

Official Gazette

THE LAW ON REGULATING FOREST AFFAIRS

Rationale

Article 1

This law is enacted in the light of article 15 of the Afghanistan Constitution for regulating the affairs related to forests.

Objectives

Article 2

The objectives of this law are as follows:

- 1 - Sustainable management and regulation of forest resources based on cooperation and participation with people for rehabilitation, preservation, reform, development, and exploitation of the forests.
- 2 - Sustaining and promoting to the maximum, the production level from the forests and keeping a balance between the growth and exploitation.
- 3 - Bringing appropriate changes to the climate and beautification of the surroundings.
- 4 - Preventing the pollution of the environment.
- 5 - Restraining the velocity of winds and thus preventing their undesired impacts.
- 6 - Protecting the lakes, reservoirs, and dams from being inundated with sand and soil.
- 7 - Preventing the wind and water erosion of the soil.

8 - Preventing the risk of floods.

9 - Improving the underground waters.

10 - Regulating the courses of the surface waters.

11 - Rehabilitating and maintaining the public parks for improvement of tourism.

12 - Preserving the wild animals and birds as well as their habitats.

13 - Preserving the biodiversity, ecosystem, and their natural habitats.

14 - Maintaining the order in the areas of security and strategic importance.

15 - Preventing desertification.

16 - Encouraging the active participation of the populace in preservation, regulation and management of forest resources.

Terminology

Article 3

The following terminologies shall signify the following meanings for the purpose of this law:

1 - **Forest:** refers to an area larger than one hectare (2.5 jribs) which is covered in minimum by ten percent (10%) with the fruitful or fruitless trees whether natural or manmade.

The areas that were previously part of a forest and were destroyed or damaged due to natural or non-natural factors shall be considered forest areas.

2 - **Forestation:** refers to planting of various saplings in a piece of ground which was not part of a forest in the past and is artificially forested.

3 - **Industrial Forest:** refers to a forest containing fruitful and fruitless trees the wood of which is utilized for industrial purposes.

4 - **Fruit-Yielding Forest:** refers to a forest composed of fruit-yielding trees.

5 - **Fruitless Forest:** refers to a forest composed of fruitless trees the yields of which are industrial wood and firewood and other byproducts.

6 - **Forest Parks:** refers to state-owned forests that are established and cultivated for the purpose of training in the methods of forestry for the employees of forest management and other relevant people involved in forestry activities and for the purpose of conducting academic researches.

7 - **Forest Products:** refers to product found in the forests such as flora and fauna and their products.

8 - **Forest Resources:** refers to biological resources in a specific area of forest, including herbaceous cover, wildlife, non-wood products and other dependent ecosystems.

9 - **Urban Forest:** refers to a forest developed in a state-owned land within an urban area and cultivated and used for harvesting forest resources, supporting wildlife, preserving water resources, recreation, and for providing protection trainings.

10 - **Participatory Forestry:** refers to a forestry method where the people with direct stake in the forest resources are part of the decision making in issues related to forest management (management of resources, drafting and implementing laws).

11-**State Forest:** is a forest that is the property of the state and is protected and utilized by state agencies.

12- **Private Forest:** is a forest that is established or grown on private or leased land.

13- **Protected Forest:** is a forest that is preserved and proclaimed protected to improve the living environment.

14- **Community:** is a gathering of real persons on the basis of common rights and interests and are living in a particular place following in general collective customs, agreements or laws

15- **Community Forest:** a registered forest or piece of land with trees planed on it that is basically regulated collectively for the purpose of collective benefits and its utilizations rights, its protection and maintenance is stipulated in the law.

16- **Forestry Association:** is a voluntary gathering of real or legal persons that shall be organized in accordance with the provisions of this law for the purpose of realizing the social, economic and professional objectives of forest protection.

17 – **Protection:** is the protection and supervision of forests by state agencies and citizens of the country.

18- **Rehabilitation/Reforestation:** is the process through which a destructed or devastated forest area is converted into a forest again.

19- **Exploitation:** is the professional and technical usage of the products of forests in accordance with the provisions of this law.

20 – **Improvement:** is the implementation of technical and scientific methods for the purpose of enhancing the effectiveness and fruitfulness of forests.

21- **Development:** is the developing of forest area through scientific, technical and economic methods.

22- **Management:** coordination of the affairs related to administrative, survey, research, protection, rehabilitation, construction, development, exploitation issues as well as matters of implementation of technical , professional and economic principles for the protection of forests.

23- **Fauna and Flora:** refers to generation of developed and undeveloped, big or small wild plants and animals.

24- **Protected Area:** is the area in which geographical boundaries are determined and protected for preserving wild fauna and flora facing extinction or for research, offspring reproduction, natural sights and touristic purposes.

25- **Shelter:** is a natural or artificial area that is determined for the full protection of the living conditions of fauna and flora, environment and reproduction of the offspring; activities such as

hunting, fishing, snaring, poisoning, killing and capturing of animals and collecting of plants shall be forbidden.

26- **Monopolistic Privilege:** is a privilege that is granted by the Ministry of Agriculture, Irrigation and Livestock to private enterprises on the basis of auction in accordance with the provisions of this law for the purpose of private business profit.

27- **Exceptional Circumstances:** are defined as unpredictable circumstances that can cause the destruction of or threat to forest resources.

28- **Allowed Areas:** are those which are not proclaimed prohibited by the state.

29- **Prohibited Areas:** are those that are proclaimed protected by the state and in which no utilization shall be allowed

30- **Places of Recreation (Parks):** are areas of public property or determined parameters that are allocated for the protection of natural sights of animal or plant life and for different natural and historical purposes.

31- **Map of Local Information:** is prepared by the forestry association containing information about the area of forest for utilization, available resources and the ways of utilizing them.

32- **Non-state Agencies:** are organizations which have official duties including the UN, World Bank, the Asia Development Bank, and bilateral development agencies.

33- **Sawed Trunk:** is a fallen tree that has not been changed into wooden products

34- **Sustainable Utilization and Management:** is the supervision and utilization of forest resources in definite terms that keeps in attention the wild life, the productive process, the capacity of rehabilitation, the living capacity, and the potential factors for the present and future needs and protects the ecological, economic and social measures at regional, national and international levels and do not harm other eco- systems.

35- **Construction Timber:** standing, fallen or cut trees or planed and sawn timbers are used for construction or industrial purposes.

36- **License:** is a written official document that has been issued for administering and regulating affairs related to the forest resources based on the provisions of this law.

37- **Eco-system:** natural moveable and complicated plant and fungus system, and a collection of microscopic living creatures and their lifeless environment which stay together with each other with mutual interaction as a single active unit.

Implementing Agency

Article 4

The Ministry of Agriculture, Irrigation and Livestock shall be in charge of monitoring and harmonizing affairs related to the forests and implementation of the provisions of this law with the collaboration of other related offices countrywide.

Possession of Forest

Article 5

(1) Forests are the property of the state; citizens of the country can make use of it based on regulations issued by the Ministry of Agriculture, Irrigation and Livestock.

(2) Real and legal persons either foreign or national citizens can establish forests on private or rental lands, in accordance with the provisions of the Forest Law.

(3) Management of the affairs related to forests stipulated in sub-paragraph (2) of this article shall be carried out by the owners.

Forestry association

Article 6

(1) For management, survey, research, protection, rehabilitation, establishment, reform, utilization, exploitation and use of the scientific, technical and economic basics of forests, forestry associations shall be formed.

(2) Operation, scope of duties, authorities and other affairs of forestry associations shall be regulated through relevant by-laws taking into consideration the provisions of this law.

(3) The personality of forestry associations shall be determined following the registration of their by-laws in the Ministry of Agriculture, Irrigation and Livestock.

Chapter Two

Sustainable Management and Protection of Forests

Prohibition of Destruction of Forest Resources

Article 7

(1) Destruction and devastation of forest resources or changing forests into agricultural land or for other purposes shall be prohibited, unless the Council of Ministers makes a decision for better utilization of the land with a consideration of economic, social and environmental advantages or other public utility projects following agreement of social forest management association of the related area.

(2) Limits of the forest shall be determined by an authoritative technical delegation.

Classification of Forest

Article 8

Ministry of Agriculture, Irrigation and Livestock shall be bound to collaborate with other ministries and related offices to identify priorities in forest areas, presenting guidelines, regarding planning, land utilization and providing key technical tools, for assisting the forest management association, standard irrigated and non-irrigated forests and protected areas along with fundamental limits and elements (climate, soil and land measurement), topography, design and implementation.

Forests Management Planning and its Resources

Article 9

For safeguarding and supervising the forest and its resources, the Ministry of Agriculture, Irrigation and Livestock arranges the complete list and management planning and countrywide, forests utilization method would be arranged and implemented following the endorsement by the Council of Ministers.

Trees outside Forest Areas

Article 10

(1) The overall tree related affairs outside the forest areas shall be arranged by traditional users or the owner of that land.

(2) Wood for combustion, fruit and leafs of the trees stated in sub-paragraph (1) of this article shall be utilized taking into consideration the bills and regulations issued by the Ministry of Agriculture, Irrigation and Livestock.

Trees under protection

Article 11

(1) Governmental forest, community related forest and urban forest may be protected.

(2) In case a number of trees or certain type of trees require protection, it shall be declared as trees under the protection by a decree of the President if it belongs to the government, and if it belongs to the Forestry Association by the Ministry of Agriculture, Irrigation and Livestock.

(3) No individual shall have the right to cut, carry, export, buy, sell, grant or any other use of the trees under protection without the written permission of the authorities mentioned in paragraph 2 of this article.

Prevention from the Expansion of Desert

Article 12

In order to prevent the expansion of desert or destruction of the aboriginal plants, Ministry of Agriculture, Irrigation and Livestock with the help of governmental organs and social forestry associations shall establish forests and rebuild plant bed through reforestation programs for permanent use of the forests, considering the following standards:

- (1) Giving priority to all types of aboriginal plants for reforestation, forestation and rebuilding of plant bed.
- (2) Prohibiting fires on the plant bed unless it is needed for the survival of ecosystem in which case, permission of the Ministry of Agriculture, Irrigation and Livestock shall be required.
- (3) Prohibiting pasture of cattle in areas where the rebuilding of aboriginal and other plants still continues up to a point where the plant can resist the cattle pasture.
- (4) Giving priority to protection of plant bed alongside the river.

Permanent or Temporary Prohibition of the Use of Forest

Article 13

For the purpose of protecting the forests, Ministry of Agriculture, Irrigation and Livestock may prohibit exploitation, use of woods and pastures of forests.

Cooperation in Fire Extinguishing

Article 14

The local governmental organs and the local residents shall assist in extinguishing of forest fires and inform the relevant sources as soon as possible.

Prohibition of the Use of Wood as Fuel

Article 15

Forest wood that is used for industrial purposes shall be used for fuel.

Conditions for Installation of Plants

Article 16

Governmental and non-governmental organs can build plants beside the forests under the following conditions:

- (1) Obtaining written permission of the Ministry of Agriculture, Irrigation and Livestock
- (2) Observing at least a 5 kilometer distance from the forest
- (3) Observing the provisions of the environmental law.

Prohibition of Cutting Forest Trees

Article 17

- (1) Cutting, branching, breaking, exfoliating, uprooting and providing charcoal out of the wood of both fruitful and non-fruitful trees shall not be allowed in forests.
- (2) Cutting trees for betterment of the forests shall only take place with the permission of the Ministry of Agriculture, Irrigation and Livestock.
- (3) In circumstances mentioned in the paragraph 2 of this article, views of the technical officials of the Ministry of Agriculture, Irrigation and Livestock shall stand as a precondition to the cutting of the trees.

Prohibition from Destruction of the Observing Tower

Article 18

(1) Destruction of observing towers, buildings, roads and other facilities inside the forest shall be prohibited.

(2) Touring, filming, and taking pictures of the prohibited areas and collecting of plant or animal products shall not be allowed.

Marking Trees

Article 19

Marking of forest trees to be cut shall only take place by a hammer having governmental sign and by the responsible organ of the Ministry of Agriculture, Irrigation and Livestock.

Announcing a Fixed Date for Collection of Pistachio

Article 20

A certain date for the collection of pistachio and pine nuts shall be announced by a responsible administration of the Ministry of Agriculture, Irrigation and Livestock, considering the conditions of each region.

Chapter Three

Forestation and Reforestation and Use of Forests

Forestation and Reforestation

Article 21

(1) Ministry of Agriculture, Irrigation and Livestock shall be obligated to restore and construct artificial forests within the approved plans.

(2) Ministry of Agriculture, Irrigation and Livestock may attract cooperation of the Forestry Association and the local community to establish and rehabilitate artificial forests.

(3) Ministry of Agriculture, Irrigation and Livestock shall be obliged to provide grounds for the access of the Forestry Association and the local community to necessary technical assistances for the purpose of reforestation and establishing new forests.

Forest Usage Right

Article 22

(1) The license for the usage/exploitation of state forests and organization of its relevant affairs shall be issued by the Ministry of Agriculture, Irrigation and Livestock.

(2) Conditions for the issuance of license, use and exploitation of forests, rights and obligations of the parties, tax rate and other relevant affairs shall be regulated by a separate by-law.

Chapter Four

Confirmations

Seizure, Purchase and Sale of State Forests

Article 23

The person who usurp, purchase or sale state forest area, in addition to reclamation of the area and indemnity/compensation of the caused damage, based on circumstances, he/she shall be sentenced to mid term imprisonment of no longer than 2 years.

Intentional Burning of Forests

Article 24

(1) The persons who deliberately sets fire to state or non-state forests, in addition to payment of compensation for the caused damages, he/she shall be sentenced to mid term imprisonment that shall not be less than three years.

(2) If the committed offense mentioned in the paragraph (1) of this article causes any damages to the properties of other persons, in addition to the compensation of the caused damage, the offender will be sentenced to long term imprisonment which does not exceed 10 years.

Arbitrary Use of Forests

Article 25

(1) The person who uses state forests or exploits its products arbitrarily, in addition to the compensation of the caused damage and return of the products, he/she shall be sentenced to short term imprisonment of not less than six months.

(2) The person who transports or processes forest products without the permission of the Ministry of Agriculture, Irrigation and Livestock, in addition to the compensation of the products he/she based on circumstances shall be sentenced to short term imprisonment.

Prohibition of Use of Industrial Wood as Fuel

Article 26

The person who uses industrial wood as fuel or sells it for the same purpose, in addition to compensation/return, he/she shall be sentenced to short term imprisonment of not less than six months.

Establishment of Plant

Article 27

Person who installs a plant without permission of the Ministry of Agriculture, Irrigation and Livestock in an unauthorized distance from a forest, in addition to the destruction of the plant at his/her own expense, he/she shall be sentenced to mid term imprisonment of not less than three years.

Changing Forest Land to Agricultural Land

Article 28

The person who changes forest land to agricultural land, in addition to the compensation of the caused damages, based on circumstances he/she shall be sentenced to mid term imprisonment.

Premature Picking of Pistachio and Pine Nuts

Article 29

The person, who starts picking pistachio and pine nuts before the fixed time and the announcement of the Ministry of Agriculture, Irrigation and Livestock, in addition to the return of the products, based on circumstances, he/she shall be sentenced to short term imprisonment.

Unlawful Use of Hammer

Article 30

The person who uses the hammer contrary to the devised plan or provides it to another person or use a fake hammer, he/she shall be sentenced to short term imprisonment which shall not be less than six months.

Forest Wood Export

Article 31

Export of forest wood shall not be allowed, the offender shall be prosecuted based on provisions of the law.

Destruction of Observation Towers

Article 32

The person who intentionally destroys observation towers, infrastructure, roads and other facilities or causes damage to them, in addition to the compensation of the caused damages, based on circumstances, he/she shall be sentenced to short term imprisonment.

The Selection of Forest as Shelter

Article 33

The person who chooses forest as shelter for illegal or terror activities, based on circumstances, he/she shall be sentenced to mid term imprisonment.

Making Use of Forest Trees

Article 34

(1) The person who uses forest natural trees for making charcoal, in addition to remedying inflicted damages and returning the charcoal, he/she shall be sentenced to short term imprisonment of up to three months.

(2) The person who smuggles the charcoal stated in paragraph 1 of this article shall be prosecuted in accordance with the provisions of Anti-smuggling Law.

Nonpayment of Tax

Article 35

The person, who refuses to pay tax against collection of forest crops in addition to payment of the tax, shall be sentenced to short term imprisonment.

Exploitation of Forest Contrary to Plan

Article 36

(1) The person who exploits the forest contrary to the plan contained in article 9 of this law shall be sentenced to the payment of cash fine that is not less than 10,000 Afs and not more than 100,000 Afs.

(2) In case forest resources contained in paragraph 1 of this article are exploited more than the plan, the exploited harvest shall be returned.

Prohibition of Animal Pasture in Forests

Article 37

The pasture within forest of animals particularly camel and goats shall not be allowed, the offender (pastor/shepherd) in addition to compensation of the damages, shall be sentenced a short term imprisonment that is not less than 6 months.

Tour of Forest

Article 38

Any person, who travels, films, takes pictures or collects plant and animal products in contradiction with paragraph 2 of article 18 of this law, in addition to the return of the product, shall be sentenced to cash fine of not less than 20,000 Afs and not more than 50,000 Afs.

Cutting of Unmarked trees

Article 39

A person who cuts a tree other than those clearly marked by technical personnel shall be sentenced to short term imprisonment of not less than three months.

Confiscation of Timber Woods

Article 40

Timber wood that is cut in contradiction with the provisions of this law shall be returned, and shall be vended through an auction by the Ministry of Agriculture, Irrigation and Livestock, in accordance with the provisions of this law; the revenues shall be deposited to government revenues account.

Chapter Five

Miscellaneous Provisions

Proposal of Regulation and Adoption of Bills and Procedures

Article 41

For the better implementation of the provisions of this law, the Ministry of Agriculture, Irrigation and Livestock may propose a regulation and adopt bills and and procedures.

Resolution of Disputes

Article 42

With the assistance of local forestry associations, disputes over the use of forest shall be resolved through forestry association.

In case of dissatisfaction, the issue shall be handed over to provincial authorities of the Ministry of Agriculture, Irrigation and Livestock.

If the dispute is not settled within 7 days by provincial authorities, the case shall be referred to the Ministry of Agriculture, Irrigation and Livestock.

The Ministry of Agriculture, Irrigation and Livestock may take a decision regarding the issue within 15 days and shall communicate it to both parties.

In case, disputed parties disagree with the decision of the Ministry of Agriculture, Irrigation and Livestock, the parties may present their complaints to an authoritative court within one month after the announcement of communication.

Enforcement

Article 43

This law shall come into force upon publication in official gazette from the date of its signature and upon enforcement of this law, the forest law published in official gazette no.795 (1421, Solar Calendar) shall be nullified.

National Assembly of Islamic Republic of Afghanistan

Upper House

Amendments to the Law on Regulation Forest Affairs

Ratification date: 17/5/1390

S/N	Original Text	Amendments by House of Representatives	Amendments by Upper House
1	<p>Article 3</p> <p>The following terminologies shall signify the following meanings for the purpose of this law:</p> <p>1 - Forest: refers to an area larger than one hectare (2.5 jribs) which is covered in minimum by ten percent (10%) with the fruitful or fruitless trees whether natural or manmade.</p> <p>The areas that were previously part of a forest and were destroyed or damaged due to natural or non-natural factors shall be considered forest areas.</p>	<p><u>The areas that were previously part of a forest and were destroyed or damaged due to natural or non-natural factors shall be considered forest areas.</u></p> <p><u>This part shall be added as a separate article in miscellaneous provisions.</u></p>	<p>Article 3</p> <p>The following terminologies shall signify the following meanings for the purpose of this law:</p> <p>1 - Forest: refers to an area larger than one hectare (2.5 jribs) which is covered in minimum by ten percent (10%) with the fruitful or fruitless trees <u>(natural or manmade).</u></p> <p>The areas that were previously part of a forest and were destroyed or damaged due to natural or non-natural factors shall be considered forest areas.</p>

2	<p>Article 3</p> <p>4 - Fruit-Yielding Forest: refers to a forest composed of fruit-yielding trees.</p>	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
3	<p>Article 3</p> <p>5 - Fruitless Forest: refers to a forest composed of fruitless trees the yields of which are industrial wood and firewood and other byproducts.</p>	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
4	<p>Article 3</p> <p>6 - Forest Parks: refers to state-owned forests that are established and cultivated for the purpose of training in the methods of forestry for the employees of forest management and other relevant people involved in forestry activities and for the purpose of conducting academic researches.</p>	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
5	<p>Article 3</p> <p>23- Fauna and Flora: refers to generation of developed and undeveloped, big or small wild plants and animals.</p>	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>

6	Article 3	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
	26- Monopolistic Privilege: is a privilege that is granted by the Ministry of Agriculture, Irrigation and Livestock to private enterprises on the basis of auction in accordance with the provisions of this law for the purpose of private business profit.		
7	Article 3	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
	27- Exceptional Circumstances: are defined as unpredictable circumstances that can cause the destruction of or threat to forest resources.		
8	Article 3	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
	28- Allowed Areas: are those which are not proclaimed prohibited by the state.		
9	Article 3	<u>To be omitted.</u>	<u>Original text of the law is confirmed.</u>
	31- Map of Local Information: is prepared by the forestry association containing information about the area of forest for utilization, available		

resources and the ways of utilizing them.

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|----|--|---|--|
| 10 | Article 3 | <u>To be omitted.</u> | <u>Original text of the law is confirmed.</u> |
| | 32- Non-state Agencies: are organizations which have official duties including the UN, World Bank, the Asia Development Bank, and bilateral development agencies. | | |
| 11 | Article 3 | <u>To be omitted.</u> | <u>Original text of the law is confirmed.</u> |
| | 33- Sawed Trunk: is a fallen tree that has not been changed into wooden products | | |
| 12 | Article 5

(1) Forests are the property of the state; citizens of the country can make use of it based on regulations issued by the Ministry of Agriculture, Irrigation and Livestock. | Article 5

(1) <u>Citizens of the country</u> can make use of state forests based on regulations issued by the Ministry of Agriculture, Irrigation and Livestock.

<u>The below shall be added as a paragraph 4.</u>

<u>The Ministry of Agriculture, Irrigation and Livestock is obliged to regulate affairs related to participatory forestry through a separate bylaw.</u> | <u>Amendment of the House of Representatives is confirmed.</u> |

13	<p>Article 6</p> <p>(3) The personality of forestry associations shall be determined following the registration of their by-laws in the Ministry of Agriculture, Irrigation and Livestock.</p>	<p>Article 6</p> <p>(3) The <u>corporeal</u> personality of forestry associations shall be determined following the registration of their by-laws <u>and getting work permit from</u> the Ministry of Agriculture, Irrigation and Livestock.</p>	<p style="text-align: center;"><u>Amendment of House of Representatives is confirmed.</u></p>
14	<p>Article 7</p> <p>(2) Limits of the forest shall be determined by an authoritative technical delegation.</p>	<p>Article 7</p> <p>(2) Limits of the forest shall be determined by an authoritative technical delegation <u>based on its previous boundaries.</u></p>	<p style="text-align: center;"><u>Amendment of House of Representatives is confirmed.</u></p>
15	<p>Article 10</p> <p>(2) Firewood, fruit and leaves of the trees stated in sub-paragraph (1) of this article shall be utilized taking into consideration the bills and regulations issued by the Ministry of Agriculture, Irrigation and Livestock.</p>	<p>Article 10</p> <p>(2) Firewood, fruit and leaves of the trees <u>that have traditional consumers,</u> shall be utilized taking into consideration the bills and regulations issued by the Ministry of Agriculture, Irrigation and Livestock.</p>	<p style="text-align: center;"><u>Amendment of House of Representatives is confirmed.</u></p>
16	<p>Article 12</p> <p>In order to prevent the expansion of desert or destruction of the aboriginal</p>	<p style="color: red;">The below shall be added as a paragraph 5.</p> <p><u>(2) The Ministry of</u></p>	<p>Article 12</p> <p>In order to prevent the expansion of desert or</p>

plants, Ministry of Agriculture, Irrigation and Livestock with the help of governmental organs and social forestry associations shall establish forests and rebuild plant bed through reforestation programs for permanent use of the forests, considering the following standards:

- (1) Giving priority to all types of aboriginal plants for reforestation, forestation and rebuilding of plant bed.
- (2) Prohibiting fires on the plant bed unless it is needed for the survival of ecosystem in which case, permission of the Ministry of Agriculture, Irrigation and Livestock shall be required.
- (3) Prohibiting pasture of cattle in areas where the rebuilding of aboriginal and other plants still continues up to a point where the plant can resist the cattle pasture.
- (4) Giving priority to protection of plant bed alongside the river.

Agriculture, Irrigation and Livestock together with the related entities are obliged to regulate Green Afghanistan Program through a separate bylaw.

destruction of the aboriginal plants, Ministry of Agriculture, Irrigation and Livestock with the help of governmental organs and social forestry associations shall establish forests and rebuild plant bed through reforestation programs for permanent use of the forests, considering the following standards:

- (1) Giving priority to all types of aboriginal plants for reforestation, forestation and rebuilding of plant bed.
- (2) Prohibiting fires on the plant bed unless it is needed for the survival of ecosystem in which case, permission of the Ministry of Agriculture, Irrigation and Livestock shall be required.
- (3) Prohibiting pasture of cattle in areas where the rebuilding of aboriginal and other plants still continues up to a point where the plant can resist the cattle pasture.

(4) Giving priority to protection of plant bed alongside the river.

(5) The Ministry of Agriculture, Irrigation and Livestock together with the related entities are obliged to regulate Green Afghanistan Program through a separate bylaw.

Original text of the law with addition of amendment made by the House of Reprehensive as paragraph 2 is confirmed.

17 Article 20
A certain date for the collection of pistachio and pine nuts shall be announced by a responsible administration of the Ministry of Agriculture, Irrigation and Livestock, considering the conditions of each region.

Article 20
A certain date for the collection of pistachio and pine nuts shall be announced by a responsible administration of the Ministry of Agriculture, Irrigation and Livestock, **one month prior to the collection.**

Original text of the law is confirmed.

18 Article 21
(1) Ministry of Agriculture, Irrigation and Livestock shall be obligated to restore and construct artificial forests

Word artificial To be omitted. from all these three paragraphs.

Article 21
(1) Ministry of Agriculture, Irrigation and Livestock shall be obligated to restore and

within the approved plans.

(2) Ministry of Agriculture, Irrigation and Livestock may attract cooperation of the Forestry Association and the local community to establish and rehabilitate artificial forests.

(3) Ministry of Agriculture, Irrigation and Livestock shall be obliged to provide ground/opportunity for the access of the Forestry Association and the local community to necessary technical assistances.

The below shall be added as a paragraph 4.

(4) The Ministry of Agriculture, Irrigation and Livestock could create park forest in order to educate forestry techniques to the forest management employees and other related individuals for scientific researches.

construct forests within the approved plans.

(2) Ministry of Agriculture, Irrigation and Livestock may attract cooperation of the Forestry Association and the local community to establish and rehabilitate forests.

(3) Ministry of Agriculture, Irrigation and Livestock shall be obliged to provide ground/opportunity for the access of the Forestry Association and the local community to necessary technical assistances.

Additional paragraph 4.

(4) The Ministry of Agriculture, Irrigation and Livestock is obliged to create park forest in order to educate forestry techniques to the forest management employees and other related individuals for scientific researches.

Original text of the law with addition of amendment made by the House of Representative

as paragraph 4 is confirmed.

19 Article 22
(2) Conditions for the issuance of license, use and exploitation of forests, rights and obligations of the parties, tax rate and other relevant affairs shall be regulated by a separate by-law.

Article 22
(2) Conditions for the issuance of license, **protection**, use and exploitation of forests, rights and obligations of the parties, tax rate and other relevant affairs shall be regulated by a separate by-law.

Amendment of House of Representatives is confirmed.

20 Article 23
The person who usurp, purchase or sale state forest area, in addition to reclamation of the area and indemnity/compensation of the caused damage, based on circumstances, he/she shall be sentenced to mid term imprisonment of no longer than 2 years.

Article 23
The person who usurp, purchase or sale state forest area, in addition to reclamation of the area and indemnity/compensation of the caused damage, based on circumstances, he/she shall be sentenced to **maximum** mid term imprisonment.

Amendment of House of Representatives is confirmed.

21 Article 24
(1) The persons who deliberately sets fire to state or non-state forests, in addition to payment of compensation for the caused damages, he/she shall be sentenced to mid term imprisonment that shall not be less than three years.

Article 24
(1) The persons who deliberately sets fire to state or non-state forests, in addition to payment of compensation for the caused damages, he/she shall be sentenced to mid term imprisonment that shall not be less than **six years**.

Article 24
(1) The persons who deliberately sets fire to state or non-state forests, in addition to payment of compensation for the caused damages, he/she shall be sentenced to **long term** imprisonment.

22	<p>Article 24</p> <p>(2) If the committed offense mentioned in the paragraph (1) of this article causes any damages to the properties of other persons, in addition to the compensation of the caused damage, the offender will be sentenced to long term imprisonment which does not exceed 10 years.</p>	<p>Article 24</p> <p>(2) If the committed offense mentioned in the paragraph (1) of this article causes any damages to the properties of other persons, in addition to the compensation of the caused damage, the offender will be sentenced to long term imprisonment, <u>which is not less than 8 years and more than 10</u> years.</p>	<p style="text-align: center;"><u>Original text of the law is confirmed.</u></p>
23	<p>Article 25</p> <p>(2) The person who transports or processes forest products without the permission of the Ministry of Agriculture, Irrigation and Livestock, in addition to the compensation of the products he/she based on circumstances shall be sentenced to short term imprisonment.</p>	<p>Article 25</p> <p>(2) The person who transports or processes <u>state</u> forest products without the permission of the Ministry of Agriculture, Irrigation and Livestock, in addition to the compensation of the products he/she based on circumstances shall be sentenced to short term imprisonment.</p>	<p style="text-align: center;"><u>Amendment of House of Representatives is confirmed.</u></p>
24	<p>Article 26</p> <p>The person who uses industrial wood as fuel or sells it for the same purpose, in addition to compensation/return, he/she shall be sentenced to short term imprisonment</p>	<p>Article 26</p> <p>The person who uses <u>state</u> industrial wood as fuel or sells it for the same purpose, in addition to compensation/return, he/she shall be sentenced to short term</p>	<p style="text-align: center;"><u>Amendment of House of Representatives is confirmed.</u></p>

	of not less than six months.	imprisonment of not less than six months.	
25	<p>Article 28</p> <p>The person who changes forest land to agricultural land, in addition to the compensation of the caused damages, based on circumstances he/she shall be sentenced to mid term imprisonment.</p>	<p>Article 28</p> <p>The person who changes forest land to agricultural land, in addition to the compensation of the caused damages, based on circumstances he/she shall be sentenced to maximum mid term imprisonment.</p>	<p><u>Original text of the law is confirmed.</u></p>
26	<p>Article 31</p> <p>Export of forest wood shall not be allowed, the offender shall be prosecuted based on provisions of the law.</p>	<p>Article 31</p> <p>Export of forest wood, <u>without processing and in contradiction to the related bylaw,</u> shall not be allowed, the offender shall be prosecuted based on provisions of the law.</p>	<p><u>Amendment of House of Representatives is confirmed.</u></p>
27	<p>Article 34</p> <p>(1) The person who uses forest natural trees for making charcoal, in addition to remedying inflicted damages and returning the charcoal, he/she shall be sentenced to short term imprisonment of up to three months.</p>	<p>Article 34</p> <p>(1) The person who uses state forest natural trees for making charcoal, in addition to remedying inflicted damages and returning the charcoal, he/she shall be sentenced to short term imprisonment of up to three months.</p>	<p><u>Amendment of House of Representatives is confirmed.</u></p>

28 Article 36
(1) The person who exploits the forest contrary to the plan contained in article 9 of this law, in addition to remedying inflicted damages shall be sentenced to the payment of cash fine that is not less than 10,000 Afs and not more than 100,000 Afs.

Article 36
(1) The person who exploits the state forest contrary to the plan contained in article 9 of this law, in addition to remedying inflicted damages shall be sentenced to the payment of cash fine that is not less than 10,000 Afs and not more than 100,000 Afs.

Amendment of House of Representatives is confirmed.

29 Article 40
Timber wood that is cut in contradiction with the provisions of this law shall be returned, and shall be vended through an auction by the Ministry of Agriculture, Irrigation and Livestock, in accordance with the provisions of this law; the revenues shall be deposited to government revenues account.

Article 40
Timber wood that is cut in contradiction with the provisions of this law shall be returned, and shall be vended through an auction by the Ministry of Agriculture, Irrigation and Livestock, in accordance with the provisions of this law; the revenues shall be deposited to government revenues account.

Amendment of House of Representatives is confirmed.

Typing mistake amended.