

## **THE MINISTRIES**

### ***INTER-MINISTERIAL***

#### **THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT- THE MINISTRY OF PUBLIC SECURITY - THE MINISTRY OF DEFENSE**

#### **JOINT CIRCULAR No. 144/2002/TTLT/ BNNPTNT-BCA-BQP OF DECEMBER 13, 2002 GUIDING THE COORDINATION AMONG THE FOREST RANGER, PUBLIC SECURITY AND ARMY FORCES IN THE FOREST PROTECTION WORK**

In implementation of the 1991 Law on Forest Protection and Development; the 2001 Law on Fire Prevention and Fighting and the Prime Minister's Directives No. 286/TTg and 287/TTg of May 2, 1997

on intensifying urgent measures to protect and develop forests and organizing the inspection, search for and mopping-up of deforesting organizations and individuals, the Ministry of Agriculture and Rural Development, the Ministry of Defense and the Ministry of Public Security hereby jointly guide the coordination among the forest ranger, public security and army forces in the forest protection work as follows:

#### **I. RESPONSIBILITIES OF THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT, THE MINISTRY OF PUBLIC SECURITY AND THE MINISTRY OF DEFENSE**

##### **1. The Ministry of Agriculture and Rural Development shall have to:**

Perform the function of the State management over forests and forest land throughout the country; coordinate with the Ministry of Defense and the Ministry of Public Security in guiding units in the Public Security and Defense forces which take part in the forestry work to manage, protect and develop forests, prevent and handle cases of destroying forests, causing forest fires, illegally exploiting forest products and illegally hunting wild animals.

Direct the forest ranger force to act as the core in the forest management and protection work, advise the People's Committees of all levels in devising forest protection plans, schemes to prevent and combat deforestation, search and blot out rendezvous for illegal forest exploitation and deforestation, illegal transport of and trading in forest products, illegal hunting of wild animals; making designs for forest fire prevention and fighting and working out schemes for forest fire prevention and fighting; and coordinate with the Public Security Force and the Army in organizing the inspection of the implementation of schemes already approved by the Ministry of Agriculture and Rural Development and the People's Committees of all levels.

##### **2. The Ministry of Public Security shall have to:**

Perform the State management over the forest fire prevention and fighting; investigate and handle according to its competence offenses in the field of

forest management and protection. Direct the local public security offices to coordinate with the forest ranger in working out and implementing schemes for forest-fire prevention and fighting, combating the deforestation; and taking part in the search for and blotting out of rendezvous for forest destruction, illegal trading in and transport of forest products, illegal hunting of wild animals.

Coordinate with the Ministry of Agriculture and Rural Development, the Ministry of Defense and the People's Committees of all levels in devising plans for promptly fighting forest fires. Provide courses for fostering legal knowledge and professional skills in criminal investigation as well as forest fire prevention and fighting to the forest ranger force according to agreements between the two forces.

### **3. The Ministry of Defense shall have to:**

Direct the military command posts and borderguard command posts of the provinces and centrally-run cities (hereinafter referred to as the provincial level for short) and the army units to coordinate with the local forest ranger and public security offices in working out schemes for deforestation prevention and combat and those for forest fire prevention and fighting in localities where their units are stationed or operate, and forest areas contracted by the State for protection or their planted forests.

Coordinate with the forest ranger force in searching for and blotting out rendezvous for forest destruction, illegal forest product transportation and trading and illegal hunting of wild animals; taking initiative in fighting forest fires upon the detection thereof or taking part in the forest fire fighting under mobilization orders of the presidents of the People's Committees of all levels or the competent fire fighting commanders.

## **II. SPECIFIC RESPONSIBILITIES OF AND MEASURES FOR COORDINATION AMONG THE FOREST RANGER, PUBLIC SECURITY AND ARMY FORCES**

### **A. THE FOREST RANGER:**

1. To propagate, disseminate and educate about

the legislation on forest protection and development; to mobilize agencies, organizations and people to actively participate in forest protection.

2. To inspect and promptly prevent acts of violating the forest legislation; to arrange rangers in localities to perform the forest protection tasks; to advise the commune People's Committees on performing the function of State management over forests and forest land in localities.

3. To organize people's groups and teams to protect forests, foster professional knowledge and skills of forest protection and forest-fire prevention and fighting; to direct and guide forest owners in setting up and organizing shock teams to prevent and combat the deforestation, prevent and fight forest fires and prevent and eradicate forest pests and blights. To coordinate with the fire prevention and fighting police force in organizing grassroots fire prevention and fighting groups and teams and vigilante teams in forests and in vicinity of forests.

4. To take initiative in proposing the presidents of the People's Committees of the same level to devise plans to search for and blot out rendezvous for deforestation, guide and inspect the work of preventing and fighting forest fires, preventing and checking forest pests and blights; to assume the prime responsibility and coordinate with the Public Security and the Army units of the same level in mobilizing forces to search for and mop up deforesting individuals and organizations, promptly handling cases of resisting persons on official duty. To coordinate with the fire prevention and fighting police force in mobilizing forces and facilities of agencies, organizations and/or individuals for forest-fire fighting.

5. Upon detecting cases of violating the forest legislation, the forest ranger shall impose administrative sanctions or conduct investigations according to the provisions of law. For offenses falling beyond the investigating competence of the forest ranger, the offenders and all evidences, dossiers and involved objects and documents shall be handed over to the competent investigation agency; and at the same time coordinate with the investigation agency in the verification of such cases at the latter's requests. For cases of violating the forest legislation, handed

over by the Public Security Force or the Army, the forest ranger shall have to notify the handling results to the units which have handed over such cases. To sum up the situation of violations of the forest legislation and the handling thereof; and quarterly report such to the Public Security Force or the Army.

6. Upon detecting acts of violating the provisions on forest fire prevention and fighting or causing forest fires, which fall under the competence of the forest ranger, police or borderguards, the administrative sanctioning thereof shall be carried out by the bodies being the first to accept such cases for handling.

#### **B. THE PUBLIC SECURITY FORCE:**

1. To coordinate with the local forest ranger offices, army units and local administrations in taking measures to prevent, deter and combat all acts of illegally exploiting forests, devastating forests, causing forest fires, illegally transporting and trading in forest products, illegally hunting, transporting, trading in and caging wild animals. To directly command inter-branch forces in localities in searching for and blotting out the rendez-vous for illegal forest exploitation and forest product trading in regions lying between the provinces or cities or between districts of a province or city according to plans already approved by the provincial-level People's Committees; to identify causes of forest fires according to the provisions of law.

2. To coordinate with the forest ranger and forest owners in investigating individuals and organizations that destroy forests, illegally exploit, transport and/or trade in forest products, illegally hunt, transport, trade in and/or cage wild animals; to take educative measures to prevent violations, join the forest ranger, army, militia and self-defense forces in organizing the search for and blotting-out of rendezvous for deforestation and illegal forest product trading.

3. The fire prevention and fighting police force shall coordinate with the forest ranger in guiding the formulation and practice of schemes on forest-fire prevention and fighting, take part in appraising and approving forest fire prevention and fighting projects, designs and plans; provide training on fire-prevention

and fighting skills, guide the procurement and furnishing of equipment for special use in forest fire prevention and fighting; inspect forest fire prevention and fighting activities of forest owners; take part in fighting forest fires and commanding the forest fire fighting.

4. To detect or accept dossiers of violations or offenses in the field of forest management and protection for investigation and handling; periodically or extraordinarily notify to the forest ranger of information directly relevant to the forest management and protection function of the forest ranger on the situation of offenses and results of investigation and handling thereof.

5. To coordinate with the forest ranger in fostering legal knowledge and criminal investigation professional skills for forest ranger officers who conduct the investigation and handling of violations of the forest legislation.

#### **C. THE ARMY AGENCIES AND UNITS:**

1. To educate officers and soldiers in firmly grasping and strictly observing the legislation on forest protection and development. Units stationed in or near forests shall coordinate with the forest ranger forces and local administrations in protecting forests, preventing the illegal forest product exploitation, transport and trading, or illegal hunting of wild animals; and strictly observe the regulations on forest fire prevention and fighting in localities where they are stationed.

2. The provincial-level military commands shall send their competent officials to join local inter-branch inspection delegations in inspecting units and/or individuals that violate the forest protection legislation at requests of the presidents of the local provincial-level People's Committees. To direct units stationed in or near forests to adopt schemes to prevent and fight forest fires, participate in patrols and be always ready for rescue upon the occurrence of forest fires on the mobilization orders of the steering boards for forest fire prevention and fighting at their stationing localities.

3. Army units assigned with forests or forest-

planting land shall have to build works for forest fire prevention and fighting, organize grassroots forest fire teams and organize forces to conduct regular patrols and inspections, so as to detect and promptly fight forest fires upon their occurrence.

4. The commune military commands and commanders of self-defense forces of State agencies and administrative and non-business units and economic organizations shall have to organize courses for their officials, militia and self-defense force members to study the Forest Protection and Development Law, mobilize their families and local people not to deforest for terraced fields and milpa, illegally exploit and trade in forest products nor illegally hunt wild animals. To coordinate with the forest ranger force in inspecting forests, searching for and blotting out rendezvous for illegal forest exploitation, illegal trading in forest products and taking initiative in fighting forest fires upon their occurrence or taking part in the forest fire fighting on the mobilization orders of the presidents of the People's Committees of all levels and the competent fire-fighting commanders.

5. To coordinate with the forest ranger in inspecting and promptly handling units or armymen that violate the Forest Protection and Development Law.

### **III. FUNDING, REGIMES AND POLICIES FOR PERSONS DIRECTLY ENGAGED IN THE FOREST PROTECTION**

1. If officers and soldiers of the Army and the Public Security Force and forest ranger officers, when taking part in the coordinated forest protection, suffer from accidents, get injured or die while performing their official duties, shall enjoy the preferential regimes and policies prescribed by the State.

2. Militia and self-defense officers and members, when directly taking part in forest protection, shall enjoy the preferential regimes and policies applicable as when they are on military training, combat readiness, combat service or working to overcome consequences of natural disasters and enemy sabotage as prescribed in Clause 3, Article 26 of the Ordinance on Militia and Self-Defense Force, Clauses 1 and 2, Article 11 of the Government's Decree No. 35/CP of June 14, 1996 detailing the implementation

of the Ordinance on Militia and Self-Defense Force, Articles 1 and 4 of the Government's Decree No. 46/2000/ND-CP of September 12, 2000 amending and supplementing a number of articles of Decree No. 35/CP of June 14, 1996. Funding for the forest protection work shall be decided by the concerned local People's Committees.

3. Individuals and organizations that detect and denounce persons who violate the forest legislation, take part in apprehending persons who fell forest trees, deforest, illegally exploit, trade and/or transport forest products or cause forest fires shall be commended and/or rewarded according to the provisions of law.

### **IV. ORGANIZATION OF IMPLEMENTATION**

1. The Ministry of Agriculture and Rural Development, the Ministry of Defense and the Ministry of Public Security shall devise specific plans and take specific measures to direct the concerned agencies and units in their respective branch to thoroughly grasp and strictly implement this Circular; and at the same time regularly inform one another of the implementation situation and results. Annually, the leaders of the three ministries shall meet to appraise the results of the implementation of this Circular and set forth implementation measures for the subsequent year.

2. The directors of the Forest Ranger Sub-Departments, the directors of the public security offices and the chiefs of the provincial-level military commands shall have to work out plans and measures to direct the coordination among their forces, advise the local Party Committees and administrations on directing the implementation of this Circular, and meet once every six months to review implementation results in their respective localities, then report them to the local Party Committees and administrations and the three managing ministries.

3. This Circular takes implementation effect 15 days after its signing. The previous regulations and guidance of the Ministry of Agriculture and Rural Development, the Ministry of Public Security and the Ministry of Defense, which are contrary to this Circular,

shall all be annulled.

Any problems arising in the course of implementation should be reported to the Ministry of Agriculture and Rural Development, the Ministry of Defense and the Ministry of Public Security for timely amendment or additional guidance.

***For the Minister of Agriculture and  
Rural Development  
Vice Minister  
NGUYEN VAN DANG***

***For the Minister of Public Security  
Vice Minister  
LE THE TIEM***

***For the Minister of Defense  
Vice Minister  
Lieutenant General NGUYEN VAN RINH***