

The Contribution of NABP activity on Non-Wood Forest Products (NWFPs) to National policies relevant to the conservation and sustainable use of NWFPs of Agricultural biodiversity:

Case Study: Enhancing Food Security through Sustainable Management Plan for NWFPs

Abstract

This paper presents national policies, strategies, programmes and plans for sustainable use and conservation of Non-Wood Forest products. It describes policy instruments, law, regulations, decrees, orders in various levels that support the conservation and sustainable use of NWFPs, as well as international conventions and agreements ratified by the Laotian Government. In addition, the paper presents the contributions of the project implementation to Government policies, strategies, programmes and expected outputs of FAO-Netherlands Partnership programme for National Agriculture Biodiversity Programme.

I. Introduction

Non-Wood Forest Products (NWFPs) are important for the local and national economy, as they are used for both subsistence and trade. At times NWFPs have a higher value than timbers. About half of the cash income of rural households comes from NWFPs. Previously the focus has been on timber production and NWFPs have received little attention in the national forest policy. They have probably been neglected due to their diverse and complex nature and their position outside of mainstream economic development.

This range of benefits makes NWFPs an attractive proposition for all concerned, whether local communities, the private sector, the national government or conservationists. The government has identified the development of the NWFPs sub-sector as a national priority. This is in recognition of the potential for NWFPs development to generate significant local and national income, offering a viable alternative to communities who are mostly engaged in unsustainable forest exploitation.

Population growth, forest degradation, increasing market demand and competitive and unsustainable harvesting will lead to further depletion of many NWFPs and loss of biodiversity resources in most areas. Thus, the ability of the concerned sectors to successfully conserve and use of NWFPs resources, depends upon the availability and effectiveness of policies, laws, regulations in the sub-sector of NWFPs.

II. Discussion

Policies in NWFPs sub-sector

The government of Lao PDR has developed the following policy on conservation and sustainable use of NWFPs

A- Forestry Strategy to the year 2020.

The Ministry of Agriculture and Forestry formulated the Forestry Strategy to the year 2020 (FS2020), which was ratified by Government of Lao PDR in 2006. The strategy acknowledges the importance of NWFPs as well as biodiversity conservation and their contribution to socio-economic development and rural poverty eradication. The areas of focus and actions to be undertaken for NWFP development were clearly defined, which includes the issues of use, conservation, commercial/ and management. The following priority policies, programmes and actions are included in the forestry strategy 2020;

Policy Directions and Implementation Principles

Government recognizes that realization of the preceding goals and objectives will require tackling important challenges in several policy areas. Among those requiring continued efforts are:

- Enhancing village based natural resource management for poverty eradication
- Introducing reliable systems for harvest determination
- Controlling unsustainable harvest and export of NWFPs and promoting sustainable participatory management and processing of NWFPs
- Improving the performance of the wood industry including bringing processing capacity into closer accord with the sustainable timber supply and processing of more finished products.
- Promoting tree planting and management by setting clear purposes with relevant target owners and markets, and investment schemes to strengthen wood supply base and farmers' income base.
- Preventing encroachment, unauthorized activities and biodiversity degradation through solid law enforcement, capacity building and assisted participation of villagers in forest management
- Formulating a national land use policy and introducing land use planning both at macro and field level

Programmes and actions.

The following programmes and actions are described in the Forestry Strategy to the year 2020 for Non-Wood Forest Products (NWFPs):

Improving Basic Conditions for NWFPs Development

- Conduct surveys and studies to add the necessary knowledge for sound policy and programmes for NWFPs development.

Improving Harvesting Techniques and Marketing for NWFPs Development

- Link harvesting plans with forest management plans developed by villages through the Village Land Use planning process
- Enhance the transparency and consistency of the harvesting plan, setting systems and procedures and their year to year stability
- Establish NWFPs harvesting plans increasingly based on resource assessments rather than only on market demands. Harvesting levels need to be sustainable and scientific, and do not threaten the resource base.
- Set higher royalties on products more likely to be over-harvested or that are known or thought be threatened
- Promote NWFPs processing and export through appropriate trade regulation and technical and financial support.

Capacity Building.

Institutional strengthening

- Strengthen village capacity to develop sustainable forest resource management especially NWFPs.
- Address the need for better coordination within the NWFPs sub-sector and consider creation of a task force to guide formulation of a NWFPs sub-sector strategy and to better involve stakeholders.

Reinforcing research and extension work

- Develop mechanisms to exchange information on provision of technical, social, credit and other services for stronger linkage between research and extension at field implementation level.
- Establish a coordination mechanism between the Forest Research Centre (FRC) under NAFRI and other organizations including the Institute of Medicinal Plants, Ministry of Industry and Handicrafts, Science and Forestry Faculties (National University), STEA and the Lao Women's Union.

NWFPs, in their great variety, play many important roles in the functioning of their natural ecosystems and their preservation is crucial in maintaining the integrity of these ecosystems so that the vital economic and environmental services they perform may continue. Accordingly, Government has limited the species that may be harvested, the seasons in which this may be done and modes and methods that may be used. For example, MAF Regulation No. 360/2003 prohibits harvest of NWFPs within NBCAs other than for customary use and PM Decree 164/1993 prohibits the use of other NWFPs within NBCAs without an authorized plan. Specific regulations also protect excessive utilization of particular species, especially wildlife and fish.

Current trends in NWFPs availability and Use

Some significant trends show increasing interest in the conservation and development of NWFPs:

- local innovators have begun domesticating a number of NWFPs species in agroforestry system and home gardens,

- communities have shown capacity to establish and effectively run NWFPs management systems,
- policies emphasizing sustainable forest management reinforce the NWFPs sub-sector,
- the private sector is beginning to invest in small-scale NWFPs processing industries.

At the same time, there are also a number of worrying trends that could adversely affect the overall situation and management of NWFPs resources:

- accelerated deforestation resulting from land-use conversions for agriculture and dams, unsustainable or unauthorised logging practices, fire and other
- increased market access and product demand in the absence of clear rules of resource allocation, tenure security and sustainable management regimes
- local technical knowledge about NWFPs is mostly held by older generations and is at risk of being lost due to out-migration and the changing lifestyles of younger generations.

B- Policy on Biodiversity Conservation

The 1993, Prime Minister issued Decree No. 164 on establishment of 18 national biodiversity conservation areas network. In 1995 and 1996 the two additional biodiversity areas were officially recognized to reach a total number to 20. The government of Lao PDR recognizes the need for biodiversity conservation areas to support national economic development as well as biodiversity. At the same time, legal measures were taken and different models were developed towards biodiversity conservation in these NBCAs. These National biodiversity conservation areas are actually a great opportunity for improving livelihood of Lao people, especially in rural areas.

C- The National Growth and Poverty Eradication Strategy.

The National Growth and Poverty Eradication Strategy (NGPES) is an important policy that recognized the importance of Agricultural biodiversity in achieving development and food security objectives. The strategy focused on 47 poorest districts in the country. Some key agriculture and Forestry development priorities identified in the Strategies include:

- Controlling unsustainable harvesting and export of Non-Timber Forest products.
- Promoting cultivation of Non-Wood Forest products
- Enhancing village-based natural resource management for poverty alleviation.
- Raising awareness of Government officials and farmers regarding the need for sustainable practices.

D. National Biodiversity and Action Plan (NBSAP)

The National Biodiversity Strategy and Action Plan (NBSAP) is the principal output of the Project on NBSAP(Lao/98/012), which has been implemented and jointly managed by the National Science Technology and Environment Agency (STEA) and the Ministry of Agriculture and Forestry (MAF) with support from the United Nations Development Programme (UNDP). The Danish Government financed the project through a grant, which was supplemented by funds made available from the UNDP.

The NBSAP has been drafted based on Government directions for nation's sustainable socio-economic development plan and also international principles. It was approved by Government of Lao PFDR in June, 2004. Its aim is to protect biodiversity resources and to ensure their sustainable use.

The overall goal of the National Biodiversity Strategy and Action Plan to 2020 is to:

Maintain the country's diverse biodiversity as one key to poverty alleviation and protect the current asset base of the poor as support to the implementation of the government's priority programmes.

Main Objectives

1. Improving biodiversity data and fill data gaps through basic and applied research.
2. Improving biodiversity management and monitoring.
3. Planning and implementing a biodiversity specific human resource development programme.
4. Increasing public awareness of and encouraging participation in the sustainable management of biodiversity.
5. Adjusting national legislation and regulations related to biodiversity and harmonising them with Multilateral Environmental Agreements (MEAs).
6. Securing the NBSAP's implementation.
7. Promoting international cooperation.

Programmes

To achieve the goal and objectives of the Strategy and Action Plan to 2010, the following seven programmes have been identified to implement.

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1. Scientific Data and Biodiversity Knowledge Development
2. Biodiversity Management
3. Human Resource Development
4. Public Awareness and Involvement
5. Institutional and Legal Frameworks
6. NBSAP Implementation
7. International Cooperation.

E - The national Agricultural Biodiversity Programme (NABP).

The national Agricultural Biodiversity Programme approach is to develop and conserve agricultural biodiversity in support of national priorities for food security and rural development. The Non-Wood Forest Products and other terrestrial biodiversity is one of the five main components of NBAP.

F - The sixth national Socio-economic development plan (2006-2010).

The Government will continue to implement the following measures to ensure some sustainable management of Lao forests to alleviate poverty:

- Enhance village-based natural resource management;
- Revise the system for harvest determination, from focus on capacity of the wood industry to focus on sustainable supply;
- Control unsustainable harvest and export of NWFPs by illegal traders and promote sustainable participatory management and processing of NWFPs;
- Promote tree planting; formulate mechanisms (through collaboration among the Department of Forestry, National Agriculture and Forestry Research Institute (NAFRI) and STEA for certifying sustainably managed tree plantations;
- Prevent encroachment, illegal activities and bio-diversity degradation by effective law enforcement, capacity building, and the participation of villagers in conservation activities; and
- Formulate a national land use policy and introduce land use planning at both the macro and field levels.

G - The Ministry of Agriculture and Forestry strategy on Agriculture and Forestry Development 2006-2010.

In order to respond to national 6th Socio-Economic Development plan 2006-2010 and the rapid changes taking place, The Ministry of Agriculture and Forests (MAF) has been updating and revising its own strategies and policies to ensure that the rapid growth is balanced with sustainable development. The MAF has identified the main programmes and policy measures that included:

- Food security
- Commercialization of agriculture
- Cultivation stabilization for poverty reduction
- Sustainable forest management.

To achieve these objectives, some measures has been recommended, such as inventory and land classifications for agriculture and forestry, establishment of village development groups(Khoum Ban Phathana), management allocation in different levels etc.

Legislation Concerning NWFPs

The followings are some decrees, rules and regulations to support on NWFPs conservation and sustainable use in Lao PDR:

Customary rights on NWFPs

Existing legislation secure villager's access to NWFPs and customary use rights are recognized in the Forestry Law and elaborated in MAF Decision 54/1996 and MAF Guideline 377/1996. PAFO and DAFO have the mandate to ensure compliance and also to ensure that uses in conflict with customary rights, such as slash and burn, forest fire and fish traps are limited. Additionally, villagers are exempt from natural resource taxes and NWFPs sale is permitted provided that villagers form groups or associations for commercial collection and that activities follow DAFO approved management plans. This is an important recognition; however, it has proved difficult to formulate management plans .

Traditional rights to collect NWFPs from natural forests are recognized in the Lao PDR and therefore everyone can collect NWFPs for local use. Through the Land Use Planning and Land Allocation Scheme forms of ownership, along with community rules on the management and use of resources within the village boundaries, have been developed. Under certain agreements, however, outsiders (villagers from other villages) still have the right to collect NWFPs in areas where they previously used to go.

As well as having the right to collect plant products, people also have the right to hunt. In 1989 the government issued a decree on the management and protection of aquatic animals, wildlife and on hunting and fishing to control the use of these resources. Animals, birds and fish, depending on the status of each species, are placed under two categories namely: 'protected' and 'controlled'. There is no official permit issued for hunting and therefore people can exploit the customary rights to hunt unprotected species at anytime. Hunting of species in the 'controlled' category is allowed for consumption and not for sale only during the non-breeding season.

Commercial harvesting of NWFP

Commercial trading of NWFPs is subject to similar rules and conditions as timber products, including harvest/logging plans, the requirement for contracts and royalties and fee payment. Likewise, harvest of NWFPs may only be collected in surveyed and inventoried production forest areas for which there is a forest management plan. Furthermore, harvesters of NWFPs must either directly plant a given number of trees per unit NWFPs collected or pay fees for compensatory planting. PM Order 10/2000, MAF Order 1848/1999 and MOF Temporary Order 111/2000 regulate arrangements for tree planting and compensatory payment for harvest of certain NWFPs from natural forest; plantation based harvesting is exempt from these fees.

NWFPs harvesting plans and trade.

NWFPs harvesting plans, specified by product, are set annually by PM Decree and allocated to the provinces by MAF, a process that includes resource assessment by provincial officers.

With respect to trade, at each point of sale and at various transportation and transfer locations, traders must pay taxes and service charges. These include royalties and export taxes, paid to the Provincial Finance Division, and/or some additional expenses for districts and villages. In common with timber export restrictions, export of certain classes of NWFPs are also prohibited, for example, PM Orders 10/2000 and 15/2001 ban the export of Eagle wood and all species of unprocessed rattan.

Marketing Regulations for NWFPs Development

Regulations for NWFPs production and marketing must balance marketing knowledge with resource sustainability. Methods for harvesting level setting and marketing, which are scientific, based on resource sustainability as well as competitive, based on market mechanism, need to be developed instead of the current system mainly depending on demand.

The most important legal instruments relevant to NWFPs development and conservation are: Forest law, MAF regulations on long term NWFPs and tree plantation development No. 196, MAF harvesting regulation No. 0211 MAF' NBCA implementing regulation No. 0360/2003. Although forest law is not specific on conservation and use of NWFPs, there are some articles that mention species conservation, management and benefits from forest conservation. The following articles provide a brief summary of the main points discussed above;

Article 6. The promotion of the protection, Conservation and Increase Forest Resources- The state encourages all parties to participate in protection, conservation, regeneration, planting and increasing of forest resources by issuing policies, regulations, and measures aimed at the enrichment of the quality and value of forest resources and their sustainable uses.

Article 7. Right and Benefits of protection, Conservation and Management of Forest and Forest Land -Individuals and organizations to whom the state allocates the protection, conservation and management of forest and forest land have rights to various compensatory benefits such as the use of trees and harvested *non-timber forest products*, in accordance with specific regulations issued by concerned agencies.

Article 22. Forestry activities - Forestry activities are all activities related to forest and forest resources implemented inside or out side of forest and forest land. They include survey, planning and design, tree planting, regeneration, maintenance and development of forest areas, logging, transport of timber and *other forest products*, wood processing; protection and conservation of forest resources, watersheds and the natural environment associated with forests, and protection, conservation, increase and propagation of plant and wildlife species. Forest activities also include the stabilization of shifting cultivation through the development of sedentary livelihoods.

Article 25: The Harvesting of timber and other Forest products - The harvesting of other forest product such as mushrooms, roots, tubers, shoots, leaves, flowers, barks, resins and gums must be carried out according to specific regulations issued by concerned agencies.

Article 29: The Export of timber and other Forest products - Export of timber and other forest products to other countries must be conducted in accordance with regulations such as obtaining authorization from government, export only in authorized quantities and through authorized checkpoints.

Article 43: The Protection of Flora and Wildlife outside Conservation Forest - Plant and wildlife species found outside conservation forest, which are scarce, rare, endangered or have special value, must be protected in the same way as found inside conservation forest. Forest management agencies, in co-ordination with local administrative authorities, are to issue specific regulations for this purpose.

The order of MAF No. 115 dated 21 June 03 focuses on re plantation among factory owners in order to secure future provisions of raw materials. Those who don't comply on the regulation might lose the yearly license for the factory operation. This affects timber and non-timber forest products.

MAF Regulation No. 0360/2003 Management of National Biodiversity Conservation Areas, Aquatic Animal and Wildlife - The regulation provides guideline on NBCA establishment and zoning and also on restricted activities and development fund establishment and the rights and duties of state agencies in NBCA management.

The decree No.186. on Allocation of land and forest land for tree plantation and Projection, (October,2004) - Under this decree all Lao citizens have the responsibility to occupy, protect, develop and enrich forest and forest land. Use of forest land which leads to destruction is prohibited. Land use for plantation is exempted. e.g tree planting is not less than 1100 trees per hectare, the owner doest not pay land tax and wood grown on plantation may also be sold exempt from the natural resource tax.

Decree on establishment of Forest and forest resources development fund - The Cabinet of Prime Minister approved to set up establishment of Forest and forest resources development fund in February 2005. The purpose of decree is to encourage all stakeholders dealing with timber business to invest on forest management, protection and forest resources development in order to contribute national socio-economic development.

Order No. 0414/MAF, 1995 on Standards of forest products , bamboo and rattan products - The aim of the instruction is to ensure that all forest product industries and processing factories in the whole country follow the same standards defined in this instruction and to make sure that the taxes and fees collection from the forest products, bamboo and rattan products are being realistic to current situation. The instruction has been defined the terms and standards, same and sizes of forest products, bamboo and rattan products, its processing, and promotion in terms of exporting.

Order No.1848/MAF.1999 on NWFPs planting and? fee payments for compensation of NWFP harvesting - The objective of the instruction is to ensure sustainable utilization of NWFPs by collection of fees from NWFP traders or compulsory replanting systems. The instruction includes rates of payments from each species of NWFPs harvested from natural forest resources or number of plants to be planted of harvested species.

Ratifications, Conventions and Agreements

The Government of Lao PDR has a strong commitment to international agreements. The main environmental and natural resources Conventions ratified, accessed or signed by Lao PDR are as follows:

- Agreement on the sustainable development of Mekong River Basin (1995);
- Un Framework Convention on Climate Change of 1992(accepted 1995);
- UN Convention to Combat the Desertification (signatory 1996);
- Convention on Biodiversity of 1992 (accepted 1996);
- Vienna Convention for the Protection of the Ozone Layer of 1985 (acceptance 1998);
- ASEAN Agreement on the Conservation of Nature and Natural Resources of 1985;
- Kyoto Protocol (2003)
- Convention on International Trade in Endangered Species of Flora and Fauna (CITES) of 1973 (acceptance 2004);
- International Treaty on Plant genetic Resources for Food and Agriculture (acceded March,2006.)

The contribution of NWFPs project, NABP to government policies.

The approach used was the Lao adaptation of the Market Analysis and Development approach (MA&D) that's promoting NWFP harvesters to better organize producer groups in order to get more benefits from the NWFP resources via processing, marketing and through sustainable NWFP management. This approach has been successfully applied in other parts of Lao PDR and has been recognized as a successful approach promoting sustainable NWFP management while improving livelihoods. Through the sustainable use of NWFP resources, local people will continue to conserve the resources. The approach involved at all stages the local community as well as the local authorities.

Participation of NWFP harvesters on NWFPs management intends to show them how to use their forest resources in a sustainable way, including collection for consumption and sale for income generation. Villagers are now trying to manage forest by themselves by preparing their own rules and regulations and these rules have been endorsed by their communities and local authorities who approved the forest area for them to manage.

Land concession for rubber plantation has been granted to exploit the business in one village of our project sites. The project carried out the impacts assessment on agriculture biodiversity and food security from forest conversion to rubber plantation in the village. In addition, the project studied the villagers' food consumption, especially for NWFPs utilizations for food. The Project achievements and lessons learnt have been shared with

district and provincial authorities. The benefits from the NWFPs activities will contribute directly to their own livelihoods.

In general, the project has followed the government policy, rules and regulations. More specifically the project supported the following activities promoted by the Forestry Strategy 2020

- Enhancing village based natural resource management for poverty eradication
- Controlling unsustainable harvest and export of NWFPs and promote sustainable participatory management and processing of NWFPs
- Preventing encroachment, unauthorized activities and biodiversity degradation through solid law enforcement, capacity building and assisted participation of villagers in forest management

Involvement of district, provincial and national authorities have been secured in order to ensure some information sharing mechanism.

Currently, the new Strategy of Ministry of Agriculture & Forestry 2006-2010 focus on 4 programmes: Ensuring Food security, Commercialization of Agriculture, cultivation stabilization for poverty reduction and Sustainable forest management. Enhancing food security through sustainable management plans for NWFPs under NABP is one of the activities that respond to the Ministry of Agriculture and Forestry policy.

Overall, the following outputs of the project match with the expected outputs described in the NABP.

Activities	Outputs NABP Component 3: Non-Timber Forest Products (including medicinal plants) and other Terrestrial Biodiversity residing outside forests
<p>Baseline survey using PRA and Forest Management (Phase 1, 2 of the MA&D) in project sites (general info. on targets villages, wealth ranking of village groups, Resource mapping, NWFPs list and key constraints of NWFPs for improvement, product selection & group formation</p>	<p>Output 3.1: Improved understanding of existing NWFPs relevant to food security and sustainable livelihoods</p>
<p>Baseline survey using PRA and Forest Management (Phase 1, 2 of the MA&D) in project sites (general info. on targets villages, wealth ranking of village groups, Resource mapping, NWFPs list and key constraints of NWFPs for improvement, product selection & group formation</p> <p>Impact assessments on Agriculture Biodiversity & food security loss from the rubber plantation in project site.</p>	<p>Output 3.2: Improved understanding of human management of and economic markets for NWFPs contributing to food security and sustainable livelihoods</p>
<p>Development of Forest/NWFPs management plans in the 5 villages. Management plans links to village</p>	<p>Output 3.3: Demonstrate sustainable and profitable participatory management (harvesting, processing, marketing,</p>

<p>marketing group activities.</p> <p>Domestication activities on selected key NWFP activities – rattan, bong bark nursery and plantation.</p>	<p>domestication and cultivation) of NTFPs at pilot project field sites (both sedentary and rotational cultivation)</p>
<p>Development of Forest/NWFPs management plans in the 5 villages. This to promote conservation of NWFP diversity. Involvement of local authority.</p>	<p>Output 3.4: Develop and test mechanisms for regulation of consumption and trade in NTFP resources with a view to strengthen legal and policy frameworks</p>
<p>Capacity building to local authorities (PAFO,DAFO) through training on using MA&D approach and development of leaflet and poster</p>	<p>Output 3.5: Strengthen institutional and human capacity at community and national levels to promote the sustainable use of WFPs</p>
<p>Data and information from activities will be shared with others activities: Development of Information Mechanism activity which is under NABP, NAFRI Library..etc.</p>	<p>Output 3.6: Establish a national level information exchange system (clearing house mechanism) on NWFPs</p>
<p>NWFP species were collected during the filed work, will be used as reference for future research in term of monitoring endangered NWFP species.</p>	<p>Output 3.7: Collect endangered NWFPs species for conservation and development</p>

Conclusion

The Government of Lao PDR has developed various national policies, strategies, program and plan to promote and ensure sustainable use and conservations of Non-Wood Forest products that support livelihood as well as local economy. Among these, Forestry Law and FS 2020 are the key documents from where various policies instruments-rule and regulations are formulated. The FS2020 as well as National Socio-economic Development Program have a component on the NWFP resource management to support the development of the local economy. Various NWFPs Projects have been carried out in the last 10 years and some projects outputs and lessons learnt have been used by the policy makers (e.g. integration of NWFPs in the FS2020).

However, there are few rules and regulations concerning NWFP (Forestry Law 1996) that are currently in force or properly enforced. Some of them are not appropriate and would probably need some revision. The challenge is to ensure specific rules and regulations that can apply to many NWFPs. With the diversity of NWFP it is not easy to ensure that all NWFP have proper management plan. Meanwhile, there is need to further examine and review the existing rules with respect to their quality, consistency and implementation. There is need to integrate policies, and strategies with multi stakeholders to work in the same area. Awareness raising on law, various rules and regulations regarding NWFPs issues to public is need to be done in order to promote investment in Lao. PDR.

The FNPP Activity played an important role to bring forward the importance of NWFP diversity to the livelihood of rural people as well as for the forest ecosystem. Results

and field experience confirmed the importance of the NWFP as source of food, quantitatively and qualitatively, as well as source of local medicine and income.

The case study on natural forest conversion to rubber plantation demonstrated that loss of NWFP diversity can have a negative economic, social and cultural impact to the local community. It is crucial to support local community in the forest management but also to assist them so they can organize themselves in “village marketing groups” that will allow them benefit more from NWFP resources and thus have an incentive to conserve natural resources. Conservation of the NWFP will have to be associated with mechanism such as MA&D.

Lessons learnt from this project have been shared with district, provincial authority as well as inside NAFRI and with others partners organization such as Ministry of Health, Sustainable Forest Management and Rural Development SUFORD project and Netherlands Development Organization (SNV).

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