories:

- 1. Protected forests, which include forests and forestland classified as such for the purpose of protecting water sources, preventing soil erosion, strategic defense zones, preventing natural disasters, preserving the environment and others.*
- 2. Natural parks include forests and forestland classified as such for ecological system preservation, scientific research, socio-cultural and recreational purposes.*
- 3. Natural sources preservation forests are forest reserved for the preservation of rare and near extinct animal and plant species, natural balance and geographical beauty.*
- 4. Reserve forests are forests and forestland that have largely kept their pristine natural systems and have been classified as such to protect and regenerate the bio-diversity.*

Section 3 Management of NBCAs

Article 10: Distinction of Areas within NBCAs

Each type of reserve forest are divided into restricted areas and areas where use is managed. Where necessary and appropriate, corridors may be established between NBCAs or between an NBCA and other types of forests. Buffer zones may be situated around NBCAs and corridors over an area dictated by the geographic conditions.

Areas under managed use may further be divided into several zones based on forestland management and land allocated to villages located within and around NBCAs, such as:

- 1. Village areas are areas previously inhabited by the local population and recognized as such by the local administrative authorities and where the local population has erected buildings, schools, hospitals, dispensaries, temples and dwellings.*
- 2. Village agricultural areas are areas allocated specifically to the villages located within or around NBCAs for production, such as cultivation and animal husbandry and recognized as such by the administrative and sectoral authorities concerned in compliance with the rules and principles.*
- 3. Village consumption areas are forests allocated for the local population's customary use, such as for household consumption, forest produces gathering, hunting of certain animal species and others, provided such consumption does not severely affect the nature. Village consumption areas must be recognized by the administrative authorities and managed under an agreement between the villages and the NBCA based on management plans and technical rules.*
- 4. Village reserve forests are forests and forestland located within areas specifically designated for management by the villages in accordance with the outlined village land allocation regulations for conservation or nature*

regeneration, historical and cultural purposes, such as village reserve and protected forests, sacred forests and others and recognized as such by the local administrative authorities.

Article 11: Adoption of and Modification to Zones within NBCAs

The adoption and modification of zones within NBCAs and division of zones within NBCAs under Article 10 of this Regulation is performed by the NBCA Management Unit in coordination with the District Agriculture and Forestry Office and other authorities. Following joint surveys, a proposal is submitted to the province, Vientiane City and special zone Agriculture and Forestry Department, which shall review and submit its comments to the Ministry of Agriculture and Forestry. In the case of modification to the area of the 4 sub-zones within areas under managed use, prior approval shall be required from the Director of the province, Vientiane City and special zone Agriculture and Forestry Department will suffice.

Article 12: Surveys and Management of Established NBCAs

The forest survey and planning unit and the forest resources conservation unit of the Forestry Department, in coordination with the province, Vientiane City and special zone Forestry Division, shall carry out a survey of the forests and forestland conditions, socio-economic conditions, historical and cultural sites, bio-diversity and others, and shall develop a feasibility study report as reference for the NBCA's management plans.

Article 13: NBCA Management Plan

Before developing an NBCA management plan, the Forestry Department, in coordination with the province Agriculture and Forestry Department and the local administrative authorities, shall organize an NBCA management unit that will be responsible for planning the NBCA's management with the participation of the village administrative authorities, the District Agriculture and Forestry Office, the province, Vientiane City and special zone Forestry Division, and other parties concerned. Such plan shall be based on the feasibility study carried out by the survey and management unit under Article 12 and shall be effective for a period of 10 years. The NBCA management plan shall include:

- A master plan for the management of the NBCA divided into short, medium and long terms.
- Annual action plan covering the NBCA management plan of each district related to the NBCA and covering activities, human and financial resources.

Article 14: Adoption of NBCA Management Plans

The Ministry of Agriculture and Forestry shall consider and approve NBCA management plans submitted by province, Vientiane City and special zone Agriculture and Forestry Departments based on the review and recommendations of the Forestry Department.

Article 15: Criteria of NBCA, Aquatic and Wild Life Management Officers

NBCA, aquatic and wild life management officers shall be officers from province, Vientiane City and special zone Forestry Divisions or from district Forestry Units, village administrative authorities and village organizations with the required experience in conservation, discipline, work methods, active, strong health and records void of previous acts of destruction to forest resources and other offences.

Article 16: Restrictions in the Management of NBCAs

1. The exploitation of any type of wood and mineral, the construction of water reserves and other works and roads, gathering of forest produces, hunting, removal of plant and animal species, and any other type of forestry activities are forbidden in the restricted areas and corridors.
2. Any retention, transaction of land area, immigration, clearing and extension of rice fields, shifting cultivation and others are forbidden within reserve forests and corridors.
3. The exploitation, excavation or removal of artifacts of high historical and cultural value from reserve forests unless authorized by the Government.
4. The disposal of wastes and toxic substances that would be hazardous for the forests, wild and aquatic life and the environment is strictly forbidden in reserve forests and corridors.

Section 4 Management of Wild and Aquatic Life

Article 17: Classification of Wild and Aquatic Life Species in Lao PDR

Wild and aquatic life in Lao PDR is classified into 2 categories by order of importance in terms of management and distribution of species:

- 1. Restricted wild and aquatic life, List I***
- 2. Managed wild and aquatic life, List II***
 - ***Restricted wild and aquatic life (List I) refer to rare and near extinct wild and aquatic life with high value and special socio-economic and environmental importance for the country. These species are strictly managed and any activity relating to them requires approval from the Ministry of Agriculture and Forestry.***
 - ***Managed wild and aquatic life (List II) refer to wild and aquatic life species that may be widely reproduced in natural surroundings. The pluri-ethnic population may use such species for their customary livelihood in a non-mass destructive manner under the regulations set out by government.***
 - ***The adoption and modification of each list of wild and aquatic life: Any modification and inclusion of wild and aquatic life species into List I or II shall be examined and submitted by the Forestry Department to the Ministry of Agriculture and Forestry's consideration.***

Article 18: List of Restricted Wild and Aquatic Life Species (List I)

No.	Lao name	English name	Scientific name
Mammals			
1.	<i>He NO Diaio (kasoo)</i>	Lesser One-Horned Rhinoceros	<i>Rhinoceros sondaicus</i>
2.	<i>He songno</i>	Asian Two-Horned Rhinoceros	<i>Dicerobinus sumatresis</i>
3.	<i>Ngau Ba</i>	Kouprey	<i>Bos sauveli</i>
4.	<i>Sang</i>	Asian elephant	<i>Elephas maximus</i>
5.	<i>Khuay pa</i>	Wild water buffalo	<i>Bulabulus arnee</i>
6.	<i>Ngua pa</i>	Banteng	<i>Bos javanicus</i>
7.	<i>Muey – Kathing</i>	Gaur	<i>Bos gaurus</i>
8.	<i>Muay</i>	Sunbear	<i>Ursus malayanus</i>
9.	<i>Mee khuay</i>	Asiatic black bear	<i>Ursus thibetanus</i>
10.	<i>Mee deng</i>	Red panda	<i>Ailurus fulgens</i>
11.	<i>Sua khong</i>	Tiger	<i>Panthera tigris</i>
12.	<i>Suadiao</i>	Leopard	<i>Panthera pardus</i>
13.	<i>Suatakoot</i>	Clouded leopard	<i>Pardofelis marmorata</i>
14.	<i>Sua fa</i>	Asian golden cat	<i>Catopuma temminckii</i>
15.	<i>Sua meolay bin on</i>	Marble cat	<i>Felis marmorat</i>
16.	<i>La Ong/Mang</i>	Eld-deer	<i>Cervus eldii</i>
17.	<i>Say (Kuang say)</i>	Hog deer	<i>Axis porcinus</i>
18.	<i>Nyuanng pha</i>	Longtailed goral	<i>Naemorbedus caudatus</i>
19.	<i>Nyuanng</i>	Southern serow	<i>Naemorbedus sumatrensis</i>
20.	<i>Moo nguang</i>	Asian tapir	<i>Tapirus indivus</i>
21.	<i>Khadeng</i>	Redshanked douc langur	<i>Pygathrix nemaeus</i>
22.	<i>Thanee khen khao</i>	Whitehanded gibbon	<i>Hylobates lar</i>
23.	<i>Thanee phom chook</i>	Pileated gibbon	<i>Hylobates pileated</i>
24.	<i>Thanee kem dam</i>	Blackcheeked grested gibbon	<i>Hylobates concolor</i>
25.	<i>Thanee kem khao</i>	Whitecheeked grested gibbon	<i>Hylobates leucogenys</i>
26.	<i>Khong</i>	Francol langur	<i>Presbytis cristatus</i>
27.	<i>Khang</i>	Silvered langur	<i>Presbytis cristatus</i>
28.	<i>Kuang dao</i>	Spotted deer	<i>Cervus Nippon</i>
29.	<i>Saola</i>	Saola	<i>Pseudoryx nghetinhensis</i>
30.	<i>Fan khao nyay</i>	Large antlered muntjac	<i>Munidacus vuquangensis</i>
31.	<i>Banglua</i>	Giant flying squirrel	<i>Petaurista spp.</i>
32.	<i>Naknam khonlieb</i>	Smooth coated otter	<i>Lutrogole perspicillata</i>
33.	<i>Naknam lepsan</i>	Oriental small clawed otter	<i>Aonyx cinerea</i>
34.	<i>Pakha</i>	Irrawady dolphin	<i>Orcaella Brevirotris</i>
Reptiles			

35.	<i>Khe</i>	Siamese crocodile	<i>Crocodylus siamensis</i>
36	<i>Taokham</i>	Chinese three striped box turtle	<i>Cuora trifasciata</i>
	<i>Ngoo chong ang</i>	Kong cobra	<i>Phiophagus Hannab</i>
38.	<i>Ngoo lam</i>	Rock python	<i>Python molurus molurus</i>
39.	<i>Ngoo luam</i>	Reticulated python	<i>Python reticulatus</i>
Birds			
40.	<i>Nok nyung</i>	Green peafowl	<i>Pavo muticus</i>
41.	<i>Nok kokkham</i>	Great hornbill	<i>Bucerus bicornis</i>
42.	<i>Nok kok kho kham</i>	Rufous necked hornbill	<i>Aceros nipalensis</i>
43.	<i>Nok kokka</i>	Wreathed hornbill	<i>Rhyticeros undulatus</i>
44.	<i>Heng khokham</i>	White backed vulture	<i>Gyps bengalensis</i>
45.	<i>Heng buadeng</i>	Redheaded vulture	<i>Saycogyps calvus</i>
46.	<i>Nok Voovao/ Nyung thong</i>	Crested argus	<i>Rheinardia ocellata</i>
47.	<i>Nok Petka pikkbao</i>	Whitewinged duck	<i>Cairina scutulata</i>
48.	<i>Nok khien</i>	Sarus crane	<i>Grus antigone</i>
49.	<i>Nok kabbua</i>	Painted stork	<i>Ibis leucocephala</i>
50.	<i>Nok Oomlua</i>	Giant ibis	<i>Pseudibis gigantea</i>
51.	<i>Kay khualuang</i>	Silver pheasant	<i>Lophura nycthemera</i>
52.	<i>Kai khuanin</i>	Siamese fireback	<i>Lophura diardi</i>
53.	<i>Nok kasa khokhao</i>	Woollynecked stork	<i>Ciconia episcopus</i>
54.	<i>Nok kasumseng</i>	Greater adjutant	<i>Leptotilos dubius</i>
55.	<i>Nok khokan</i>	White ibis	<i>Threskiornis melanoccephalus</i>
56.	<i>Nok khiti</i>	Brown wood owl	<i>Strix leptogrammica</i>
Fish			
57.	<i>Palai fayfa</i>		<i>Anguilla marmorata</i>

Article 19: Managed Wild and Aquatic Life Species (List II)

No.	Lao name	English name	Scientific name
Mammals			
1.	<i>Lin</i>	Pangolin	<i>Manis javanicus</i>
2.	<i>Machok</i>	Jackal	<i>Canis aureus</i>
3.	<i>Kay</i>	Lesser mouse deer	<i>Tragulus javanicus</i>
4.	<i>Men</i>	Porcupine	<i>Hystrix brachyura</i>
5.	<i>Fan dong</i>	Giant muntjack	<i>Megamuntiacus vuquangensis</i>
6.	<i>Kuang</i>	Sambar deer	<i>Cervus unicolor</i>
7.	<i>Ling</i>	Monkeys	<i>Macaca spp.</i>
Reptiles			
8.	<i>Hie</i>	Water monitor	<i>Varanus salvator</i>
9.	<i>Katang</i>		<i>Calotes spp.</i>
10.	<i>Tao ngap dam</i>	Asian box turtle	<i>Cuora emboiensis</i>
11.	<i>Tao Ngap Pheung</i>	Indochinese box turtle	<i>Cuora galbinifrons</i>

12.	<i>Tao kuy/poulou/len</i>	Bid headed turtle	<i>Platysternon megacephalum</i>
13.	<i>Tao vay</i>	Giant Asian pond turtle	<i>Heoseys grandis</i>
14.	<i>Tao kon</i>	Yellow headed temple	<i>Hiereys annandalii</i>
15.	<i>Tao samsan</i>	Malayan snail eating turtle	<i>Malayemys subtrijuga</i>
16.	<i>Tao samlien kong</i>	Keeled box turtle	<i>Pyxidea mouhotii</i>
17.	<i>Tao Huasita</i>	Four-eyed turtle	<i>Sacalia quadriocellata</i>
18.	<i>Tao phak</i>	Elonmgated tortoise	<i>Indotestudo elongate</i>
19.	<i>Tai Pheung, duay</i>	Impressed tortoise	<i>Manauria impressa</i>
20.	<i>Pa fa</i>	Soft shell tortoise	<i>Amyda spp.</i>
21.	<i>Ngoo hao</i>	Monocled cobra	<i>Naja kaouthia</i>
Fish			
22.	<i>Pa kueng</i>		<i>Mystus microphthalmus</i>
23.	<i>Pa fa lay</i>		<i>Amphostistius laosensis</i>
Birds			
24.	<i>Nok keng</i>	Oriental pied hornbill	<i>Anthracoceros albirostris</i>
25.	<i>Nok keng si namtan</i>	Brown hornbill	<i>Ptilolaemus tickelli</i>
26.	<i>Nok salika</i>	Hill myna	<i>Gracula religiosa</i>
27.	<i>Nok kho ngoo</i>	Oriental darter	<i>Anhinga melanogaster</i>
28.	<i>Nok kangkod</i>	Grey peacock pheasant	<i>Polyplectron bicalcaratum</i>
29.	<i>Nok Khak tao</i>	Red breasted parakeet	<i>Pittacula spp.</i>
30.	<i>Nok huakhuan/salay</i>	Woodpecker	<i>Picus spp.</i>
31.	<i>Nok keo</i>	Parakeets	<i>Psittacula spp.</i>
32.	<i>Nok petlay</i>	Garganey	<i>Anas querquedula</i>
33.	<i>Nok khaotoo</i>	Spotted pecked dove	<i>Streptopelia tranmquebarica</i>
34.	<i>Nok kasa deng</i>	Purple heron	<i>Ardea purpurea</i>
35.	<i>Nok khao</i>	Owls	<i>Glaucidium spp.</i>
36.	<i>Nok tebte</i>	Reawattled lapwing	<i>Vanellus indicus</i>
37.	<i>Leo</i>	Imperial eagle	<i>Aquila heliaca</i>

Article 20: Possession, Use, Export and Transit of Wild and Aquatic Life in Lao PDR

- *The Government promotes reproduction and rearing of certain wild and aquatic life species by individuals and organizations for conservation and as enterprise for supply to the domestic society and export. The Ministry of Agriculture and Forestry shall consider issuing permits in compliance with the Lao and international laws and regulations.*
- *The possession of restricted wild and aquatic life species is forbidden, except for scientific purpose, research or reproduction, which shall require approval from the Government. Individuals and organizations previously possessing such species shall apply for permits and register with the relevant state organizations as recommended by the Ministry of Agriculture and Forestry.*

- *Any removal of managed wild and aquatic life species shall require authorizations, such as:*
 - *From one village to another, authorization from the village administrative authorities concerned and from the district Agriculture and Forestry Office.*
 - *From one district to another, authorization from the district Agriculture and Forestry Offices concerned and from the province, Vientiane City and special zone Agriculture and Forestry Department.*
 - *From one province to another, authorization from the province, Vientiane City and special zone Agriculture and Forestry Departments concerned and from the Ministry of Agriculture and Forestry.*
- *Any import, export and transit of wild and aquatic life species included in Lists I and II shall be processed as follows:*
 - *In the case of restricted wild and aquatic life species described in List I of the Lao PDR and List I of CITES, no import, export and transit for commercial purposes shall be permitted, except for scientific, research or reproduction purposes.*
 - *Import permits issued by the Ministry of Agriculture and Forestry, certificates of reproduction or rearing, certificates of origin, certificates of health, agreements between importers, exporters and transmitters shall be required. In addition, certificates from the CITES unit of the country of origin and member of the CITES organization shall also be required.*
- *Trade:*
No commercial transactions of wild and aquatic life species described in List I or List II will be permitted. In the case of managed aquatic and wild life species described in List II for which certificates are issued for reproduction and rearing, transactions will be permitted provided such transactions comply with the laws and regulations of the Lao PDR.

Article 21: Countrywide Restrictions in the Management of Wild and Aquatic Life

- *Hunting and fishing of restricted wild and aquatic life species (List I) in any season is strictly forbidden unless authorized by the Ministry of Agriculture and Forestry for scientific research and to protect humans and agricultural crops from destruction by such animals.*
- *Hunting and fishing of managed wild and aquatic life species (List II) during the hunting restriction season is strictly forbidden.*
- *Catching or hunting any wild and aquatic life species with young suckling and pregnant animals in any season is forbidden.*
- *The use of exterminating equipments and methods in hunting and catching wild and aquatic life species is forbidden, such as:*
 - *Explosives, chemical or toxic substances*
 - *Electricity and blasts*
 - *Any type of warfare weapon, ...*

- *Nets, catches, traps and any other means impeding the animals' reproduction.*
- *Violent activities affecting the wild and aquatic life population and habitat are forbidden.*

Section 5 NBCA Development Fund

Article 22: Location and Sources of NBCA Development Fund

1. Location of the fund: The NBCA Development Fund may be an independent unit as provided under Article 47 of the Forestry Law or may be part of the National Environment Fund.
2. Sources of the Fund: To ensure the efficient preservation of forestry resources, wild and aquatic life, water sources and the environment within NBCAs, the Government shall establish an NBCA Development Fund, which will be supplied with:
 - The national budget
 - NBCA access fees
 - Fines collected on breaches to NBCA rules
 - Taxes or maintenance fees collected from enterprises or commercial activities carried out in NBCAs, such as construction of hydropower dams, production of documentaries, photographs and other activities authorized by the Government within NBCAs.
 - Contributions by individuals, collectives, social organizations, international organizations and others.

Article 23: Use of the NBCA Development Fund

The NBCA Development Fund shall be used specifically for activities relating to the management and administration of NBCAs only, and more particularly for the preservation of water sources, wild and aquatic life and the environment within NBCAs, the dissemination of laws and regulations, training, promotion and awards as described under Article 27 of this Regulation.

Section 6 Mandate of State Organizations in the Management of NBCAs, Wild and Aquatic Life

Article 24: Mandate of the Forestry department (Forestry Resources Conservation Unit)

The Forestry Department's principal functions in the management of NBCAs, wild and aquatic life include:

1. Assist the Ministry of Agriculture and Forestry in the development of strategies, policy programs and policies of the party and government into programs, projects and regulations for the management of NBCAs, wild and aquatic life countrywide.

2. Carry out scientific and technical research and implement technical norms relating to the management and use of NBCAs, wild and aquatic life, examine and provide opinions on activities carried out in NBCAs.
3. Study strict measures and implementing methods relating to the management of NBCAs approved by the Government throughout the country, and consider and recommend the Ministry of Agriculture and Forestry to request the Government's approval to modify the scope of NBCAs.
4. Study and research on wild and aquatic life in NBCAs in relation with which there is scarce information, and set up, improve, monitor and control lists of wild and aquatic life species to be submitted to the Ministry of Agriculture and Forestry for approval and assess impact on forestry resources, wild and aquatic life countrywide.
5. Strictly supervise and control the export, import and trade of wild and aquatic life.
6. Request the Ministry of Agriculture and Forestry to issue authorizations, document and gather information, such as studies, and authorizing individuals, companies and enterprises to raise and reproduce near extinct wild and aquatic life species for their preservation.
7. Issue recommendations and notices on activities celebrating the national fish release and wild and aquatic life preservation day on 13 July to raise the pluri-ethnic population's awareness in the preservation of wild and aquatic life and the environment.
8. Outline plans and budgets, manage and use budgets to develop forests and conservation activities to preserve wild and aquatic life.
9. Manage and keep information on commercial activities relating to wild and aquatic life, all types of hunting weapons, including information on issued hunting weapon licenses and permits, and records on awards and sanctions.
10. Develop international cooperation in exchanging technical and scientific information; obtain international financial assistance for training and upgrading of technical skills in the management of NBCAs, wild and aquatic life in Lao PDR.

Article 25: Mandate of the Province, Vientiane City and Special Zone Forestry Divisions

The province, Vientiane City and special zone Forestry Divisions' major functions in the management of NBCAs, wild and aquatic life cover:

1. Directly assist the province, Vientiane City and special zone Agriculture and Forestry Departments and the Forestry Department in guiding, planning, controlling and organize the hierarchical and functional macro-level management of NBCAs, wild and aquatic life.
2. Coordinate the preservation of forests, wild and aquatic life in NBCAs with the local authorities concerned.
3. Examine and make recommendations to the province, Vientiane City and special zone Agriculture and Forestry Departments and the Forestry Department on activities in NBCAs and modification of NBCAs.
4. Organize NBCA management units and guide the district Forestry Units in the management and registration of restricted and managed wild and aquatic life species under customary possession and rearing.

5. Coordinate with all social groups to enhance the pluri-ethnic people's awareness in the protection and preservation of forests, wild and aquatic life.
6. Monitor and control illicit trade of wild and aquatic life, implement awards and sanctions particularly within the territory under their responsibility and report to the province, Vientiane City, special zone Forestry Departments and the Forestry Department.
7. Report activities for the preservation of NBCAs, wild and aquatic life on a quarterly, semi-annual, annual basis and set quarterly and annual work plans to the province, Vientiane City and special zone Forestry Departments and the Forestry Ministry.
8. Disseminate forestry resources, wild and aquatic life preservation manuals.
9. Manage and register all types of hunting weapons.
10. In coordination with the Forestry Department and the Agriculture and Forestry Research Institute, carry out surveys and studies in relation with wild and aquatic life in NBCAs for which information is scarce.

Article 26: Mandate of the NBCA Management Units

NBCA Management Units' major functions in the management of NBCAs, wild and aquatic life cover:

1. Assist the district Agriculture and Forestry Offices, province, Vientiane City, special zone Agriculture and Forestry Departments and the Forest Resources Conservation Unit in organizing the actual management of NBCAs, wild and aquatic life, and more particularly programs, projects, plans, decisions, rules, instructions, notices and recommendations set out by the province, Vientiane City, special zone Forestry Departments.
2. In charge of organizing strict village-level management and preservation of NBCA forests, wild and aquatic life.
3. Monitor, control and restrict unlawful hunting and trade of wild and aquatic life.
4. In coordination with villages, develop specific regulations for the protection of reserve bays under their responsibilities.
5. Study and give recommendations on activities within NBCAs. Study and set rates for the use of NBCAs, such as tourism, water for the production of electricity and others for submission to higher authorities and modification of NBCAs.
6. Advertise, educate the local population to ensure understanding and assimilation of the importance and utility of water sources, wild and aquatic life and the natural environment within NBCAs under their responsibilities for the purpose of bringing the population to participate to the management of NBCAs.
7. Gather and keep information on illicit trade of wild and aquatic life, conservation, awards and sanctions, and report to the district Agriculture and Forestry Office, province Forestry Divisions and the Forest Resources Conservation Unit.
8. Disseminate manuals on the preservation of forests, wild and aquatic life and apply strict and vigorous sanctions.
9. Take the lead in countering illicit tree felling, forest burning and restricting any act of destruction against forest resources, wild and aquatic life, water sources and the environment in NBCAs in a timely manner.

10. Report all activities under their responsibilities on a regular basis to the district Agriculture and Forestry Offices, province Forestry Divisions and the Forest Resources Conservation Unit.

Section 7 Awards and Sanctions

Article 27: Awards

1. Prominent achievements by individuals or organizations in the preservation and development of forest resources, water sources, wild and aquatic life and the natural environment, in the restriction of acts damaging reserve forests, wild and aquatic life, will be praised and granted appropriate benefits.
2. Individuals participating to the preservation of reserve forests, wild and aquatic life, and suffering loss of assets or physical injuries when restricting breaches to this regulation, will be compensated and given due care under the social welfare rules set by the Government.

Article 28: Sanctions

1. Educational measures will be applied in the case of first breach of restrictions mentioned under Articles 16 and 17 of this regulation and causing damage valued at less than Kips 50,000.
2. Fines will be applied in the case of first breach to the provisions of Articles 16 and 17 of this regulation. Fines at the rate of two-folds of the damage valued at between Kips 50,000 to Kips 500,000 in the case of second breach causing damage less than Kips 50,000.
3. Criminal sanctions will be applied in the case of first breach to restrictions contained in Articles 16 and 17 of this regulation. A prison term ranging from 3 months to 5 years and fines of two-folds the incurred damage valued over Kips 500,000 or in the case of third offence and over entailing each time a loss of no more than Kips 500,000.

Section 8 Final Provisions

Article 29: Implementing Arrangement

All ministries, equal ranking agencies, provinces, Vientiane City, special zone, all economic sectors, including individuals and organizations, shall acknowledge and encourage the strict implementation of this regulation.

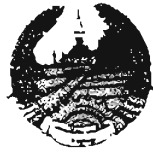
Article 30: Effectiveness

This regulation is effective from the day it is signed and replaces Regulation 0524/AF dated 07 June 2001. Any decisions and regulations previously issued by the Ministry of Agriculture and Forestry and inconsistent with this regulation are superseded.

For the Minister of Agriculture and Forestry
Sitaheng Rasphon

4.14. Directive 15/PM (3/8/2001)

Management and Control of Forestry
and Forest Business



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນາຖາວອນ

ສຳນັກງານນາຍົກລັດຖະມົນຕີ

ເລກທີ 15 /ນຍ

ວຽງຈັນ ວັນທີ 3 / 8 / 2001

ກະຊວງ ກະສິກຳ - ຟື້ນຢູ່	
ເລກທີ	3129
ວັນທີ	6/8/01
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ຄໍາສັ່ງ

ຂອງ ນາຍົກລັດຖະມົນຕີ
ວ່າດ້ວຍ ການຄຸ້ມຄອງ ປ່າໄມ້ ແລະ ທຸລະກິດໄມ້

ເນື່ອງ ບັນດາອົງການ ລັດຖະມົນຕີວ່າການກະຊວງ, ຫົວໜ້າອົງການທຽບເທົ່າ, ເຈົ້າແຂວງ, ເຈົ້າຄອງກຳແພງນະຄອນ ແລະ ຫົວໜ້າຂອດພິເສດ ໃນທົ່ວປະເທດ

ໃນໄລຍະຜ່ານມາ ກໍ່ຄື ໃນປະຈຸບັນ ສັງເກດເຫັນວ່າ ການຈັດຕັ້ງປະຕິບັດ ແນວທາງ ຂອງ ພັກ ແລະ ລັດຖະບານ ທີ່ໄດ້ກຳນົດອອກໃນ ກົດໝາຍ, ດຳລັດ, ມະຕິ ແລະ ຄໍາສັ່ງ ກ່ຽວກັບ ການຄຸ້ມຄອງປ່າໄມ້ ແລະ ທຸລະກິດໄມ້ ໂດຍສະເພາະແມ່ນ ຄໍາສັ່ງ ສະບັບເລກທີ 10/ນຍ ລົງວັນທີ 4/10/2000 ແລະ ຂໍ້ຕົກລົງ ສະບັບເລກທີ 9/ນຍ ລົງວັນທີ 6/2/2001 ຫລາຍແຂວງ ແລະ ຂະແໜງ ການໄດ້ມີຄວາມຕັ້ງໜ້າປະຕິບັດໄດ້ດີ ແຕ່ພ້ອມນີ້ກໍຍັງເຫັນວ່າມີບາງແຂວງ ແລະ ຂະແໜງການ ປະຕິບັດບໍ່ໄດ້ດີ, ບໍ່ເຂັ້ມງວດ, ຍິ່ງໄປກ່ວານັ້ນ ຍັງບໍ່ທັນເປັນເອກະພາບ ທາງດ້ານ ທັດສະນະ, ຄວາມຮັບຮູ້ ແລະ ວິທີການຈັດຕັ້ງປະຕິບັດ ຈຶ່ງກໍ່ໃຫ້ເກີດມີການຜ່າພັນ, ລະເມີດ ກົດໝາຍ, ມະຕິ, ຄໍາສັ່ງ ແລະ ລະບຽບການ ກ່ຽວກັບ ການຄຸ້ມຄອງປ່າໄມ້ ແລະ ທຸລະກິດໄມ້ ການປະສານສົມທົບ ຂອງ ຂະແໜງການກ່ຽວຂ້ອງ ກ່ຽວກັບ ການຊີ້ນຳ ແລະ ກວດກາ ການປະຕິບັດໜ້າທີ່ຂອງສາຍຕັ້ງຕົນເອງ ຢູ່ທ້ອງຖິ່ນຍັງບໍ່ທັນໄດ້ດີ ແລະ ບໍ່ທັນເປັນເອກະພາບກັນ ເນື່ອງມີບັນຫາເກີດຂຶ້ນກັບພ້ອມກັນປົກກະຕິ ຫາລື ແລະ ຊອກຫາວິທີການແກ້ໄຂຢ່າງທັນການ.

ເພື່ອຈັດຕັ້ງປະຕິບັດ ກົດໝາຍ, ດຳລັດ ມະຕິ ແລະ ຄໍາສັ່ງ ຂອງ ລັດຖະບານ ແລະ ລະບຽບ

ການ ຂອງ ຂະແໜງການກ່ຽວຂ້ອງ ກ່ຽວກັບ ການຄຸ້ມຄອງປ່າໄມ້ ແລະ ທຸລະກິດໄມ້ ໃຫ້ເຂັ້ມງວດ ແລະ ມີພົນສັກສິດ ແນໃສ່ເຮັດໃຫ້ ການຄຸ້ມຄອງລັດ ຄຸ້ມຄອງສັງຄົມ ດ້ວຍ ລັດຖະທຳມະນູນ ແລະ ກົດໝາຍ ກຸກຈັດຕັ້ງປະຕິບັດຢ່າງເຂັ້ມງວດ ແລະ ໜັກແໜ້ນ ເປັນກ້າວໜຶ່ງ

ນາຍົກລັດຖະມົນຕີ ແຫ່ງ ສປປ ລາວ ອອກຄໍາສັ່ງ:

- 1 ໃຫ້ ເຈົ້າແຂວງ ເຈົ້າຄອງກໍາແພງບະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ ຊື້ປ່າ ຂະແໜງການ ກ່ຽວຂ້ອງ ດຳເນີນການ ສຳຫລວດ ຂຶ້ນບັນຊີໄມ້ ໃຫ້ລະອຽດ ສົ່ງປະກອບດ້ວຍ

ຕາຕະລາງບັນຊີໄມ້ ໃນຮູບໃຫ້ລະບຸແຈ້ງ ບ້າເບີຕົ້ນ/ທ່ອນ* ບໍລິມາດໄມ້ແກ່ລະລະນິດ ແລະ ບໍລິມາດໄມ້ລວມ

ເພື່ອຫຼີກລ້ຽງການເກັບກູ້/ຊຸດຄົ້ນໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ນອກຂອບເຂດອະນຸຍາດ ຕ້ອງມີການກຳນົດຂອບເຂດຂອງພື້ນທີ່ ຈະອະນຸມັດໃຫ້ເກັບກູ້/ຊຸດຄົ້ນໄມ້ຢ່າງ ຈະແຈ້ງ ທັງຢູ່ເທິງໜ້າດິນ ແລະ ແຜນວາດ ຫລື ແຜນທີ່

- ການສຳຫລວດຂຶ້ນບັນຊີໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ຕ້ອງໃຫ້ສຳເລັດໃນ ທ້າຍເດືອນ ມິຖຸນາ (6) ແລະ ສົ່ງໃຫ້ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ຊຳລຸດບໍ່ໃຫ້ກາຍ ກາງເດືອນ ກໍລະກົດ (7) ເພື່ອຄົ້ນຄ້ວາສັງລວມ ສະເໜີເອົາເຂົ້າແຜນພັດທະນາເສດຖະກິດ-ສັງຄົມ ຂອງ ລັດຖະບານ ກ່ອນນຳສະເໜີ ສະພາແຫ່ງຊາດ ຮັບຮອງເອົາ ກ່າວກາຍກຳນົດນີ້ແລ້ວແມ່ນຄວາມ ບົກພ່ອງຂອງ ເຈົ້າແຂວງ, ເຈົ້າຄອງກໍາແພງບະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ. ລັດຖະບານ ຈະບໍ່ຝຶຈາລະນາໃດໆທັງສິ້ນ

- ເບົາໝາຍພື້ນທີ່ປ່າໄມ້ບ່ອນຈະອະນຸຍາດໃຫ້ເກັບກູ້/ຊຸດຄົ້ນໄມ້ບັນ ກ່ອນອຸ້ມໝົດ ຕ້ອງເອົາ ຢູ່ ເຂດປ່າທີ່ມີຄວາມຈຳເປັນຕ້ອງໄດ້ຕັດອອກ ຕາມການອະນຸມັດຂອງລັດຖະບານ ຄື ເຂດ ກໍ່ສ້າງພື້ນການໂຄງລ່າງ ເຂດພັດທະນາຈຸດສຸມ, ໂຄງການກໍ່ສ້າງ ຂົນລະປະທານ, ເຂື່ອນໄຟ ພັກ ແລວທາງ ແລວສາຍໄຟພັກ ເຂດບຸກເບີກເບື້ອທີ່ນາ ຂອບເຂດສຳປະທານຊຸດຄົ້ນບໍ່ ແຮ່ ແລະ ບ້າພະນົດ ທີ່ໄດ້ສຳຫລວດ ແລະ ສ້າງແຜນຈັດສັນແບບອື່ນໆ ທີ່ໄດ້ຮັບຮອງເອົາ

ຈາກ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ແລ້ວເທົ່ານັ້ນ ໃນແຜນຈັດສັນນີ້ຕ້ອງລວມເອົາທັງໄມ້ທີ່
ຍັງເສດເຫຼືອ ແລະ ຕົກຄ້າງໃນແຕ່ລະເຂດຈັດສັນ

- 2 ໃຫ້ ເຈົ້າແຂວງ, ເຈົ້າຄອງກໍາແພງນະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ ກິເອົາ ວັນທີ 31, ພຶດສະພາ (5) ເຖິງ ວັນທີ 31 ຕຸລາ (10) ຂອງທຸກໆປີ ເປັນລະດູການປິດປ່າ ໃນຊ່ວງໄລ
ຍະດັ່ງກ່າວ ທ້າມບໍ່ໃຫ້ຕັດໄມ້, ລາກແກ່ໄມ້ ແລະ ຂົນສົ່ງໄມ້ ຢູ່ໃນປ່າ ແລະ ອອກຈາກປ່າ ເປັນ
ອັນຂາດ, ສໍາລັບ ເຄື່ອງປ່າຂອງດົງ ແມ່ນຫ້າມບໍ່ໃຫ້ເກັບກູ້ຊະນິດທີ່ບໍ່ຂັ້ນກັບລະດູການເຊັ່ນ
ຫວາຍທຸກຊະນິດ ໄມ້ເກດສະໝາ ໄມ້ປ້ອງ, ນ້ຳມັນຍາງ ຢ່າງແປກ, ເປືອກບົງ, ຮາກ
ເຄືອ ແລະ ອື່ນໆ ສ່ວນການຂົນສົ່ງໄມ້ຈາກສະໜາມ II ໄປສູ່ສະໜາມ III ຫລື ສະໜາມໂຮງ
ງານປຸງແຕ່ງໄມ້ ຕາມເສັ້ນທາງສາຍຕ່າງໆ ນັ້ນສາມາດສືບຕໍ່ໄດ້ແຕ່ຕ້ອງປະຕິບັດຕາມ ລະ
ບຽບການ ທີ່ ຂະແໜງການຄົມມະນາຄົມ, ຂົນສົ່ງ ໄປສະນີ ແລະ ກໍ່ສ້າງ ໄດ້ກໍານົດໄວ້ຢ່າງ
ເຂັ້ມງວດ, ບັນດາແຂວງ, ກໍາແພງນະຄອນ ແລະ ເຂດພິເສດ ຕ້ອງປິດປ່າຕາມກໍານົດ
ເວລາດັ່ງກ່າວ ໂດຍບໍ່ຕ້ອງລໍຖ້າ ແຈ້ງການ ຈາກ ລັດຖະບານ ແລະ ກະຊວງກ່ຽວຂ້ອງ

- ພາຍຫລັງທີ່ໄດ້ ຢຸດຕິການຂຸດຄົ້ນໄມ້ ແລະ ເກັບກູ້ເຄື່ອງປ່າຂອງດົງແລ້ວ ໃຫ້ດໍາເນີນ
ການ ກວດກາ ແລະ ປະເມີນພົນຫລັງການຂຸດຄົ້ນ ແລະ ສະຫລຸບລະອຽດ ພົນການຈັດຕັ້ງປະ
ຕິບັດຕົວຈິງ (ຮອດນີ້ປິດປ່າ) ເກັບກູ້/ຂຸດຄົ້ນໄມ້ ໄດ້ບໍລິມາດລວມ ບໍລິມາດແຕ່ລະຊະນິດ
ໄມ້ເທົ່າໃດ, ໃນນັ້ນ ຄ້າງຢູ່ປ່າ ຢູ່ສະໜາມ I, ສະໜາມ II ແລະ ສະໜາມ III (ສະໜາມໂຮງ
ງານ) ຈຳນວນເທົ່າໃດ ຫລັງຈາກນັ້ນໃຫ້ ດໍາເນີນກອງປະຊຸມ ເພື່ອຕີລາຄາ ຈຸດດີ, ຈຸດ
ອ່ອນ, ສິ່ງຄ້າງ ບົດຮຽນ ແລະ ສະເໜີທິດທາງແກ້ໄຂໃນຕໍ່ໜ້າ, ລວມທັງລາຍຮັບ ທີ່ໄດ້
ຈາກຄ່າພັນທະຂາຍໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ແລະ ຄ່າພັນທະບຸກທິດແທນ, ໂດຍສົມທຽບ
ໃສ່ ແຜນການອະນຸມັດຈາກ ລັດຖະບານ ແລ້ວລາຍງານໃຫ້ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້
ເພື່ອສັງລວມລາຍງານໃຫ້ ລັດຖະບານ ຊາບ

- ນັບຕັ້ງແຕ່ ຕົ້ນເດືອນ ກໍລະກົດ (7) ຫາ ທ້າຍເດືອນ ກັນຍາ (9) ຂອງ ທຸກໆປີ ໃຫ້ ບັນດາ
ບໍລິສັດ, ອົງການວຍການໂຮງງານອຸດສາຫະກໍາ-ປຸງແຕ່ງໄມ້ ແລະ ປຸງແຕ່ງເຄື່ອງປ່າຂອງດົງ
ຕ້ອງໄດ້ສະເໜີຂໍ້ຕໍ່ ອະນຸຍາດດໍາເນີນທຸລະກິດ, ອະນຸຍາດດໍາເນີນການພະລິດ ແລະ ທະບຽນ
ຕ່າງໆ ໃຫ້ສໍາເລັດ ກ່າວປະຕິບັດ ຕາມກໍານົດເວລາ ທີ່ ກໍານົດໃຫ້ ແມ່ນຈະບໍ່ມີເງື່ອນໄຂຄົບ
ຖ້ວນໃນການເຂົ້າຮ່ວມການເຈລະຈາ ຫລື ເຂົ້າຮ່ວມການປະມຸນ ຊື້-ຂາຍໄມ້ໄດ້

3 ໃຫ້ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ສົມທົບກັບ ອົງການປົກຄອງແຂວງ ກໍາແພງນະຄອນ ແລະ ເຂດພິເສດ ກໍານົດ ຂອບເຂດປ່າພະລັດ ທີ່ມີພາຍໃນທ້ອງຖິ່ນນັ້ນ. ດໍາເນີນການສໍາຫລວດ ເພື່ອວາງແຜນຈັດສັນ ແລະ ສ້າງແຜນຈັດສັນປ່າພະລັດແບບອົບບາບ ເພື່ອເປັນພື້ນຖານໃນການສະເໜີແຜນຂໍຊຸດຄື້ນໄມ້ຂອງແຕ່ລະສົກປີໃຫ້ໄດ້ມີມາລະຍາວນານ ພ້ອມນີ້ໃຫ້ ອອກ ລະບຽບການ ແລະ ບົດແບບນໍາທາງດ້ານເຕັກນິກ ເປັນຕົ້ນແມ່ນກ່ຽວກັບ ການຄຸ້ມຄອງການຊຸດຄື້ນໄມ້ ການຈັດປະເພດໄມ້, ການກວດກາລາຍຫລັງການຊຸດຄື້ນໄມ້ ແລະ ການຟື້ນຟູບູລະນະປ່າໄມ້ຄືນໃໝ່

4 ໃຫ້ ປົດປ່າໄມ້ ຢູ່ຂອບເຂດປ່າສະຫງວນ ນາກາຍ-ບ້ຳເທີນ ເຂດເສືອນຕໍ່ ຂອບເຂດທີ່ຈະກາຍເປັນພູດອນຫລັງຈາກການສ້າງເສືອນ ບ້ຳເທີນ II ສໍາເລັດ ຂອບເຂດທີ່ຈະຈັດສັນບ້າຍໃໝ່ ໃຫ້ ປະຊາຊົນ ທີ່ຈະຍ້າຍເປັນຢູ່ ຂອບເຂດພື້ນທີ່ປ່າໄມ້ ທີ່ຈະລອບໃຫ້ ປະຊາຊົນ ຄຸ້ມຄອງ ແລະ ນໍາໃຊ້ ພ້ອມດ້ວຍເຂດກັບຄືນ ຂອງ ອ່າງໂຕ້ຖືນໍ້າ ເນື້ອງຕາເວັນຕົກ ຊຶ່ງກວມເອົາຂອບເຂດ ຂອງ ເນື້ອງນາກາຍ ແລະ ເນື້ອງອົມມະລາດ

- ໃຫ້ ເຈົ້າແຂວງຄໍາມ່ວນ ແລະ ຄະນະກຳມະການສະເພາະກິດ ຕິດຕາມກວດກາ ການຄຸ້ມຄອງວຽກງານປ່າໄມ້ ໃນເຂດ ໂຄງການບ້ຳເທີນ II ຕາມ ດໍາລັດ ຂອງ ບາອົກລັດຖະມົນຕີສະບັບເລກທີ 10/ບຍ ລົງວັນທີ 16/1/2001 ແລະ ຫົວໜ້າ ໂຄງການບ້ຳເທີນ II ເພີ່ມທະວີການ ກວດກາ ກວດກາ ການເຄື່ອນໄຫວທຸລະກິດໄມ້ ຢູ່ໃນຂອບເຂດ ນາກາຍ-ບ້ຳເທີນ (ເນື້ອງນາກາຍ ແລະ ອົມມະລາດ ແຂວງຄໍາມ່ວນ ແລະ ເນື້ອງຄໍາເກີດ ແຂວງບໍລິຄໍາໄຊ).

- ໃນຊ່ວງໄລຍະປົດປ່າໄມ້ ທ້າມບໍ່ໃຫ້ ເກັບກູ້/ຊຸດຄື້ນໄມ້ທຸກຊະນິດ ແລະ ທຸກປະເພດ ສ່າງເດັດຂາດ ພາຍຫຼັງທີ່ ລັດຖະບານ ມີການຕົກລົງ ສ້າງເສືອນແລ້ວ ໃຫ້ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ສົມທົບກັບພາກສ່ວນກ່ຽວຂ້ອງ ຄື້ນຄວ້າປ່າສະເໜີ ລັດຖະບານ ພິຈາລະນາຄືນໃໝ່ ກ່ຽວກັບ ການຕັດໄມ້ອອກຈາກຂອບເຂດ ອ່າງນໍ້າເທີນ II ບ່ອນທີ່ ນໍ້າຈະຖ້ວມ

5 ບໍ່ອະນຸຍາດໃຫ້ມີການ ຕັດໄມ້ດິບ ຊະນິດໄມ້ຂະຫຍາຍ, ໄມ້ໂລ່ງເລ່ງ, ໄມ້ປະດົງ, ໄມ້ໝູນ ແລະ ໄມ້ກະຈະ ໃຫ້ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ສົມທົບກັບທ້ອງຖິ່ນ ດໍາເນີນການ ສໍາຫລວດກວດກາຄືນ ພື້ນທີ່ປ່າ ທີ່ມີໄມ້ຊະນິດດັ່ງກ່າວ ແລ້ວສ້າງ ແຜນການປົກປັກຮັກສາ ພື້ນຖານບູລະນະ ແລະ ປູກຈະເຫດຊາຍຕື່ມ

6 ໃຫ້ຢຸດເຊົາຢ່າງຂາດຕົວ ການສົ່ງໄມ້ທ່ອນ, ຫລຸດພ່ອນການສົ່ງໄມ້ເລື້ອຍອອກຕ່າງປະເທດ, ສົ່ງເສີມຢ່າງແຂງແຮງ ການປຸງແຕ່ງໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ເປັນພະລັດຕະພັນ ເຄິ່ງສ່ຳເລັດຮູບ ແລະ ສ່ຳເລັດຮູບ ເພື່ອສົ່ງອອກ ຕ່າງປະເທດ ສ່ວນ ຫວາຍ ທຸກຂະນິດ ແລະ ສິນສ່ວນໄມ້ເກດສະໜາ ຕ້ອງປຸງແຕ່ງເປັນສ່ຳເລັດຮູບ ແລະ ເຄິ່ງສ່ຳເລັດຮູບ ຈຶ່ງ ອະນຸຍາດໃຫ້ສົ່ງອອກ.

- ເຈົ້າໜ້າທີ່ປະຈຳດ່ານຂາອອກ, ພະແນກການກ່ຽວຂ້ອງ ຕ້ອງປະຕິບັດໜ້າທີ່ຄວາມຮັບ ຜິດຊອບຂອງຕົນຢ່າງເຂັ້ມງວດຄື ປະຕິບັດ ຕາມ ນະໂຍບາຍ ກົດໝາຍ ດຳລັດ ຄຳສັ່ງ ແລະ ມະຕິຕົກລົງ ຂອງ ລັດຖະບານເທົ່ານັ້ນ ກຳລະເຫລືອງຕໍ່ໜ້າທີ່ ຂະແໜງການກ່ຽວຂ້ອງ ຕ້ອງດຳເນີນການກວດກາ ສຶກສາອົບຮົມ ປະຕິບັດວິໄນ ຕາມສະຖານໜັກ ຫລື ເບົາ

ເຈົ້າແຂວງ ເຈົ້າຄອງກຳແພງນະຄອນ ແລະ ເຈົ້າເມືອງ ທີ່ມີ ດ່ານຂາອອກ ມີໜ້າທີ່ ຄຸ້ມ ຄອງ ກວດກາ ການປະຕິບັດໜ້າທີ່ຂອງເຂົາເຈົ້າຕາມພາລະບົດບາດຂອງຕົນ

7 ການເອົາໄມ້ທ່ອນ, ໄມ້ເລື້ອຍ, ພະລັດຕະພັນໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ຈາກປະເທດອື່ນ ເຂົ້າມາ ຫລື ພ່ານ ສປປ ລາວ ໄປປະເທດອື່ນ ຕ້ອງໄດ້ຮັບ ອະນຸຍາດ ຈາກ ລັດຖະບານ

8 ການຂຸດຄົ້ນໄມ້ ແລະ ເກັບກູ້ເຄື່ອງປ່າຂອງດົງ ຕ້ອງຕິດພັນກັບການປຸກທົດແທນຄືນ, ແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ, ໂຮງງານປຸງແຕ່ງໄມ້ ແລະ ປຸງແຕ່ງເຄື່ອງປ່າ ຂອງດົງ, ບໍລິສັດລັດ/ເອກະຊົນ ຕະຫລອດຮອດ ອຳນາດການປົກຄອງທ້ອງຖິ່ນ ຕ້ອງເປັນ ເຈົ້າການ ແລະ ອັງອິນ ແຜນການປຸກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງທົດແທນຄືນ ຕາມລະບຽບ ການ ທີ່ຂະແໜງການກ່ຽວຂ້ອງ ໄດ້ກຳນົດອອກແຕ່ລະໄລຍະ

- ລັດ ສົ່ງເສີມການລົງທຶນ ປຸກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ໂດຍບໍ່ໃຊ້ນະໂຍບາຍ ມອບ ດິນ-ມອບປ່າ ທີ່ກຳນົດໄວ້ໃນ ມາດຕາ 13 ຂອງ ກົດໝາຍປ່າໄມ້ ແລະ ນະໂຍບາຍສົນເຊື່ອ ເພື່ອປຸກໄມ້ເປັນສິນຄ້າ ໃຫ້ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ເປັນເຈົ້າການສົມທົບ ກັບ ກະຊວງການເງິນ, ກະຊວງການຄ້າ ແລະ ຂະແໜງການກ່ຽວຂ້ອງ ຄົ້ນຄ້ວາ ນະໂຍບາຍ ແລະ ມາດຕະການລະອຽດ ກ່ຽວກັບ ການສົ່ງເສີມການປຸກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ໂດຍ

ມີການ ກຳນົດ ເຂດຈຸດສຸມ ບູລິມະສິດ ແລະ ຮູບແບບການສົ່ງເສີມເພີ່ມເຕີມ ເພື່ອນຳສະເໜີ ລັດຖະບານ ພິຈາລະນາ ອະນຸມັດ ແລະ ປະກາດໃສ່ ເປັນແຕ່ລະໄລຍະ

9 ການຂຸດຄົ້ນໄມ້ ແລະ ການຊີ້-ຂາຍໄມ້ ທີ່ ປະຊາຊົນ ປຸກເຮງ ໃຫ້ປະຕິບັດຕາມ ມາດຕາ 27 ຂອງ ກົດໝາຍປ່າໄມ້ ແລະ ລະບຽບການ ຂອງ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ສະບັບເລກທີ 196/ກປ 2000, ລົງວັນທີ 15/8/2000 ວ່າດ້ວຍການພັດທະນາ ແລະ ສົ່ງເສີມການປຸກໄມ້ ແບບຍາວນານ

10 ມອບສິດ ແລະ ຄວາມຮັບຜິດຊອບ ຂາດຕົວໃຫ້ ເຈົ້າແຂວງ ເຈົ້າຄອງກຳແພງນະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ ຊື່ນຳ ຂະແໜງການກ່ຽວຂ້ອງ ທີ່ຢູ່ພາຍໃຕ້ການຄຸ້ມຄອງຂອງຕົນ ດຳເນີນການ ເລັບສັນຍາຊີ້-ຂາຍໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ເລັບສັນຍາປຸກທົດແທນກັບ ບັນດາ ໂຮງງານປຸງແຕ່ງໄມ້ ແລະ ປຸງແຕ່ງເຄື່ອງປ່າຂອງດົງ ຕາມບໍລິມາດ ທີ່ ລັດຖະບານ ໄດ້ອະນຸມັດ ແຜນການລວມ ຈຶ່ງໄດ້ຜ່ານການຮັບຮອງ ຈາກ ສະມາຊິກສາດ ແລ້ວເທົ່ານັ້ນ

- ວິທີການຂາຍປັ້ນແມ່ນໃຫ້ ຄົ້ນຄ້ວາລະອຽດ, ສອດຄ່ອງ ກັບ ສະພາບຈຸດພິເສດ ຂອງແຕ່ລະຫ້ອງກິນ ເລັບ ດ້ວຍຮູບການເຈລະຈາຂາຍ ລະຫວ່າງ ລັດ ແລະ ເຈົ້າຂອງ ໂຮງງານປຸງແຕ່ງໄມ້ ແລະ ປຸງແຕ່ງເຄື່ອງປ່າຂອງດົງ ທີ່ມີເງື່ອນໄຂຄົບຖ້ວນ ຫລື ດ້ວຍຮູບການປະມູນຂາຍຢູ່ສະໜາມ II ແຕ່ບໍ່ໃຫ້ຫລຸດລາຄາຊື້ນຳທີ່ ກະຊວງການຄ້າ ໄດ້ກຳນົດໄວ້ ກໍລະນີຂາຍໄມ້ໄດ້ສູງກ່ວາ ລາຄາຊື້ນຳ ລັດຖະບານ ຈະພິຈາລະນາໃຫ້ຄ່າບ່າເບັດ, ສ່ວນການແບ່ງປັນພົນປະໂຫຍດ ລະຫວ່າງ ສູນກາງ ແລະ ຫ້ອງກິນ ແມ່ນມອບໃຫ້ ກະຊວງການເງິນ ສົມທົບກັບ ເຈົ້າແຂວງ, ເຈົ້າຄອງກຳແພງ ແລະ ຫົວໜ້າເຂດພິເສດ ຄົ້ນຄ້ວາຢ່າງລະອຽດແລ້ວ ນຳສະເໜີ ລັດຖະບານ ພິຈາລະນາ

- ໃຫ້ ກະຊວງການເງິນ ສົມທົບກັບ ເຈົ້າແຂວງ ເຈົ້າຄອງກຳແພງນະຄອນ, ຫົວໜ້າເຂດພິເສດ ແລະ ຂະແໜງການທີ່ກ່ຽວຂ້ອງ ຊຸກຍູ້ ກວດກາ ແລະ ປະຕິບັດມາດຕະການເຂັ້ມງວດ ກ່ຽວກັບ ການກອກພັນທະ ຈາກ ການທຸລະກິດໄມ້ ເຂົ້າງົບປະມານ ບ່ອນບຸຮານໃຫ້ມີການຕິດໜີ້ຄຸມເຄືອ ຫລື ທຳການອ່ວຍໜີ້ ກ້າບໍ່ໄດ້ຮັບ ການຕົກລົງເຫັນດີ ຈາກ ລັດຖະບານ

11 ໃຫ້ ກະຊວງການຄ້າ ສົມທົບກັບ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ແລະ ກະຊວງການເງິນ ກວດກາຄົບໃໝ່ ກ່ຽວກັບ ລາຄາຄ່າພັນທະຂາຍໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ເຂົ້າງົບປະມານ ແລະ

ຄ່າພັນທະປູກທົດແທນຄືນ ເພື່ອຮັບປະກັນພົບປະໂຫຍດສູງສຸດຂອງ ງົບປະມານແຫ່ງຊາດ ແລ້ວນຳສະເໜີຂໍອະນຸມັດ ຈາກ ລັດຖະບານ

12 ກົນໄກແບ່ງງານໃນການຂາຍໄມ້ມີດັ່ງນີ້ .

- ພະແນກການຄ້າແຂວງ ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ເປັນຜູ້ເຮັດ ສັນຍາຊື້-ຂາຍ ໄມ້, ບົນພື້ນຖານ ບໍລິມາດໄມ້, ຊະນິດໄມ້, ປະເພດໄມ້ ທີ່ ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ເປັນຜູ້ຈັດສັນໃຫ້ ສັນຍາໂຕ ທີ່ບໍ່ໄດ້ຮັບການຈັດສັນໄມ້ ຈາກ ພະແນກກະສິກຳແລະປ່າໄມ້ ແຂວງ ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ກົວ ເປັນໂມຄະ

- ຄວາມຮັບຜິດຊອບ ຂອງ ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ມີຄື

• ຈັດສັນບໍລິມາດໄມ້ ແຕ່ລະລະບົດຕາມແຜນການອະນຸມັດຈາກ ລັດຖະບານ ເພື່ອສະໜອງໃຫ້ ພະແນກການຄ້າແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ດຳ ເນີນການ ເຈລະຈາ ຫາກ ທຳການປະມຸນ ແລະ ເຮັດສັນຍາຊື້-ຂາຍໄມ້ ໃຫ້ທັນກັບລະ ດູການ

• ເຮັດສັນຍາພັນທະປູກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງທົດແທນຄືນການຊຸດຄົ້ນ ແລະ ຂຶ້ນແຜນການປູກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ເພື່ອຂໍອະນຸມັດນຳໃຊ້ເງິນຄ່າ ພັນທະປູກທົດແທນ ຈາກ ຂະແໜງການເງິນ

• ຄວບຄຸມ, ກວດກາ ກວດການ ການເກັບກູ້/ຊຸດຄົ້ນໄມ້ ແລະ ເຄື່ອງປ່າຂອງ ດົງ ຂອງ ໝວຍງານຊຸດຄົ້ນໄມ້ ແລະ ການປະຕິບັດໜ້າທີ່ ຂອງ ພະນັກງານປ່າໄມ້ ຢ່າງເຂັ້ມງວດ, ຫົວໜ້າພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ມີຄວາມຮັບຜິດຊອບໂດຍກົງຕໍ່ ພົນສຳເລັດ ຫລື ຂໍ້ພິດພາດທີ່ ອາດເກີດມີຂຶ້ນ.

- ພະແນກການເງິນແຂວງ ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ຮັບຜິດຊອບ ໄລ່ລຽງ ຕິດຕາມເອົາເງິນຄ່າພັນທະຂາຍໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ເຂົ້າງົບປະມານ ແລະ ຄ່າພັນ ທະປູກທົດແທນຄືນ ຕາມມູນຄ່າ ທີ່ ບັນດາບໍລິສັດ ແລະ ໂຮງງານປຸງແຕ່ງໄມ້ ແລະ ປຸງແຕ່ງ

ເຄື່ອງປ່າຂອງດົງ ໄດ້ເຊັນສັນຍາບ່າ ພະແນກການຄ້າ ແລະ ພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ ແຂວງ ກໍາແພງ ນະຄອນ ແລະ ເຂດພິເສດ

- ທະນາຄານ ເປັນຜູ້ບໍລິການ ໃນການສໍາລະສະສາງ ຕາມທີ່ ກົດໝາຍ ແລະ ລະບຽບການ ຂອງ ລັດ ໄດ້ກໍານົດໄວ້ ຢ່າງເຂັ້ມງວດ (ການສໍາລະສະສາງຕ້ອງພາ ທະນາຄານ ຢ່າງ ດຽວ)

- ລັດຖະບານ ບໍ່ອະນຸຍາດໃຫ້ ເຈົ້າແຂວງ, ເຈົ້າຄອງກໍາແພງນະຄອນ ແລະ ຫົວໜ້າເຂດພິ ເສດ ສ້າງຕັ້ງ ຄະນະກຳມະການຂາຍໄມ້, ສະພາບໍລິຫານການຂຸດຄົ້ນໄມ້ ຫລື ການແຕ່ງຕັ້ງ ຕ່າງໆ ກ່ຽວກັບການຂຸດຄົ້ນ ຂາຍໄມ້ທີ່ບໍ່ສອດຄ່ອງກັບການແປງງານທີ່ກ່າວຂ້າງເທິງນີ້

13 ມອບໃຫ້ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ເປີດບັນລັກ ຢູ່ ກະຊວງການເງິນ (ຄັງເງິນແຫ່ງ ຊາດ) ເພື່ອຮັບເງິນພັນທະປູກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ທິດແທນ ແລະ ຊັບແພນການບ່າ

- ໃຊ້ຕາມ ລະບຽບ ຫລັກການ

- ໃຫ້ບ່າໃຊ້ ເງິນຄ່າພັນທະປູກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງທິດແທນ ເຂົ້າໃນການບັບປຸງ ສວນຜະລິດເບ້ຍໄມ້, ການຜະລິດເບ້ຍ, ການປູກ ແລະ ການປົກປັກຮັກສາ ສ້າງສວນຜະລິດ ເບ້ຍໄມ້ ຢູ່ເມືອງ ເພື່ອເປັນບ່ອນສາທິດ ຝຶກອົບຮົມດ້ານວິຊາການພັນທະການກ່ຽວກັບ ການ ປູກ ບົວລະບັດຮັກສາໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ໃຫ້ແຕ່ລະບ້ານ ເພື່ອສະໜອງ ເບ້ຍໄມ້ ໃຫ້ ຄອບຄົວບ່າໄປປູກໃນຂອບເຂດບ້ານຂອງເຂົາເຈົ້າ ຢ່າງພຽງພໍ ແລະ ບົວລະບັດຮັກສາໃຫ້ ມັນໃຫຍ່

- ໃຫ້ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ສົມທົບກັບ ແຂວງ, ກໍາແພງນະຄອນ ແລະ ເຂດພິເສດ ກ່ຽວກັບ ການສ້າງແຜນການປູກໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງທິດແທນ ຂອງ ທ້ອງຖິ່ນ ແຕ່ລະ ໄລຍະ ເພື່ອບ່າສະເໜີຂໍ ອະນຸມັດ ຈາກ ລັດຖະບານ ເພາະຫລັງທີ່ໄດ້ຮັບ ອະນຸມັດ ແລ້ວຕ້ອງ ມອບໃຫ້ ແຂວງ, ກໍາແພງນະຄອນ ແລະ ເຂດພິເສດ ເປັນຜູ້ຈັດຕັ້ງປະຕິບັດຕົວຈິງ ພ້ອມນີ້ ແຂວງ, ກໍາແພງນະຄອນ ແລະ ເຂດພິເສດ ຕ້ອງເປັນເຈົ້າການ ແລະ ຮັບຜິດຊອບໃນການ ປູກ ແລະ ປົກປັກຮັກສາໃຫ້ມັນໃຫຍ່ ໂດຍບ່າໃຊ້ກໍາລັງຂອງ ລັດ, ການເຂົ້າຮ່ວມຂອງ ປະຊາ ຊົນ ແລະ ພາກສ່ວນເສດຖະກິດອື່ນໆ ຂອງ ສັງຄົມ

14 ມອບໃຫ້ແຂວງ. ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ເປັນຜູ້ຈັດຕັ້ງ ການຂຸດຄົ້ນໄມ້ ໂນທ້ອງ
ຖິ່ນທີ່ຕົບຮັບຜິດຊອບ ໂດຍບໍ່າໃຊ້ ກອງຂຸດຄົ້ນໄມ້ ຂອງ ລັດ ແລະ ການເຂົ້າຮ່ວມ ຂອງ ແຮງ
ງານ ປະຊາຊົນທ້ອງຖິ່ນ ເປັນຜູ້ຮັບເໝົາຂຸດຄົ້ນ ແລະ ຊົນສົງ ມາທ້ອນໂຮມຢູ່ສະໜາມ II
ບໍ່ອະນຸຍາດໃຫ້ ຜູ້ຊື້ໄມ້ ເຈົ້າຂອງໂຮງງານປຸງແຕ່ງໄມ້ ຫລື ຜູ້ຕາງໜ້າເປັນຜູ້ບັນຊາ ແລະ
ເຂົ້າປ່າຕັດໄມ້ເຄົາເອງ

- ກອງຂຸດຄົ້ນໄມ້ ຕ້ອງຢູ່ພາຍໃຕ້ ການຄຸ້ມຄອງ ແລະ ກວດກາໂດຍກົງ ຂອງ ຫົວໜ້າ
ພະແນກກະສິກຳປ່າໄມ້ ແຂວງ. ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ບໍ່ອະນຸຍາດໃຫ້ ກອງຂຸດ

ຄົ້ນໄມ້ ເຂົ້າໄປທຳການ ສຳຫລວດ ໝາຍຕົ້ນຕັດ ວັດແທກ ຈັດປະເມດໄມ້ ແລະ ຕີກາໄມ້
ດ້ວຍຕົນເອງ ຊຶ່ງວຽກດັ່ງກ່າວແມ່ນ ໜ້າທີ່ ຄວາມຮັບຜິດຊອບ ຂອງ ເຈົ້າໜ້າທີ່ປ່າໄມ້

15 ຫ້າມບໍ່ໃຫ້ທ້ອງຖິ່ນ ແລະ ຂະແໜງການໂດຍກົງອອກອະນຸຍາດ ຂຸດຄົ້ນໄມ້ ໂດຍບໍ່ໄດ້ຮັບອະນຸ
ຍາດຈາກ ລັດຖະບານ ແລະ ຫ້າມການຕັດໄມ້ເກີນແຜນການ ເກີນເຂດອະນຸຍາດ ຫລື ໄມ້ທີ່
ບໍ່ໄດ້ຕີກາຕົ້ນ ຈາກ ເຈົ້າໜ້າທີ່ປ່າໄມ້

16 ຫ້າມບໍ່ໃຫ້ຕັດໄມ້ແລກປ່ຽນກັບໂຄງການຕ່າງໆ ຢ່າງເດັດຂາດ ເຊັ່ນ ສ້າງທາງ, ສ້າງໂຮງ
ຮຽນ ໂຮງໝໍ ຫ້ອງການ, ຊົນລະປະທານ ນ້ຳປະປາ ເອົາໄພຜ້າເຂົ້າບ້ານ ແລະ ອື່ນໆ

17 ໃຫ້ຢຸດເຮົາການອອກອະນຸຍາດຕັດໄມ້ບຸກສ້າງໃຫ້ແກ່ ພະນັກງານບຳນານ, ພະນັກງານສັງ
ກັດລັດ, ກົມ ກອງ ແລະ ລວມໝູ່.

- ສ່ວນປະຊາຊົນຢູ່ໃນບ້ານ ຜູ້ທີ່ໄດ້ຮັບການມອບດິນ-ມອບປ່າ ແມ່ນມອບໃຫ້ ອຳນາດການ
ປົກຄອງທ້ອງຖິ່ນ ເປັນຜູ້ພິຈາລະນາແກ້ໄຂຕາມເນື້ອໃນຈິດໃຈທີ່ກຳນົດໄວ້ໃນ ມາດຕາ 28
ຂອງ ກົດໝາຍປ່າໄມ້ ແລະ ລະບຽບການ ຂອງ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ສະບັບເລກທີ
0535/ກປ 2001 ລົງວັນທີ 18/6/2001 ວ່າດ້ວຍການຄຸ້ມຄອງປ່າໄມ້ບ້ານ

18 ໃຫ້ເພີ່ມທະວີ ການກວດກາ ລາດຕະເວນ ຕາມເຂດແດນ ລະຫວ່າງ ແຂວງ ຕໍ່ ແຂວງ
ເມືອງ ຕໍ່ ເມືອງ ແລະ ບ້ານ ຕໍ່ ບ້ານ ເພື່ອສະກັດກັ້ນ ການຕັດໄມ້ ທຳລາຍປ່າ ການຂຸດຄົ້ນ
ແລະ ເຄື່ອນຍ້າຍໄມ້ ແລະ ເຄື່ອງປັ່ນຂອງດົງ ທີ່ບໍ່ຖືກຕ້ອງຕາມລະບຽບກົດໝາຍ ພ້ອມນີ້
ຕ້ອງເຂັ້ມງວດ ການກວດກາ ເຂດຂຸດຄົ້ນໄມ້, ສະໜາມ I ແລະ ສະໜາມ II ໂດຍສົມທົບກັບ
ອຳນາດການປົກຄອງທ້ອງຖິ່ນ ກອງຫລອນ ເຮັດໜ້າທີ່ຢ່າງເປັນປະຈຳ

- ຂະແໜງການກະສິກໍາ ແລະ ປ່າໄມ້ ຕ້ອງປັບປຸງ ຂະແໜງປ່າໄມ້ທ້ອງຖິ່ນ ແລະ ຊີ້ນຳໃນການຈັດຕັ້ງເຈົ້າໜ້າທີ່ປ່າໄມ້ ລົງຄຸ້ມຄອງ ການຊຸດຄົ້ນໄມ້ຕົວຈິງ ນຳແຕ່ລະ ໜ່ວຍງານຊຸດຄົ້ນໄມ້ ໃຫ້ດີກວ່າທີ່ພາບມາ ເປັນຕົ້ນ

- ສຶກສາອົບຮົມ ທາງດ້ານ ແນວຄິດ ການເລືອງ ໄຫ້ແກ່ ພະນັກງານ ຜູ້ທີ່ຈະລົງຄຸ້ມຄອງການຊຸດຄົ້ນໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ຕົວຈິງ

- ຝຶກອົບຮົມ ທາງດ້ານວິຊາສະເພາະ ໃຫ້ແກ່ ໜ່ວຍງານຂອງຖິ່ນ ບັບແຕ່ຂອດສຳຫລວດຕີກາຕິນ ຈົນຮອດ ຂອດລັກລາກ ແລະ ທ້ອນໂຮມໄມ້ຢູ່ສະໜາມ II ພ້ອມທັງລົງຈັດຕັ້ງປະຕິບັດຕົວຈິງຢູ່ໃນແຕ່ລະເຂດຊຸດຄົ້ນ

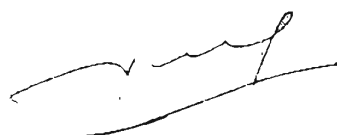
- ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ຕ້ອງດຳເນີນການ ກວດກາ ກວດກາ ການປະຕິບັດໜ້າທີ່ຂອງ ຂະແໜງການສາຍຕັ້ງຂອງຕົນຢູ່ ຂັ້ນແຂວງ ແລະ ເລືອງ ໃຫ້ເນັ້ນປຶກກະຕິ ແລະ ເຂັ້ມງວດກ່ວາເກົ່າ

19 ໃຫ້ ເຈົ້າແຂວງ, ເຈົ້າຄອງກຳແພງບະຄອນ ແລະ ຫົວໜ້າເຂດພິເສດ ເປັນເຈົ້າການດຳເນີນການ ກວດກາ ເພື່ອ ດັດສົມໂຮງງານປຸງແຕ່ງໄມ້ ແລະ ບຸງແຕ່ງເຄື່ອງປ່າຂອງດົງ ແລະ ບັນດາໂຮງງານ ຫລື ກິດຈະການ ທີ່ບໍ່ໄດ້ໄວ້ເປັນ ພະລັງງານ ຫລື ເພື່ອກ່າວເຖິງ ໃຫ້ກົກຕ້ອງຕາມ ມາດຖານ, ເງື່ອນໄຂ ແລະ ລະບຽບການ ຂອງ ຂະແໜງການກະສິກໍາ ແລະ ປ່າໄມ້ ກ້າ ໂຮງງານໃດ ບຸກຄົນໃດ ບໍ່ມີໃບອະນຸຍາດສ້າງຕັ້ງ ຫລື ການອະນຸມັດສ້າງຕັ້ງບໍ່ກົກຕ້ອງຕາມ ກົດໝາຍ ແລະ ລະບຽບການປ່າໄມ້ ແມ່ນໃຫ້ສະເໜີ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ເພື່ອຍົກເລີກການດຳເນີນທຸລະກິດ, ສ່ວນໂຮງງານໃດທີ່ໄດ້ຮັບການອະນຸມັດກົກຕ້ອງຕາມກົດໝາຍ ແມ່ນ ໃຫ້ ດັດສົມ ຕາມຄວາມອາດສາມາດສະໜອງໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງ ແບບຍືນຍານ ຂອງ ປ່າຜະລິດທີ່ມີຢູ່ ພາຍໃນແຂວງຂອງຕົນ

- ໃຫ້ ແຂວງ ກຳແພງບະຄອນ ແລະ ເຂດພິເສດ ຊີ້ນຳຂະແໜງການກ່ຽວຂ້ອງ ທີ່ຢູ່ພາຍໃຕ້ການຄຸ້ມຄອງຂອງຕົນ ຄົ້ນຄ້ວາ ແລະ ປັບປຸງ ຮູບການຈັດຕັ້ງ ແລະ ເກົ້າໂຮມ ບັນດາໂຮງງານປຸງແຕ່ງໄມ້ເຂົ້າເປັນ ສະມາຄົມປຸງແຕ່ງໄມ້ ໂດຍມີການ ແບ່ງງານ ຕາມຂະແໜງການ ຜະລິດ ໃຫ້ຮອດຄ່ອງກັບຄວາມອາດສາມາດສະໜອງໄມ້ຈາກປ່າທຳມະຊາດ ແລະ ໄມ້ປູກ

- 20 ໃຫ້ ຄະນະກຳມະການຄຸ້ມຄອງການລົງທຶນທັງພາຍໃນ ແລະ ຕ່າງປະເທດ, ແຂວງ, ກຳແພງ ນະຄອນ ເຂດພິເສດ ແລະ ຂະແໜງການກ່ຽວຂ້ອງ ຢຸດເຊົາຮັບ ແລະ ນຳສະເໜີ ການລົງ ທຶນກ່ຽວກັບການປຸງແຕ່ງໄມ້ ແລະ ເຄື່ອງປ່າຂອງດົງທຳມະຊາດບາງຊະນິດ ເຊັ່ນ ຫວາຍ ທຸກໆປະເພດ ແລະ ໄມ້ເກດສະໜາ ຍົກເວັ້ນແຕ່ການລົງທຶນກ່ຽວກັບ ການປຸງແຕ່ງໄມ້ແລະ ເຄື່ອງປ່າຂອງດົງທີ່ໄດ້ປູກເອົາເອງເທົ່ານັ້ນ
- ໃຫ້ ຄະນະກຳມະການຄຸ້ມຄອງການລົງທຶນ ທັງພາຍໃນ ແລະ ຕ່າງປະເທດ ລົມທົບ ກັບ ຂະ ແໜງການກ່ຽວຂ້ອງ ດຳເນີນການກວດກາຄືນ ບັນດາໂຮງງານອຸດສາຫະກຳ-ປຸງແຕ່ງໄມ້ ທີ່ລັດຖະບານ ໄດ້ອະນຸຍາດໃຫ້ ນັກລົງທຶນຕ່າງປະເທດເຊົ່າ ແລະ ລົງທຶນ
- 21 ທຸກໆການກະທຳທີ່ເປັນການຜ່າພົນຕໍ່ ກົດໝາຍປ່າໄມ້ ຄຳສັ່ງ ລະບຽບການ ກ່ຽວກັບການ ຄຸ້ມຄອງວຽກງານປ່າໄມ້ ແລະ ທຸລະກິດໄມ້ ໂດຍສະເພາະ ຄຳສັ່ງສະບັບນີ້ ຕ້ອງປະຕິບັດມາດ ຕະການຢ່າງເຂັ້ມງວດຕໍ່ ພາກສ່ວນ ແລະ ຜູ້ທີ່ໄດ້ຜ່າພົນ ຕາມທີ່ໄດ້ກຳນົດໄວ້ຢູ່ ມາດຕາ 70, 71, 72 ແລະ 73 ຂອງ ກົດໝາຍປ່າໄມ້
- ຕໍ່ພາກສ່ວນ ແລະ ຜູ້ທີ່ມີຜົນງານດີເດັ່ນໃນການປົກປັກຮັກສາ ຄຸ້ມຄອງ, ປູກ, ພັ້ນຟູປ່າໄມ້ ແລະ ປ້ອງກັນການທຳລາຍປ່າໄມ້ ຈະໄດ້ຮັບ ການຍ້ອງຍໍຊົມເຊີຍ ຕາມທີ່ໄດ້ກຳນົດໄວ້ຢູ່ ມາດຕາ 68 ຂອງ ກົດໝາຍປ່າໄມ້ ແລະ ຕາມລະບອບນະໂຍບາຍ ຂອງ ລັດ
- 22 ບັນດາກະຊວງ ອົງການທຽບເທົ່າ, ແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ ມີໜ້າທີ່ ຈັດຕັ້ງປະຕິບັດ ຄຳສັ່ງ ສະບັບນີ້ ຢ່າງເຂັ້ມງວດ ຕາມ ພາລະບົດບາດ ຂອງໃຜລາວ.
- 23 ມອບໃຫ້ ຫ້ອງວ່າການສຳນັກງານນາຍົກລັດຖະມົນຕີ ຄະນະກຳມະການແຜນການແຫ່ງລັດ, ກະຊວງການເງິນ ກະຊວງການຄ້າ ແລະ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ເປັນຜູ້ຕິດຕາມ ແລະ ສັງລວມ ລາຍງານ ພົບການຈັດຕັ້ງປະຕິບັດ ແຕ່ລະໄລຍະໃຫ້ ລັດຖະບານ ຊາບ
- 24 ທຸກໆ ຄຳສັ່ງ ຂໍ້ຕົກລົງ ແລະ ແຈ້ງການຕ່າງໆ ທີ່ເດີມປະກາດໃຊ້ໃນເມື່ອກ່ອນ ຄົງ ຂັດກັບ ເນື້ອໃນຈິດໃຈ ຂອງ ຄຳສັ່ງ ສະບັບນີ້ ແມ່ນລ້ວນແຕ່ກົກຢົກເລີກ
- 25 ຄຳສັ່ງ ສະບັບນີ້ ມີຜົນສັກສິດ ແລະ ນຳໃຊ້ໄດ້ນັບຕັ້ງແຕ່ມີລົງລາຍເລັບເປັນຕົ້ນໄປ

ນາຍົກລັດຖະມົນຕີ ແຫ່ງ ສປປ ລາວ.



4.15. Directive 76/MAF (2/6/2002)

Prohibition of hunting and trading
wildlife and aquatic animals, nationally
and internationally, and of providing
passage to 3rd countries



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

===== ☆ ☆ ☆ ☆ =====

ກະຊວງ ກະສິກຳ ແລະ ປ່າໄມ້

0076 / 1

ເລກທີ: ... /ກປ.02.

ວຽງຈັນ, ວັນທີ: ... 04 JUN 2002

ຄໍາສັ່ງແນະນຳ

ຂອງລັດຖະມົນຕີ ວ່າການ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້

ວ່າດ້ວຍ ການຫ້າມ, ການລ່າ, ການຄ້າ - ຂາຍ ສັດນ້ຳ ແລະ ສັດປ່າ

ທັງພາຍໃນ ແລະ ຕ່າງປະເທດ, ການນຳເຂົ້າປະເທດ ແລະ ຜ່ານໄປປະເທດທີ 3

ເຖິງ: ກົວໜ້າ ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ
ໃນທົ່ວປະເທດ.

- ອີງຕາມມາດຕາ 40 ຂອງກົດໝາຍປ່າໄມ້ສະບັບເລກທີ 01-96, ລົງວັນທີ 11/10/96 ກ່ຽວກັບການມີໄວ້ໃນຄອບຄອງ, ການລ່າ ແລະ ການເຄື່ອນຍ້າຍສັດນ້ຳ ແລະ ສັດປ່າ.
- ອີງຕາມລະບຽບການ ຂອງກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ສະບັບເລກທີ 0524/ກປ.01, ລົງວັນທີ 07 ມິຖຸນາ 2001 ວ່າດ້ວຍ ການຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ, ສັດນ້ຳ ແລະ ສັດປ່າ.
- ອີງຕາມສົນທິສັນຍາສາກົນ ວ່າດ້ວຍ ການຄ້າຂາຍຊະນິດພັນພືດ ແລະ ສັດປ່າທີ່ໃກ້ຈະສູນພັນ.

ນັບແຕ່ລັດຖະບານໄດ້ອອກກົດໝາຍປ່າໄມ້ແຕ່ປີ 1996 ເປັນຕົ້ນມາ, ຂະບວນການປົກປັກ
ຮັກສາສັດນ້ຳ - ສັດປ່າ ແລະ ປ່າໄມ້ ກໍ່ໄດ້ເກີດມີຂຶ້ນຢ່າງກວ້າງຂວາງ ໃນຂອບເຂດທົ່ວປະເທດ
ຊຶ່ງສະແດງອອກໃນຫລາຍແຂວງ, ຫລາຍທ້ອງຖິ່ນກໍ່ໄດ້ອອກແຮງສຶກສາ ອົບຮົມປະຊາຊົນ ໃນການ
ຫ້າມລ່າ, ຫ້າມຄ້າ - ຂາຍສັດນ້ຳ ແລະ ສັດປ່າພູ່ພາຍໃນ, ການລົງອອກຕ່າງປະເທດ ແລະ ກາບອະນຸ
ຍາດນຳເຂົ້າ ແລະ ຜ່ານໄປປະເທດທີສາມ ໄດ້ດີ. ແຕ່ກໍ່ຍັງມີບາງແຂວງ, ບາງທ້ອງຖິ່ນ ຍັງຂາດ

ຄວາມເປັນເຈົ້າການ ແລະ ຄວາມຮັບຜິດຊອບ ໃນການຈັດຕັ້ງປະຕິບັດ ແນວທາງນະໂຍບາຍຂອງ ພັກ, ລະບົບການ ແລະ ກົດໝາຍຂອງລັດສະແດງອອກຢູ່ບ່ອນວ່າ: ຍັງມີການປະປ່ອຍໃຫ້ມີການ ລ່າສັດ, ການຄ້າ - ຂາຍ, ການອະນຸຍາດໃຫ້ນຳເຂົ້າ ແລະ ຜ່ານໄປປະເທດທີສາມ ໂດຍບໍ່ໄດ້ຮັບອະ ນຸຍາດຈາກ ລັດຖະບານ ກໍ່ຄື ອົງການຄຸ້ມຄອງປ່າໄມ້. ການກະທຳຄືດັ່ງກ່າວ ມັນບໍ່ພຽງແຕ່ເປັນການ ລະເມີດຕໍ່ກົດໝາຍປ່າໄມ້, ລະບົບການວ່າດ້ວຍ ການຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ, ສັດນ້ຳ ແລະ ສັດປ່າ ແລະ ສົນທິສັນຍາສາກົນ ເທົ່ານັ້ນ ມັນຍັງໄດ້ສົ່ງຜົນສະທ້ອນອັນໃຫຍ່ຫລວງຕໍ່ການຄົງຕົວ ແລະ ຂະຫຍາຍຕົວຂອງສັດນ້ຳ ແລະ ສັດປ່າທີ່ເປັນຊັບພະຍາກອນທຳມະຊາດ ອັນວັດຖຸ ແລະ ເປັນກຳມະສິດຂອງ ວົງຄະນາຍາດແຫ່ງຊາດ ເຮັດໃຫ້ສັດນ້ຳ ແລະ ສັດປ່າບາງຊະນິດກຳລັງຖືກໄພ ຂົ່ມຂູ່ຢ່າງຮ້າຍແຮງ ຊຶ່ງອາດນຳໄປສູ່ ການສູນພັນ ແລະ ບາງຊະນິດກໍ່ໄດ້ຈະສູນພັນແລ້ວເຊັ່ນ: ງົວບາ, ຊ້າງ, ປາຂ່າ, ປາຝາໄລ, ປາບົກ, ນົກຍູງ, ແຂ້, ໂອງ, ມັງ, ໝູງວງ ແລະ ບາງຊະນິດ ກໍ່ໄດ້ສູນພັນໄປ ແລ້ວເຊັ່ນ: ແຮດ ແລະ ອື່ນໆ..

ເພື່ອເຮັດໃຫ້ການຈັດຕັ້ງປະຕິບັດແນວທາງນະໂຍບາຍຂອງພັກ, ລະບົບການ ແລະ ກົດ ໝາຍຂອງລັດຖະບານ ໃຫ້ມີຜົນສັກສິດ ເຮັດໃຫ້ການຄຸ້ມຄອງ, ການປົກປັກຮັກສາສັດນ້ຳ - ສັດປ່າ ການຄ້າຂາຍ ຊຶ່ງລວມທັງການນຳເຂົ້າ, ການສົ່ງອອກ, ການອະນຸຍາດໃຫ້ຜ່ານສັດນ້ຳ - ສັດປ່າຊະນິດ ຫລວງຫ້າມ ແລະ ຄຸ້ມຄອງ ເຂົ້າສູ່ລະບົບຫລັກການ ພ້ອມທັງເປັນການຍົກສູງ ຖານະກິດບາດຂອງ ສປປ ລາວ ຕໍ່ເອກະສາກົນ ແລະ ເປັນການປະຕິບັດພັນທະຂອງລັດຖະບານ ຕໍ່ສົນທິສັນຍາສາກົນ ວ່າ ດ້ວຍ ການຄຸ້ມຄອງຊະນິດທີ່ກຳນົດ ແລະ ສັດປ່າທີ່ຖືກໄພຂົ່ມຂູ່, ຫາຍາກ ແລະ ໃກ້ຈະສູນພັນ.

ລັດຖະມົນຕີວ່າການກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ອອກຄຳສັ່ງແນະນຳ

1. ຫ້າມເດັດຂາດການລ່າ, ການຄ້າຂາຍ, ການນຳເຂົ້າ, ສົ່ງອອກ, ນຳເຂົ້າຄືນ, ສົ່ງອອກຄືນ ແລະ ການອະນຸຍາດຜ່ານໄປປະເທດທີສາມ ບັນດາຊະນິດພັນສັດນ້ຳ ແລະ ສັດປ່າ ປະເພດຫວງ ຫ້າມ I ແລະ II (ບັນຊີຕິດຄັດມາພ້ອມນີ້) ລວມທັງສັດທີ່ມີຊີວິດ, ຕາຍ ແລະ ຊີ້ນສ່ວນຕ່າງໆ ໃນທຸກລະດູການ ແລະ ທຸກກໍລະນີ;
2. ຫ້າມລ່າສັດນ້ຳ ແລະ ສັດປ່າປະເພດຄຸ້ມຄອງ I ແລະ II (ບັນຊີຕິດຄັດມາພ້ອມນີ້) ໃນລະດູ ການຫ້າມລ່າສັດຢ່າງເດັດຂາດ ຊຶ່ງແມ່ນໄລຍະປະສົມພັນ ແລະ ແຜ່ຂະຫຍາຍພັນຂອງ ສັດນ້ຳ - ສັດປ່າ (ນັບແຕ່ວັນທີ 01 ພຶດສະພາ ຫາ 31 ຕຸລາຂອງທຸກໆປີ). ສ່ວນການລ່າ ເພື່ອເປັນສິນຄ້າ, ການຄ້າຂາຍ, ການນຳເຂົ້າ, ສົ່ງອອກ, ການສົ່ງອອກຄືນ ແລະ ການອະນຸ

ຍາດໃຫ້ຜ່ານໄປປະເທດທີສາມ ຕ້ອງປະຕິບັດຕາມຂໍ້ທີ 1 ຂອງຄໍາສັ່ງແນະນຳສະບັບນີ້ຢ່າງເຂັ້ມງວດ;

3. ການລ່າ ແລະ ການຈັບເພື່ອການສຶກສາຄົ້ນຄວ້າທາງດ້ານວິທະຍາສາດ ແລະ ມອບເປັນຂອງຂ້ວນ ຈາກລັດຖະບານ.ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ຈະເປັນຜູ້ຄົ້ນຄວ້າ ກໍາສະເໜີໃຫ້ລັດຖະບານ ເພື່ອອະນຸມັດ.ສຳລັບການນຳເຂົ້າສັດນ້ຳ - ສັດປ່າ ທີ່ຍັງມີຊີວິດ ແລະ ບໍ່ມີຊີວິດ ເພື່ອເປັນຂອງຂ້ວນ,ເປັນການແລກປ່ຽນທາງດ້ານວິທະຍາສາດຕ້ອງປະຕິບັດຕາມການອະນຸມັດຂອງກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ແລະ ປະຕິບັດຕາມລະບຽບການຂອງສົນທິສັນຍາສາກົນ ວ່າດ້ວຍ ການຄ້າຂາຍຊະນິດພັນພືດ ແລະ ສັດປ່າທີ່ໄກ້ຈະສູນພັນຢ່າງເຂັ້ມງວດ.
4. ທຸກການກະທຳຂອງບຸກຄົນ ຫລື ການຈັດຕັ້ງທີ່ມີລັກສະນະຝ່າຝົນຕໍ່ຂໍ້ທີ 1 ແລະ 2 ຂອງຄໍາສັ່ງແນະນຳສະບັບນີ້ ກໍ່ຕົກມາດຕາ 40 ຂອງກົດໝາຍປ່າໄມ້ ແລະ ລະບຽບການວ່າດ້ວຍການຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ,ສັດນ້ຳ ແລະ ສັດປ່າ ຕ້ອງປະຕິບັດຕາມມາດຕາ69,70,71 ແລະ 72 ຂອງກົດໝາຍປ່າໄມ້ຢ່າງເຂັ້ມງວດ.
 - ບຸກຄົນ ຫລື ການຈັດຕັ້ງ ແລະ ຜູ້ທີ່ມີຜົນງານດີເດັ່ນໃນການຄຸ້ມຄອງ,ປົກປັກຮັກສາສັດນ້ຳ ແລະ ສັດປ່າ ຈະໄດ້ຮັບການຍ້ອງຍໍຊົມເຊີຍ ຕາມທີ່ໄດ້ກຳນົດໄວ້ໃນມາດຕາ 68 ຂອງກົດໝາຍປ່າໄມ້ ແລະ ຕາມລະບອບນະໂຍບາຍຂອງລັດ.
5. ໃຫ້ເພີ່ມທະວີການກວດກາ ລາດຕະເວນ ຕາມເຂດແດນລະຫວ່າງແຂວງ ຕໍ່ ແຂວງ,ເມືອງ ຕໍ່ ເມືອງ ແລະ ບ້ານ ຕໍ່ ບ້ານ ແລະ ສະຖານທີ່ຕ່າງໆ ເພື່ອສະກັດກັ້ນການລ່າ,ການຈັບ,ການຄ້າຂາຍສັດນ້ຳ ແລະ ສັດປ່າ ຕາມທີ່ໄດ້ກຳນົດໄວ້ໃນຂໍ້ທີ 1 ແລະ 2 ຂອງຄໍາສັ່ງແນະນຳສະບັບນີ້.
 - ຫົວໜ້າພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ແຂວງ,ກໍາແພງນະຄອນ ແລະ ເຂດພິເສດ ຕ້ອງຊີ້ນຳຫົວໜ້າ ຂະແໜງປ່າໄມ້,ເຈົ້າໜ້າທີ່ປ່າໄມ້ທີ່ປະຈຳຢູ່ດ່ານຂາອອກ ແລະ ຂາເຂົ້າ ໃຫ້ປະຕິບັດຄໍາສັ່ງແນະນຳສະບັບນີ້ຢ່າງເຂັ້ມງວດ.ກໍລະນີ ມີການລະເຫລີງຕໍ່ໜ້າທີ່ຂະແໜງການກ່ຽວຂ້ອງ ຕ້ອງດຳເນີນການກວດກາ,ສຶກສາອົບຮົມ ປະຕິບັດວິໃນຕາມສະຖານພັກ ຫລື ເບົາ.
6. ມອບໃຫ້ກົມປ່າໄມ້ເປັນຜູ້:
 - ຄົ້ນຄວ້າ ແລະ ທົບທວນບັນຊີຈັດປະເພດສັດນ້ຳ - ສັດປ່າແຕ່ລະປະເພດເປັນແຕ່ລະໄລຍະ,ເພື່ອໃຫ້ສອດຄ່ອງກັບສະພາບການຕົວຈິງຂອງປະເທດ ແລະ ເງື່ອນໄຂຂອງບັນດາປະເທດສະມາຊິກຂອງສົນທິສັນຍາສາກົນ ວ່າດ້ວຍ ການຄ້າຂາຍຊະນິດພັນພືດ ແລະ ສັດປ່າທີ່ໄກ້ຈະສູນພັນ.(CITES).

ດື່ມຄວາມຄະບອບນະໂຍບາຍຢ່າງລະອຽດ ເພື່ອນຳສະເໜີກະຊວງກະສິກຳ ແລະ ປ່າໄມ້, ປະສານສົມທົບກັບກະຊວງ, ຂະແໜງການກ່ຽວຂ້ອງ ຮັບຮອງ ແລະ ປະກາດ ໃຊ້ຢ່າງເປັນທາງການ.

ເປັນເຈົ້າການປະສານສົມທົບນຳບັນດາກົມ, ກອງພາຍໃນກະຊວງ, ພະແນກການ ກ່ຽວຂ້ອງອ້ອມຂ້າງແຂວງ ແລະ ເມືອງໃນການຈັດຕັ້ງປະຕິບັດຄຳສັ່ງແນະນຳສະ ບັບນີ້ ໃຫ້ໄດ້ຮັບຜົນດີ. ທຳການຕິດຕາມ ກວດກາ ປະເມີນຜົນ ແລະ ລາຍງານໃຫ້ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ຊາບຢ່າງເປັນລະບົບ.

7. ໃຫ້ທົວໜ້າພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດເປັນ ເຈົ້າການສົມທົບ ນຳສະເໜີອຳນາດການປົກຄອງທ້ອງຖິ່ນ, ພະແນກການ, ກົມ, ກອງ, ກຳລັງ ປະກອບອາວຸດ ອ້ອມແຂວງ ແລະ ເມືອງ ເຜີຍແຜ່, ສຶກສາອົບຮົມໃຫ້ພະນັກງານ, ທະຫານ, ຕຳຫລວດ ຕະຫລອດຮອດປະຊາຊົນບັນດາເຜົ່າ ເພື່ອຍົກສູງຄວາມຮັບຮູ້ຢ່າງເລິກເຊິ່ງ ເຖິງ ແນວທາງນະໂຍບາຍຂອງພັກ, ລະບຽບກົດໝາຍຂອງລັດຖະບານກ່ຽວກັບການປົກປັກຮັກ ສາສັດນ້ຳ ແລະ ສັດປ່າ ເພື່ອໃຫ້ທຸກພາກສ່ວນຂອງສັງຄົມເຂົ້າຮ່ວມດ້ວຍຄວາມຮັບຜິດ ຊອບສູງໃນການຈັດຕັ້ງປະຕິບັດຄຳສັ່ງແນະນຳສະບັບນີ້.
8. ຄຳສັ່ງ, ແຈ້ງການ, ຂໍ້ແນະນຳຕ່າງໆ ທີ່ຂັດຕໍ່ກົດໝາຍປ່າໄມ້, ລະບຽບການວ່າດ້ວຍການຄຸ້ມ ຄອງປ່າສະຫງວນແຫ່ງຊາດ, ສັດນ້ຳ ແລະ ສັດປ່າ ແລະ ຄຳສັ່ງແນະນຳສະບັບນີ້ ແມ່ນຖືວ່າ ລົບລ້າງ.
9. ຄຳສັ່ງແນະນຳສະບັບນີ້ ມີຜົນນຳໃຊ້ ນັບແຕ່ມີລົງລາຍເຊັນເປັນຕົ້ນໄປ.

ລັດຖະມົນຕີວ່າການກະຊວງກະສິກຳ ແລະ ປ່າໄມ້



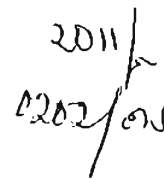
ຈຳນວນ ສະບັບ 1

ບ່ອນນຳສັ່ງ

- | | |
|---|---------|
| - ຫ້ອງວ່າການຄຸ້ມຄອງພັກ (ເພື່ອໃຊ້ຕາງລາຍງານ) | 1 ສະບັບ |
| - ຫ້ອງວ່າການສຳນັກງານນາຍົກ (ເພື່ອໃຊ້ຕາງລາຍງານ) | 1 ສະບັບ |
| - ກະຊວງການເງິນ (ເພື່ອຊາບ ແລະ ຂໍ້ຄວາມຮ່ວມມື) | 1 ສະບັບ |
| - ກະຊວງການຄ້າ (ເພື່ອຊາບ ແລະ ຂໍ້ຄວາມຮ່ວມມື) | 1 ສະບັບ |
| - ກະຊວງພາຍໃນ (ເພື່ອຊາບ ແລະ ຂໍ້ຄວາມຮ່ວມມື) | 1 ສະບັບ |
| - ຫ້ອງວ່າການປົກຄອງແຂວງ, ກຳແພງນະຄອນ ແລະ ເຂດພິເສດ (ເພື່ອຊາບ ແລະ ຊ່ວຍຊີ້ນຳໃນການຈັດຕັ້ງປະຕິບັດ) | 1 ສະບັບ |
| - ບັນດາກົມ, ກອງ ແລະ ສະຖາບັນທີ່ຂຶ້ນກັບກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ | 1 ສະບັບ |
| - ເກັບມ້ຽນ | 1 ສະບັບ |

4.16. PMO Notice 876/PMO (28/6/2002)

Agreement for Lao PDR to join CITES



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

... 000 ...

ທ້ອງຖານສຳນັກງານນາຍົກລັດຖະມົນຕີ

លេខកំណត់ 876 / ប.ស.ប.ប.ក.ស.ប.

ວຽງຈັນ, ວັນທີ 28-6-2002

ແຈ້ງການ

ຮຽນ : ທ່ານລັດຖະມົນຕີວ່າການ ກະຊວງການຕ່າງປະເທດ.

ເລື່ອງ : ຂໍອະນຸມັດເຂົ້າເປັນສະມາຊິກ ຂອງສົນທິສັນຍາສາກົນ ວ່າດ້ວຍການຄ້າ
ຂາຍຊະນິດພັນພືດ ແລະ ສັດປ່າ ທີ່ໄກ້ຈະສູນພັນ, Convention on
International Trade in endangered species of wild Fauna
And Flora (CITES).

ອີງຕາມເອກະສານສະເໜີ ສະບັບເລກທີ 2076/ຕປທ.ຈສກ, ລົງວັນທີ 10/06/2002

ວຽກງານຕ່າງປະເທດ.

ອີງຕາມການຕົກລົງ ຂອງທ່ານນາຍົກລັດຖະມົນຕີ ຄັ້ງວັນທີ 24/6/2002.

໑/ ທ້ອງຖານສຳນັກງານນາຍົກລັດຖະມົນຕີ ຂໍຖືເປັນກຽດແຈ້ງການຕົກລົງຂອງຂັ້ນເທິງ ມາຍັງ ທ່ານຊາບດັ່ງນີ້ : " ເຫັນດີອະນຸມັດໃຫ້ ສປປລາວ ເຂົ້າເປັນສະມາຊິກຂອງສົນທິສັນຍາສາກົນ ວ່າດ້ວຍ ການຄ້າຂາຍຊະນິດພັນພືດ ແລະ ສັດປ່າ ທີ່ໄກ້ຈະສູນພັນ ຕາມການສະເໜີຂອງກະຊວງການຕ່າງ ປະເທດ; ເມື່ອເຂົ້າເປັນສະມາຊິກຂອງສົນທິສັນຍາດັ່ງກ່າວແລ້ວ, ກະຊວງກ່ຽວຂ້ອງຕ້ອງຈັດຕັ້ງໃຫ້ມີ ອົງການຮັບຜິດຊອບຄັກແນ່ ເພື່ອຍາດແຍ່ງຜົນປະໂຫຍດ ຈາກການເຂົ້າເປັນສະມາຊິກດັ່ງກ່າວ " .

ດັ່ງນັ້ນ, ຈຶ່ງແຈ້ງມາຍັງທ່ານ ເພື່ອຊາບ ແລະ ປະຕິບັດຕາມເນື້ອໃນແຈ້ງການສະບັບນີ້ດ້ວຍ.

ລັດຖະມົນຕີຊ່ວຍວ່າການ

ຫົວໜ້າທ້ອງຖານສຳນັກງານນາຍົກລັດຖະມົນຕີ

បំណងបង្កើត :

- ທ້ອງວ່າການສູນກາງພັກ 1 ສະບັບ
- ທ້ອງວ່າການສະພາແຫ່ງຊາດ 1 ສະບັບ
- ຄ ຜ ຮ 1 ສະບັບ
- ກະຊວງກະສິກໍາ-ປ່າໄມ້ 1 ສະບັບ
- ອວຕສ 1 ສະບັບ
- ເກັບມຸ້ນ 7 ສະບັບ



ឆ. ទី២៧ ពុទ្ធិសាសនា

4.17. PMs DECREE 37/PM (12/4/2002)

Approval of the allocation of
resettlement and forest area to people
and village organizations affected by the
Nam Theun 2 project for carrying out
forestry business activities



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Prime Minister's Office

No.: 37/PM
Vientiane, date: April 12 2002

**(Supplementary) Decree on the approval of the allocation
of the resettlement and forest area to people and village organizations
affected by the Nam Theun 2 Project for carrying out forestry business activities**

Reference is made to:

- The Law on the Government of Lao PDR No:01/NA dated March 03 , 1995.
- The Forestry Law No.01/96 dated October 11,1996
- The Notice of the Prime Minister Office No.1550/PMO ,dated September 03,1999, of the endorsement of Resettlement Action Plan for the Nam Theun 2 Project
- The letter of proposal of the Minister of Agriculture and Forestry No. 201/MAF dated March 07, 2002

The Prime Minister issues this decree:

- Article 1.** This decree is issued as a supplement to the decree No. 193/PM dated December 29, 2000 on the establishment of the Nakai-Nam Theun NBCA, Corridor Areas, NT2 Project Reservoir Area , and Resettlement and Forest Area for people affected by the NT2 project .
- Article 2.** Forest land and forest should be allocated to people affected by the development and construction of the NT2 hydropower project for use as the area on which their new villages will be settled and they can find sustenance and for carrying out forestry business activities in a sustainable manner . This is a compensation measure to people affected by the development and construction of the project.
- Article 3.** The ministry of Agriculture and Forestry, the Department for National Land Planning and Development of the Prime Minister Office are authorized in collaboration with local authorities and parties concerned to convert the land from its current purpose of agricultural and forestry land to other purposes and activities to serve the needs of the NT2 project.
- Article 4.** The location and boundary of forest land to be allocated to the people for forestry management and uses are set out in the article 7 of the Prime Minister's Decree No.193/PM dated December 29, 2000.

- 4.1 The Minister of Agriculture and Forestry is entrusted in collaboration with the Provincial Governor, local administrative authorities, the department for national land planning and development and the Resettlement Committee for the determination of the boundary of the land areas and categories of land uses such as the area on which new villages will be established, the area for agricultural production activities, the forest land area for a sustainable forestry business activities, the area for construction and expansion of Nakai District for the future , consistent with the actual local conditions .In parallel to the above , rules and regulations for the establishment and business activities of the villagers forestry association in the Resettlement Area of the NT2 project on the Nakai Plateau have to be prepared and issued to ensure the sustainability of the management and use of forest and forest resources.
- 4.2 Persons in charge of the NT2 project and the Nam Theun 2 Electricity Consortium (NTEC) are entrusted to prepare a plan, to survey and collect actual data for the detailed planning for the delegation of the management and use right of the forest land and forest resources to the people in accordance with the plan specified (Articles 4 and 4.1) and procedures from time to time on the basis of the agreement between the State and the village organizations or villagers forestry association in order to manage and use the forest land in a sustainable manner in accordance with the laws and regulations issued by the State .
- Article 5.** Ministries, organizations equivalent to the ministries, local administrative Authorities, and armed forces and ethnic people within the NT2 project area shall acknowledge and act strictly in accordance with this decree .
- Article 6.** This decree is effective from the date of its signing.

Prime Minister of Lao PDR

Signature

Boungnang Vorachit

4.18. PMs Decree 59 (22/5/2002)

Sustainable Management of Production
Forest Areas



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Prime Minister

No. 59 / 2002
Vientiane, 22 / 5 / 2002

DECREE ON SUSTAINABLE MANAGEMENT OF PRODUCTION FOREST AREAS

- Based on the Law 01/NA of 08 March 1997 on the Government of Lao PDR;
- Based on the Law 01-96 of 11 October 1996 on Forests;
- Based on the Law 02/99/NA of 03 April 1999 on Environmental Protection;
- Based on the Recommendation of Ministry of Agriculture and Forestry 353/MAF.2002 of 29 April 2002.

CHAPTER I GENERAL PROVISIONS

Article 1 – Scope

This decree covers the identification, establishment, management and use of Production Forest Areas (PFA) and the key principles for monitoring the implementation of sustainable forest management throughout Lao PDR. This Decree further covers the duties and functions of relevant sectors, local authorities and villagers in participatory management of PFAs.

Article 2 – Objectives

This Decree has the following objectives:

- 2.1 To enhance and implement provisions of the Forestry Law covering forest areas intended to produce wood and forest products to support national socio-economic development and improve the livelihoods of local communities through the sustainable production forests management system.
- 2.2 To establish principles and procedures to establish PFAs throughout Lao PDR under a sustainable management system; and
- 2.3 To create a framework for sustainable management of PFAs based on the participation of villagers in forest management planning, management and receipt of revenues.

Article 3 – Definitions

- 3.1 Production Forest – means forest and forest land that has been categorized to regularly provide for the requirements of national socio-economic development and the daily livelihood needs of the pluri-ethnic people in terms of wood and forest products without substantial harm to the environment.
- 3.2 Production Forest Area – means a legally established area of forest meeting all criteria in the definition of production forests, consisting of different forest categories stated in Article 16 of Forestry Law eligible for activities under a system of sustainable forest management with participation of villagers.

- 3.3 Production Forest Management Area (FMA) – means a forest area or a forest land area within a PFA designated for planning, management, use and preservation under an officially approved management plan.
- 3.4 The Forest Management Unit (FMU) – means the State organization responsible for sustainable management of production forest areas of the district under the district forestry unit.
- 3.5 Village Forestry Organizations (VFO) – means an organization of villagers established in a village, chaired by village chief(s), to participate in the management of forests under the village's responsibility.

CHAPTER II ESTABLISHMENT OF PRODUCTION FOREST AREAS

Article 4 – Identification of a Production Forest Area

A forest area to be identified as PFA shall include the following key criteria:

- 4.1 A forest area and forest land in an appropriate location not overlapping areas allocated for other purposes or area reserved for national strategic purposes;
- 4.2 high concentration of forest coverage suitable for the supply of wood and forest products for production purposes; and
- 4.3 total size of area suitable for economically viable sustainable forest management.

MAF shall issue a regulation to determine the detailed conditions and criteria for implementation.

Article 5 – Establishment of a Production Forest Area

- 5.1 MAF shall complete and submit proposal in coordination with provinces, municipality and special zone to establish individual PFAs to the Prime Minister for approval by issuance of a Decree. Upon establishment, MAF shall demarcate management zones in cooperation with FMUs and villagers, according to regulations issued by MAF.
- 5.2 As the Prime Minister approves the establishment of a PFA, MAF shall preserve all records and information for review upon proposals for its modification and adjustment. Any modification of the boundaries of an established PFA shall require the Prime Minister's approval at the recommendation of MAF.

CHAPTER III MANAGEMENT OF PRODUCTION FOREST AREAS

Article 6 – Delineation of Forest Management Area

The agriculture and forestry authorities shall take the lead in coordinating with the relevant local administrative authorities the forest management areas (FMAs) based on the officially approved general PFA management plan in order to improve efficiency in forest management and generate revenues to villagers participating in production forest management. The Ministry of Agriculture and Forestry shall outline the detailed implementing procedures.

Article 7 – Production Forest Management Plans

Each PFA shall operate under a specific management plan based on actual data, covering all forest categories and meeting all the objectives of sustainable management in that PFA. MAF shall issue a regulation to determine the principles for detailed preparation and approval of management plans at all levels of PFA management for nationwide consistent implementation.

Article 8 – Organization of Production Forest Management

The administrative agencies stated in Article 59 of the Forestry Law shall be directly responsible for sustainable management of the PFAs under the following basic duties:

- 8.1 MAF shall coordinate with relevant sectors, provinces, municipality and special zone to identify, establish, organize, monitor and inspect PFAs throughout Lao PDR.
- 8.2 PAFO shall directly support MAF and Governors of Provinces, Municipalities and Special Zones to implement instructions and regulations on sustainable management of PFAs under their respective responsibilities. PAFO shall also guide, monitor and control implementation within the scope of its authority.
- 8.3 DAFO shall organize the implementation of production forest management plans, which shall be implemented by FMUs, village forestry organizations and other relevant parties within PFAs under their responsibilities in compliance with instructions and implementation rules. It furthermore has the duty to guide, monitor and control activities within the scope of its authority.
- 8.4 Village Forestry Organizations shall organize the villagers' participation to implement all sustainable production forest management activities within the scope of their capacity with FMUs under outlined instructions and regulations. Such activities include demarcation, land-use planning, pre-harvest inventories and tree marking, management planning, monitoring and control, harvesting activities, log sales and receipt of revenues and other development activities consistently with forest management agreements and plans.

Detailed roles and duties at each level of management shall be determined by MAF as provided by the Forest Law.

Article 9 –Exploitation of wood and forest products

Harvest of timber and forest products shall be conducted only in demarcated management areas under official approval of required management plans focusing on sustainable management and based on regeneration rates and baseline data of pre-harvest inventories

Article 10 –Restrictions in Production Forest Area

It is prohibited to conduct activities not included in the officially approved annual operation plan and any other activities in violation of the forestry law and implementing regulations concerned with forestry.

CHAPTER IV

REVENUES AND USE OF REVENUES FROM PRODUCTION FOREST AREAS

Article 11 – Principles in Log and forestry product Sales

- 11.1 The sale of logs and forest products from PFAs shall be made to processing plants under competitive prices based on market-oriented and transparent methods to receive higher prices above the prices set by the government in order to maximize revenue for the government and villagers.
- 11.2 Log sale decisions shall be based on a transparent method involving participation of concerned parties, including representation of village forest organizations, on an annual basis under the guidance of the Governor of each province, municipality and special zone.

Article 12 – Management of Revenues from Production Forests

The gross revenue from different activities in production forest areas shall be managed and used for common purposes, such as: remittance to the national budget; the forest development

4.19. MAF REGULATION 360 (8/12/03)

Amended regulations on National
Protected Area Management, Aquatic
Animals and Wildlife



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນາຖາວອນ
ຜູ້ແທນປະຊາຊົນ

ກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້

ເລກທີ 0360 /ກປ.2003
ນະຄອນຫລວງວຽງຈັນ, ວັນທີ 8/12/2003

ລະບຽບການ

ວ່າດ້ວຍ ການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ, ສັດປ່າ ແລະ ສັດນ້ຳ

- ສິ່ງຕາມ ກົດໝາຍປ່າໄມ້ ສະບັບ ເລກທີ 01- 96, ລົງວັນທີ 11/10/96
- ສິ່ງຕາມ ດໍາລັດ ຂອງນາຍົກລັດຖະມົນຕີ ວ່າດ້ວຍ ການຈັດຕັ້ງປະຕິບັດ ກົດໝາຍປ່າໄມ້ ສະບັບເລກທີ 198/ນຍ, ລົງວັນທີ 15/11/1999.

ລັດຖະມົນຕີ ວ່າການ ກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້ ອອກລະບຽບການ :

ໝວດທີ 1

ບົດບັນຍັດ ທົ່ວໄປ

ມາດຕາ 1 : ຈຸດປະສົງ

ລະບຽບການສະບັບນີ້ ມີຈຸດປະສົງ ແນໃສ່ :

1. ກໍານົດລະບຽບການ, ຫຼັກການ ແລະ ມາດຕະການຕ່າງໆ ໃນການສ້າງຕັ້ງ, ການຄຸ້ມຄອງ, ການນໍາໃຊ້ ເນື້ອທີ່ດິນປ່າໄມ້ທຸກປະເພດ ທີ່ນອນຢູ່ໃນປ່າສະຫງວນ, ສີດ ແລະ ພັນທະ ຂອງພົນລະເມືອງລາວ ຕໍ່ວຽກງານປົກປັກຮັກສາປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ
2. ປົກປັກຮັກສາ ເນື້ອທີ່ປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ, ຄວາມຫຼາກຫຼາຍ ທາງດ້ານຊີວະນາໆພັນ, ຮັກສາຄວາມສົມດຸນ ທາງດ້ານລະບົບນິເວດວິທະຍາ, ການສືບພັນ ທາງຊີວະນາໆພັນ, ຮັກສາຄວາມສົມດຸນ ທາງດ້ານລະບົບນິເວດວິທະຍາ ການສືບພັນທາງດ້ານຊີວະວິທະຍາ ຕາມທຳມະຊາດ ໃຫ້ດຳລົງຄົງຕົວ ແລະ ຂະຫຍາຍຕົວ ພ້ອມກັນນັ້ນ ກໍ່ໃຫ້ມີປ່າໄມ້, ທິວທັດທຳມະຊາດ ທີ່ສວຍສົດງົດງາມ ເພາະສົມແກ່ການອະນຸລັກ, ສົ່ງເສີມການທ່ອງທ່ຽວທຳມະຊາດ ແລະ ການສຶກສາ ຄົ້ນຄ້ວາທົດລອງ ທາງດ້ານວິທະຍາສາດ.
3. ປົກປັກຮັກສາ ພື້ນທີ່ມີຄວາມສຳຄັນທາງດ້ານພູມສາດ, ປະຫວັດສາດ ແລະ ວັດທະນະທຳ.
4. ຈັດຕັ້ງປະຕິບັດ ໃຫ້ສອດຄ່ອງ ຕາມຂໍ້ຕົກລົງ ວ່າດ້ວຍ ການປົກປັກຮັກສາ ປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ທີ່ລັດຖະບານ ໄດ້ຮ່ວມລົງນາມ ກັບປະເທດໃກ້ຄຽງ ແລະ ສາກົນ

ມາດຕາ 2 : ກຳມະສິດ ກ່ຽວກັບ ປ່າສະຫງວນ ສັດປ່າ ແລະ ສັດນ້ຳ

ປ່າສະຫງວນ ສັດປ່າ ແລະ ສັດນ້ຳ ເປັນກຳມະສິດ ຂອງວົງຄະນະບາດແກນຂາດ ເຊິ່ງລັດ ເປັນຕົວແທນ ໃນການຮັບຮອງຜ່ານລວມສູນແລະເປັນເອກະພາບ ໃນຂອບເຂດທົ່ວປະເທດ ເພື່ອປົກປັກຮັກສາປ່າໄມ້ ທີ່ອຸດົມສົມບູນ ແລະ ຮັບປະກັນ ໃຫ້ຈຳນວນສັດປ່າ ແລະ ສັດນ້ຳ ນັບຜູ້ນັບເພີ່ມທະວີຂຶ້ນ

ມາດຕາ 3 : ພັນທະ ໃນການປົກປັກຮັກສາ ປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ

ບຸກຄົນ, ກຳມະຈັດຕັ້ງ ຂອງລັດ ແລະ ເອກະຊົນ ລ້ວນແຕ່ມີພັນທະ ໃນການປົກປັກຮັກສາ ປ່າໄມ້, ຊັບພະຍາກອນປ່າໄມ້, ທີ່ດິນປ່າໄມ້, ແຫຼ່ງນ້ຳ, ສັດປ່າ, ສັດນ້ຳ ແລະ ສິ່ງແວດລ້ອມ ພ້ອມທັງປະກອບສ່ວນ ໃນການປ້ອງກັນ ແລະ ສະກັດກັ້ນໄພໄພປ່າ ແລະ ການທຳລາຍ ຊັບພະຍາກອນປ່າໄມ້ ໃນຂອບເຂດ ປ່າສະຫງວນ ບົ່ວດ້ວຍວິທີການໃດກໍ່ດາມ

ມາດຕາ 4 : ນິຍາມ

ປ່າສະຫງວນແຫ່ງຊາດ : ແມ່ນປ່າໄມ້ ແລະ ທີ່ດິນປ່າໄມ້ ທີ່ໄດ້ຮັບການອະນຸມັດສ້າງຕັ້ງ ໃຫ້ເປັນປ່າສະຫງວນແຫ່ງຊາດ ຈາກນາຍົກລັດຖະມົນຕີ ແລະ ກູ້ກຈັດແບ່ງ ເພື່ອຈຸດປະສົງ ໃນການປົກປັກຮັກສາ ພັນສັດ, ພັນຜືດ, ທຳມະຊາດ ແລະ ສິ່ງຕ່າງໆ ທີ່ມີຄຸນຄ່າທາງດ້ານ ຄືວະວິທະຍາ, ປະຫວັດສາດ, ວັດທະນະທຳ, ການທ່ອງທ່ຽວ, ສິ່ງແວດລ້ອມ, ການສຶກສາ ແລະ ການຄົ້ນຄ້ວາທຶນລອງ ວິທະຍາສາດ

ເຂດຫວ່າງຫ້າມເດັດຂາດ ແມ່ນເຂດປ່າໄມ້ ແລະ ທີ່ດິນປ່າໄມ້ ຊຶ່ງເປັນບ່ອນອາໄສ, ຫາກິນ ແລະ ຂະຫຍາຍພັນຕົ້ນຕໍ ຂອງສັດຕ່າງໆ ແລະ ເປັນບ່ອນທີ່ມີພັນຜືດບາງພັນ ທີ່ອຸດົມສົມບູນ ໃນເຂດນີ້, ຫ້າມເດັດຂາດ ການດຳເນີນກິດຈະການປ່າໄມ້, ເກັບກູ້ພະລັດຕະພັນປ່າໄມ້ ລວມທັງການເຄື່ອນຍ້າຍ ພັນຜືດ, ພັນສັດ ເວັ້ນເສຍແຕ່ໄດ້ຮັບ ອະນຸຍາດພິເສດຈາກ ກະຊວງ ກະສິກຳ ແລະ ປ່າໄມ້ ເທົ່ານັ້ນ

ເຂດຊັບຊ້ອນການນຳໃຊ້ ເຂດຊັບຊ້ອນ ການນຳໃຊ້ ແມ່ນເຂດປ່າໄມ້ ຫຼື ທີ່ດິນປ່າໄມ້ ທີ່ຢູ່ ທິດຕາເວັນຕົກ ຫຼື ໃກ້ຄຽງກັບເຂດຫວ່າງຫ້າມເດັດຂາດ ຊຶ່ງອະນຸຍາດ ໃຫ້ປະຊາຊົນນຳໃຊ້ໂດຍມີ ການຈຳກັດ ກ່ຽວກັບການຂຸດຄົ້ນໄມ້, ພະລັດຕະພັນປ່າໄມ້ ແລະ ການລ່າເບື້ອ ປະຊາຊົນທີ່ ມີ ພູມລ່າເບື້ອຢູ່ໃນປ່າສະຫງວນມາກ່ອນ ສາມາດດຳເນີນກິດຈະການຕ່າງໆ ແລະ ຄົນໃຊ້ຊັບພະ ຍາກອນປ່າໄມ້ ຕາມລະບຽບຫຼັກການ, ແພນການຈັດສັນ ແລະ ກົດລະບຽບສະເພາະ ແນໃສ່ ເຮັດໃຫ້ການນຳໃຊ້ຊັບພະຍາກອນປ່າໄມ້ເຂດດັ່ງກ່າວໃຫ້ອື່ນນານ ແລະ ປົກປັກຮັກສາເຂດຫວ່າງຫ້າມເດັດຂາດຢ່າງມີປະສິດທິພາບ

ເຂດເຊື່ອມຕໍ່ ແມ່ນແລວປ່າ ຫລື ທີ່ດິນປ່າໄມ້ ຊຶ່ງເປັນທາງທຽວຂອງສັດ ທີ່ເຊື່ອມຕໍ່ ລະຫວ່າງປ່າສະຫງວນດ້ວຍກັນ ຫລື ລະຫວ່າງປ່າສະຫງວນ ແລະ ບ້າປະເພດອື່ນ ແນໃສ່ ປົກປັກຮັກສາ ໃຫ້ມີການຄົງຕົວ ແລະ ການຂະຫຍາຍຕົວ ຂອງສັດປ່າ ໃນເຂດດັ່ງກ່າວ ຫ້າມລ່າສັດ, ຕັດຕົ້ນໄມ້ ດຳເນີນກິດຈະການປ່າໄມ້ ຫລື ກິດຈະການອື່ນ ທີ່ເປັນການ ກົດຂວາງ ຫລື ທຳລາຍທາງທຽວຂອງສັດ.



ເຂດກັບຄືນ ແມ່ນເຂດບາ.ລ້ ແລະ ທີ່ດິນບາ.ລ້ ທີ່ຢູ່ອ້ອມຮອບຂອບເຂດບາສະຫງວນ ແລະ ເຂດເຮືອນຄຳ ສັງຄົມຊື່ນ ເພື່ອປ້ອງກັນ ການບຸກລຸກທຳລາຍປ່າສະຫງວນ ໃນເຂດດັ່ງກ່າວ ສາມາດເຄື່ອນໄຫວກິດຈະກຳຕ່າງໆ ແລະ ບໍ່ໄດ້ໃຊ້ອັບພະຍາກອນປ່າ.ລ້ ການ ປະເພນີ ເພື່ອຊົມໃຊ້ກອບໃນຄອບຄົວ ການລະບຽບການຢ່າງເຂັ້ມງວດ ເອົາ ການເກັບກູ້ ເຄື່ອງປາຂອງດົງແບບອື່ນໆ ການປະກອບຮູບ ການປຸກພືດ-ລ້ຽງສັດ ປູກ ຄົ້ນເພີ່ ແລະ ອື່ນໆ ບັນດາກິດຈະກຳຕ່າງໆ ໃນເຂດກັບຄືນນີ້ແມ່ນຕ້ອງໄດ້ຮັບອະນຸຍາດ ຈາກອຳນາດກູ້ກຳບົກຄອງທ້ອງຖິ່ນ ກໍຄື ອົງການຈັດຕັ້ງທີ່ກ່ຽວຂ້ອງ

ລະບົບ ປີໄວດ : ແມ່ນການພົວພັນ ຊຶ່ງກັນ ແລະ ກັນ ຂອງອົງປະກອບ ທີ່ມີສິດິດ ແລະ ບໍ່ມີ ສິດິດ ຢູ່ໃນສິ່ງແວດລ້ອມທຳມະຊາດສະເພາະຂອງມັນ

ສິ່ງປະກອບພັນ : ແມ່ນບັນດາສິ່ງທີ່ມີສິດິດ ສິ່ງລວມທັງ ພັນພືດ ແລະ ພັນສັດ ທຸກອະນິດ ພ້ອມດ້ວຍຄວາມອຸດົມຮັ່ງມີ ຂອງລະບົບອົວປະທະອາກາສທຳມະຊາດ ເຊິ່ງລວມທັງກຸ່ມທີ່ຢູ່ ອາໄສຂອງພັນພືດ, ພັນສັດ ປະຊາກອນ ແລະ ອົງປະກອບ ທາງດ້ານອຸນະພົດພັນ

ສັດປະເພດຫວາຫ້າມ : ແມ່ນບັນດາ ສັດປ່າ ແລະ ສັດນ້ຳ ທີ່ຫາຍາກ, ໃກ້ຈະສູນພັນ, ມີຄຸນ ຄ່າສູງ, ມີຄວາມສຳຄັນພິເສດ, ມີຄຸນປະໂຫຍດ ຕໍ່ເສດຖະກິດ- ສັງຄົມ ແລະ ສິ່ງແວດ ລ້ອມທຳມະຊາດ

ສັດປະເພດຄຸ້ມຄອງ : ແມ່ນບັນດາ ສັດປ່າ ແລະ ສັດນ້ຳ ທີ່ຍັງມີຫລາຍຢູ່ຕາມທຳມະຊາດ ທີ່ປະຊາຊົນ ບັນດາເຜົ່າ ສາມາດຊົມໃຊ້ ເພື່ອການດຳລົງສິດິດ ການປະເພນີ ແລະ ການ ລະດູກຳມ ທີ່ອະນຸຍາດ ແລະ ບໍ່ມີລັກສະນະດັບສູງ.

ວັງສະຫງວນ : ແມ່ນບາງກອນຂອງລ່າເຊ, ລ່າຫ້ວຍ, ແມ່ນ້ຳ ແລະ ຫນອງນ້ຳທຳມະຊາດ ທີ່ຖືກກຳນົດຈາກ ປະຊາຊົນສ່ວນບຸກຄົນ, ລວມໝູ່ ແລະ ອຳນາດການປົກຄອງບ້ານ ເພື່ອ ຈຸດປະສົງ ໃນການປົກປັກຮັກສາ ກຸ່ມຢູ່ອາໄສ ແລະ ການຂະຫຍາຍພັນຂອງບັນດາສັດນ້ຳ ການຊົມໃຊ້ອັບພະຍາກອນ ສັດນ້ຳ ຢູ່ໃນເຂດດັ່ງກ່າວຕ້ອງປະຕິບັດຕາມບັນດາກົດລະບຽບ ຕ່າງໆທີ່ໄດ້ວາງຂອກ

ລະດູຫ້າມລ່າສັດ : ແມ່ນໄລຍະເວລາ ແຕ່ວັນທີ 1 ເດືອນ 5 ຫາ ວັນທີ 31 ເດືອນ 10 ຂອງທຸກໆປີ ຊຶ່ງເປັນລະດູກຳມ ທີ່ສັດນ້ຳ ແລະ ສັດນ້ຳ ໄດ້ມີໂອກາດ ແລະ ເງື່ອນໄຂປະສົມ ພັນ ແລະ ຂະຫຍາຍພັນຕາມທຳມະຊາດ

ການມີໄວ້ ໃນຄອບຄອງ : ແມ່ນການບຳເຮົາ ພືດ ສັດປ່າ ແລະ ສັດນ້ຳ , ລວມທັງການບຳ ເຮົາສັບສ່ວນຕ່າງໆຂອງສັດປ່າ ແລະ ສັດນ້ຳ ມາໄວ້ເປັນກຳມະສິດເພື່ອຈຸດປະສົງຂະຫຍາຍ ພັນ, ລ້ຽງ, ບຳໃຊ້, ການຄ້າ ແລະ ການສຶກສາ ຄື້ບໍ່ຄ້ວາທິດລອງທາງດ້ານວິທະຍາສາດ.



ໝວດທີ 2

ການສ້າງຕັ້ງ ປ່າສະຫງວນແຫ່ງຊາດ

ມາດຕາ 5 : ຂັ້ນຕອນ ໃນການສ້າງຕັ້ງ ປ່າສະຫງວນ ແຫ່ງຊາດ

ກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້ ເປັນເຈົ້າການປະສານສົມທົບບ່າແຂວງ, ນະຄອນຫລວງ ແລະ ເຂດພິເສດ ປະກອບເອກະສານຂໍສ້າງຕັ້ງປ່າສະຫງວນແຫ່ງຊາດຢ່າງຄົບຖ້ວນ, ເພື່ອນໍາສະເໜີນາຍົກລັດຖະມົນຕີ ພິຈາລະນາອະນຸມັດ.

ເອກະສານ ດ້ານວິຊາການ ກ່ຽວກັບ ການຂໍສະເໜີສ້າງຕັ້ງ ເປັນປ່າສະຫງວນ ປະກອບດ້ວຍ :

- ພົນສໍາເລັດຂອງການສໍາຫຼວດເບື້ອງຕົ້ນ ກ່ຽວກັບຄຸນລັກສະນະຂອງພື້ນທີ່ ແລະ ເສດຖະກິດ-ສັງຄົມ ຂອງໝູ່ບ້ານທີ່ຢູ່ໃນ ແລະ ອ້ອມຂ້າງເຂດປ່າສະຫງວນ
- ແຜນທີ່ ສະແດງທີ່ຕັ້ງ ແລະ ຂອບເຂດ ມາດຕາສ່ວນ ຢ່າງຕໍ່າ 1 : 100.000 ຫຼື 1 : 50.000
- ພົນສໍາເລັດ ການປຶກສາຫາລື ຂອງບັນດາ ການຈັດຕັ້ງ ແລະ ພາກສ່ວນທີ່ກ່ຽວຂ້ອງທີ່ຈະໄດ້ຮັບຜົນກະທົບ ໃນການສ້າງຕັ້ງປ່າສະຫງວນ.

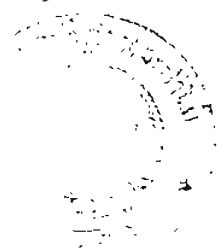
ມາດຕາ 6 : ການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດຊົ່ວຄາວ

ພາຍຫຼັງ ທີ່ນໍາສົ່ງເອກະສານຢັ້ງຢືນ ທາງດ້ານວິຊາການ ເພື່ອສະເໜີຂໍອະນຸຍາດສ້າງຕັ້ງປ່າສະຫງວນແຫ່ງຊາດ ໃນໄລຍະ ລ່ຽມການອະນຸມັດ ຕ້ອງມີການຄຸ້ມຄອງຊົ່ວຄາວ ແລະ ບໍ່ອະນຸຍາດ ໃຫ້ມີການດໍາເນີນ ກິດຈະການປ່າໄມ້ ທີ່ເຫັນວ່າ ຜິດຕໍ່ລະບຽບກົດໝາຍ ໃນຂອບເຂດປ່າສະຫງວນ ດັ່ງກ່າວ, ໃນເວລາດຽວກັນນັ້ນ ກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ຈະແຈ້ງໃຫ້ ພະແນກ ກະສິກໍາ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ຈັດຕັ້ງປະຕິບັດ ໃນການຄຸ້ມຄອງປ່າສະຫງວນຊົ່ວຄາວ.

ມາດຕາ 7 : ຂັ້ນຕອນ ໃນການປ່ຽນແປງ ເຂດແດນປ່າສະຫງວນແຫ່ງຊາດຄືນໃໝ່

ກໍລະນີຕ້ອງການປ່ຽນແປງ ເຂດແດນປ່າສະຫງວນຄືນໃໝ່ ພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ຕ້ອງສະເໜີເຫດຜົນຕ່າງໆ, ຈຸດທີ່ຕັ້ງ ແລະ ເຂດແດນ ທີ່ຕ້ອງການປ່ຽນແປງ ເຊິ່ງພົວພັນກັບແຜນການຄຸ້ມຄອງປ່າສະຫງວນພ້ອມກັນນັ້ນ ກໍຕ້ອງໄດ້ຮັບການເຫັນດີ ເປັນເອກະພາບ ຈາກອໍານາດການປົກຄອງເມືອງ ແລະ ແຂວງ ທີ່ກ່ຽວຂ້ອງແລ້ວສະເໜີຫາກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້ ເພື່ອຄົ້ນຄວ້າ ແລະ ນຶຄໍາເຫັນ ໃຫ້ ນາຍົກລັດຖະມົນຕີ ພິຈາລະນາ ອະນຸມັດ.

ມາດຕາ 8 : ປ່າສະຫງວນແຫ່ງຊາດ ທີ່ໄດ້ກຳນົດສ້າງຕັ້ງຂຶ້ນ ໃນ ຂອບເຂດ ຫົວປະເທດ, ບັດຈຸບັນຢູ່ໃນ ສປປ ລາວ ມີປ່າສະຫງວນແຫ່ງຊາດ 20 ແຫ່ງ ແລະ ມີເນື້ອທີ່ທັງໝົດ 3.310.200 ເຮັກຕາ ຊຶ່ງປະກອບມີ ຄື :



ໝວດທີ 3

ການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ

ມາດຕາ 10 : ການແບ່ງເຂດ ປ່າສະຫງວນ ແຫ່ງຊາດ :

ປ່າສະຫງວນ ແຕ່ລະປະເພດ ຕ້ອງໄດ້ແບ່ງອອກເປັນ : ເຂດຫວັງຫ້າມເດັດຂາດ ແລະ ເຂດຄຸ້ມຄອງການນຳໃຊ້ໃນກໍລະນີຈຳເປັນ ແລະ ຕາມເງື່ອນໄຂທີ່ເໝາະສົມ ອາດມີເຂດເຊື່ອມຕໍ່ລະຫວ່າງປ່າສະຫງວນດ້ວຍກັນ ຫລື ລະຫວ່າງປ່າສະຫງວນ ແລະ ປ່າປະເພດອື່ນ, ສ່ວນເຂດກັນຊົນນັ້ນ ແມ່ນອາດມີຢູ່ອ້ອມຮອບ ຂອບເຂດປ່າສະຫງວນ ແລະ ເຂດເຊື່ອມຕໍ່, ຊຶ່ງມີຂະໜາດຕາມເງື່ອນໄຂຂອງພູມິປະເທດ

ໃນເຂດຄຸ້ມຄອງ ການນຳໃຊ້ ອັງອາດສາມາດ ແບ່ງອອກເປັນ ຫຼາຍເຂດ ອີງຕາມພື້ນຜິວຂອງການຈັດສັນທີ່ດິນປ່າໄມ້ ແລະ ແບ່ງດິນ-ແບ່ງປ່າ ຂອງບັນດາບ້ານ ທີ່ຢູ່ພາຍໃນ ແລະ ອອ້ມຂ້າງເຂດປ່າສະຫງວນ ເຊັ່ນ:

1. ເນື້ອທີ່ບ້ານ ແມ່ນເນື້ອທີ່ບ້ານ ທີ່ປະຊາຊົນຕັ້ງພູມລຳເນົາມາກ່ອນ ແລະ ຖືກຮັບຮູ້ ຈາກອຳນາດການປົກຄອງທ້ອງຖິ່ນ ຊຶ່ງອະນຸຍາດໃຫ້ມີການກໍ່ສ້າງ ອາຄານ, ໂຮງຮຽນ, ໂຮງໝໍ, ສຸກສາລາ, ວັດວາອາລາມ ແລະ ທີ່ພັກພາອາໄສ ຂອງປະຊາຊົນ.
2. ເນື້ອທີ່ພະລັດກະສິກຳຂອງບ້ານແມ່ນເນື້ອທີ່ ຊຶ່ງໄດ້ຈັດແບ່ງໄວ້ສະເພາະໃຫ້ປະຊາຊົນທີ່ອາໄສຢູ່ໃນ ຫຼື ອອ້ມຂ້າງປ່າສະຫງວນນຳໃຊ້ ເພື່ອການພະລັດເຊັ່ນ: ປູກຝັງ, ລ້ຽງສັດ ໂດຍການຮັບຮູ້ຈາກອຳນາດການປົກຄອງ ແລະ ຂະແໜງການທີ່ກ່ຽວຂ້ອງຕາມລະບຽບຫຼັກການ.
3. ເນື້ອທີ່ຊົມໃຊ້ຂອງບ້ານ ແມ່ນປ່າໄມ້ ທີ່ໄດ້ຈັດແບ່ງໄວ້ໃຫ້ປະຊາຊົນນຳໃຊ້ ຕາມປະເພນີ ເຊັ່ນ: ນຳໃຊ້ໄມ້ສຳລັບໃຊ້ສອຍພາຍໃນຄອບຄົວ, ການເກັບກູ້ ເຄື່ອງປ່າຂອງດົງ, ການລ່າສັດບາງລະບົດ ແລະ ອື່ນໆ, ແຕ່ການຊົມໃຊ້ຕ່າງໆເຫຼົ່ານັ້ນ ຕ້ອງບໍ່ສ້າງພົນກະທົບ ທີ່ຮ້າຍແຮງຕໍ່ທຳມະຊາດ. ເຂດປ່າຊົມໃຊ້ຂອງບ້ານຕ້ອງໄດ້ຖືກຮັບຮູ້ ຈາກອຳນາດການປົກຄອງ ແລະ ດຳເນີນການຄຸ້ມຄອງ ພາຍໃຕ້ຂໍ້ຕົກລົງຮ່ວມລະຫວ່າງບ້ານ ແລະ ເຂດປ່າສະຫງວນ ຕາມແຜນການຈັດສັນ ແລະ ຫຼັກວິຊາການ.
4. ປ່າສະຫງວນ ຂອງບ້ານ ແມ່ນເນື້ອທີ່ປ່າໄມ້ ແລະ ດິນປ່າໄມ້ ທີ່ນອນຢູ່ໃນເຂດທີ່ກຳນົດໃຫ້ບ້ານຄຸ້ມຄອງ ໂດຍສະເພາະ ຕາມລະບຽບການແບ່ງດິນ-ແບ່ງປ່າ ຂອງບ້ານ ຊຶ່ງຖືກກຳນົດໄວ້ ເພື່ອຈຸດປະສົງທາງດ້ານອະນຸລັກ ຫຼື ພື້ນຟູ ທຳມະຊາດ, ປະວັດສາດ ແລະ ວັດທະນະທຳ ເຊັ່ນ ປ່າສະຫງວນ ແລະ ປ່າປ້ອງກັນຂອງບ້ານ, ປ່າສັກສິດ ຫຼື ປ່າມະເຫສັກ ແລະ ອື່ນໆ ໂດຍມີການຮັບຮູ້ ຈາກອຳນາດການປົກຄອງທ້ອງຖິ່ນ

ມາດຕາ 11 : ການຮັບຮອງເອົາ ແລະ ການປ່ຽນແປງ ເຂດທີ່ໄດ້ກຳນົດ ໃນ ປ່າສະຫງວນ

ການຮັບຮອງເອົາ, ການປ່ຽນແປງ ເຂດທີ່ໄດ້ກຳນົດ ໃນປ່າສະຫງວນ ແລະ ການແບ່ງເຂດປ່າສະຫງວນ ຕາມມາດຕາ 10 ຂອງລະບຽບການສະບັບນີ້ແມ່ນໜ່ວຍງານຄຸ້ມຄອງປ່າສະຫງວນ ສົມທົບກັບຫ້ອງການກະສິກຳ ແລະ ປ່າໄມ້ເມືອງ ແລະ ພາກສ່ວນອື່ນໆ ຮ່ວມກັນຄົ້ນຄວ້າແລ້ວນຳສະເໜີຫາ ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ



ແລະ ເຂດພິເສດ ເພື່ອຄົ້ນຄວ້າ ນິຄົງເຫັນໃຫ້ກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້ ພິຈາລະນາ ອະນຸມັດຮັບຮອງເອົາ ສໍາລັບການບໍ່ປ່ຽນແປງເຂດແດນ ຂອງ 4 ເຂດຍ່ອຍ ພາຍໃນເຂດ ຄຸ້ມຄອງການປ່າໄມ້ນັ້ນ ຕ້ອງໄດ້ຮັບອະນຸຍາດ ຈາກພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ຈຶ່ງສາມາດດໍາເນີນການໄດ້

ມາດຕາ 12 : ການສໍາຫລວດ ຈັດສັນ ປ່າສະຫງວນ ແຫ່ງຊາດ ທີ່ໄດ້ສ້າງຕັ້ງຂຶ້ນ:

ກອງສໍາຫລວດ ແລະ ວາງແຜນປ່າໄມ້ ແລະ ກອງອະນຸລັກອັບພະຍາກອນປ່າໄມ້ ຂອງກົມປ່າໄມ້ລົງສົມທົບກັບຂະແໜງປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ເພື່ອສໍາຫລວດຈັດສັນ ສະພາບປ່າໄມ້ ແລະ ທິດິນປ່າໄມ້, ສໍາຫລວດເສດຖະກິດ-ສັງຄົມ, ຮ່ອງຮອຍທາງດ້ານປະຫວັດສາດ, ວັດທະນະທຳ, ຄວາມຫລາກຫລາຍ ທາງດ້ານ ຊີວະນາໆພັນ ແລະ ອື່ນໆ ແລ້ວສ້າງເປັນບົດວິພາກເສດຖະກິດ-ເຕັກນິກ ເພື່ອເປັນບ່ອນອີງໃນການສ້າງແຜນຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ.

ມາດຕາ 13 : ແຜນການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ

ກ່ອນການສ້າງແຜນການຄຸ້ມຄອງປ່າສະຫງວນ ກົມປ່າໄມ້ ຕ້ອງສົມທົບກັບພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ແຂວງ ແລະ ອໍານາດການປົກຄອງທ້ອງຖິ່ນ ຈັດຕັ້ງໃຫ້ມີໜ່ວຍງານ ຄຸ້ມຄອງປ່າສະຫງວນຂຶ້ນ ເພື່ອຮັບຜິດຊອບໃນການສ້າງແຜນການຄຸ້ມຄອງ ປ່າສະຫງວນ ໂດຍມີການເຂົ້າຮ່ວມ ຂອງອໍານາດການປົກຄອງບ້ານ, ທ້ອງການກະສິກໍາ ແລະ ປ່າໄມ້ ເມືອງ, ຂະແໜງປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ພ້ອມທັງຈາກພາກສ່ວນທີ່ກ່ຽວຂ້ອງອື່ນໆ. ການສ້າງແຜນການດັ່ງກ່າວນີ້ ຕ້ອງບົບພື້ນຖານບົດວິພາກເສດຖະກິດ ເຕັກນິກ ຂອງການສໍາຫລວດຈັດສັນ ຕາມທີ່ໄດ້ລະບຸໄວ້ ໃນມາດຕາ 12 ແລະ ນິອາຍຸບໍາໃສ້ໄດ້ ໃນໄລຍະ 10 ປີ.

ແຜນ ການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ ປະກອບດ້ວຍ :

- ແຜນແມ່ບົດ ກ່ຽວກັບການຄຸ້ມຄອງປ່າສະຫງວນ ຊຶ່ງຈັດແບ່ງອອກເປັນ ໄລຍະສັ້ນ, ໄລຍະກາງ ແລະ ໄລຍະຍາວ
- ແຜນປະຕິບັດປະຈຳປີ ຊຶ່ງສັງລວມ ແຜນການຄຸ້ມຄອງ ປ່າສະຫງວນຂອງແຕ່ລະເມືອງ ທີ່ຕິດກັບປ່າສະຫງວນລວມມີ : ແຜນວຽກ, ແຜນຄົນ ແລະ ແຜນເງິນ (ງົບປະມານ).

ມາດຕາ 14 : ການຮັບຮອງເອົາ ແຜນການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ

ກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້ ພິຈາລະນາ ຮັບຮອງອະນຸມັດ ແຜນການຄຸ້ມຄອງ ປ່າສະຫງວນດັ່ງກ່າວ ຈາກພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ທີ່ສະເໜີມາບົບພື້ນຖານ ທີ່ກົມປ່າໄມ້ ໄດ້ຄົ້ນຄວ້າ ແລະ ນິຄົງເຫັນ.



ມາດຕາ 15 : ເງື່ອນໄຂ ຂອງພະນັກງານຄຸ້ມຄອງ ປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ

ພະນັກງານຄຸ້ມຄອງປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ຕ້ອງແມ່ນ ພະນັກງານ ທີ່ມາຈາກ ຂະແໜງປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ທີ່ ຫນ່ວຍ ງານປ່າໄມ້ເມືອງ, ອຳນາດການປົກຄອງບ້ານ ແລະ ຈາກອົງການຈັດຕັ້ງຕ່າງໆຂອງບ້ານ ແລະ ຕ້ອງແມ່ນພູມິ ມີປະສົບການ ທາງດ້ານອະນຸລັກ ມີລະບຽບວິໄນ ມີແບບແຜນວິທີ ເຮັດວຽກ, ຫ້າວຫັນ, ໃຊ້ກະຊວງພາບສົມບູນ ແລະ ບໍ່ເຄີຍຕ້ອງໂທດ ກຽດກັບຄະດີທຳລາຍ ຊັບພະຍາກອນປ່າໄມ້ ແລະ ຄະດີອື່ນໆມາກ່ອນ

ມາດຕາ 16 : ບັນດາຂໍ້ເກືອດຫ້າມ ເພື່ອການຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ.

1. ຫ້າມ ດຳເນີນການຂຸດຄົ້ນໄມ້ທຸກຊະນິດ, ຂຸດຄົ້ນບໍ່ແຮ່, ສ້າງເຂື່ອນເກັບນ້ຳ, ກໍ່ສ້າງບັນດາ ກິດຈະການ ແລະ ກະໝົບຫຼິນທາງ, ເກັບກູ້ເຄື່ອງປ່າຂອງດົງ, ລ່າສັດ, ເຄື່ອນຍ້າຍພັນພືດ, ພັນສັດ ແລະ ການດຳເນີນ ກິດຈະການປ່າໄມ້ອື່ນໆ ໃນເຂດຫວງຫ້າມເດັດຂາດ ແລະ ເຂດ ເຊື່ອມຕໍ່.
2. ຫ້າມ ຈັບຈອງ, ຊີ້- ຂາຍເນື້ອທີ່ດິນ, ເຂົ້າມາ ດັງບ້ານເຮືອນ, ບຸກເບີກ ຂະຫຍາຍ ເນື້ອທີ່ນາ ໃໝ່, ການກຸ່ງປ່າເຮັດໄຮ່ ແລະ ອື່ນໆ ໃນຂອບເຂດປ່າສະຫງວນ ແລະ ເຂດເຊື່ອມຕໍ່.
3. ຫ້າມ ທຳການຂຸດຄົ້ນ, ຂຸດເຈາະ ຫຼື ຍົກອ້າຍວັດກູບຮານທີ່ມີຄຸນຄ່າ ທາງດ້ານປະຫວັດສາດ, ວັດທະນະທຳ ໃນຂອບເຂດປ່າສະຫງວນ ເວັ້ນເສຍແຕ່ໄດ້ຮັບອະນຸຍາດຈາກລັດຖະບານ.
4. ຫ້າມນຳສິ່ງເປິ້ນ ແລະ ເປັນພິດ ທີ່ຈະເປັນອັນຕະລາຍ ຕໍ່ປ່າໄມ້, ສັດປ່າ, ສັດນ້ຳ ແລະ ສິ່ງແວດລ້ອມມາກຸອກເທື່ອ ໃນຂອບເຂດປ່າສະຫງວນ ແລະ ເຂດເຊື່ອມຕໍ່ຢ່າງເດັດຂາດ.

ໝວດທີ 4

ການຄຸ້ມຄອງ ສັດປ່າ ແລະ ສັດນ້ຳ

ມາດຕາ 17 : ການຈັດປະເພດສັດປ່າ ແລະ ສັດນ້ຳ ຢູ່ໃນ ສປປ ລາວ.

ສັດປ່າ ແລະ ສັດນ້ຳ ຢູ່ໃນ ສປປ ລາວ ຖືກຈັດແບ່ງອອກເປັນ 2 ປະເພດຕາມລະດັບຄວາມ ສຳຄັນໃນການຄຸ້ມຄອງ ແລະ ສະພາບການກະຈາຍຂອງສັດປ່າ ແລະ ສັດນ້ຳ ຕ່າງໆຄື:

1. ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຫວງຫ້າມ ທີ່ບັນຈຸໄວ້ໃນບັນຊີ I .
2. ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຄຸ້ມຄອງ ທີ່ບັນຈຸໄວ້ໃນບັນຊີ II .
 - ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຫວງຫ້າມ (ບັນຊີ I) - ຫມາຍເຖິງສັດປ່າ ແລະ ສັດນ້ຳ ທີ່ຫາຍາກ, ໃກ້ຈະສູນພັນ, ມີຄຸນຄ່າສູງ ແລະ ສຳຄັນພິເສດຕໍ່ເສດຖະກິດ- ສັງຄົມ ແລະ ສິ່ງແວດລ້ອມ ຂອງຊາດ. ສັດປ່າປະເພດດັ່ງກ່າວແມ່ນຖືກຄຸ້ມຄອງ ຢ່າງເຂັ້ມງວດ. ການດຳເນີນກິດຈະການໃດໆທີ່ກ່ຽວຂ້ອງກັບສັດປ່າ ແລະ ສັດ ນ້ຳ ປະເພດນີ້ ຕ້ອງໄດ້ຮັບອະນຸຍາດຈາກກະຊວງ ກະສິກຳ ແລະ ປ່າໄມ້.
 - ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຄຸ້ມຄອງ (ບັນຊີ II) - ຫມາຍເຖິງສັດປ່າ ແລະ ສັດ ນ້ຳ ມີຄວາມສາມາດຂະຫຍາຍພັນອອກໄດ້ຢ່າງກວ້າງຂວາງຕາມທຳມະຊາດ. ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດດັ່ງກ່າວ ແມ່ນອະນຸຍາດໃຫ້ປະຊາຊົນບັນດາເຜົ່າ



ຄົມໂຂ້ ເພື່ອການດຳລົງຊີວິດຕາມປະເພນີ ທີ່ບໍ່ມີລັກສະນະດັບສູນ ພາຍໃຕ້

ລະບຽບການ ທີ່ລັດວາງອອກ

- ການຮັບຮອງ ແລະ ປ່ຽນແປງບັນຊີສັດປ່າ ແລະ ສັດນ້ຳ ແຕ່ລະປະເພດ ການ

ປ່ຽນແປງ ແລະ ບັນຈຸອະນິດພັນສັດປ່າ ແລະ ສັດນ້ຳ ຕ່າງໆເຂົ້າໃນບັນຊີ I ຫຼື II

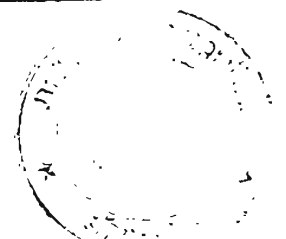
ແມ່ນກົມປ່າໄມ້ ເບັບຜູ້ຂັບຄວ້າ ແລະ ບ່າສະເຫມີ ກະຣວງກະສິກຳ ແລະ ປ່າໄມ້

ພິຈາລະນາອະນຸມັດ

ມາດຕາ 18 : ບັນຊີສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຫວງຫ້າມ (ບັນຊີ I)

ວ/ດ	ຊື່ພາສາລາວ	ຊື່ພາສາອັງກິດ	ຊື່ວິທະຍາສາດ
ສັດລ້ຽງລູກດ້ວຍນ້ຳນົມ			
01	ແຮດນ້ຳດຽວ(ກະຊຸ)	Lesser Onehorned Rhinoceros	<i>Rhinoceros sondaicus</i>
02	ແຮດສອງນ້ຳ	Asian Twohorned Rhinoceros	<i>Dicerohinus sumatresis</i>
03	ງົວບາ	Kouprey	<i>Bos sauveli</i>
04	ຊ້າງ	Asian Elephant	<i>Elephas maximus</i>
05	ຄວາຍປ່າ	Wild Water Buffalo	<i>Bubalus arnee</i>
06	ງົວປ່າ	Banteng	<i>Bos javanicus</i>
07	ເນີຍ - ກະທົງ	Gaur	<i>Bos gaurus</i>
08	ເໝືອຍ	Sunbear	<i>Ursus malayanus</i>
09	ໝີຄວາຍ	Asiatic Black Bear	<i>Ursus thibetanus</i>
10	ໝີແດງ	Red panda	<i>Ailurus fulgens</i>
11	ເຂືອໂຄ່ງ	Tiger	<i>Panthera tigris</i>
12	ເຂືອດາວ	Leopard	<i>Panthera pardus</i>
13	ເຂືອຕະກູດ	Clouded Leopard	<i>Pardofelis marmorata</i>
14	ເຂືອໄຟ	Asian Golden Cat	<i>Catopuma temmincki</i>
15	ເຂືອແມວລາຍຫີນອ່ອນ	Marble cat	<i>Felis marmorat</i>
16	ລະໂອງ/ນັງ	Eld's Deer	<i>Cervus eldii</i>
17	ອາຍ (ກວາງອາຍ)	Hog deer	<i>Axis porcinus</i>
18	ເຍືອງພາ	Longtailed Goral	<i>Naemorhedus caudatus</i>
19	ເຍືອງ	Southern Serow	<i>Naemorhedus sumatrensis</i>
20	ໝູງວງ	Asian Tapir	<i>Tapirus indicus</i>
21	ຂາແດງ	Redshanked Douc Langur	<i>Pygathrix nemaeus</i>
22	ທະນີແຂນຂາວ	Whitehanded Gibbon	<i>Hylobates iar</i>
23	ທະນີພົມຈຸກ	Pileated Gibbon	<i>Hylobates pileated</i>
24	ທະນີແກ້ມດຳ	Blackneeked Grested Gibbon	<i>Hylobates concolor</i>

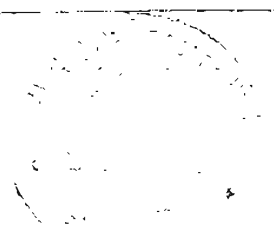
25	ທະນີແກ້ມຂາວ	Whitecheeked Crested Gibbon	<i>Hylobates leucogenys</i>
26	ໂອ່ງ	Francoi Langur	<i>Presbytis cristatus</i>
27	ຄ່າງ	Silvered Langur	<i>Presbytis cristatus</i>
28	ກວາງດາວ	Spotted Deer	<i>Cervus nippon</i>
29	ເສົາລາ	Saola	<i>Pseudoryx nghetinhensis</i>
30	ພານເຂົາໃຫຍ່	Largeantlered Muntjac	<i>Muntiacus vuquangensis</i>
31	ບ່າງລິ້ວ	Giant Flying Squirrel	<i>Petaurista spp.</i>
32	ບາກນ້ຳຂົນລຽບ	Smoothcoated Otter	<i>Lutrogale perspicillata</i>
33	ບາກນ້ຳເລັບສັ້ນ	Oriental Smallclawed Otter	<i>Aonyx cinerea</i>
34	ປາຂ່າ	Irrawady Dolphin	<i>Orcaella Brevirostris</i>
ສັດເລືອຄານ			
35	ແຂ້	Siamese Crocodile	<i>Crocodylus siamensis</i>
36	ເຕົາຄຳ	Chinese three striped Box Turtle	<i>Cuora trifasciata</i>
37	ກູຈິງອາງ	King cobra	<i>Ophiophagus hannah</i>
38	ກູຫລານ	Rock Python	<i>Python molurus molurus</i>
39	ກູເຫລືອມ	Reticulated Python	<i>Python reticulatus</i>
ນົກ			
40	ນົກຍຸງ	Green Peafowl	<i>Pavo muticus</i>
41	ນົກກົກຄຳ	Great Hornbill	<i>Buceros bicornis</i>
42	ນົກກົກຄຳ	Rufousnecked Hornbill	<i>Aceros nipalensis</i>
43	ນົກກົກກາ	Wreathed Hornbill	<i>Rhyticeros undulatus</i>
44	ແຮ້ງຄຳ	White Backed Vulture	<i>Gyps bengalensis</i>
45	ແຮ້ງຫົວແດງ	Redheaded Vulture	<i>Sarcogyps calvus</i>
46	ນົກວູ່ວາວ / ຍູງທອງ	Crested Argus	<i>Rheinardia ocellata</i>
47	ນົກເບັດກຳ ປີກຂາວ	Whitewinged Duck	<i>Cairina scutulata</i>
48	ນົກຂຽນ	Sarus Crane	<i>Grus antigone</i>
49	ນົກກາບບົວ	Painted Stork	<i>Ibis leucocephala</i>
50	ນົກອຸມລົວ	Giant Ibis	<i>Pseudibis gigantea</i>
51	ໄກ່ຂວາຫລວງ	Silver Pheasant	<i>Lophura nycthemera</i>
52	ໄກ່ຂວາປືນ	Siamese Fireback	<i>Lophura diardi</i>
53	ນົກກະສາຄໍຂາວ	Ciconia episcopus	<i>Woollynecked Stork</i>
54	ນົກກະອຸມແດງ	Greater Adjutant	<i>Leptolobus dubius</i>
55	ນົກຄຳກາບ	White Ibis	<i>Threskiornis melanocephalus</i>
56	ນົກຂີ້ກີ	Brown Wood Owl	<i>Strix leptogrammica</i>



57		
57	ປາໄຫລໄພພັກ	<i>Varanus salvator</i>

ມູນຄ່າ 19 ບັນທຶກ ສັດປ່າ ແລະ ສັດນ້ຳ ບະເພດຊັບຄອງ ບັນທຶກ

ລ/ດ	ຊື່ພາສາລາວ	ຊື່ພາສາອັງກິດ	ຊື່ວິທະຍາສາດ
ສັດມີງູດູກດ້ວຍນ້ຳນົມ			
1	ປິນ	Pangolin	<i>Manis javanica</i>
2	ໝາຈອກ	Jackal	<i>Canis aureus</i>
3	ໄກ້	Lesser Mouse Deer	<i>Tragulus javanicus</i>
4	ເພັຍ	Porcupine	<i>Eusorex brachyura</i>
5	ຟາບດົງ	Giant Muntjak	<i>Megamuntiacus maderensis</i>
6	ກວາງ	Sambar Deer	<i>Canis unicolor</i>
7	ລິງທຸກຂະໜາດ	Monkeys	<i>Macaca</i> spp
ສັດເລືອຄານ			
8	ເຫັຍ	Water monitor	<i>Varanus salvator</i>
9	ກະທ້າງ		<i>Varanus</i> spp
10	ເຕົາງັບດຳ	Asian Box Turtle	<i>Cuora amboinensis</i>
11	ເຕົາງັບເຜິ້ງ	Indochinese Box Turtle	<i>Cuora galbinifrons</i>
12	ເຕົາກຸອ/ ປຸລຸ/ ແລນ	Big headed Turtle	<i>Platysternon megalocephalum</i>
13	ເຕົາຫວາຍ	Giant Asian pond Turtle	<i>Heoseys grandis</i>
14	ເຕົາ ກິນ	Yellow-headed Temple Turtle	<i>Heiseys annandali</i>
15	ເຕົາ ສາມສັນ	Malayan Snail eating Turtle	<i>Maiaemys subdita</i>
16	ເຕົາ ສາມດ້ງມືງ	Keeled Box Turtle	<i>Pseudemys</i>
17	ເຕົາ ຫົວສີດາ	Foureyed Turtle	<i>Sacalia quadricolorata</i>
18	ເຕົາ ເພັກ	Elongated Tortoise	<i>Testudo elongata</i>
19	ເຕົາ ເຜິ້ງ ເດືອຍ	Impressed Tortoise	<i>Manauria impressa</i>
20	ປາຟາອອງທຸກຂະໜາດ	Soft shell Turtle	<i>Amysia</i> spp
21	ງູເຫົາ	Monocled Cobra	<i>Naja kaohia</i>
ເດ			
23	ບາເລື່ງ		<i>Visus microdon</i>
24	ບາຟາໄລ		<i>Amorotatus</i>



ບົກ			
25	ບົກແກງ	Oriental Pied Hornbill	<i>Anthracoceros albirostris</i>
26	ບົກແກງ ສີບໍ່ຕາຍ	Brown Hornbill	<i>Ptiliaemus tickelli</i>
27	ບົກສາວິກາ	Hill Myna	<i>Gracula religiosa</i>
28	ບົກຄໍຊຸ່ງ	Oriental Darter	<i>Anhinga melanogaster</i>
29	ບົກກາງກອດ	Grey Peacock Pheasant	<i>Polyplectron bicalcaratum</i>
30	ບົກແຂກເຕົ້າ	Red Breasted Parakeet	<i>Pittacula spo.</i>
31	ບົກຫົວຂວານ / ສະໄລ	Woodpecker	<i>Picus spp.</i>
32	ບົກແກ້ວ	Parakeets	<i>Psittacula spp.</i>
33	ບົກເປັດລາຍ	Garganey	<i>Anas querquedula</i>
34	ບົກເຂົ້າດູ່	Spotted necked dove	<i>Streptelia tranquebarica</i>
35	ບົກກະສາແດງ	Purple Heron	<i>Ardea purpurea</i>
36	ບົກເຄົ້າ	Owls	<i>Glaucidium spp</i>
37	ບົກແດບແຕ້	Reawattled Lapwing	<i>Vanellus indicus</i>
38	ແຫລວ	Imperial Eagle	<i>Aquila heliaca</i>

ມາດຕາ 20: ການມີໄວ້ຄອບຄອງ, ນໍາເຂົ້າ, ສົ່ງອອກ ແລະ ນໍາຜ່ານສັດປ່າ ແລະ ສັດນ້ຳ

ຢູ່ໃນ ສປປ ລາວ.

- ລັດສົ່ງເສີມໃຫ້ບຸກຄົນ ແລະ ການຈັດຕັ້ງຂະຫຍາຍພັນ ແລະ ລ້ຽງສັດປ່າ ແລະ ສັດນ້ຳບາງຊະນິດ ໃນຮູບແບບຂະຫຍາຍພັນເພື່ອການອະນຸລັກ ແລະ ແມ້ນຫລະກິດ ເພື່ອບໍລິການສັງຄົມ ຢູ່ພາຍໃນ ແລະ ສົ່ງອອກຕ່າງປະເທດກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້ ເປັນຜູ້ພິຈາລະນາກ່ຽວກັບການອະນຸຍາດຕາມລະບຽບກົດໝາຍຂອງ ສປປ ລາວ ແລະ ສາກົນ.
- ການມີໄວ້ຄອບຄອງ ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຫວາງຫ້າມແມ່ນບໍ່ອະນຸຍາດ. ເວັ້ນເສຍແຕ່ໃນກໍລະນີ ເພື່ອຈຸດປະສົງທາງດ້ານວິທະຍາສາດ ການຄົ້ນຄວ້າ ຫລື ຂະຫຍາຍພັນ ຕ້ອງໄດ້ຮັບອະນຸຍາດຈາກລັດຖະບານ ສ່ວນຂອງບຸກຄົນ ແລະ ອົງການຈັດຕັ້ງ ທີ່ມີນາຄອນແລ້ວ ແມ່ນຕ້ອງໄດ້ຮັບອະນຸຍາດ ແລະ ຂຶ້ນທະບຽນຈາກອົງການຈັດຕັ້ງຂອງລັດທີ່ກ່ຽວຂ້ອງພາຍໃຕ້ຂໍ້ແນະນຳຂອງກະຊວງ ກະສິກໍາ ແລະ ປ່າໄມ້.
- ທຸກໆການເຄື່ອນຍ້າຍສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຄຸ້ມຄອງ ຕ້ອງໄດ້ຮັບອະນຸຍາດ ເລີຍ.
 - ບ້ານຕໍ່ບ້ານຕ້ອງໄດ້ຮັບການເຫັນດີຈາກອຳນາດການປົກຄອງຂອງບ້ານທີ່ກ່ຽວຂ້ອງ ແລະ ໄດ້ຮັບອະນຸຍາດຈາກຫ້ອງການກະສິກໍາ ແລະ ປ່າໄມ້ ເມືອງ.
 - ເມືອງຕໍ່ເມືອງ ຕ້ອງໄດ້ຮັບການເຫັນດີຈາກ ຫ້ອງການກະສິກໍາ ແລະ ປ່າໄມ້ ເມືອງທີ່ກ່ຽວຂ້ອງ ແລະ ໄດ້ຮັບອະນຸຍາດຈາກພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ ແຂວງ. ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ
 - ແຂວງຕໍ່ແຂວງ ຕ້ອງໄດ້ຮັບການເຫັນດີຈາກ ຈາກພະແນກກະສິກໍາ ແລະ ປ່າໄມ້ ແຂວງ. ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດທີ່ກ່ຽວຂ້ອງ ແລະ ໄດ້ຮັບອະນຸຍາດຈາກກະຊວງກະສິກໍາ ແລະ ປ່າໄມ້



ການບໍາເຂົ້າ, ສົ່ງອອກ ແລະ ບໍາຜ່ານ ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດ ທີ່ໄດ້ກຳນົດໄວ້ ໃນ
ບັນຊີ I ແລະ II ຕ້ອງປະຕິບັດດັ່ງນີ້

❖ ສຳລັບອະນຸຍາດສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຫຼວງຫຼາຍທີ່ບັນຈຸຢູ່ໃນບັນຊີ I ຂອງ ສປປ
ລາວ ແລະ ບັນຊີ I ຂອງ (CITES) ບໍ່ອະນຸຍາດການບໍາເຂົ້າ, ສົ່ງອອກ ແລະ ບໍາຜ່ານ
ເພື່ອຈຸດປະສົງທາງທຸລະກິດ, ເວັ້ນເສຍແຕ່ ເພື່ອຈຸດປະສົງ ທາງດ້ານວິທະຍາສາດ,
ການຄົ້ນຄວ້າ ຫລື ຂະຫຍາຍພັນ.

❖ ຕ້ອງມີຫນັງສືອະນຸຍາດບໍາເຂົ້າທີ່ອອກໃຫ້ ໂດຍກະຊວງກະສິກຳ ແລະ ປ່າໄມ້, ມີໃບ
ອ້າງອີງ ກ່ຽວກັບການຂະຫຍາຍພັນ ຫລື ລ້ຽງ, ໃບອ້າງອີງກຸ້ນກຳເນີດ, ໃບອ້າງອີງ
ປອດພະຍາດ, ຫນັງສືພູກພັນ ລະຫວ່າງພູນຳເຂົ້າ, ຜູ້ສົ່ງອອກ ແລະ ຜູ້ບໍລິການບໍາຜ່ານ,
ນອກນັ້ນ ກໍ່ຍັງຕ້ອງມີໃບອ້າງອີງ ຈາກຫນ່ວຍງານຄຸ້ມຄອງການຄ້າອະນຸຍາດສັດປ່າ
ທີ່ໃກ້ຈະສູນພັນ(CITES) ຂອງປະເທດ ດ້ານທາງ ທີ່ເປັນສະມາຊິກຂອງອົງການ
(CITES) ອີກດ້ວຍ

ການຄ້າ:

ບໍ່ອະນຸຍາດໃຫ້ມີການຄ້າຂາຍສັດປ່າ ແລະ ສັດນ້ຳ ທີ່ນອນຢູ່ໃນບັນຊີ I ຫລື ບັນຊີ II
ອ້າງເດັດຂາດ, ສະເພາະສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຄຸ້ມຄອງ ບັນຊີ II ທີ່ມີໃບອະນຸຍາດ
ໃຫ້ຂະຫຍາຍພັນ ແລະ ລ້ຽງແມ່ນສາມາດຄ້າຂາຍໄດ້ ແລະ ຕ້ອງປະຕິບັດຕາມລະບຽບກົດ
ໝາຍຂອງ ສປປ ລາວ.

ມາດຕາ 21 : ຂໍ້ເກືອດຫ້າມ ເພື່ອການຄຸ້ມຄອງ ສັດປ່າ ແລະ ສັດນ້ຳ ໃນທົ່ວປະເທດ.

- ຫ້າມທຳການລ່າສັດປ່າ ແລະ ຫາສັດນ້ຳ ປະເພດຫຼວງຫຼາຍ (ບັນຊີ I) ໃນທຸກລະດູການອ້າງ
ເດັດຂາດ ເວັ້ນເສຍແຕ່ໄດ້ຮັບ ອະນຸຍາດ ຈາກກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ເພື່ອຈຸດປະສົງ
ໃນການສຶກສາຄົ້ນຄ້ວາທາງດ້ານວິທະຍາສາດ ແລະ ເພື່ອເປັນການປ້ອງກັນຄວາມປອດໄພ
ຂົງສັດດັ່ງກ່າວ ຈະທຳຮ້າຍ ຄົນ ແລະ ພືດພັນ ທາງດ້ານກະສິກຳ.
- ຫ້າມລ່າສັດປ່າ ແລະ ຫາສັດນ້ຳ ປະເພດຄຸ້ມຄອງ (ບັນຊີ II) ໃນລະດູຫ້າມລ່າສັດອ້າງເດັດຂາດ.
- ຫ້າມຈັບ ຫຼື ລ່າສັດປ່າ ແລະ ສັດນ້ຳທຸກອະນຸພັນ ທີ່ມີລູກນ້ອຍຕິດ, ສັດທີ່ຍັງນ້ອຍ ແລະ ສັດ
ຖືພາ ໃນທຸກລະດູການ
- ຫ້າມນຳໃຊ້ ອຸປະກອນ ແລະ ວິທີການ ລ່າສັດປ່າ ແລະ ຫາສັດນ້ຳ ທີ່ມີລັກສະນະດັບສູນອ້າງ
ສັບເຊີງເຊັ່ນ :

- ★ ລະເບີດ, ທາດເຄມີ ຫຼື ທາດເປືອ.
- ★ ກະແສໄຟຟ້າແລະ ສຽງຫຼຽມ
- ★ ອາວຸດສົງຄາມ ທຸກອະນຸພັນ, ປືນລຸກຫວ່ານ.
- ★ ແຮ້ວ, ຕະຣ້າຍ, ໝອງ, ອວບ ແລະ ວິທີການອື່ນໆ ທີ່ເປັນການກົດຂວາງ ການ
ຂະຫຍາຍພັນຂອງສັດ

- ຫ້າມດຳເນີນກິດຈະກຳທີ່ຮ້າຍແຮງຕ່າງໆ ທີ່ມີຜົນກະທົບຕໍ່ປະຊາກອນສັດປ່າ ແລະ ສັດນ້ຳ
ແລະ ກິນທີ່ຢູ່ອາໄສຂອງພວກມັນ



ບັນຊີ I ແລະ II

ໝວດທີ 5

ກອງທຶນພັດທະນາ ປ່າສະຫງວນແຫ່ງຊາດ

ມາດຕາ 22 : ທີ່ຕັ້ງ ແລະ ແຫຼ່ງທີ່ມາ ຂອງກອງທຶນພັດທະນາ ປ່າສະຫງວນແຫ່ງຊາດ

1. ທີ່ຕັ້ງຂອງກອງທຶນ : ທີ່ຕັ້ງຂອງກອງທຶນພັດທະນາປ່າສະຫງວນແຫ່ງຊາດ ອາດເປັນ ໝວຍງານເອກະລາດ ຕາມທີ່ໄດ້ກຳນົດໄວ້ ໃນມາດຕາ 47 ຂອງກົດໝາຍປ່າໄມ້ ຫຼື ອາດເປັນສ່ວນໜຶ່ງຂອງກອງທຶນສິ່ງແວດລ້ອມແຫ່ງຊາດ
2. ແຫຼ່ງທີ່ມາຂອງກອງທຶນ : ເພື່ອຮັບປະກັນ ໃຫ້ວຽກງານປົກປັກຮັກສາຊັບພະຍາກອນ ປ່າໄມ້, ສັດປ່າ, ສັດນ້ຳ, ແຫຼ່ງນ້ຳ ແລະ ສິ່ງແວດລ້ອມ ພາຍໃນປ່າສະຫງວນດຳເນີນໄປຢ່າງ ມີປະສິດທິຜົນລັດຈຳເປັນຕ້ອງສ້າງກອງທຶນພັດທະນາປ່າສະຫງວນຂຶ້ນຊຶ່ງປະກອບດ້ວຍ
 - ງົບປະມານຂອງລັດ.
 - ຄ່າທຳນຽມ ເຂົ້າໄປທ່ຽວຊົມ ປ່າສະຫງວນ
 - ຄ່າປັບໃໝ ຜູ້ກະທຳຜິດ ລະບຽບການປ່າສະຫງວນ
 - ຄ່າທີ່ໄດ້ ຈາກການເສຍອາກອນ ຫຼື ຄ່າບຸລະນະ ນຳ ພາກສ່ວນ ທີ່ດຳເນີນ ກິດຈະການ ຫຼື ທຸລະກິດ ຢູ່ໃນເຂດປ່າສະຫງວນ ເຊັ່ນ: ການສ້າງເຂື່ອນໄຟຟ້ານ້ຳຕົກ, ສ້າງສາລະຄະດີ, ກ່າຍພາບຕ່າງໆ ແລະ ກິດຈະການອື່ນໆ ທີ່ລັດຖະບານ ອະນຸມັດ ໃນຂອບເຂດປ່າສະຫງວນ
 - ການປະກອບສ່ວນຂອງບຸກຄົນ, ລວມໝູ່, ການຈັດຕັ້ງສັງຄົມ, ອົງການຈັດຕັ້ງສາກົນ ແລະ ອື່ນໆ

ມາດຕາ 23 : ການນຳໃຊ້ທຶນ ພັດທະນາ ປ່າສະຫງວນແຫ່ງຊາດ

ກອງທຶນພັດທະນາ ປ່າສະຫງວນ ໃຫ້ນຳໃຊ້ ເຂົ້າສະເພາະແກ່ ວຽກງານຄຸ້ມຄອງ, ບໍລິຫານ ແລະ ຈັດສັນ ປ່າສະຫງວນເທົ່ານັ້ນ ເປັນຕົ້ນ ແມ່ນການປົກປັກຮັກສາ ແຫຼ່ງນ້ຳ, ສັດປ່າ, ສັດນ້ຳ ແລະ ສິ່ງແວດລ້ອມ ພາຍໃນ ປ່າສະຫງວນ, ການໂຄສະນາເພື່ອແພ່ລະບຽບ ກົດໝາຍ, ການພັກອົບຮົມ, ວຽກງານສົ່ງເສີມ ແລະ ປະຕິບັດນະໂຍບາຍຕໍ່ຜູ້ມີຜົນງານ ທີ່ໄດ້ ກຳນົດໄວ້ ໃນມາດຕາ 27 ຂອງລະບຽບການສະບັບນີ້.

ໝວດທີ 6

ສິດ ແລະ ໜ້າທີ່ ຂອງອົງການຈັດຕັ້ງລັດໃນການ ຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ, ສັດປ່າ ແລະ ສັດນ້ຳ

ມາດຕາ 24 : ຂອບເຂດ ສິດ ແລະ ໜ້າທີ່ ຂອງກົມປ່າໄມ້ (ກອງອະນຸລັກຊັບພະຍາກອນປ່າໄມ້)

ກົມປ່າໄມ້ ມີສິດ ແລະ ໜ້າທີ່ ຕົ້ນຕໍ ໃນການຄຸ້ມຄອງປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ດັ່ງນີ້ :

1. ເປັນເສນາທິການ ໃຫ້ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ໃນການພັນຂະຫຍາຍແນວທາງ ອຸດທະສາດ, ແຜນນະໂຍບາຍ ແລະ ນະໂຍບາຍຂອງພັກ-ລັດ ໃຫ້ກາຍເປັນ ແຜນງານ, ໂຄງການລະອຽດ ແລະ ລະບຽບການ ເພື່ອຄຸ້ມຄອງປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ໃນຂອບເຂດທົ່ວປະເທດ.



2. ຄື້ນຄ້ວາວິທະຍາສາດ-ເຕັກນິກ ແລະ ຈັດຕັ້ງປະຕິບັດ ກ່າວກິດໝາຍດ້ານເຕັກນິກ ກ່ຽວກັບ ການຄຸ້ມຄອງ ແລະ ນຳໃຊ້ ບ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ພ້ອມທັງຄື້ນຄ້ວາ ແລະ ມີຄຳ ເຫັນກ່ຽວກັບ ການເຄື່ອນໄຫວ ບັນດາກິດຈະການຕ່າງໆ ໃນເຂດບ່າສະຫງວນ.
3. ຄື້ນຄ້ວາ ມາດຕະການ, ວິທີການ ຈັດຕັ້ງປະຕິບັດອ້າງເຂັ້ມງວດ ກ່ຽວກັບການຄຸ້ມຄອງ ບ່າສະຫງວນ ທີ່ລັດຖະບານໄດ້ຮັບຮອງ ໃນຂອບເຂດທົ່ວປະເທດ ພ້ອມທັງຟື້າລະບາ ແລະ ນຳສະເໜີ ຫາກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ເພື່ອຂໍອະນຸມັດຈາກລັດຖະບານກ່ຽວກັບການ ປ່ຽນແປງເຂດແດນບ່າສະຫງວນ.
4. ສຶກສາ ຄື້ນຄ້ວາ ກ່ຽວກັບສັດປ່າ ແລະ ສັດນ້ຳ ພາຍໃນບ່າສະຫງວນ ທີ່ຍັງບໍ່ທັນມີຂໍ້ມູນ ພ້ອມທັງກຳນົດ, ດັດແກ້, ສຶດຕາມ ແລະ ກວດກາ ການສ້າງບັນຊີລາຍຊື່ ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຕ່າງໆ ນຳສະເໜີຫາກະຊວງ ກະສິກຳ ແລະ ປ່າໄມ້ ເພື່ອຂໍອະນຸມັດ ແລະ ປະເມີນພົນກະທົບ ຕໍ່ຊັບພະຍາກອນປ່າໄມ້, ສັດປ່າ ແລະ ສັດນ້ຳໃນຂອບເຂດ ທົ່ວປະເທດ
5. ຊີ້ນຳ ແລະ ຄວບຄຸມການສົ່ງອອກ, ນຳເຂົ້າ ແລະ ຄ້າຂາຍສັດນ້ຳ ແລະ ສັດປ່າອ້າງເຂັ້ມງວດ
6. ນຳສະເໜີຫາ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ ເພື່ອອອກໃບອະນຸຍາດ, ບັນທຶກ ແລະ ເກັບກຳ ຂໍ້ມູນຕ່າງໆ ເຊັ່ນ : ການສຶກສາຄື້ນຄ້ວາ, ການ ອະນຸຍາດ ໃຫ້ບຸກຄົນ, ບໍລິສັດ, ວິສາຫະກິດ ທຳການລ້ຽງ ຂະຫຍາຍພັນ ສັດນ້ຳ ແລະ ສັດປ່າ ເພື່ອ ຈຸດປະສົງ ໃນການຮັກສາພັນສັດປ່າ ແລະ ສັດນ້ຳ ທີ່ໃກ້ຈະສູນພັນ.
7. ເຮັດ ບົດແນະນຳ ແລະ ແຈ້ງການ ກ່ຽວກັບການເຄື່ອນໄຫວ ສ້າງ ຂະບວນການ ສະເຫຼີມ ສະຫຼ່ອງວັນທີ 13 ກໍລະກົດ ວັນປ່ອຍປ່າ ແລະ ປົກປັກຮັກສາ ສັດປ່າ ແລະ ສັດນ້ຳແຫ່ງຊາດ ເພື່ອ ສ້າງສະຕິຮັກຫອມ ແລະ ປົກປັກຮັກສາ ສັດປ່າ, ສັດນ້ຳ ແລະ ສິ່ງແວດລ້ອມໃຫ້ແກ່ ປະຊາຊົນບັນດາເຜົ່າ.
8. ຂຶ້ນແຜນການ ແລະ ງົບປະມານ, ຄຸ້ມຄອງ ແລະ ນຳໃຊ້ ງົບປະມານ ເພື່ອພັດທະນາປ່າໄມ້ ແລະ ວຽກງານອະນຸລັກ ເຂົ້າໃນການປົກປັກຮັກສາ ສັດປ່າ ແລະ ສັດນ້ຳ.
9. ຄຸ້ມຄອງຮັກສາຂໍ້ມູນ ກ່ຽວກັບ ກິດຈະການຄ້າຂາຍ ສັດປ່າ ແລະ ສັດນ້ຳ, ການມອບອາວຸດ ລ່າເນື້ອທຸກຊະນິດ ດະຫຼອດຮອດ ຂໍ້ມູນການອອກທະບຽນ ອະນຸຍາດ ໃຫ້ກິອາວຸດ ລ່າເນື້ອ ຂໍ້ມູນ ກ່ຽວກັບ ນະໂຍບາຍ ຕໍ່ຜູ້ມີພິນງານ, ແລະ ມາດຕະການ ຕໍ່ ຜູ້ລະເມີດ.
10. ສ້າງ ສາຍພົວພັນຮ່ວມມືກັບສາກົນ ໃນການແລກປ່ຽນ ຂໍ້ມູນຂ່າວສານ ດ້ານເຕັກນິກ- ວິທະຍາສາດ, ອາດແຍ່ງການຊ່ວຍເຫຼືອ ທາງດ້ານທຶນຈາກສາກົນ ເພື່ອມາພິກອົບຮົມໃຫ້ ພະນັກງານ ຍົກລະດັບຄວາມຮູ້ຄວາມສາມາດ ທາງດ້ານວິຊາການ ໃນການຄຸ້ມຄອງບ່າ ສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ໃນ ສ ປ ປ ລາວ

ມາດຕາ 25 : ຂອບເຂດ ສິດ ແລະ ໜ້າທີ່ ຂອງຂະແໜງປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ:

ຂະແໜງປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ມີສິດ ແລະ ໜ້າທີ່ ດັ່ງນີ້ :

1. ເປັນເສນາທິການໂດຍກົງໃຫ້ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ, ເຂດພິເສດ ແລະ ກົມປ່າໄມ້ ໃນການຮັບຜິດຊອບ, ວາງແຜນ, ກວດກາ ແລະ ຈັດຕັ້ງ

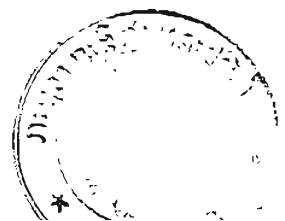
ຄຸ້ມຄອງພະຫາພາກ ຕາມສາຍຕັ້ງ ແລະ ສາຍຂວາງ ກ່ຽວກັບວຽກງານປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ

2. ປະສານສົມທົບ ກັບພາກສ່ວນກ່ຽວຂ້ອງໃນທ້ອງຖິ່ນຂອງຕົນ ໃນການປົກປັກຮັກສາປ່າໄມ້, ສັດປ່າ ແລະ ສັດນ້ຳ ພາຍໃນປ່າສະຫງວນ.
3. ຄົ້ນຄ້ວາ ແລະ ມີຄຳເຫັນ ເພື່ອນຳສະເໜີ ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ ແຂວງ, ນະຄອນຫລວງວຽງຈັນ, ເຂດພິເສດ ແລະ ກົມປ່າໄມ້ ກ່ຽວກັບການດຳເນີນບັນດາກິດຈະການຕ່າງໆ ໃນປ່າສະຫງວນ ແລະ ການປ່ຽນແປງ ເຂດແດນຂອງປ່າສະຫງວນ.
4. ຈັດຕັ້ງໜ່ວຍງານຄຸ້ມຄອງ ປ່າສະຫງວນແຫ່ງຊາດ ແລະ ຊັ້ນນຳ ໜ່ວຍງານປ່າໄມ້ເມືອງກ່ຽວກັບການຄຸ້ມຄອງ ແລະ ຂຶ້ນທະບຽນ ສັດປ່າ ແລະ ສັດນ້ຳ ປະເພດຫວງຫ້າມ ແລະ ຄຸ້ມຄອງທີ່ມີໄວ້ໃນຄອບຄອງ ແລະ ເຄີຍລ້ຽງກັນມາຕາມປະເພນີ.
5. ປະສານສົມທົບກັບທຸກພາກສ່ວນຂອງສັງຄົມ ເພື່ອປຸກລະດົມສ້າງຈິດສຳນຶກ ໃຫ້ແກ່ປະຊາຊົນບັນດາເຜົ່າ ເພື່ອສ້າງໃຫ້ມີສະຕິ ຮັກຫອມ ແລະ ປົກປັກຮັກສາປ່າໄມ້, ສັດປ່າ ແລະ ສັດນ້ຳ.
6. ຕິດຕາມກວດກາ ການລັກລອບ ຄ້າຂາຍ ສັດປ່າ ແລະ ສັດນ້ຳ, ປະຕິບັດ, ນະໂຍບາຍ ຕໍ່ ຜູ້ມີພິນງານ ແລະ ນຳໃຊ້ມາດຕະການຕໍ່ຜູ້ລະເມີດ ລະບຽບກົດໝາຍ ໂດຍສະເພາະ ຢູ່ທ້ອງຖິ່ນຂອງຕົນຮັບຜິດຊອບ ແລ້ວລາຍງານຕໍ່ ພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ, ເຂດພິເສດ ແລະ ກົມປ່າໄມ້ ຊາບ.
7. ສະຫຼຸບລາຍງານ ພົນການປະຕິບັດວຽກງານ ປົກປັກຮັກສາປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ປະຈຳງວດ, ທົກເຕືອນ, ປະຈຳປີ ແລະ ສ້າງແຜນການ ເຄື່ອນໄຫວວຽກງານ ປະຈຳງວດ ແລະ ປະຈຳປີ ໃຫ້ ພະແນກ ກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ, ເຂດພິເສດ ແລະ ກົມປ່າໄມ້.
8. ເຜີຍແຜ່ ປຶ້ມຄູ່ມື ກ່ຽວກັບການອະນຸລັກຊັບພະຍາກອນປ່າໄມ້, ສັດປ່າ ແລະ ສັດນ້ຳ.
9. ຄຸ້ມຄອງ ແລະ ຂຶ້ນທະບຽນ ປືນລ່າເບື້ອ ທຸກຊະນິດ.
10. ສົມທົບກັບກົມປ່າໄມ້ ແລະ ສະກຸນບັນຄົ້ນຄວ້າກະສິກຳ ແລະ ປ່າໄມ້ ໃນການສຳຫຼວດ ແລະ ສຶກສາຄົ້ນຄ້ວາກ່ຽວກັບສັດປ່າ ແລະ ສັດນ້ຳ ພາຍໃນປ່າສະຫງວນ ທີ່ຍັງບໍ່ທັນມີຂໍ້ມູນ.

ມາດຕາ 26 : ຂອບເຂດ ສິດ ແລະ ໜ້າທີ່ ຂອງໜ່ວຍງານຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ:

ໜ່ວຍງານຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດມີສິດ ແລະ ໜ້າທີ່ ດື່ມຕໍ່ໃນການຄຸ້ມຄອງປ່າສະຫງວນແຫ່ງຊາດ, ສັດນ້ຳ ແລະ ສັດປ່າ ດັ່ງນີ້ :

1. ເປັນເສນາທິການ ໃຫ້ ທ້ອງການກະສິກຳ ແລະ ປ່າໄມ້ເມືອງ, ຂະແໜງປ່າໄມ້ ແຂວງ, ນະຄອນຫລວງວຽງຈັນ, ເຂດພິເສດ ແລະ ກອງອະນຸລັກຊັບພະຍາກອນປ່າໄມ້ ໃນການຈັດຕັ້ງປະຕິບັດຕົວຈິງ ກ່ຽວກັບວຽກງານຄຸ້ມຄອງປ່າສະຫງວນ, ສັດນ້ຳ ແລະ ສັດປ່າ ເປັນຕົ້ນ ແມ່ນ ບັນດາ ແຜນງານ, ໂຄງການ, ແຜນການ, ຂໍ້ກຳນົດ, ກົດລະບຽບ, ຄຳສັ່ງ, ແຈ້ງການ ແລະ ຂໍ້ແນະນຳຕ່າງໆ ຂອງພະແນກກະສິກຳ ແລະ ປ່າໄມ້ແຂວງ, ນະຄອນຫລວງວຽງຈັນ ແລະ ເຂດພິເສດ ວ່າງອອກ.
2. ຮັບຜິດຊອບ ຈັດຕັ້ງ ປະຊາຊົນ ຢູ່ຂັ້ນບ້ານ ຄຸ້ມຄອງ ແລະ ປົກປັກຮັກສາປ່າໄມ້, ສັດນ້ຳ ແລະ ສັດປ່າ ພາຍໃນປ່າສະຫງວນ ຢ່າງເຂັ້ມງວດ.



3. ຕິດຕາມ, ກວດກາ ແລະ ສະກັດກັ້ນ ການລ່າເບື້ອ ແລະ ຊີ້-ຂາຍ ສັດນ້ຳ ແລະ ສັດປ່າ ທີ່ບໍ່ ກົກຕ້ອງຕາມລະບຽບການ
4. ສົມທົບ ກັບບ້ານ ສ້າງລະບຽບການສະເພາະ ກ່ຽວກັບ ບັນຍັດປັກຮັກສາ ວັງສະຫງວນ ທີ່ຢູ່ ພາຍໃຕ້ຄວາມຮັບຜິດຊອບຂອງຕົນ
5. ຄົ້ນຄວ້າ ແລະ ມີຄຳເຫັນ ກ່ຽວກັບການດຳເນີນບັນດາກິດຈະການຕ່າງໆ ໃນຂອບເຂດປ່າ ສະຫງວນ ຄົ້ນຄວ້າ, ກຳນົດຄ່າບໍລິການຕ່າງໆ ໃນການຊົມໃຊ້ປ່າສະຫງວນເຂັ້ມ : ການທ່ອງ ທ່ຽວ, ນ້ຳເພື່ອພະລັກກະແສໄຟຟ້າ ແລະ ອື່ນໆ ເພື່ອສະເໜີຂໍ້ມູນເທິງພິຈາລະນາ ແລະ ການ ປ່ຽນແປງເຂດແດນ ຂອງປ່າສະຫງວນ.
6. ໂຄສະນາ, ສຶກສາອົບຮົມ ແກ່ປະຊາຊົນ ໃຫ້ເຂົ້າໃຈ ແລະ ເຊື່ອມຊຶມ ກ່ຽວກັບຄວາມສຳຄັນ ແລະ ຄຸນປະໂຫຍດ ຂອງແຫຼ່ງນ້ຳ, ສັດນ້ຳ, ສັດປ່າ ແລະ ສິ່ງແວດລ້ອມ ທຳມະຊາດ ພາຍໃນ ປ່າສະຫງວນ ທີ່ຢູ່ໃນຄວາມຮັບຜິດຊອບຂອງຕົນ ແນໃສ່ໃຫ້ປະຊາຊົນ ເຂົ້າມາມີສ່ວນຮ່ວມ ໃນການຄຸ້ມຄອງປ່າສະຫງວນ.
7. ເກັບຮັກສາ ຂໍ້ມູນການລັກລອບຄ້າຂາຍ ສັດນ້ຳ ແລະ ສັດປ່າ, ການອະນຸລັກ, ນະໂຍບາຍຕໍ່ ຜູ້ມີຜົນງານ ແລະ ມາດຕະການ ຕໍ່ຜູ້ລະເມີດ ລະບຽບກົດໝາຍ ແລ້ວລາຍງານ ໃຫ້ຫ້ອງການ ກະສິກຳ ແລະ ປ່າໄມ້ເມືອງ, ຂະແໜງປ່າໄມ້ແຂວງ ແລະ ກອງອະນຸລັກຊັບພະຍາກອນປ່າໄມ້.
8. ເຜືອແພ່ ປຶ້ມຄູ່ມື ກ່ຽວກັບການປົກປັກຮັກສາ ປ່າໄມ້, ສັດນ້ຳ ແລະ ສັດປ່າ ແລະ ຈັດຕັ້ງ ປະຕິບັດ ມາດຕະການວົງໂທດ ຕໍ່ຜູ້ກະທຳຜິດຢ່າງເຂັ້ມງວດ ແລະ ເດັດຂາດ.
9. ເປັນເຈົ້າການ ດ້ານການລັກລອບຕັດໄມ້, ຈຸດປ່າ ແລະ ສະກັດກັ້ນ ທຸກການກະທຳທີ່ເປັນ ການທຳລາຍ ຊັບພະຍາກອນປ່າໄມ້, ສັດນ້ຳ, ສັດປ່າ, ແຫຼ່ງນ້ຳ ແລະ ສິ່ງແວດລ້ອມໃນ ຂອບ ເຂດປ່າສະຫງວນ ຢ່າງທັນການ.
10. ລາຍງານ ທຸກການເຄື່ອນໄຫວ ທີ່ຢູ່ພາຍໃຕ້ ຄວາມຮັບຜິດຊອບຂອງຕົນ ຢ່າງເປັນ ປົກກະຕິ ໃຫ້ຫ້ອງການກະສິກຳ ແລະ ປ່າໄມ້ເມືອງ, ຂະແໜງປ່າໄມ້ແຂວງ ແລະ ກອງອະນຸລັກ ຊັບພະຍາກອນປ່າໄມ້.

ໝວດທີ 7

ນະໂຍບາຍ ຕໍ່ຜູ້ມີຜົນງານ ແລະ ມາດຕະການ ຕໍ່ຜູ້ລະເມີດ

ມາດຕາ 27 : ນະໂຍບາຍ ຕໍ່ ຜູ້ມີຜົນງານ :

1. ບຸກຄົນ ຫຼື ການຈັດຕັ້ງ ທີ່ມີຜົນງານດີເດັ່ນ ໃນການປົກປັກຮັກສາ ແລະ ພັດທະນາ ຊັບພະຍາ ກອນປ່າໄມ້, ແຫຼ່ງນ້ຳ, ສັດປ່າ, ສັດນ້ຳ ແລະ ສິ່ງແວດລ້ອມທຳມະຊາດ, ດ້ານ ແລະ ສະກັດ ກັ້ນ ບັນດາການກະທຳ ທີ່ຈະກໍ່ໃຫ້ເກີດຄວາມເສຍຫາຍ ຕໍ່ປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ແມ່ນຈະໄດ້ຮັບການອ້ອງຄໍ ແລະ ນະໂຍບາຍຕ່າງໆ ຕາມຄວາມເໝາະສົມ
2. ບຸກຄົນ ທີ່ໄດ້ປະກອບສ່ວນ ເຂົ້າໃນການປົກປັກຮັກສາ ປ່າສະຫງວນ, ສັດປ່າ ແລະ ສັດນ້ຳ ພ້ອມທັງດ້ານກັບບັນດາການກະທຳ ທີ່ຜ່າຜົນຕໍ່ລະບຽບການສະບັບນີ້ ໃນເມື່ອໄດ້ຮັບຜົນເສຍ



ຫາຍທາງດ້ານອັບສິມບັດ ຫຼື ຮ່າງກາຍ ຈະໄດ້ຮັບການຕອບແທນ ແລະ ລ້ຽງດູ ຕາມລະບຽບ ສະຫວັດດີການ-ສັງຄົມ ທີ່ລັດຖະບານ ວາງອອກ

ມາດຕາ 28: ມາດຕະການ ຕໍ່ຜູ້ລະເມີດ

1. ມາດຕະການສຶກສາອົບຮົມ ຈະຖືກປະຕິບັດ ຕໍ່ຜູ້ລະເມີດຄັ້ງທຳອິດ ຂອງບັນດາຂໍ້ຫ້າມ ທີ່ໄດ້ລະບຸໄວ້ໃນມາດຕາ 16 ແລະ 17 ຂອງລະບຽບການສະບັບນີ້ ຂໍ້ກຳໜົດພົນເສຍຫາຍ ທີ່ມີມູນຄ່າ ຕ່ຳກວ່າ 50.000 ກີບ.
2. ມາດຕະການປັບໂຫມ ຈະຖືກປະຕິບັດຕໍ່ຜູ້ລະເມີດ ຄັ້ງທຳອິດ ຂອງບັນດາຂໍ້ຫ້າມ ທີ່ໄດ້ລະບຸໄວ້ໃນມາດຕາ 16 ແລະ 17 ຂອງລະບຽບການສະບັບນີ້ ຈະຖືກປັບໂຫມສອງເທົ່າຕົວຂອງມູນຄ່າພົນເສຍຫາຍ ທີ່ມີມູນຄ່າ ແຕ່ 50.000 ກີບ ຫາ 500.000 ກີບ ແລະ ເປັນການກະທຳຜິດຄັ້ງທີສອງ ທີ່ມີມູນຄ່າຄວາມເສຍຫາຍ ຕ່ຳກວ່າ 50.000 ກີບ.
3. ມາດຕະການ ທາງອາຍາ ຈະຖືກປະຕິບັດ ຕໍ່ຜູ້ລະເມີດ ຄັ້ງທຳອິດ ຂອງບັນດາຂໍ້ຫ້າມ ທີ່ໄດ້ລະບຸໄວ້ໃນ ມາດຕາ 16 ແລະ 17 ຂອງລະບຽບການສະບັບນີ້ ຈະຖືກ ດັດອິດສະລະພາບ ແຕ່ 3 ເດືອນ ຫາ 5 ປີ ແລະ ປັບໂຫມ ສອງເທົ່າຕົວ ຂອງມູນຄ່າພົນເສຍຫາຍ ທີ່ມີມູນຄ່າ ສູງກວ່າ 500.000 ກີບ ຫລື ເປັນການກະທຳຜິດ ທີ່ບໍ່ເຂັດຫລາບ ແຕ່ສາມເທື່ອຂຶ້ນໄປ ເຊິ່ງກຳໜົດພົນເສຍຫາຍ ແຕ່ລະຄັ້ງ ບໍ່ເກີນ 500.000 ກີບ.

ໝວດທີ 8

ບົດບັນຍັດ ສຸດທ້າຍ

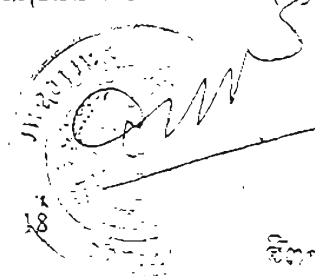
ມາດຕາ 29 : ການຈັດຕັ້ງປະຕິບັດ:

ທຸກກະຊວງ, ອົງການທຽບເທົ່າ, ແຂວງ, ນະຄອນຫລວງວຽງຈັນ, ເຂດພິເສດ, ທຸກພາກສ່ວນເສດຖະກິດ ລວມທັງບຸກຄົນ ແລະ ການຈັດຕັ້ງ ຈິງຮັບຮູ້ ແລະ ພ້ອມກັນ ຊຸກຍູ້ ໃນການຈັດຕັ້ງປະຕິບັດ ລະບຽບການ ສະບັບນີ້ ຢ່າງເຂັ້ມງວດ

ມາດຕາ 30 : ພົນສັກສິດ:

ລະບຽບການ ສະບັບນີ້ ມີພົນສັກສິດ ປ່າໃຊ້ໄດ້ ນັບແຕ່ມີວົງລາຍເຊັນ ເປັນຕົ້ນໄປ ແລະ ໃຊ້ບັດຮຽນແທນລະບຽບການ ສະບັບເລກທີ 0524/ກປ, ລົງວັນທີ 07/06/2001 ທຸກຂໍ້ກຳນົດ ແລະ ກົດລະບຽບອື່ນໆ ທີ່ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້ປະກາດໃຊ້ ໃນເມື່ອກ່ອນ ທີ່ຂັດກັບລະບຽບການ ສະບັບນີ້ ລ້ວນແຕ່ຖືກຍົກເລີກ.

ຢູ. ລັດຖະມົນຕີ ວ່າການ ກະຊວງກະສິກຳ ແລະ ປ່າໄມ້



ວັນທີ 18/06/2021