



People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry
Department of Forestry

2756 - - - -
No..... /DOF

Vientiane Capital, Date..... 28 JUN 2018

To: Mr. David H. Morgan
Officer-in-Charge
CITES Secretariat

Re: **National Ivory Action Plan (NIAP) Progress Report**


Dear Mr. Morgan,

I am pleased to provide to the CITES Secretariat the *National Ivory Action Plan (NIAP) Progress Report* of Lao PDR, covering the reporting period from October 2017 to June 2018. Based on the consultations and assessment done with several government agencies in Lao PDR tasked to support the implementation of NIAP, Lao PDR has made good progress with some actions points having been both achieved and substantially achieved.

We are committed to continue implementing the NIAP to ensure that we are able to achieve and substantially achieve our action points. We are also exploring and consulting on the revision and updating of the 2015 NIAP of Lao PDR, to ensure that the revised NIAP would be adapted to recent developments and circumstances in Lao PDR.

Your, Respectfully,




Mr. Soutsath SAYAKOUMMANE
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CITES NATIONAL IVORY ACTION PLAN PROGRESS REPORT

Prepared for the 70th meeting of the CITES Standing Committee

Party: Lao People's Democratic Republic

Reporting period: October 2017 – June 2018

PART A: Synopsis of NIAP implementation

Background

In 2015, Lao PDR developed its National Ivory Action Plan, through the Department of Forest Resource Management (DFRM), then designated as the CITES Management Authority and the key coordinating/implementing agency of the NIAP. The NIAP was developed in conjunction with several National Agencies and Departments including the Department of Forest Inspection (DOFI) under the Ministry of Agriculture and Forestry (MAF), Department of Import and Export under the Ministry of Industry and Commerce (MOIC), Department of Customs under the Ministry of Finance (MoF), Department of Combatting Natural Resources and Environmental Crime (DCNEC) and Department of International Police under the Ministry of Security, Department of Interior Defense from the Ministry of National Defense, and the Court, through consultation workshops culminating in July 2015.

Since August 2017, the Department of Forestry has been designated as the CITES Management Authority of Lao PDR and as key coordinating and implementing agency of the NIAP. Consultation workshops have been organized with several government agencies and departments to assess the progress in the implementation of the NIAP. Based on the consultations and assessment, 5 out of the 19 actions in the NIAP are rated as "Achieved" and "Substantially Achieved"; 12 actions are "On Track"; 1 action is "Partial Progress"; and 1 action is "Pending Completion of Another Action".

In implementing the NIAP, the following challenges were encountered:

- Since the last NIAP implementation report, there has been a change of the Management Authority from the DFRM in the Ministry of Natural Resources and Environment (MONRE) to the Department of Forestry (DOF) in the Ministry of Agriculture and Forestry.
- Because of the recent changeover of the Management Authority, a significant part of the actions in the NIAP is still under "On Track". Implementation of actions is still ongoing.
- DOF has assessed the original NIAP and the last report, which had been developed by MONRE. Adjustments/modifications in the current report have been made in order to keep them in line with the original scope of the Action Plan, with an additional intention of updating the NIAP based on developments in the CITES MA restructuring and recent policy issuances in Lao PDR.

Significant Achievements and Progress on Legislation and Regulations

A significant achievement during the reporting period is the issuance of Prime Minister (PM) Order No. 05, dated 8 May 2018, on Strengthening Management and Inspection of Prohibited Wild Fauna and Flora. The report on Lao PDR's International Obligations Related to Wildlife Conservation and Trade was also completed, with recommendations on developing adequate CITES implementing legislation or a full Decree on international trade in specimens of CITES-listed species for Lao PDR. The National Wildlife Crime Response Strategy Plan for Lao-WEN enforcement coordination and implementation was also approved and signed by the Ministry of Agriculture and Forestry as MAF Decision No. 0654 in March 2018. This is attached as **ANNEX 1**.

Progress has been made on the following:

- The revision of the Penal Code to improve provisions and penalties for wildlife-related offenses has been completed and was adopted by the National Assembly. It has been submitted to the Office of the President for promulgation.
- The Wildlife Legality Compendium has neared completion and will be finalized in a workshop with recommendations on the revision and strengthening of the Wildlife and Aquatic Law (2007).

Significant Achievements and Progress on Enforcement, Strengthening Cooperation, and Judiciary and Prosecutions

- Capacity building in conducting inspection, detection, and investigation has been implemented for multi-agency (Lao-WEN) enforcement officers in various provinces, with support from international projects and organizations, in Lao PDR.
- Concerned government agencies have also participated in relevant regional and international activities that aim to strengthen regional and international cooperation on CITES matters and law enforcement.
- At least five ivory incidents have been intercepted and investigated by Lao authorities since 2015. In addition, three wildlife-related cases are being investigated, two wildlife-related cases have been referred to the Office of Public Prosecution, and one wildlife-related case has been judged by the court.
- Forest inspection officers and concerned departments are continuing regular inspection of wildlife resellers, and taking action in accordance with the Wildlife and Aquatic Law and the recently enacted Prime Minister Order No. 05.

Significant Achievements and Progress on Prevention and Awareness

- Lao PDR has conducted awareness-raising meetings with local communities and erected billboards and messages in relevant languages (English, Lao, Vietnamese, and Chinese) in strategic locations comprising the international airports, the international border checkpoints, and the main market areas, in cooperation with international projects and organizations in Lao PDR. An initial dialogue meeting was also convened between Lao-WEN, the Chinese embassy, and representatives from the Chinese business community in Lao PDR in March 2018. This resulted in a pledge by the Chinese embassy and business community to support the Lao government's efforts to stop illegal ivory and wildlife trade and to contribute by raising awareness and stopping illegal wildlife trade activities within the Chinese community in Lao PDR.

Progress on Capacity Analysis and Development

- A workshop on the indicator framework for wildlife crime was organized in Lao PDR in November 2017 with the participation of national officers from Lao-WEN agencies. This was to introduce the ICCWC Indicator Framework for wildlife and forest crime and consult on how the indicators can be adopted and used in Lao PDR. Lao PDR is reviewing the feasibility of implementing data collection and monitoring on the ICCWC indicators, based on current capacity and resources.

Next Steps

Lao PDR is firmly committed to implement CITES and comply with its commitments under CITES. Actions have been achieved and steps have been made to continue and sustain progress on the NIAP. There is also intention and plan to consult on the revision and updating of the 2015 NIAP based on recent developments and circumstances in Lao PDR. Consultations with relevant government agencies and with international organizations will be planned as part of the process in assessing the current NIAP for revision and updating.

Important actions that Lao PDR will continue to implement and demonstrate progress under the Action Plan include the following:

On Legislation and Regulations:

- DOF will follow-up the development and drafting of a Decree on CITES international trade to ensure that there is adequate CITES implementing legislation. *J.*

- The workshop on the finalization and recommendations of the Wildlife Legality Compendium will be organized as part of the process in reviewing and revising to strengthen the Wildlife and Aquatic Law (2007).
- The revisions to the Penal Code has been adopted by the National Assembly and submitted to the President's Office for promulgation. As soon as the revisions are promulgated and take into effect, Lao PDR will ensure that the law is effectively disseminated to concerned government agencies for implementation and enforcement.

On Enforcement, Strengthening Cooperation and Sharing Information, and Judiciary and Prosecutions:

- Lao PDR will continue to implement its NIAP and will consult on planning for the revision and updating of the NIAP to adjust to current developments and changes.
- Lao PDR will continue to disseminate and ensure strict compliance and enforcement of the Prime Minister Order No. 05/2018 by concerned national government agencies, provincial and local authorities, and to the public. This will also include dissemination and implementation of the National Wildlife Crime Response Strategy Plan for concerned government agencies under Lao-WEN.
- Capacity building activities on needed competencies to better tackle the illegal trade in ivory and other wildlife will be improved and sustained, in cooperation with international projects and organizations in Lao PDR. In addition, technical support and additional capacity building activities for basic wildlife identification and forensic DNA identification of confiscated ivory is currently being discussed and explored, to assist the CITES MA, CITES SA, and law enforcement agencies.
- Lao PDR will continue to support and participate in regional and international meetings and workshop to strengthen CITES and law enforcement cooperation and information sharing. Bilateral cooperation activities are being designed and planned to increase collaboration with Thailand, Vietnam, and China.

On Prevention and Awareness:

- In cooperation and with support from international projects and organizations in Lao PDR, wildlife crime prevention awareness campaigns at key border ports and market areas will be continued. Engagement with the Chinese embassy and the Chinese business community to increase awareness among the Chinese community in Lao PDR will also be continued.

On Management of Stockpiles:

- The CITES MA will continue to review options in developing a system for storage and management of seizures, in accordance with CITES. This includes coordination of evidence and seizures among agencies and provinces, and procurement of needed equipment or facility for storage.

On Capacity Analysis and Development:

- DOF and DOFI will explore the feasibility of implementing data collection and monitoring on ICCWC indicators, and will collect data and monitor indicators based on available capacity and resources.†

PART B: Summary evaluation of actions (assigned progress ratings)

PILLAR	PROGRESS RATING					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
1. Legislation and regulations		<p>1.1 Conduct a revision of the Regulation on National Biodiversity, Conservation, Wildlife and Aquatic Management in Lao PDR, No.0360/MAF.2003, dated: 8/12/2003, to update it in accordance with relevant legislation such as the Wildlife Act.</p> <p>1.3 Develop a Ministerial Circular on the management of hunting trophies</p>	<p>1.2 Following the completion of 1.1 above, review the current regulation of MAF and institutional mandates regarding enforcement of ivory trade through Lao PDR, identifying barriers for prosecution and punishment and make recommendations on required revisions</p>		<p>1.4 Review penalties under the Penal Code to ensure that wildlife crime is adequately addressed as a form of serious crime</p>	
2. Enforcement	<p>2.1 Develop capacity of multi-agency (Lao-WEN) enforcement officers through regional (North, Central, South) training courses in the following areas: a) conduct inspection and detection regarding smuggled wildlife including species identification (incl. genuine ivory from fake)</p>	<p>2.4 Participate in international and regional law enforcement activities</p>	<p>2.1 Develop capacity of multi-agency (Lao-WEN) enforcement officers through regional (North, Central, South) training courses in the following areas: b) CITES requirements and examination of (CITES) documents and detect documentation misuse and fraud</p> <p>2.3 Develop advanced investigative capacity of multi-agency (Lao WEN) law enforcement officers through regional (North, Central, South) training courses in subjects including: crime scene management, forensic awareness, controlled deliveries, questioning, use of technology, judicial procedures and presenting cases</p> <p>2.5 Improve control of illegal trade in ivory and other wildlife in local</p>	<p>2.2 Ensure that border officers are in possession of necessary tools and guides to clarify CITES species and determine genuine from fake documentation</p>		

PROGRESS RATING						
PILLAR	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
3. Strengthening cooperation and sharing information			<p>markets</p> <p>2.6 Strengthen enforcement at ports and border checkpoints</p> <p>3.1 Enhance cooperation with other Asian and African countries on combating wildlife crime</p> <p>3.2 Increase use of intentional tools to exchange information and intelligence</p> <p>3.3 Ensure reporting of information to MIKE and ETIS</p>			
4. Judiciary and prosecutions			<p>4.1 Increase awareness of the seriousness of wildlife crime amongst prosecutors and judiciary</p> <p>4.2 Increase the capacity of relevant officers in wildlife crime investigations to help increase the rate of prosecutions for wildlife crime (see 2.3)</p>			
5. Prevention and awareness		<p>5.1 Conduct awareness and trafficking prevention training at key border ports: Wattai domestic and international airports, Luangprabang airport, Pakse airport, Laos-Thailand friendship bridge, 1 market areas</p>				
6. Management of Stockpiles			<p>6.1 Establish and maintain a robust system for management of stockpiles of wildlife</p>			

PILLAR	PROGRESS RATING					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
7. Capacity analysis and development			seizures 7.1 Explore implementation of the ICCWC wildlife and Forest Crime Analytic toolkit and Lao PDR			

PART C: Detailed evaluation of actions

ACTION

EVALUATION

SUMMARY OF PROGRESS (and comments)

PILLAR 1: Legislation and regulations

1.1 Conduct a revision of the Regulation on National Biodiversity, Conservation, Wildlife and Aquatic Management in Lao PDR, No.0360 /MAF.2003, dated: 8/12/2003, to update it in accordance with relevant legislation such as the Wildlife Act.

Draft is produced
Regulation has been successfully revised

Substantially Achieved

- **MAF Regulation No. 0360/2003**, dated 8 December 2003, on National Biodiversity Conservations Areas, Aquatic and Wildlife Management Regulations classifies wild and aquatic species in Lao PDR into 2 categories by order of importance in terms of management and distribution of species: (1) Restricted wild and aquatic life, List I; and (2) Managed wild and aquatic life, List II. The Regulations only covers domestic *Asian elephants* under the Restricted List I, and not relevant to *African elephants*.
- In 2007, Lao PDR enacted the **Wildlife and Aquatic Law (No. 07/NA)**, dated 24 December 2007, that categorized wildlife and aquatic life in Lao PDR, comprising of mammals, birds, reptiles, amphibians, and insects, into 3 categories: (3) Common/General Category List III. **Prime Minister Decision No. 81/2008**, dated 13 August 2008, provides the list of species under Prohibition Category List I and Management Category List II, while **Prime Minister Decision No. 0070/2008**, dated 1 August 2008, provides the list of species under the Common/General Category List III. The PM Decision No. 81/2008 covers *Asian elephants* under the Prohibited Category List I, and also not relevant to *African elephants*.
- **Prime Minister Decree No. 134** on Protected Areas, dated 13 May 2015, determines principles, regulations and standards related to the establishment, allocation, protection, development, utilization and inspection of Protected Areas in Lao PDR.
- The Ministry of Post and Communications (MPT) also issued **MPT Decision No.168**, dated 23 January 2017, on Prohibited Items in Postal Service. The decision categorizes Prohibited Items into two categories: (1) Prohibited Item Type 1 on illegal items against the laws of Lao PDR and international law; and (2) Prohibited Item Type 2 on items that are not illegal but failed to comply with postal regulations and regulations of concerned government sectors. Rhino horn, elephant ivory, tiger parts and all wildlife, wild wood and live and dead plants stipulated by the Ministry of Natural Resources and Environment are classified as Prohibited Item Type 1. Individuals, legal entities or organizations found violating the Decision will be penalized by undergoing education measures, warning, punishment, fine, have their postal service license suspended or withdrawn, or receive criminal punishment depending on the severity level of the case, and liability for compensation for loss incurred. MPT Decision No. 168 is attached as **ANNEX 2**.
- Lao PDR issued **Prime Minister (PM) Notification No. 64** in January 2018 to strengthen policy process in the country to implement CITES. The PM Notification tasked the development of the following policy documents: (a) a Prime Minister Order on Strengthening Management and Inspection of Prohibited Wild Fauna and Flora, issued in May 2018 as Prime Minister Order No. 05/2018; (b) a Prime Minister Decision on the appointment of a CITES implementing committee, issued in March 2018 as Prime Minister Decision No. 18; and (c) a Minister of Agriculture and Forestry Decision on the systematic management of wildlife farming. PM Notification No. 64 (unofficial English translation) is attached as **ANNEX 3**.
- The **PM Order No. 05/2018** was issued in May 2018 to address the illegal trade in prohibited wildlife in Lao PDR by ordering strict compliance in the inspection and management of endangered prohibited wildlife in line with the laws and regulations of Lao PDR and in compliance with CITES, thus enabling for inspection and management coverage of species listed under both Lao laws and the CITES Appendices. The Order will be strictly enforced and implemented by all Ministries, related

ACTION	EVALUATION	SUMMARY OF PROGRESS (and comments)
<p>1.2 Following the completion of 1.1 above, review the current regulation of MAF and institutional mandates regarding enforcement of ivory trade through Lao PDR, identifying barriers for prosecution and punishment and make recommendations on required revisions</p>	<p>Proposal submitted to Minister</p>	<p>sectors and local authorities, with the following expected outcomes: (1) Strict enforcement against the hunting, import, transit, export, and trade of prohibited and protected species under Lao laws and Appendix I and Appendix II species under CITES; (2) Strict enforcement against farming of prohibited list and Appendix I species for commercial purpose, leading to strict audit and inspection of facilities with CITES Appendix I and II species; and (3) strict compliance by the Ministry of Agriculture and Forestry (MAF) in cooperation with other relevant Ministries and sectors in the enforcement against prohibited wildlife trade activities, and investigation of wildlife crime cases in accordance with the Criminal Law and Wildlife and Aquatic Law. PM Order No. 05 (unofficial English translation) is attached as ANNEX 4.</p> <ul style="list-style-type: none"> The Wildlife Legality Compendium project has been completed, as a legal reference on wildlife-related laws and policy documents in Lao PDR. A workshop will be organized to finalize the project and discuss the recommendations to strengthen the Wildlife and Aquatic Law. Copy of the latest version of the Wildlife Legality Compendium is attached as ANNEX 5. The Report on Lao PDR's International Obligations Related to Wildlife Conservation and Trade, with recommendations on developing adequate CITES implementing legislation for Lao PDR, has also been completed. The Department of Forestry organized a workshop on 19-20 June 2018 to discuss recommendations from the report and the drafting of a Decree on international trade in CITES-listed specimens to comply with having adequate CITES implementing legislation in Lao PDR. The draft Decree aims to set out the different institutional mandates, roles, and trade regulations required for CITES implementation. Copy of the recommendations from the report on Compliance to International Law is referenced as ANNEX 6. The PM Notification No. 64, from January 2018, also tasked the development of important regulatory documents to address gaps in implementing CITES. This includes the PM No. 05/2018 which also mandates the improvement of institutional structures and coordination for CITES implementation, and Prime Minister Decision No. 18, issued in March 2018, on the appointment of a CITES implementing committee. There is also an ongoing process in the development of the draft guidelines for wildlife farming. PM Decision No. 18 is attached as ANNEX 7.
<p>1.3 Develop a Ministerial Circular on the management of hunting trophies</p>	<p>Draft is produced</p>	<ul style="list-style-type: none"> The PM Order No. 05/2018 issued in May 2018 to address the illegal trade in prohibited wildlife in Lao PDR by ordering strict compliance in the inspection and management of endangered prohibited wildlife in line with the laws and regulations of Lao PDR and in compliance with CITES, includes prohibition and enforcement provision on parts and products from the Prohibited Category List I and Management Category List II under the Wildlife and Aquatic Law and Appendices I and II under CITES. It also highlights the roles of Ministries and their line agencies in strictly complying with the PM Order.
<p>1.4 Review penalties under the Penal Code to ensure that wildlife crime is adequately addressed as a form of serious crime</p>	<p>Pending completion of another action</p>	<ul style="list-style-type: none"> The Penal Code has completed a revision process that will improve provisions and penalties for wildlife crime offenses. It includes the following changes: (a) criminalization of possession and trade of prohibited wildlife with a maximum imprisonment penalty of 5 years; (b) introduction of aggravating circumstances (such as commission in an organized group) that increases the penalty for imprisonment and fine for relevant criminal offenses; (c) maximum of 10 years of imprisonment for illegal import, export, transit, and transport committed with aggravating circumstances; (d) for monetary fines for relevant criminal offenses, penalties are doubled or tripled when committed with aggravating circumstances; and (e) CITES is explicitly mentioned in the proposed revisions for relevant criminal offenses, thus providing criminal liability for these activities related to CITES. The Penal Code has been adopted by the National Assembly and submitted to the President's Office for promulgation.

ACTION

EVALUATION

SUMMARY OF PROGRESS (and comments)

PILLAR 2: Enforcement

<p>2.1 Develop capacity of multi-agency (Lao-WEN) enforcement officers through regional (North, Central, South) training courses in the following areas:</p> <p>a) conduct inspection and detection regarding smuggled wildlife including species identification (incl. genuine ivory from fake)</p> <p>b) CITES requirements and examination of (CITES) documents and detect documentation misuse and fraud</p>	<p>Increase in wildlife inspections and detections at key border crossings and markets</p>	<p>(a) <input checked="" type="checkbox"/> Achieved</p> <p>(b) <input checked="" type="checkbox"/> On track</p>	<ul style="list-style-type: none"> • Eight workshops on investigation and identification of protected wild animals such as elephants, rhinos, tigers, and other species have been organized for Lao-WEN and Provincial-WENs. • Three meetings with the Interpol Police on aquatic and wild animal regulation and control were organized and attended. • One consultation workshop with Interpol Police and Department of Combatting Natural Resources and Environmental Crime was organized. • Three training workshops with the Department of Forest Inspection on prosecution of criminal cases on aquatic and wildlife, non-timber, timber, and forest offenses to build capacity for officers on prosecution wildlife and forest-related crimes were conducted. • Criminal investigation mentoring with the Department of Combatting Natural Resources and Environmental Crime on wildlife- and forest-related crimes and advanced identification of wildlife was also done. • Training workshop on the prevention of illegal trade of aquatic and wildlife with the Tax Department was also organized. • Lao PDR will continue to implement trainings and capacity building activities for concerned Ministries and line agencies. These workshops and trainings will continue in accordance with the dissemination and implementation of the Prime Minister Order No. 05 and the National Wildlife Crime Response Strategy Plan, signed by the Ministry of Agriculture and Forestry in March 2018. • See 2.5 on law enforcement outcomes
<p>2.2 Ensure that border officers are in possession of necessary tools and guides to clarify CITES species and determine genuine from fake documentation</p>	<p>Reference materials are available and referred to by donors</p>	<p><input checked="" type="checkbox"/> Limited progress</p>	<ul style="list-style-type: none"> • Basic training curriculum on anti-smuggling and law enforcement in relation to wildlife, timber, and NTFP is being delivered to Lao Customs Department offices in Central, North, and South provinces. A total of 90 officers from border checkpoints will be trained in competencies on detecting and inspecting wildlife- and timber- related offenses at border checkpoints. • The Department of Combatting Natural Resources and Environmental Crime is also receiving support from LENS2 and Environment Protection Fund to ensure that needed competencies and tools are available for officers to perform their tasks. • Several tools and guides have been made available for use by border officers, including: IUCN guide developed in 2006, the ASEAN-WEN Species Identification Guide updated in 2013/2014, WCS Ivory Identification guide, and WildScan mobile application. • A Memorandum of Understanding is also being reviewed between the Customs Department and CITES MA that will allow for better information sharing on CITES-related trade at Customs checkpoints and improving the role and capacity of the Customs Department in the detection and inspection of imports, exports, and permits.
<p>2.3 Develop advanced investigative capacity of multi agency (Lao WEN) law enforcement officers through regional (North, Central, South) training courses in subjects including: crime scene management, forensic</p>	<p>Increase in the law enforcement operations and prosecutions of offenders</p>	<p><input checked="" type="checkbox"/> On track</p>	<ul style="list-style-type: none"> • Three training workshops with the Department of Forest Inspection and the Office of the Public Prosecution on prosecution of criminal cases on aquatic and wildlife, non-timber, timber, and forest offenses to build capacity for officers on prosecution wildlife and forest-related crimes were conducted. • Criminal investigation mentoring with the Department of Combatting Natural Resources and Environmental Crime on wildlife- and forest-related crimes and advanced identification of wildlife was also done. • Basic training curriculum on anti-smuggling and law enforcement in relation to wildlife timber, and NTFP is being delivered to Lao Customs Department offices in Central, North, and South provinces. A

ACTION	EVALUATION	SUMMARY OF PROGRESS (and comments)
<p>awareness, controlled deliveries, questioning, use of technology, judicial procedures and presenting cases¹</p>	<p>Increase in law enforcement operations and prosecutions of offenders</p>	<p>total of 90 officers from border checkpoints will be trained in competencies on detecting and inspecting wildlife- and timber- related offenses at border checkpoints.</p> <ul style="list-style-type: none"> See 2.5 on law enforcement outcomes
<p>2.4 Participate in international and regional law enforcement activities</p>	<p><input checked="" type="checkbox"/> Substantially achieved</p>	<p>The Lao Government has participated in the following meetings and activities to facilitate better cooperation and exchange of information and best practices in relation to CITES and illegal wildlife trade:</p> <ol style="list-style-type: none"> 4th Regional Dialogue on Combating Trafficking of Wild Fauna and Flora, organized by the USAID Wildlife Asia from 12-14 September 2017 Tri-lateral workshop promoting cooperation on information sharing and law enforcement between Malaysia, Thailand and Lao PDR in Kuala Lumpur from 5-7 March 2018, hosted by the Malaysian Ministry of Natural Resources and Environment and WCS-Malaysia 14th Meeting of the ASEAN Working Group on CITES and Wildlife Enforcement hosted by the Lao Government in Luang Prabang from 20-22 March 2018 1st Meeting of the ASEAN SOMTC Working Group on Illicit Trafficking of Wildlife and Timber in Bangkok, Thailand on 29 March 2018 Regional Workshop on compliance with CITES Shark and Ray Trade regulations in the Philippines from 21-22 March 2018 CITES-MIKES Asia Meeting in Bangkok, Thailand in April 2018 USAID Wildlife Asia supported Lao PDR Observation Mission on Counter-Wildlife Trafficking Policy Best Practices from 21-25 May 2018 in Thailand. The USAID Wildlife Asia has committed to provide additional support to the Lao Government on its NIAP process, based on communications from DoF to USAID Wildlife Asia. <ul style="list-style-type: none"> See 2.5 on law enforcement outcomes
<p>2.5 Improve control of illegal trade in ivory and other wildlife in local markets</p>	<p><input checked="" type="checkbox"/> On track</p>	<p>Lao authorities have inspected/confiscated/investigated at least 5 ivory incidents since 2015:</p> <ol style="list-style-type: none"> On 4 September 2015, 48kgs (9 tusks) of ivory in 2 luggages were confiscated by Customs Department at Wattay International Airport. The luggage containing the ivory originated from Africa, transited in Korea, and arrived in Vientiane by Lao Airlines flight QV912. On 27 December 2017, the Department of Forest Inspection with Forest Inspection officers in Luang Prabang inspected 2 ivory shops in Luang Prabang and confiscated 8.1kg of ivory products (285 pieces). Based on initial basic identification of the confiscated products, 1.2kg (53 pieces) have been identified as real ivory, 5.6kg (201 pieces) as bone, and 1.3kg (31 pieces) as plastic. The Provincial Office of Forest Inspection (POFI) in Luang Prabang has invited the shopowners for interrogation and further investigation. In January 2018, inspection in Vientiane Capital by the Department of Forest Inspection resulted in the confiscation of 946 pieces of ivory (around 22.5 kg). In March 2018, the Department of Forest Inspection continued inspection of ivory shops in Luang Prabang, which resulted in the confiscation of 221 suspected ivory products from 8 shops. In May 2018, based on information on ivory trade in Vangvieng in Vientiane Province, the Department of Forest Inspection proceeded with an inspection and follow-up investigation. Seven pieces of ivory products were confiscated. Two suspects who were interrogated and investigated will be prosecuted in accordance with the Wildlife and Aquatic Law and PM Order No. 05, with

¹ See 5.2

ACTION	EVALUATION	SUMMARY OF PROGRESS (and comments)
		<p>additional investigation on the owner of the business.</p> <ul style="list-style-type: none"> Forest inspection officers and concerned departments have maintained inspection of wildlife resellers, with re-education and fines in accordance with the law. Other wildlife cases intercepted and being investigated include: <ol style="list-style-type: none"> In October 2015, local authorities intercepted illegal importation of 78 live pangolins in Vientiane province traveling through the Mekong River. In August 2017, one offender was arrested for the illegal trade in two bear paws in Oudomxay Province. The DCNEC transferred the investigation of the case to Oudomxay environmental police division. Two cases have been referred to the Office of Public Prosecution for prosecution: <ol style="list-style-type: none"> Rhino horn trafficking case in June 2017 at the Wattay International Airport where 2 Chinese suspects were arrested by the Police and 15kg of rhino horn confiscated. Tiger trafficking case involving 3 tigers intercepted by local authorities in January 2018 in Khammouane and Bolikhamxay, has been submitted to the prosecutor by the Khammouane Provincial Office for Forest Inspection, on 17 January 2018. DOFI and Khammouane POFI are continuing investigations on the case, based on the recommendations from the Public Prosecutor. One criminal case related to wildlife has been judged by the court: <ol style="list-style-type: none"> Rhino horn trafficking case in October 2017 at the Wattay International Airport where 2 Chinese suspects traveling from Singapore through Flight MT788 were arrested and 5 pieces of rhino horn totaling 11.10kg were confiscated. Customs Department cooperated with the DCNEC for investigation and sent for prosecution on 13 December 2017. The court sentenced the suspects to 3 months and 20 days imprisonment and 800,000 LAK fine. ANNEXES 8, 9 and 10 are reports on activities relating to CITES enforcement from DOFI, Department of Combating Natural Resource and Environmental Crime (DCNEC), and Customs Department.
2.6 Strengthen enforcement at ports and border checkpoints	<input checked="" type="checkbox"/> On track	<ul style="list-style-type: none"> The PM Order No. 05/2018 issued in May 2018 to address the illegal trade in prohibited wildlife in Lao PDR by ordering strict compliance in the inspection and management of endangered prohibited wildlife in line with the laws and regulations of Lao PDR and in compliance with CITES, includes prohibition and enforcement provision on parts and products from the Prohibited Category List I and Management Category List II under the Wildlife and Aquatic Law and Appendices I and II under CITES. It also highlights the roles of Ministries and their line agencies in strictly complying with the PM Order, particularly in strengthening enforcement at ports and checkpoints. Capacity building activities, trainings, and workshops have been conducted with relevant government departments and will be continued to sustain and increase enforcement capacity at ports and border checkpoints. A Memorandum of Understanding is also being reviewed between the Customs Department and CITES MA that will allow for better information sharing on CITES-related trade at Customs checkpoints and improving the role and capacity of the Customs Department in the detection and inspection of imports, exports, and permits. See 2.5 on law enforcement outcomes.
PILLAR 3: Strengthening cooperation and sharing information		
3.1 Enhance cooperation with other Asian and	Increased national	<ul style="list-style-type: none"> The Lao Government has participated in the following meetings and activities to facilitate better cooperation and exchange of information and best practices in relation to CITES and illegal wildlife trade:

ACTION	EVALUATION	SUMMARY OF PROGRESS (and comments)
African countries on combating wildlife crime	cooperation Increased regional and international cooperation	<ol style="list-style-type: none"> 1. 4th Regional Dialogue on Combatting Trafficking of Wild Fauna and Flora, organized by the USAID Wildlife Asia from 12-14 September 2017 2. Tri-lateral workshop promoting cooperation on information sharing and law enforcement between Malaysia, Thailand and Lao PDR in Kuala Lumpur from 5-7 March 2018, hosted by the Malaysian Ministry of Natural Resources and Environment and WCS-Malaysia 3. 14th Meeting of the ASEAN Working Group on CITES and Wildlife Enforcement hosted by the Lao Government in Luang Prabang from 20-22 March 2018 4. 1st Meeting of the ASEAN SOMTC Working Group on Illicit Trafficking of Wildlife and Timber in Bangkok, Thailand on 29 March 2018 5. Regional Workshop on compliance with CITES Shark and Ray Trade regulations in the Philippines from 21-22 March 2018 6. CITES-MIKES Asia Meeting in Bangkok, Thailand in April 2018 7. USAID Wildlife Asia supported Lao PDR Observation Mission on Counter-Wildlife Trafficking Policy Best Practices from 21-25 May 2018 in Thailand <ul style="list-style-type: none"> • Lao PDR also has formal cooperation (i.e. Memorandum of Understanding) with China, Vietnam, and South Africa on CITES and wildlife law enforcement issues. In May 2018, Lao PDR hosted a bilateral dialogue between the CITES MAs of Lao PDR and China to discuss on CITES and existing cooperation. • Lao PDR is planning to increase regional and bilateral cooperation with neighbouring countries through: <ol style="list-style-type: none"> 1. Hosting a consultation and exchange workshop on enforcement of wildlife laws with neighbouring countries in the Mekong region 2. Thai-Lao bilateral dialogue at central and provincial levels 3. Follow-up bilateral dialogues with the China embassy and the Chinese government on CITES cooperation and information sharing
3.2 Increase use of intentional tools to exchange information and intelligence	Increased intelligence reports and use of communication tools	<ul style="list-style-type: none"> • <input checked="" type="checkbox"/> On track • Information and reports on forest and wildlife offenses from provinces and districts in Lao PDR are currently being collected and consolidated into the Department of Forest Inspection Information Management System (IMS) database. Current information in the database are forest-related offenses, and it is being improved to scale-up reporting and consolidation of wildlife-related offenses and information. • The Department of Combatting Natural Resources and Environmental Crime (DCNEC) uses Microsoft Excel to currently record and store information on wildlife-related crimes. Under the LENS2 project, it is planning to scale-up its information collection through a dedicated intelligence database for wildlife-related offenses (i.e. i-2 or ANACAPA). • Through the Interpol National Central Bureau, Lao PDR has access in the use of Interpol I-24/7 and eco-message. • One successful cooperation with South Africa lead to the confiscation of rhino horns at Wattay International Airport in 2017 from 2 Chinese suspects.
3.3 Ensure reporting of information to MIKE and ETIS	Data is accurately recorded and reported	<ul style="list-style-type: none"> • <input checked="" type="checkbox"/> On track • Information reports on ivory and rhino horns confiscated at Wattay International Reports were sent to the CITES Secretariat in February 2018, under the reporting timeline and forms provided. The Lao government will continue to submit required CITES reports and information under the protocols and formats required by the CITES Secretariat. The information reports are attached in ANNEX 11. • Lao PDR also participated in the CITES-MIKES meeting in Thailand in March 2018, and has established its coordination point to work on MIKE reporting.

ACTION

EVALUATION

SUMMARY OF PROGRESS (and comments)

PILLAR 4: Judiciary and prosecutions

<p>4.1 Increase awareness of the seriousness of wildlife crime amongst prosecutors and judiciary</p>		<input checked="" type="checkbox"/> On track	<ul style="list-style-type: none"> Operating procedure to assist in prosecution of wildlife- and forest-related crimes has been finalized by the Office of the Public Prosecutor. The National Wildlife Crime Response Strategy Plan provides for the framework for wildlife crime response cooperation between concerned government agencies under Lao-WEN. A monitoring system for case tracking of cases referred to prosecutors is being improved and implemented by concerned enforcement agencies, in accordance with the legal process. The Department of Combatting Natural Resource and Environmental has also referred cases for prosecution. See 2.5 on law enforcement outcomes.
<p>4.2 Increase the capacity of relevant officers in wildlife crime investigations to help increase the rate of prosecutions for wildlife crime (see 2.3)</p>	<p>Increased prosecutions and detections</p>	<input checked="" type="checkbox"/> On track	<ul style="list-style-type: none"> Three training workshops with the Department of Forest Inspection and the Office of the Public Prosecutor on prosecution of criminal cases on aquatic and wildlife, non-timber, timber, and forest offenses to build capacity for officers on prosecution wildlife and forest-related crimes were conducted. Criminal investigation mentoring with the Department of Combatting Natural Resources and Environmental Crime on wildlife- and forest-related crimes and advanced identification of wildlife was also done. Basic training curriculum on anti-smuggling and law enforcement in relation to wildlife, timber, and NTFP is being delivered to Lao Customs Department offices in Central, North, and South provinces. A total of 90 officers from border checkpoints will be trained in competencies on detecting and inspecting wildlife- and timber- related offenses at border checkpoints. See 2.5 on law enforcement outcomes where 2 cases have been referred for prosecution, and 1 case have been judged by the court.

PILLAR 5: Prevention and awareness

<p>5.1 Conduct awareness and trafficking prevention trafficking at key border ports: Wattai domestic and international airports, Luangprabang airport, Pakse airport, Laos-Thailand friendship bridge, 1 market areas</p>		<input checked="" type="checkbox"/> Substantially achieved	<ul style="list-style-type: none"> The Lao Government has conducted awareness-raising meetings with local communities under the support of international project and organizations in Lao PDR (ICBF/LENS2/WCS/WWF). The Department of Forest Inspection has also put up campaign billboards and messages in different locations in Lao PDR on the prohibition against wildlife illegal hunting, trading, trafficking, and smuggling in cooperation with international projects and organizations in Lao PDR. Examples can be seen in Wattay Airport in Vientiane and in the Lao-Thai Friendship Bridge between Vientiane and Nongkhai. Main markets in Vientiane Capital, Vientiane Province, Khammouane, Bolikhamxay, Houaphan, and other provinces have also billboards and messages installed to raise awareness. Campaign billboards and messages are planned to be installed in other areas across the country. An awareness-raising message against illegal ivory and wildlife trade has also been developed in English/Chinese/Lao languages and will be set-up in Luang Prabang Airport by end of June 2018/start of July 2018. The Department of Forest Inspection also organized a dialogue meeting between Lao-WEN, the Chinese embassy and representatives from the Chinese business community in Lao PDR in March 2018, where the Chinese embassy and business community pledged support to the Lao government's efforts to stop illegal ivory and wildlife trade and to contribute to the government's efforts to raise awareness and stop wildlife trafficking with the Chinese community in Lao PDR. Designs and campaigns evidence attached as ANNEX 12.
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PILLAR 6: Management of Stockpiles

ACTION	EVALUATION	SUMMARY OF PROGRESS (and comments)
6.1 Establish and maintain a robust system for management of stockpiles of wildlife seizures	<input checked="" type="checkbox"/> On track	<ul style="list-style-type: none"> The CITES MA is making efforts to develop a system for storage and management of seizures, which are still not coordinated among agencies and in different provinces. The Department of Forest Inspection, with the support of the donors, is currently planning to procure a secure storage facility. Under LENS2 project, the Lao Customs office is also developing a strategic plan to develop the guidelines (including the chain of custody) for the management of seized wildlife specimens for both Vientiane and in provinces.
PILLAR 7: Capacity analysis and development		
7.1 Explore implementation of the ICCWC wildlife and Forest Crime Analytic toolkit and Lao PDR	<input checked="" type="checkbox"/> On track	<ul style="list-style-type: none"> On 21 November 2017, a workshop on the indicator framework for wildlife crime in Lao PDR was organized with the participation of 26 national officers from Lao-WEN agencies including the Department of Forest Inspection, the Environmental Police, Interpol, the Office of the Public Prosecutor and the Customs Department, to introduce the ICCWC Indicator Framework for wildlife and forest crime; discuss and consult on suggested indicators that can be adopted in Lao PDR; and demonstrate how performance can be measured through the indicators. Based on current practices and challenges, participants reviewed 50 ICCWC indicators as relevant and recommended piloting data collection and monitoring, with the Department of Forest Inspection as the focal point. See 2.5 on law enforcement outcomes. The Department of Forestry and Department of Forest Inspection are reviewing the feasibility of implementing data collection and monitoring on ICCWC indicators, based on current capacity and resources.

Part D: Annex (supporting information) (OPTIONAL)

1. ANNEX 1 – MAF Decision 0654 (2018) – National Wildlife Crime Response Strategy Plan
2. ANNEX 2 – MPT Decision (2017) on Prohibited Items
3. ANNEX 3 – PM Notification 64 (2018)
4. ANNEX 4 – PM Order 05 (2018)
5. ANNEX 5 – Wildlife Compendium Report (draft)
6. ANNEX 6A, 6B, and 6C – Compliance to International Obligations Executive Summary/Report
7. ANNEX 7 – PM Decision 18 (2018)
8. ANNEX 8 – DOFI Report to DOF on activities relating to CITES
9. ANNEX 9 – DCNEC Report to DOF on activities relating to CITES
10. ANNEX 10 – Customs Department Report to DOF on activities relating to CITES
11. ANNEX 11 – DOF Report to CITES Secretariat on Rhino Horn and Ivory Seizures in Lao PDR
12. ANNEX 12A and 12B – Photos of awareness and public outreach campaign in Lao PDR