



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Prime Minister

No. 15/PM

Vientiane Capital, date 13.05.2016

Order

On Strengthening Strictness of Timber Harvest Management and Inspection, Timber Transport and Business

To: Ministers, Heads of ministry-equivalent organisations, Major of Vientiane Capital and Provincial Governors nationwide.

- Based on the Law on Government (amended version) No. 69/NA, dated 15 December 2015
- Based on the Forestry Law No. 06/NA, dated 24 December 2007
- Based on the Conference of Prime Minister-Deputy Prime Minister, dated 05 May 2016.

In order to strengthen the implementation of forest management, timber business, timber harvest, timber processing and timber trade with strictly respect to laws and regulations established by the Government in effective manner, as well as to prevent and address drawback phenomenon within forest sector with the aim to reduce and eliminate these drawbacks step by step.

Prime Minister is issuing the following orders:

1. Assign the ministries, relevant sectors and local authorities in all levels to strengthen the emphasis and responsibilities in implementing their duties, authorities and responsibilities in accordance with laws and regulations, particularly laws and regulations related to forest governance, timber harvest, timber transport and business.
2. Suspend the export of logs, big size sawed timbers, sawn timbers, spited wood, roots, stumps, knots, branches and standing trees or decorative trees that are harvested from natural forest in any cases, including the timbers approved by Government that have not yet been implemented; logs must be processed to create value-added based on the standard set by the Ministry of Industry and Commerce (according to the Decision No. 2005/MOIC.DoIH, dated 28/9/2015) prior to granting approvals for export.

3. Prohibit importing of illegal timber and non-timber forest products and exporting those products to third countries.
4. Continuously implement the Prime Minister's Order No. 31/PM, dated 5 November 2013 regarding the Temporary Suspension of Logging in Production Forest and carry on the development of production forest management plan and report to the Government for consideration.
 - 4.1 Logging in infrastructure areas such as: new road development areas, hydropower construction areas, repeated flooding areas, mining sites etc. must be surveyed, registered for timber amount and volume in detailed prior to reporting to the Government to integrate into annual timber harvest plan and submit to the National Assembly for further consideration.
 - 4.2 In case logging approval is attained, logging must be strictly supervised and inspected based on the approved timber amount, volume and harvest areas. In case the logging exceeds the approved amount or beyond the approved area, the logs will be confiscated, offenders will be fined and conducted a prosecution according to the law.
 - 4.3 Prohibit project developers or construction contractors to carry out logging in the infrastructure development projects; the State has direct responsibility for timber harvest and sales. It is prohibited to carry out the direct trade or exchange of timber with the infrastructure development projects.
5. In infrastructure development areas, mining sites and potential food production areas that are not yet approved by the Government, it is strictly prohibited to conduct surveys and timber harvest.
6. Halt proposals and approvals to collect, accumulate branches, logs short in length, dried logs on the ground, and it is not permitted to grant timber in response to any special request to any party.
7. Assign the Ministry of Agriculture and Forestry to be the focal agency to collaborate with relevant sectors and local authorities to inspect and collect detailed information such as: timber amount, volume and outstanding obligations in log landing 2 that were previously approved by the Government for harvesting, and then report to the Government for consideration and assign the relevant sectors to conduct timber auction to sell timbers to the National Wood Processing Industry Association and Lao Furniture Association or other operators in order to process those existing logs into value-added products and supply to domestic markets or export.
 - 7.1 For logs harvested beyond the approved quota, they are subjected to confiscate and become the State asset and strictly conduct prosecutions to the offenders.
 - 7.2 For logs harvested without approval and against the laws, illegal logs remained in log landing 1 must not be collected or accumulated since the phenomenon will create gaps for further illegal logging.
8. Timber harvested for generating energy (such as: firewood, charcoal), using as fences, scaffolding are allowed to harvest only in the allocated areas under

management of local people and village use forest or harvest from infrastructure development projects approved by the Government which completed the detailed survey and included in the annual timber harvest plan.

9. Assign the Ministry of Agriculture and Forestry to collaborate with local authorities to consider and promote investment on timber harvest by using the potentials of the State and operators to establish an organisation or harvesting unit in profession to regularly conduct timber harvest in conjunction with carrying out forest protection, preservation under supervisions of the local authorities and relevant sectors.
10. The Ministry of Industry and Commerce acts as the focal agency to collaborate with relevant and local sectors to urgently adjust the wood processing factories as well as to provide directions to the National Wood Processing Industry Association and Lao Furniture Association to revise their roles and strengthen their operation mechanism in order to implement the domestic wood processing promotion policy to create value-adding and high quality product that meet the demand of the domestic and international markets.
11. Assign the Ministry of Agriculture and Forestry to take a leading role in collaboration with the Ministry of National Defense and other related sectors to conduct patrolling along the potential border with illegal logging risks, timber harvest areas, along the timber transportation roads, log landings, sawmills, wood processing factories, furniture factories, log warehouses, factories using timbers as main sources of energy and other relevant locations as reported. In case of any violations or the cases of failing to comply with the laws, investigations and inspections must be conducted to find out measures in regarding to civil and criminal laws; for serious cases, law suit must be compiled with relevant documents to submit to the court for prosecution. Furthermore, inspections of import, trade, possession and utilization of timber harvest equipment, machines and vehicles without any permission of relevant sectors must be conducted. If there are any hidings of the materials with the purpose to illegally use them, the materials will be confiscated and the offenders will be prosecuted.
12. Assign the Ministry of Agriculture and Forestry, Ministry of Natural Resources and Environment, Ministry of Industry and Commerce, and Ministry of Finance to put emphasis on upgrading their working units and personnel which are in charge of forest management and timber business at central and local levels through harmonized cooperation to implement relevant regulations and their own responsibilities in the strict and transparent manners. This is to protect and promote people with good will, honesty and capability, while strictly monitor people with negative intension to reap benefits for themselves and break laws and regulations.
13. Assign the Ministry of Natural Resources and Environment to take lead in collaboration with the Ministry of National Defense, Ministry of Public Security, Ministry of Agriculture and Forestry and local authorities in strengthening the surveillance and security guards to prevent illegal logging in protection forest and

- national and local conservation forests. In case the illegal loggings are found in these areas, the offenders should be seriously and strictly punished.
14. International border checkpoints, local checkpoints, customary checkpoints and other checkpoints along the borders are prohibited to approve or facilitate the export of timber and non-timber forest products stated in point 2 and 3 of this order.
 15. Assign the Ministry of Agriculture and Forestry to take a leading role in collaboration with the Ministry of Industry and Commerce, other relevant sectors and local authorities to be responsible for serious inspection about the implementation of this order and report to the Government periodically in order to address the potential problems in timely manner.
 16. Ministers, heads of ministry-equivalent organisations, the major of Vientiane Capital, governors nationwide are assigned to deeply understand this order, as well as expand the order into detailed work plans based on responsibilities of the sectors and effectively implement the order. In case any sector or local authority fails to comply with this order, the leading committee of that particular sector or authority is subjected to be responsible for their action for the Government based on laws and regulations.
 17. This order is effective from the date it is signed. Previous orders, decisions, notices and legislations, including those of local authorities, in conflict with this order are eliminated.

Prime Minister of Lao PDR

Mr. Thongloun Sisoulith