

(Unofficial translation)



**LAO PEOPLE'S DEMOCRATIC REPLUBIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**



Ministry of Agriculture and Forestry

No.0063/MAF

Vientiane Capital, dated on 27 January 2010

**Decision on
Management (protection) and Utility of Tree Varieties in Lao PDR**

- Pursuant to the Law on Forest no.06/NA, dated 24 December 2007.
- Pursuant to the Prime Ministerial Decree on roles and functions of Ministry of Agriculture and Forestry, No. 148/PM, dated 10 May 2007;
- Pursuant to the agreement of Council for Science and Technology dated 13 October 2009.

The Minister of Agriculture and Forestry issues the following decision:

**Part 1
General Provision**

Article 1: Objectives.

This Decision is to determine the principles for managing and protecting the sources of tree varieties in order to develop and utilize high quality and sustainable tree varieties.

Article 2: Definitions.

1. Source of tree varieties: a particular forest area demarcated to provide tree varieties;
2. Parent stock: tree selected and registered for seeding or other parts of the tree collected for propagation;
3. Tree seed: a seed obtained from parent stock through standard procedures for using as the best quality seed;
4. Parts: roots, stumps, bark, branches, wart, buds, flowers and leaf of the parent stock.

Part 2

The determination of area (space) and development of Source of tree varieties

Article 3: Determination of area (space)

Source of tree varieties can be developed in protection forest, conservation forest and production forest. Area for source of tree varieties in natural forest shall be at least 25 hectares, except for rare or nearly extinct tree varieties. For planted forest, it shall be at least 1 hectare.

Article 4: Development and registration of source of tree varieties

1. Survey and determine the actual area
2. Select parent stocks
3. Develop a memorandum of understanding on the joint utility with the village authorities.

Article 5: Source of tree varieties

Approved area for source of tree varieties shall be determined as follows:

- A sign marking source of tree varieties
- A sign marking number of parent stocks
- Boundary markers

Part 3

Management, protection and utilization of source of tree varieties

Article 6: Management of source of tree varieties

The District Agriculture and Forestry Office shall collaborate with village Authorities to manage and utilize source of tree varieties in the village under guidance, encouragement, monitoring and inspection of Department of Agriculture and Forestry/Forestry Sector at provincial level.

Source of tree varieties shall have their own maps which determine area, location, amount and tree species clearly for the inspection and management of provincial and district authorities.

Article 7: Protection

The village/group of villages authorities, villagers shall collaborate with relevant agencies to inspect, patrol in order to prevent the invasion, destroying, cultivation, burning, logging and other activities that affect parent stocks. In case of natural disaster or occurrence of pests and tree diseases, cutting down of parent stocks shall be approved by the Ministry of Agriculture and Forestry.

Parent stocks which are selected in natural forest area or tree plantation managed by an individual, any logging required shall be strictly followed according to the related regulations and approved by Department of Agriculture and Forestry through the District Agriculture and Forestry office and Forestry unit in the village.

Article 8: Utilization of source of tree varieties

1. Individual and organization in the village are allowed to collect seeds in the area of source of tree varieties under their management and maintenance, according to the seed collection participatory regulations.
2. Forestry authorities from central, provincial, district shall collaborate with related agencies in the village if they want to collect seeds or parts of the parent stocks in the source of tree varieties.

Article 9: Protection of source of tree varieties

1. The export of prohibited tree varieties listed in the International treaties to which Lao PDR is a member shall be agreed by the Government of Lao PDR.
2. the certification of tree varieties' quality for export and import shall be agreed by related organization assigned by the Ministry of Agriculture and Forestry;
3. The movement of tree varieties from one source of tree varieties to another shall be certified by the Department of Agriculture and Forestry at provincial level and Capital where the source of tree varieties is located.

Part 4

Rights and duties on resource management

Article 10: Rights and duties of Departments, Units and related institutes

1. Support, monitor and evaluate the result of the management, protection and utilization of source of tree varieties.
2. Provide trainings on principal techniques to Forestry unit in the village to enhance the efficiency of the management and utilization of source of tree varieties.
3. Research and certify quality of tree varieties for import and export.
4. Promote and utilize certified tree varieties in production.
5. Conduct technical research to improve and develop resource of tree varieties.

Article 11: Rights and duties of Department of Agriculture and Forestry at the Provincial level and in the Capital.

1. Implement, disseminate and instruct about the management regulation and utilization of source of tree varieties.
2. Support, guide, monitor and evaluate the result of the management, protection and utilization of resource of Agriculture and Forestry unit at district level.
3. Manage the movement of tree varieties collected in province.
4. Summarize and report the result of the management, protection and utilization of resource of tree varieties.

Article 12: Rights and duties of Agriculture and Forestry Office at District level.

1. Support, guide, monitor and inspect Forestry unit at district level, village level and individuals on the management regulation and utilization of source of tree varieties.
2. Collaborate with village authorities to disseminate and implement regulations on management and utilization of source allocated and certified from destruction.
3. Provide technical guidance on management and utilization of source to ensure efficiency and sustainability.
4. Support, encourage and promote the participation of the villagers in the protection of source of tree varieties.

5. Summarize and report about the result of the management, protection and utilization of source of tree varieties to the Department of Agriculture and Forestry at provincial level and in the Capacity.

Article 13: Rights and duties of Agriculture and Forestry Office in the village.

1. Disseminate and train the villagers in order to enhance their understanding on the regulations related to management and utilization of sources.
2. Establish the management, monitoring, follow up system on the change of forest and source of tree varieties in their responsibilities. Prevent adverse activities that may cause harmful effect to the forest resource and source of tree varieties; and report any adverse incidence to the Agriculture and Forestry Office at District immediately.
3. Establish group of villagers to collect seeds, parts and tree seedling production from their source of tree varieties for distribution.
4. Contribute and facilitate the field visit of management level, central authorities and related authorities on monitoring and support the implementation of the management and utilization of sources.

Article 14: Rights and Obligations of Citizens

1. Manage and protect sources of selected and certified tree varieties and parent stocks in the village to ensure they are plentiful.
2. Take ownership in preventing and opposing any illegal activities such as illegal logging, shifting cultivation, burning or other activities that may cause harmful result to parent stocks/source of tree varieties.
3. Collect tree seeds and other parts as guided by the group.
4. Report to village authorities and Forestry Unit of the village about the incidences and events which may harm source of tree varieties such as cutting parent stocks down, destroy signage and other marks.

Article 15: Prohibited activities in the source of tree varieties area

The following behaviors are prohibited in the source of tree varieties area:

1. Illegally occupy, transfer or trade source of tree variety area.
2. Cut and destroy tree in the source of tree varieties area which are determined and certified.
3. Move, change or destroy the boundary markers, signage or other markers of the source of tree varieties area.
4. Transform the approved source of tree varieties to another form. If necessary, the Department of Agriculture and Forestry at provincial level or in the Capital shall obtain permission from the Ministry of Agriculture and Forestry.
5. Any individuals or organizations who are not involved in the management and protection of the source are not allowed to collect seeds and parts of the parent stocks without permission.

Part 5

Obligations, incentives toward Persons with outstanding performance and measures against Violators

Article 16: Obligations towards the management of source of tree varieties

Those who use source of tree varieties are obliged to:

1. Protect source of tree varieties and parent stocks to ensure they will be sustainable and plentiful.
2. Re-habitat and develop source of tree varieties as defined in the technical provisions.
3. Properly utilize source of tree varieties in accordance with its purposes and related laws and regulations.
4. Prevent any actions which may destroy source of tree varieties.
5. Collaborate and operate with related agencies to manage and utilize source of tree varieties effectively.

Article 17: Incentives toward persons with outstanding performance.

Individuals and organizations with outstanding performance in managing and protecting source of tree varieties shall be commended and bestowed with other forms of recognition from the government and other related agencies in accordance with the performance.

Article 18: Measures against violators

Individuals or organizations committing offenses under this agreement shall be warned, re-educated and disciplined as prescribed under the Forestry law.

Part 6 Final Provision

Article 19: Enforcement

The Department of Agriculture and Forestry at provincial level and in the Capital and the Agriculture and Forestry Office at the district level in collaboration with local authorities shall disseminate and implement this regulation effectively.

Article 20: effectiveness

This decision comes into force from the date of the signature.

Minister of Agriculture and Forestry

(Signed and sealed)

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