

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA



Seventy-seventh meeting of the Standing Committee  
Geneva (Switzerland), 6–10 November 2023

Compliance

Compliance matters

APPLICATION OF ARTICLE XIII IN THE LAO PEOPLE'S DEMOCRATIC REPUBLIC

1. This document has been prepared by the Secretariat.
2. At the 75th meeting of the Standing Committee (SC75; Panama City, November 2022), the Secretariat reported in document SC75 Doc. 7.2.2 on progress with the implementation of the recommendations adopted by the Standing Committee at its 74th meeting (Lyon, March 2022). The Lao People's Democratic Republic (Lao PDR) noted that, since the mission of the Secretary General in early October 2022, the Prime Minister's Decree implementing CITES had been endorsed. Lao PDR also noted that, since October 2022, it had received the results of a DNA analysis of tigers in captive facilities and thanked Malaysia for its assistance. Interpretation of the results was underway, and the results would support the management of tigers in captive-breeding facilities. Lao PDR emphasized that it remained committed to the implementation of the recommendations of the Standing Committee and expressed its gratitude to the Secretariat, Parties and non-governmental organizations for the continuing support and assistance provided.
3. The Standing Committee noted document SC75 Doc. 7.2.2 and the additional information provided by Lao PDR. The Standing Committee further agreed to reiterate the recommendations made at its 74th meeting. The Standing Committee urged the Lao People's Democratic Republic to finalize and issue the decree in line with the comments made by the Secretariat without delay. The Standing Committee agreed to consider a recommendation to suspend trade in specimens of all CITES-listed species for commercial purposes at its 77th meeting if progress on the implementation of the recommendations is considered insufficient. The Standing Committee requested the Lao People's Democratic Republic to submit a report by 31 July 2023 on progress on the implementation of the recommendations of the Standing Committee in order for the Secretariat to report on progress and present its recommendations to the 77th meeting of the Standing Committee.

Technical assistance

4. As reported to SC75 and to the present meeting in document SC77 Doc. 24 on the *Compliance Assistance Programme*, the Secretariat is able to provide support to Lao PDR as part of the Compliance Assistance Programme thanks to funding from the Fish and Wildlife Service of the United States of America (US FWS). There have been some delays in finalizing the design of the project to carry out activities to support the implementation of the recommendations of the Standing Committee, but it is expected to be initiated very soon. As further described below, other partners are providing support to Lao PDR to combat illegal trade in wildlife and to wildlife management and conservation more generally, including the European Union, France, Germany, the United States of America, the United Nations Office on Drugs and Crime (UNODC), including through the Safety across Asia for the Global Environment (SAFE) project, the United Nations Environment Programme (UNEP), World Conservation Society (WCS) and the World-Wide Fund for Nature (WWF).
5. Another project implemented by the CITES Secretariat and the United Nations Food and Agriculture Organization (FAO) to provide support for the implementation of the UN-REDD Initiative for Sustainable Forest Trade in the Lower Mekong with a focus on trade in CITES-listed timber species has specifically

supported Lao PDR on the implementation of the first recommendation regarding non-detriment findings for *Dalbergia* spp. as described below.

#### Implementation of the Standing Committee's recommendations

6. The following information is a summary of progress made on the implementation of the recommendations based on the progress report received from the CITES Management Authority of Lao PDR on 31 July 2023. The recommendations adopted by the Standing Committee at its 74th meeting and reiterated at its 75th meeting are included in Annex 1 to the present document for ease of reference. Annex 2 includes the assessment of the Secretariat as to whether the recommendations have been implemented by Lao PDR.

#### *Regarding the management of exports of Dalbergia spp.*

7. The Lao PDR National Forestry Research Institute (NAFRI) has finalized the project on the distribution of *D. cochinchinensis* and *D. oliveri* in preparation for the formulation of a non-detriment finding (NDF) for the species with funding from FAO and technical support from the CITES Secretariat, under the project on improved forest governance in the Lower Mekong Region<sup>1</sup>.
8. The update and mapping of the distribution of *D. cochinchinensis* and *D. oliveri* in the central and southern provinces of the country, and a draft verification report of the status of rosewood species of the genus *Dalbergia* have been completed. Based on the preliminary findings of the study by NAFRI, and in line with the precautionary approach, Lao PDR has completed its NDF and submitted this as an annex to its report to the Secretariat. For the sake of transparency and in agreement with Lao PDR, the NDF is made available as an information document.
9. The main findings and conclusions of the NDF include the following:
  - a) The population of rosewood species of the genus *Dalbergia* in the country remains unknown; the findings of the study are limited to the areas inventoried and the general locations of potential occurrence in the eight provinces. Within two of these provinces, no wild specimens were identified. NAFRI's interpretation of the results of the survey is that the population of the two *Dalbergia* species for source code W and Y is extremely low.
  - b) Noting the ban on commercial logging of natural forests in effect, commercial harvest and trade of the rosewood species of source code W is generally not envisaged by the Government for the time being. For source code A, exports will be permitted only after an NDF can be issued based on information of cultivated parental stock of plants used. Based on this information, a system to track the chain of custody of founder stock may be established for plantations, with guidance from the CITES Management Authority.
10. Based on the NDF, Lao PDR requested the Secretariat to publish a zero-export quota for wild (source code W), artificially propagated (source code A), and assisted production (source code Y) specimens of *Dalbergia* spp. for the years 2022 and 2023 on the CITES website. These quotas were published on the website of the CITES Secretariat on 11 October 2022.
11. The Secretariat considers that the recommendation of the Standing Committee to make scientifically based non-detriment findings for the species *D. cochinchinensis* and *D. oliveri* has been completed to its satisfaction.

#### *Regarding national legislation for the implementation of CITES*

12. On 11 November 2022, the Prime Minister of Lao PDR signed the Government's Decree to regulate the international trade in endangered species of wild flora and fauna listed in CITES Appendices. The Government Decree became effective in January 2023.
13. Lao PDR has reported that the decree was publicly launched during the World Wildlife Day Celebration on 3 March 2023. In addition, the Department of Forestry had disseminated the CITES Decree in law enforcement trainings implemented with the Department of Forest Inspection (DOFI) as follows:

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<sup>1</sup> See: <https://cites.org/eng/topics/flora/cites-and-forests/cites-fao-project-on-improved-forest-governance-in-the-lower-mekong-region-lmr>

- Savannakhet Province for Savannakhet officials in December 2022;
  - Khammouane Province for Khammouane officials in February 2023;
  - Oudomxay Province for officials from Luang Prabang, Oudomxay, Luang Namtha, Bokeo, and Phongsaly in June 2023.
14. Lao PDR has also indicated that the Department of Forestry (the CITES Management Authority) will be re-initiating a review of gaps in the current CITES Decree in order to reflect changes introduced by the revised wildlife law and comments of the CITES Secretariat and development partners, to ensure that gaps and inadequacies regarding CITES implementation are addressed and the legislation is fully in compliance with CITES and meeting the minimum requirements in Resolution Conf. 8.4. (Rev. CoP15) on *National laws for implementation of the Convention*.
  15. Lao PDR reported that the review and revision of the current Wildlife and Aquatic Law (WAL) by relevant government departments has progressed in this period and led to the decision to split the law into two separate draft new laws: the Wildlife Law and the Aquatic Resources Law. The draft Wildlife Law was submitted by the Prime Minister's Office to the National Assembly in April 2023. Further consultations were held in June, including with development partners present in Lao PDR. Lao PDR expected that the law would be approved by the National Assembly in August and promulgated by the President in October 2023. The Department of Forestry has indicated that it will continue to work with partners to ensure full compliance with CITES.
  16. The Secretariat has received an unofficial translation of the Decree in English but has not received a translation of the draft Wildlife Law as submitted to the National Assembly and has received no update on the draft Aquatic Resources Law. The Decree provides a starting point for regulation of international trade in specimens of CITES-listed species, considering that no such regulation was in place prior to the adoption of this new decree. The legislation, including the Penal Code, now fulfills some but not all of the CITES minimum requirements under the National Legislation Project.
  17. However, as anticipated by Lao PDR and pointed out numerous times by the CITES Secretariat and development partners, there are some significant gaps and inconsistencies in the Decree. For instance, the Decree does not require the authorities to ensure that the specimens were obtained in accordance with national legislation before export can be authorized. In other words, no legal acquisition finding is required before trade in specimens of species in Appendix I, II or III can be authorized through an export permit. The definition of trade for non-commercial purposes includes "cultural exchange" as non-commercial with no further definition. Cultural exchange is not used in the Convention or its Resolutions and can potentially be for both commercial and non-commercial purposes. There is no definition of "captive-bred specimens" in the Decree and the regulation of trade in such specimens is insufficient to comply with CITES provisions and recommendations. Finally, with respect to export or re-export of specimens of Appendix I-species, there is no requirement to ensure that living specimens will be so prepared and shipped as to minimize risk of injury, damage to health or cruel treatment.
  18. These gaps must be addressed before the legislation can be placed in Category 1. The Secretariat understands that Lao PDR intends to revise the Decree to ensure that it is compliant and may be able to provide an update at the present meeting.

*Regarding CITES authorities*

19. Lao PDR reported that representatives of the CITES Management Authority have participated in various national, regional and international training activities and meetings. Representatives of the CITES Scientific Authority participated in just one wildlife forensics meeting held in Bangkok in March 2023, focusing on building collaboration and discussing intelligence gathered from large seizures and providing opportunities to understand wildlife forensic identification techniques and potential collaboration on regional captive tiger DNA registration database.
20. Lao PDR reported limited progress with respect to the training of staff of the CITES Scientific Authority to ensure smooth collaboration between all relevant CITES authorities and no explanation for lack of progress on this recommendation was provided.

### *Regarding enforcement*

21. Lao PDR reported that during the reporting period, multi-agency meetings and workshops were organized with the aim of improving the coordination of activities and cooperation among relevant agencies under the Lao-Wildlife Enforcement Network (WEN). The following activities have been undertaken:
- a) As reported previously, the Office of the Supreme People's Prosecutor (OSPP) and the Ministry of Agriculture and Forestry (MAF) signed an agreement on the coordinating mechanism for criminal case prosecution for offenders violating the Law on Forestry and the Law on Wildlife and Aquatic Resources on 5 April 2022. On 7 October 2022, the OSPP and MAF held their second coordination meeting in Vientiane where it was agreed to improve legal clarity in implementing relevant criminal procedures and enforcing laws as well as recommendations on improving capacities for enforcement and prosecutions at local levels.
  - b) On 24-28 October 2022, DOFI conducted a basic wildlife enforcement training for 36 new forest inspection officers at provincial and district levels in Xiengkhouang Province.
  - c) On 29-30 November 2022, the OSPP organized a two-day meeting in Oudomxay Province on *Exchange of Practices and Lessons in the Inspection and Monitoring of Wildlife Crime Prosecution* between the Northern, Central, and Southern Regional Prosecutors' Offices. The meeting, chaired by the Vice President of the OSPP, was attended by the heads of the prosecutor offices from all 18 provinces of Lao PDR. A total of 91 prosecutors attended the meeting, which focused on wildlife crime cases and informed prosecutors on approaches to improve implementation of the roles, rights and duties of government officials to address wildlife crime in Lao PDR.
  - d) On 21-23 December 2022, the Department of Forest Inspection (DOFI) implemented a cooperation training on information research and wildlife crime case investigation and criminal procedure for a total of 39 trainees from the central-level Police Department of Combating Natural Resources and Environmental Crime (DCNEC) and DOFI, and from the Environmental Crime Police Division and Forest Inspection Office of Savannakhet Province. Two prosecutors from the Savannakhet Public Prosecutor's Office and one judge from the People's Court in Savannakhet also attended.
  - e) In February 2023, the OSPP organized a joint workshop in Luang Prabang with the Ministry of Finance to exchange lessons learned and evaluate the cooperation between the OSPP and the Ministry of Finance (MOF) on criminal case proceedings on wildlife crime in relation to the Customs Law and other relevant Finance laws and regulations. The OSPP also organized a national meeting on monitoring of criminal case prosecutions in Lao PDR attended by 231 Director and Deputy Director Prosecutors from the Public Prosecutor's Office in Vientiane Capital and the seventeen provinces in Lao PDR. The meeting focused on understanding challenges and identifying solutions for criminal case prosecutions in Lao PDR with a specific focus on wildlife crime cases.
  - f) Also in February, DOFI implemented training on information research and wildlife crime case investigation and criminal procedure in Khammouane Province for 48 trainees from the central-level DCNEC and DOFI, and from the Environmental Crime Police Division and Forest Inspection Office of Khammouane Province. Two prosecutors from the Khammouane Public Prosecutor's Office and two judges from the People's Court in Khammouane also attended.
  - g) In April 2023, DOFI organized a wildlife crime online information research and analysis training in Vang Vieng District, Vientiane Province for 20 participants from the provincial forest inspection offices in Vientiane Province, Sayaboury, Houaphan, Oudomxay, and Luang Prabang.
  - h) On 19 May 2023, DOFI and DCNEC assisted the forest inspection office and environmental crime police division in Bolikhamxay Province in conducting a meeting to increase provincial inter-agency cooperation between forest inspection and police officers to enforce wildlife laws.
  - i) Also in May 2023, DOFI organized a Wildlife Rescue and Handling and Criminal Procedure training with the Lao Conservation Trust for Wildlife (LCTW) at LCTW Centre for 20 participants from the provincial forest inspection offices in Houaphan, Phongsaly, Xiengkhouang and Bolikhamxay, with representatives from the NEPL National Park and Namkading National Protected Area Management Offices.

- j) From 13 to 16 June 2023, DOFI organized a training in Oudomxay Province for 34 officers from the central-level DOFI and DCNEC and from the forest inspection offices and the environmental crime police divisions from five provinces in northern Lao PDR (Luang Prabang, Oudomxay, Luang Namtha, Phongsaly, and Bokeo). Ten officers from the prosecutor offices and people's courts in the five provinces also joined the training. The training focused on recent wildlife trafficking trends in Lao PDR, research, analysis, and information management, CITES controls and wildlife crime provisions and procedures under current laws and regulations.
22. Lao PDR reported that, from January to May 2023, DOFI had inspected and seized wildlife in five provinces (Luang Prabang, Oudomxay, Xiengkhouang, Houaphan and Savannakhet) of a total of 80,6 kg of wildlife, 186 birds, 18 dead animals, and 130 wild parts (9,8 kg from Lao List I, 48,8 kg from List II and 22 kg from List III. Dead wildlife and wildlife parts were destroyed and buried; while the live wildlife was treated and released into the forest. No details were reported by Lao PDR with respect to the species seized, the number and circumstances of the seizure incidents; or offenders involved in the illegal trade etc.
23. The Secretariat notes that significant training and capacity-building continue to take place involving OSPP and DOFI. However, Lao PDR has not reported on any investigations leading to arrests and court proceedings against perpetrators and only very aggregated information on seizures in the report submitted to the Secretariat. No annual illegal trade report has been submitted with further details. Unless this is an omission in the report, it would appear that the training and capacity-building is not translating into any actual results on the ground which is a cause of serious concern. The Secretariat notes that the lack of enforcement results was raised with the Management Authority and enforcement focal points during the mission to Vientiane in October 2022, but no improvement appears to have been made since then.
24. With respect to the recommendation to work with law enforcement agencies from neighbouring countries, Lao PDR reported several meetings and events held with Viet Nam (September 2022) and Thailand (February and March 2023). In addition, a memorandum of understanding had been signed in June 2023 between the Salavan Province of Lao PDR and the central Thua Thien-Hu province of Viet Nam on cooperation in protecting forests, forest products and wildlife in the border areas of the two localities over the next five years.

*Regarding monitoring of wildlife farms and related trade*

25. Lao PDR reported that it had continued to disseminate the Ministerial Decision relating to the establishment and management of zoos, wildlife farms, centers for rehabilitation and breeding of wildlife, and wild flora farms, in workshop and meetings with concerned government departments. This was also discussed during consultations with relevant government sectors in the revision of the wildlife law, in relation to the establishment and management of wildlife facilities. Under the UNODC SAFE project, the Department of Forestry planned further dissemination of relevant laws and regulations to facility owners during the planned monitoring and evaluation missions to wildlife markets and facilities in August 2023 as well as to facility owners in September 2023.
26. Lao PDR reported that the Department of Forestry is considering next steps with regard to the tiger database and is coordinating closely with the Malaysia Department of Wildlife and National Parks (DWNP) on the analyses of the DNA test results. Lao PDR also reported that the Ministry of Agriculture and Forestry is preparing a Decision to establish an advisory committee to implement the recommendations of the Standing Committee with respect to commercial tiger farms. Activities under the UNODC SAFE project will also contribute to the implementation of the recommendation.
27. The Department of Forestry provided support to the CITES Secretariat mission in Lao PDR to assess the captive facilities keeping big cats in February 2023. A stakeholders meeting was held in Vientiane followed by a visit to the facilities in Khammouane and Bolikhamxay. Additional responses to the questionnaire were also provided by the Department of Forestry to the CITES Secretariat. Under the UNODC SAFE, the Department of Forestry will collect additional information from relevant facilities from July to August 2023.
28. The Secretariat is reporting on the findings of the mission to Lao PDR in document SC77 Doc. 41.2 on *Asian big cats in captivity*, while the recommendations from the mission are included in the present document to facilitate implementation by Lao PDR.

### *Regarding trade in live Asian elephants*

29. Lao PDR reported that, in September 2022, the Ministry of Agriculture and Forestry issued Decision No. 4077 to monitor and inspect the live elephants exported from Lao PDR to neighboring countries (mainly China). In May 2023, a meeting was held with representatives from the Prime Minister's Office, the Ministry of Foreign Affairs, the Planning and Cooperation Department, the Department of Livestock and Fisheries, DOFI, and DOF in relation to this Decision. At the meeting, it was agreed that DOF should coordinate with the CITES MA of China in monitoring the facilities keeping the Lao elephants; assigning responsibilities to follow up on the monitoring and enforcement of the contracts; and identifying the budget to support monitoring and inspection. Furthermore, it was agreed that the Xayaboury provincial authorities should report and update the central government; and that the Department of Livestock and Fisheries should coordinate with DOF to support related sectors in establishing guidelines for elephant captive facilities in Lao PDR, in compliance with CITES.
30. It is not entirely clear to the Secretariat whether the steps reported by Lao PDR are aimed at implementing the recommendations of the Standing Committee. Lao PDR has only submitted Decision No. 4077 of September 2022 and the minutes of the meeting held in May 2023 in Lao language. Unless contained in the documents that have not been translated into English, it would appear that no concrete steps have been taken by Lao PDR to ensure that no further trade in live elephants take place until Lao PDR is able to demonstrate that specimens to be traded with source code C comply with the definition of captive-bred specimens. In this context, the Secretariat also notes that the new CITES Decree does not include a definition of captive-bred specimens in accordance with the Convention. It is expected that the ongoing revision will address this gap.
31. The Secretariat also draws the attention to its document (SC77 Doc. 33.5) on the application of Article XIII in China which concerns the import of live Asian elephants from Lao PDR under source code C.

### *Regarding awareness raising*

32. With funding and support from various development partners, Lao PDR continues to undertake various activities and campaigns to raise awareness among nationals, traders, visitors and consumers from neighboring countries about the laws and regulations of the State for the protection of fauna and flora. These included *inter alia* the following:
  - a) On 3 March 2023, the Ministry Agriculture and Forestry (MAF) hosted the World Wildlife Day celebrations in Vientiane. The event was attended by 201 individuals (143 men and 58 women) from various government sectors, organizations, the National University of Laos, and media. The event was presided by the Vice-Minister of MAF who was joined by the Ambassadors of the United States of America and France in Lao PDR to open the event. The focus of the event was to launch two new government policies related to wildlife health surveillance and CITES: the Government Decree on CITES, and the Lao National Wildlife Health Surveillance Standard Operating Procedure. Two panel discussions regarding One Health and wildlife conservation were held. There was also a public exhibition from participating organizations.
  - b) From 21 to 24 March 2023, the Lao Journalists Association and DOFI implemented the Lao Journalist Workshop on Wildlife Crime Prevention targeting Lao journalists from the central level and Bolikhamxay to: strengthen their understanding of wildlife crime and trafficking issues in Lao PDR and their important roles as journalists towards wildlife crime prevention; improve their connections and networks with forest inspection authorities for information sharing and support; and develop their communication channels with Vietnamese journalists for potential cooperation and exchanges in the future.
  - c) The Department of Forestry and DOFI are currently implementing a social media campaign named Lao Wildlife Heroes to raise awareness on illegal wildlife trade and responsible behavior.

### Observations and conclusions by the Secretariat

33. As recalled by the Secretariat in its document to SC75, the application of Article XIII in the Lao People's Democratic Republic has been on the agenda of almost every meeting of the Standing Committee since its 67th meeting (SC67, Johannesburg, September 2016). Progress has been made since then in terms of the understanding and awareness of CITES in Lao PDR and the need to regulate trade in wildlife and combat illegal trade. The NDF on *Dalbergia* spp. is also a positive development. The CITES Management Authority

under its new leadership continues to show commitment and engagement with the CITES Secretariat and development partners, who are providing significant technical support.

34. However, the results are not satisfactory. The Standing Committee has addressed many recommendations to Lao PDR since 2016 and no or very limited progress has been made: the national legislation is still not in compliance with the Convention; and there appears to be limited collaboration between the Management and Scientific Authority as reflected in this report. Most importantly, it would appear that very limited efforts are being made to combat illegal trade in wildlife, despite significant support from *inter alia* UNODC and other partners. Training and capacity-building are critically important, and the Standing Committee has provided time to allow Lao PDR to build its capacity to investigate illegal trade and possible significant wildlife crime, including organized crime. However, no results in terms of dismantling wildlife crime networks operating in Lao PDR have been reported by the Lao authorities or other entities.
35. The findings of the mission of the Secretariat to Lao PDR reported in document SC77 Doc. 41.2 and the continued breeding of tigers in captivity are also of concern. In this context, the Secretariat notes the concerns raised by the Asia/Pacific Group on Money Laundering (APG) in their [Mutual Evaluation Report on Lao PDR](#) regarding anti-money laundering and countering financing of terrorism measures (August 2023) as it relates to wildlife trafficking, including illegal trade in tiger specimens in Lao PDR. The findings of this assessment have been reviewed and endorsed by the Financial Action Task Force (FATF). The report indicates that wildlife trafficking, including illegal trade in tiger specimens, is of significant concern in Lao PDR and contributes to money laundering risks in the country. Additionally, it highlights the need for improved enforcement, supervision, and compliance measures, especially in sectors like casinos, to address these risks effectively.
36. The overview provided in Annex 2 summarizes the reported achievements against the recommendations as further detailed in the present document. Of the fourteen recommendations addressed to Lao PDR (many since 2016), two have been implemented and four have been partially implemented. This leaves eight recommendations where no progress has been reported.
37. The Secretariat recalls that, at its 75th meeting, the Standing Committee agreed “to consider a recommendation to suspend trade in specimens of all CITES-listed species for commercial purposes at its 77th meeting if progress on the implementation of the recommendations is considered insufficient.” The Secretariat is of the view that the implementation of the recommendations is insufficient considering the long time that has passed since many of the recommendations were agreed by the Committee and therefore invites the Standing Committee to take appropriate compliance measures.

#### Recommendations

38. The Standing Committee is invited to recommend that Parties suspend trade (import and export) in specimens of all CITES-listed species for commercial purposes until Lao PDR has substantially achieved the following recommendations:

##### *Regarding national legislation for the implementation of CITES*

Lao PDR shall:

- a) revise and enact the Decree for the implementation of CITES;
- b) finalize the ongoing revision of the Wildlife and Aquatic Law to close the gaps in the CITES national legislation for the implementation of the Convention and to ensure that it meets the CITES minimum requirements as set out in Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention* and can be placed in Category 1 under the CITES National Legislation Project;

##### *Regarding CITES Authorities*

- c) Lao PDR shall continue to address the need for strengthening capacity and training of staff of the CITES Management and Scientific Authority of Lao PDR with the support of the CITES Secretariat and take measures to improve the collaboration between national CITES authorities *inter alia* by developing a standard operating procedure for the two authorities; finalizing the development of the national CITES permit database; and organizing regular training for the staff of the CITES Scientific Authority;

### *Regarding law enforcement*

Lao PDR shall:

- d) investigate and prosecute cases involving organized or transboundary illegal trade activities, such as those identified by various international partners; and provide to the Secretariat the results (including arrests) of any investigations conducted by competent national authorities and the results of any legal proceedings against alleged perpetrators, in the [annual illegal trade report format](#);
- e) continue to work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam, including the context of the Working Group on CITES and Wildlife Enforcement of the Association of Southeast Asian Nations and other relevant networks to facilitate the exchange of information and best practices with the objective of improving the mechanisms for justice and police cooperation on the issues of trade and transiting of illegally acquired wildlife and illegal wildlife tourism; and
- f) report on the implementation of the recommendations of the Wildlife and Forest Crime Toolkit of the International Consortium on Combating Wildlife Crime (ICWC), and request support from ICWC to conduct a follow-up implementation of the ICWC indicator framework for wildlife and forest crime, to monitor performance over time and to identify areas for improvement.

### *Regarding monitoring of wildlife farms and related trade*

Based on reporting from Lao PDR and the findings and observations contained in document SC77 Doc. 41.2 on *Asian big cats in captivity*, Lao PDR shall:

- g) complete the full audit of the tigers kept in captivity, including the analyses of the collection of DNA samples and photos to assist with identification of individual specimens;
- h) identify any pure specimens of the sub-species *Panthera tigris corbetti* and encourage facilities to engage in coordinated conservation breeding of such animals, if identified;
- i) take measures to limit the number of tigers to a level supportive only to conserving wild tigers by:
  - i) restricting the breeding of tigers in captivity (sterilizing, separating male and female specimens), except for specimens of *Panthera tigris corbetti*;
  - ii) not authorizing any further import of tiger live specimens, except for *Panthera tigris corbetti* for conservation breeding purposes; and
  - iii) prohibiting the establishment of any new tiger facilities;
- j) implement stringent regulations for tiger husbandry standards to improve care and discourage expansion of captive-breeding facilities;
- k) develop standard operating procedures for inspections and disposal of dead tiger specimens (including destruction of carcasses after verification of the dead individual) and train officials to undertake inspections and monitor the disposal of carcasses;
- l) consider and implement relevant [outcomes of the Big Cat Task Force Meeting](#) with specific reference to section 2: *Strengthen regulation of facilities breeding big cats in captivity to prevent and detect any illegal trade from such facilities and deploy strengthened enforcement measures*;
- m) take measures to reduce the demand for tiger parts and derivatives through the implementation of campaigns and strategies taking into consideration the guidance in [Resolution Conf. 17.4 \(Rev. CoP19\)](#) on *Demand reduction strategies to combat illegal trade in CITES-listed species* and the outcomes in section 3 of the [Big Cat Task Force outcomes document](#) (see document SC77 Doc. 41.2);
- n) establish an appropriate advisory committee or mechanism with involvement of the CITES Secretariat and other relevant organizations and partners to provide advice on the transformation of commercial tiger farms.



*Regarding trade in live Asian elephants*

Lao PDR shall

- o) take measures to ensure that no live Asian elephants are exported from Lao PDR until Lao PDR is able to demonstrate to the satisfaction of the Secretariat that specimens to be traded with source code C comply with the definition of captive-bred specimens set out in [Resolution Conf. 10.16 \(Rev.\)](#) on *Specimens of animal species bred in captivity*; and
  - p) take substantive steps to implement Decision 18.226, in particular by developing strategies to manage captive Asian elephant populations, by ensuring that trade is conducted in compliance with Article III for Asian elephants of wild origin and by strengthening its system for registration and marking of Asian elephants held in captivity in Lao PDR.
39. Irrespective of the recommendations in paragraph 38 above, the Secretariat is of the view that Lao PDR has implemented the recommendation on *Dalbergia* spp. and invites the Standing Committee to commend Lao PDR for the completion of the precautionary NDF for *Dalbergia* spp. In view of this progress, the recommendation to suspend commercial trade in specimens of the genus *Dalbergia* spp., including finished products, such as carvings and furniture from Lao PDR could be withdrawn. The Secretariat also invites the Standing Committee to request Lao PDR not to issue export permits for *Dalbergia* spp. until it develops an NDF indicating that it would be sustainable to resume trade and submits a corresponding export quota.
40. The Secretariat finally recommends that the Standing Committee request Lao PDR to submit a report on the implementation of the above recommendations to the Secretariat 90 days before the 78th meeting of the Standing Committee (5 November 2024) for the Secretariat to take into account in its report on the application of Article XIII in Lao PDR to the Standing Committee and its report under paragraph 2 a) of Resolution Conf. 12.5 (Rev. CoP19) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* to the Standing Committee and the Conference of the Parties.

SC74 summary record

RECOMMENDATIONS ON THE APPLICATION OF ARTICLE XIII IN LAO PDR

The Committee agreed the following recommendations:

*Regarding management of exports of Dalbergia spp.*

- a) Parties shall continue to suspend commercial trade in specimens of the genus *Dalbergia* spp., including finished products, such as carvings and furniture from Lao PDR, until Lao PDR makes scientifically based non-detriment findings for trade in the relevant species, including *D. cochinchinensis* and *D. oliveri*, to the satisfaction of the Secretariat.

*Regarding national legislation for the implementation of CITES*

Lao PDR shall:

- b) enact and effectively implement the CITES Decree and ensure that it is widely disseminated among all relevant authorities and stakeholders; and
- c) finalize the ongoing revision of the Wildlife and Aquatic Law to ensure that the gaps in the CITES Decree are fully addressed.

*Regarding CITES Authorities*

- d) Lao PDR shall continue to address the need for strengthening capacity and training of staff of the CITES authorities, in particular the CITES Scientific Authority, and ensure smooth collaboration between all relevant CITES authorities, with the support of the CITES Secretariat.

*Regarding law enforcement*

Lao PDR shall

- e) continue to progress the implementation of its National Wildlife Crime Response Strategy Plan to tackle illegal trade in wildlife as adopted by Decision MAF No. 1559 (2018);
- f) continue to investigate and prosecute cases involving organized or transboundary illegal trade activities, such as those identified by various international partners; and provide to the Secretariat the results of any investigations conducted by competent national authorities, including on arrests, and the results of any legal proceedings against alleged perpetrators, in the illegal trade report format;
- g) continue to work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam, including the context of the Working Group on CITES and Wildlife Enforcement of the Association of Southeast Asian Nations and other relevant networks to facilitate the exchange of information and best practices with the objective of improving the mechanisms for justice and police cooperation on the issues of trade and transiting of illegal acquired wildlife and illegal wildlife tourism; and
- h) implement the recommendations of the Wildlife and Forest Crime Toolkit of the International Consortium on Combating Wildlife Crime (ICCCWC) with the assistance of ICCWC and other partners and conduct a follow-up ICCWC indicator framework for wildlife and forest crime within 24 months to monitor performance over time and to identify any changes needed in the response.

*Regarding monitoring of wildlife farms and related trade*

Lao PDR shall

- i) disseminate and effectively implement Ministerial Decision No. 0188/MAF, dated 8 February 2019 on the *Establishment and Management of zoos, wildlife farms, centers for rehabilitation and breeding of wildlife and wild flora farms*;
- j) finalize the full audit of the tigers kept in captivity, combined with a marking scheme and genetic analysis of the animals to establish their origin in collaboration with relevant international organizations to comply with paragraph 1 h) of Resolution Conf. 12.5 (Rev. CoP18) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* and Decision 14.69, and taking into account the provisions of Decision 17.226; and
- k) establish an appropriate advisory committee or mechanism with involvement of the CITES Secretariat and other relevant organizations and partners to provide advice on the transformation of commercial tiger farms.

*Regarding trade in live Asian elephants*

- l) Parties shall suspend all trade in live specimens of Asian elephants from Lao PDR until Lao PDR is able to demonstrate to the satisfaction of the Secretariat that specimens to be traded with source code C comply with the definition of captive-bred specimens set out in [Resolution Conf. 10.16 \(Rev.\) on Specimens of animal species bred in captivity](#);
- m) Lao PDR shall take substantive steps to implement Decision 18.226, in particular by developing strategies to manage captive Asian elephant populations, by ensuring that trade is conducted in compliance with Article III for Asian elephants of wild origin and by strengthening its system for registration and marking of Asian elephants held in captivity in Lao PDR.

*Regarding awareness raising*

- n) Lao PDR should continue to implement outreach campaigns targeted to raise awareness among nationals, traders, visitors and consumers from neighbouring countries about the laws and regulations of the State for the protection of fauna and flora.

*Regarding capacity-building and technical assistance*

- o) Parties, the CITES Secretariat, international non-governmental organizations and development partners shall make efforts to respond to the requests for capacity-building and technical support expressed by Lao PDR to implement the action plan and aim to coordinate their support to maximize effectiveness and minimize overlap.

The Committee requested Lao PDR to submit a report to the Secretariat by 28 February 2023 on activities undertaken in the period January – December 2022 to implement the recommendations a) to m) in order for the Secretariat to convey this report and its comments and recommendations to the 77th meeting of the Standing Committee.

The Committee agreed to review progress made by Lao PDR at its 77th meeting and decide on appropriate compliance measures, including a recommendation to suspend trade in specimens of all CITES-listed species for commercial purposes if progress is considered insufficient.

The Committee invited the Secretariat to submit any relevant progress to the 75th meeting of the Standing Committee.

OVERVIEW OF THE STATUS OF IMPLEMENTATION OF THE RECOMMENDATIONS

	<b>Recommendation</b>	<b>Implemented</b>
	<b>Regarding management of exports of <i>Dalbergia spp.</i></b>	
1	a) Parties shall continue to suspend commercial trade in specimens of the genus <i>Dalbergia spp.</i> , including finished products, such as carvings and furniture from Lao PDR, until Lao PDR makes scientifically based non-detriment findings for trade in the relevant species, including <i>D. cochinchinensis</i> and <i>D. oliveri</i> , to the satisfaction of the Secretariat.	yes
	<b>Regarding national legislation for the implementation of CITES</b> Lao PDR shall:	
2	b) enact and effectively implement the CITES Decree and ensure that it is widely disseminated among all relevant authorities and stakeholders; and	partially
3	c) finalize the ongoing revision of the Wildlife and Aquatic Law to ensure that the gaps in the CITES Decree are fully addressed.	no
	<b>Regarding CITES Authorities</b>	
4	d) Lao PDR shall continue to address the need for strengthening capacity and training of staff of the CITES authorities, in particular the CITES Scientific Authority, and ensure smooth collaboration between all relevant CITES authorities, with the support of the CITES Secretariat.	no
	<b>Regarding law enforcement</b> Lao PDR shall	
5	e) continue to progress the implementation of its National Wildlife Crime Response Strategy Plan to tackle illegal trade in wildlife as adopted by Decision MAF No. 1559 (2018);	partially
6	f) continue to investigate and prosecute cases involving organized or transboundary illegal trade activities, such as those identified by various international partners; and provide to the Secretariat the results of any investigations conducted by competent national authorities, including on arrests, and the results of any legal proceedings against alleged perpetrators, in the illegal trade report format;	no
7	g) continue to work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam, including the context of the Working Group on CITES and Wildlife Enforcement of the Association of Southeast Asian Nations and other relevant networks to facilitate the exchange of information and best practices with the objective of improving the mechanisms for justice and police cooperation on the issues of trade and transiting of illegal acquired wildlife and illegal wildlife tourism; and	yes
8	h) implement the recommendations of the Wildlife and Forest Crime Toolkit of the International Consortium on Combating Wildlife Crime (ICCWC) with the assistance of ICCWC and other partners and conduct a follow-up ICCWC indicator framework for wildlife and forest crime within 24 months to monitor performance over time and to identify any changes needed in the response.	partially
	<b>Regarding monitoring of wildlife farms and related trade</b> Lao PDR shall	
9	i) disseminate and effectively implement Ministerial Decision No. 0188/MAF, dated 8 February 2019 on the <i>Establishment and Management of zoos, wildlife farms, centers for rehabilitation and breeding of wildlife and wild flora farms</i> ;	partially
10	j) finalize the full audit of the tigers kept in captivity, combined with a marking scheme and genetic analysis of the animals to establish their origin in collaboration with relevant international organizations to comply with paragraph 1 h) of Resolution Conf. 12.5 (Rev. CoP18) on <i>Conservation of and trade in tigers and other Appendix I Asian big cat species</i> and Decision 14.69, and taking into account the provisions of Decision 17.226; and	no
11	k) establish an appropriate advisory committee or mechanism with involvement of the CITES Secretariat and other relevant organizations and partners to provide advice on the transformation of commercial tiger farms.	no

	<b>Regarding trade in live Asian elephants</b>	
12	l) Parties shall suspend all trade in live specimens of Asian elephants from Lao PDR until Lao PDR is able to demonstrate to the satisfaction of the Secretariat that specimens to be traded with source code C comply with the definition of captive-bred specimens set out in Resolution Conf. 10.16 (Rev.) on <i>Specimens of animal species bred in captivity</i> ;	no
13	m) Lao PDR shall take substantive steps to implement Decision 18.226, in particular by developing strategies to manage captive Asian elephant populations, by ensuring that trade is conducted in compliance with Article III for Asian elephants of wild origin and by strengthening its system for registration and marking of Asian elephants held in captivity in Lao PDR.	no
	<b>Regarding awareness raising</b>	
14	n) Lao PDR should continue to implement outreach campaigns targeted to raise awareness among nationals, traders, visitors and consumers from neighbouring countries about the laws and regulations of the State for the protection of fauna and flora.	yes