



UNIVERSITI PUTRA MALAYSIA

**KNOWLEDGE AND ATTITUDES OF FOREST OFFICERS
TOWARDS FORESTRY LAW AND ITS ENFORCEMENT IN LAO PDR**

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TOWARDS FORESTRY LAW AND ITS ENFORCEMENT IN LAO PDR**

By

VONGDEUANE VONGSIHARATH

**Thesis Submitted in Fulfilment of the Requirement for the
Degree of Master of Science in the Faculty of Forestry
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Dedicated to the Family of VONSIHARATH

In loving memory of
My beloved and respected Father *Chanh Kong*
Who laid my academic career foundation
and
my late mother *Champy*



Abstract of thesis presented to the Senate of Universiti Putra Malaysia in fulfilment of the requirement for the degree of Master of Science

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Chairman : Assoc. Prof. Dr. Rusli Bin Mohd

Faculty : Forestry

The study was conducted in three provinces of Lao PDR; namely, Louangprabang, Khammouane and Champasack with the main objective of assessing the knowledge and attitudes of forest officers towards the Forestry Law of 1996 in Lao PDR, as well as the factors affecting knowledge and attitudes. The data for the study were gathered from 264 respondents through a self-administered questionnaire survey. The respondents were requested to indicate their responses in a three-point scale to twenty four statements on knowledge of Forestry Law 1996 and in a five-point scale on attitude statements about forestry law and its enforcement. The scores obtained through these responses measured the knowledge and attitudes of the respondents. Frequency and correlation analyses were done on the data employing appropriate statistical techniques.



Overall, knowledge of the forest officers of forestry law in Lao PDR was poor. This could be attributed to the law being new, familiarity with the previous laws, lack of law enforcement experience as well as length of service. However, they have good knowledge on provision related to forest conservation aspect. Four independent variables were found to have significant and positive correlation with the respondents' knowledge, namely; academic qualification, place of work, training attendance and meeting attendance. On the other hand, the respondents have positive attitudes towards the forestry law enforcement system and the co-operation rendered organisations in enforcing the law. However, they expressed dissatisfaction towards the government support for enforcing the law. Five variables were found to have correlation with the respondents' attitudes. Three of these, namely; academic qualification, current position, and meeting attendance were positive, while length of services and place of work were negatively correlated. Generally, there was no relationship between the respondents' knowledge and attitudes. However, there was significant correlation between knowledge and attitudes of some sub-groups of those who were trained on forestry, served a longer period of time, worked in district, and have attended the training and meetings.

The government of Lao PDR should pay more attention on forestry law implementation and more emphasis on improvement of forestry education as well as training on forestry law enforcement, if the government's goal is aimed at achieving sustainable forest management in the country. It is also recommended that appropriate support involving forestry law enforcement should be enhanced, including financial, technical, and moral support. Similar researches should be done

in order to validate the findings of this study, to evaluate the capacity and ability of forest officers involved in forestry law enforcement, and to study the effectiveness of forestry law enforcement.

Abstrak tesis dikemukakan kepada Senat Universiti Putra Malaysia sebagai memenuhi keperluan untuk ijazah Master Sains

PENGETAHUAN DAN SIKAP PEGAWAI HUTAN TERHADAP UNDANG-UNDANG PERHUTANAN DAN PENGUATKUASAANNYA DI LAO PDR

Oleh

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Kajian telah dijalankan di tiga wilayah di Lao PDR; iaitu, Louangrapang, Khammouane dan Champasack dengan objektif utama kajian adalah untuk menilai pengetahuan dan sikap pegawai hutan terhadap Undang-undang Perhutanan 1996 di Lao PDR, dan faktor-faktor yang berkaitan dengan pengetahuan dan sikap mereka juga ditentukan. Kesemua data dikumpul daripada sejumlah 264 repondan melalui soal selidik. Responden-responden dikehendaki menandakan pengetahuan mereka dalam skala tiga mata bagi dua puluh empat soalan untuk bahagian pengetahuan dalam Undang-undang Perhutanan 1996 dan menandakan sikap mereka dalam skala lima mata untuk bahagian undang-undang perhutanan dan penguatkuasaannya. Mata-mata yang diperolehi daripada soal selidik ini menunjukkan pengetahuan dan sikap responden-responden. Frekuensi dan analisis korelasi dilakukan terhadap data ini dengan menggunakan teknik-teknik statistikal yang sesuai.

Secara keseluruhan, pengetahuan pegawai hutan di Lao PDR terhadap undang-undang perhutanan adalah lemah. Ini mungkin disebabkan oleh undang-

undang baru, undang-undang baru yang agak sama dengan undang-undang yang sebelumnya, kekurangan pengalaman dalam penguatkuasaan undang-undang dan juga tempoh perkhidmatan. Walau bagaimanapun, mereka mempunyai pengetahuan yang baik dalam peruntukan berkaitan dengan aspek pemuliharaan hutan. Empat angkubah tidak bersandar telah dikenalpasti mempunyai korelasi yang ketara dan positif dengan pengetahuan responden, iaitu kelayakan akademik, tempat bekerja, kehadiran kursus dan kehadiran mesyuarat. Di samping itu, responden-responden mempunyai sikap yang positif terhadap sistem penguatkuasaan undang-undang perhutanan dan kerjasama yang dikemukakan oleh organisasi-organisasi lain dalam menguatkuasakan undang-undang. Sebaliknya, mereka menunjukkan ketidakpuasan terhadap sokongan kerajaan dalam menguatkuasakan undang-undang perhutanan. Lima angkubah didapati mempunyai korelasi dengan sikap responden; iaitu kelayakan akademik, jawatan yang disandang pada masa kini, dan kehadiran mesyuarat adalah positif, manakala tempoh perkhidmatan dan tempat bekerja adalah negatif. Tiada perkaitan antara pengetahuan dan sikap responden secara keseluruhannya. Walaubagaimanapun, terdapat korelasi yang ketara antara pengetahuan dan sikap oleh beberapa sub-kumpulan, iaitu mereka yang terlatih dalam bidang perhutanan, tempoh perkhidmatan yang panjang, bekerja di pejabat daerah, menghadiri kursus dan mesyuarat.

Kerajaan Lao PDR seharusnya memberi lebih banyak perhatian terhadap pengubalan undang-undang perhutanan dan meningkatkan pendidikan serta latihan dalam penguatkuasaan undang-undang perhutanan jikalau matlamat kerajaan adalah untuk meningkatkan pengurusan perhutanan dalam negara. Juga dicadangkan bahawa sokongan dalam penguatkuasaan undang-undang perhutanan seharusnya

dipertingkatkan lagi yakni termasuk kewangan, tenikal, dan sokongan moral. kajian yang sama dijalankan untuk mengesahkan hasil kajian ini, dan juga untuk menilaikan kapasiti serta keupayaan pegawai hutan dalam penguatkuasaan undang-undang perhutanan.

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LIST OF ABBREVIATIONS

1 st NFC	First National Forest Congress
CFO	Central Forest Organisation
DAA	District Administrative Authority
DAFO	District Agriculture and Forestry Office
DoF	Department of Forestry
DSSS	Disproportionate Stratified Systematic Sampling
GDP	Gross of Domestic Products
Lao PDR	Lao People's Democratic Republic
LFAO	Local Forest Administrative Organisation
LSFCP	Lao-Swedish Forest Co-operation Programme
MAF	Ministry of Agriculture and Forestry
NEM	New Economic Mechanism
NSC	National Statistic Centre
PAA	Provincial Administrative Authority
PAFO	Provincial Agriculture and Forestry Office
PFS	Provincial Forest Section
PM	Prime Minister
RA	Research Assistance
SAQS	Self-Administered Questionnaire Survey
TFAP	Tropical Forest Action Plan
VAA	Village Administrative Authority



CHAPTER I

INTRODUCTION

Background

Lao PDR is one of the developing countries in South-East-Asia. It consists of 16 Provinces, 1 Municipality and 1 Special Zone, situated in geographical boundaries from 22°3' north latitude to 13°45' and from 100°06' to 107°33' longitude. Lao PDR borders with 5 countries; China to the north with 116km, Vietnam to the east with 1975 km., Cambodia to the south with 492 km., Thailand to the west with 1730 km., and Burma to the north-west with 230 km. Lao PDR occupies an area of 236,800 square kilometres with a population of approximately 4.9 million people, growing at a rate of 2.5% per year (Anon, 1998).

Lao PDR has a total forest area of 11.2 million hectares or 47 percent of the total land area of the country. The government is responsible for managing forest resources for long term social benefits. The strategic directives agreed upon during the First National Forest Congress (1st NFC) of May 1989 were as follows:

- 1 Preservation of forest and improvement of its management to increase production;
- 2 Rational use of forests to increase their economic value;

- 3 Permanent settlement by the year 2000 of 60% of the 1.5 million people currently engaged in shifting cultivation.

Following the resolutions of the 1st NFC, the Lao's forest management goal was decided at the Fifth Party Congress of the Lao People's Revolutionary Party in 1991, which reads:

“Forest is a valuable resource which is extremely useful to our country's social-economic environment. Our policy in this field aims at preserving and increasing forestry resources, correctly and effectively, using the huge value of the forest”.

The beginning of Lao's Forest Policy actually started in 1989 when the First National Forest Congress (1st NFC) was held. This Congress have formulated the fundamental strategies for forest programmes as follows:

- 1 Shifting cultivation stabilisation;
- 2 Rehabilitation and expansion of forested land are to reach 70% forest cover coverage eventually;
- 3 Utilisation of forest resources and forest industry development with the focus on the promotion of finished products.
- 4 Manpower development and forestry research, so as to improve the work quality and efficiency.

The 1st NFC held in 1989 addressed the importance of participatory people's-oriented forestry towards sustainable forest development. In addition, the essential involvement of local people in natural resource management, protection, and

conservation was clearly spelled out in the sixth party congress in 1997, in the Forest Action Plan 1991 and Forestry Law of 1996, as well as in the Ministry of Agriculture and Forestry's strategy for the year 1996-2000.

According to forest policy and forest strategy mentioned above, many prime ministerial decrees and ministerial regulations concerning forest management and conservation were drafted: namely, regulations pertaining to forest management and bio-diversity conservation, National Code of Timber Harvesting Practice, Decree on forest and forest land allocation, and Decree on biodiversity conservation. Besides these, the Lao's Government has signed the International Convention on the Conservation of Biological Diversity (Robichaud, 2001).

The success of forest management and protection is greatly influenced by the effective enforcement of forest legislation. On the other hand, effective enforcement of legislation depends on the performance of the forest officers. The actual physical task of carrying out an organisation's objective falls on the persons at the lower level of the administrative hierarchy. The field staff are of great importance to the implementation of forestry policy and strategies in the country. Thus, they should perceive the law positively while implementing it. Knowledge and attitude towards the law would have an impact on the effectiveness of the forestry law enforcement. Therefore, the knowledge and attitude of forest officers in local organisations of management towards forestry legislation warrant a detailed investigation.



Statement of the Problem

According to the resolution of the First National Forestry Congress (1st NFC) in 1989, the new systems of forest management in Lao PDR are decentralised and delegated to provincial and district levels including forestry law enforcement. This policy enables local authorities to administer and manage the forest resources and also their forest industries. During the period of its implementation in the Third Five-Year Plan 1991-1996, many problems were encountered in forest management as listed below (Anon, 1996c):

- 1 Forest management planning and allocation of annual allowable cuts (AACs) quotas are not adequately performed and supervised.
- 2 The preparation of AACs is severely hampered by the lack of adequate inventory data on which to base resource management.
- 3 Forest management personnel of the Department of Forestry have no jurisdiction over provincial forest enterprises which are regulated by provincial forest staff.
- 4 Quota allocations for provincial forest enterprises were outside the jurisdiction of the Department of Forestry.
- 5 The regulatory and control systems in harvesting and offtake areas are diffused too thinly to be effective in monitoring and controlling export volumes, export turns and contracts.

Although the central government had attempted to gazette many decrees and regulations for preventing various types of forest offences, the progress in law



enforcement is very slow. For example, the rate of shifting cultivation practice was still widespread throughout the country; it was more than 100,000 ha in 1996. Various types of illegal logging were investigated everywhere. The volume of timber involved in illegal logging reached more than 20,000 m³ in 1996 excluding illegal uses by villagers for household construction (Anon, 1996e). Illegal trade of wildlife was observed on Laos-Thailand and Laos-Vietnam borders (Martin, 1992).

The Department of Forestry has identified some of the main shortcomings in forestry law and its enforcement (Anon, 1998):

- 1 Budget allocation and staff resources for the forestry sector are inadequate to monitor forest resources effectively and ensure sustainable management.
- 2 The lack of legal framework in forest and forest land concessions makes regulation and enforcement of contracts virtually impossible.
- 3 A weakness of forest management in the country is poor enforcement of law and regulations.

Human resource is considered one of the most important assets in any organisation. Accordingly, the studies need to be carried out to identify these weaknesses. However, there has not been any study to assess the extent of knowledge and attitudes of forest officers towards forestry law and its enforcement in the country. This study will attempt to analyse the knowledge and attitude of forest officers as well as the factors that influence their knowledge and attitudes towards forestry law and its enforcement.