

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



Intersessional work of the Standing Committee
2020-2021

APPLICATION OF ARTICLE XIII IN THE LAO PEOPLE'S DEMOCRATIC REPUBLIC:
UPDATE ON PROGRESS TO THE STANDING COMMITTEE

1. This document has been prepared by the Secretariat.

Introduction

2. Pursuant to Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*, the Standing Committee, at its 71st meeting (SC71, Geneva, August 2019), reviewed the progress by the Lao People's Democratic Republic (Lao PDR) on implementation of its recommendations as reported by the Secretariat in document [SC71 Doc. 10.1](#). Committee Members and Parties commended the Lao PDR for its progress and commitment to the implementation of the Standing Committee's recommendations, but noted with concern that many issues were still outstanding (see summary record [SC71SR](#)).
3. The Standing Committee updated the specific recommendations addressed to the Lao PDR with regard to the following compliance matters that required continued attention by the Lao PDR:
 - a) *Regarding management of exports of Dalbergia spp.;*
 - b) *Regarding national legislation for the implementation of CITES;*
 - c) to e) *Regarding CITES Authorities;*
 - f) to k) *Regarding law enforcement;*
 - l) to n) *Regarding monitoring of wildlife farms and related trade;*
 - o) *Regarding awareness raising;*
 - p) *Regarding capacity-building and technical assistance.*
4. The Standing Committee requested that the Lao PDR submit a report on progress on addressing the updated recommendations to the Secretariat 90 days before its 73rd meeting. A compliance assistance project to support the implementation of the Standing Committee's recommendations developed by the Lao PDR with the assistance of the Secretariat is underway, but implementation has been delayed by the COVID-19 pandemic.

Implementation of the recommendations adopted at SC71

5. In January 2020, the Lao PDR submitted to the Secretariat a progress report with annexes detailing the actions it had undertaken to implement the recommendations of the Standing Committee from February to December 2019. In July 2020, the Lao PDR submitted an update covering activities from January to June

2020. The following summary is based on these progress reports, and the Secretariat's subsequent exchanges with the Lao PDR.

6. Regarding the management of exports of *Dalbergia* spp [recommendation a)], the Lao PDR reported that a training workshop on conducting science-based non-detriment findings (NDF) for trade in *Dalbergia* spp. is planned and fully financed under the compliance assistance project. However, the training has been delayed due to the COVID-19 pandemic. The Lao PDR is awaiting better conditions to carry out this training to conduct the NDF and implement the recommendation.
7. Regarding national legislation for the implementation of CITES [recommendation b)], the Lao PDR submitted a first draft CITES implementing decree to the Secretariat and reported that consultations among relevant government departments on the development of the government decree were ongoing. Consultation workshops were held in November 2019, and in June, August and September 2020, where the draft decree was presented and discussed by representatives from several government departments. The Secretariat further understands that the decree is now almost ready for submission to the Prime Minister's office for approval and signature. The Lao PDR intends to submit the final draft to the Secretariat for comments and observations as soon as it has been translated into English. In addition, the Lao PDR reported that consultations concerning the revision of the Wildlife and Aquatic Law were underway in accordance with the Prime Minister Notice No. 1855 of October 2019 and that, in May 2020, the Department of Forestry had also conducted a consultation workshop on the Lao Wildlife List.
8. Concerning CITES Authorities [recommendations c) to e)], the Lao PDR reported that training of the authorities had been planned but was delayed due to pandemic-related restrictions. Concerning the CITES documents issued by the Management Authority of the Lao PDR [recommendation d)], the Secretariat received copies of 39 export permits and two import permits that were issued in 2019, as well as copies of 16 export permits issued during the first half of 2020. The Lao PDR has submitted its annual illegal trade report for 2019 and the outstanding annual trade reports.
9. Regarding enforcement [recommendations f) to k)], the Lao PDR reported that the dissemination and implementation of PM Order No. 05/2018 and the revised Penal Code were ongoing in relevant law enforcement and criminal justice agencies. Ten multi-agency training and case-sharing workshops had been held across the country in March-August 2019. A high-level Ministerial Workshop on wildlife, aquatic and natural resources cases had also been convened in December 2019 in collaboration with concerned enforcement agencies and the office of the public prosecutor.
10. The Lao PDR submitted a revised and updated National Ivory Action Plan (NIAP) in July 2020 which the Secretariat subsequently confirmed to be adequate. The Lao PDR also submitted a report on progress with the implementation of its NIAP from March 2020 to June 2020 (see SC2020 Inf. 9 on *National Ivory Action Plans process: Update on progress to the Standing Committee*).
11. The Lao PDR further reported that central and provincial authorities had initiated patrolling and inspection efforts to detect illegal wildlife trade in suspected sites, markets and international airports and borders, in particular during the Chinese national holidays in February and October 2019. In addition, inspections and patrols by the Department of Forestry Inspection (DOFI) and the Provincial Offices of Forest Inspection had resulted in seizures of a range of different species and specimens. The Lao PDR reported that these enforcement actions have led to the sentencing of at least five offenders with imprisonment and fines for illegal trade and several cases are still under investigation or have been submitted to the office of the public prosecutor.
12. The Lao PDR has continued to work with law enforcement agencies from neighbouring countries to facilitate exchange of information and best practices. Activities were undertaken in the context of the Association of Southeast Asian Nations (ASEAN) as well as on a bilateral level with Thailand, Viet Nam and China.
13. In June 2019, the United Nations Office for Drugs and Crime (UNODC) facilitated an Indicator Framework workshop under the International Consortium on Combating Wildlife Crime (ICWC) initiative to assist the Lao PDR in assessing its capacity and needs to improve its efforts to combat wildlife and forest crimes. Subsequently, an ICWC Wildlife and Forest Crime Analytic Toolkit was also implemented in the country and the draft report with recommendations was discussed at a workshop involving relevant government departments in January 2020. However, recommendations are still undergoing consultation and review among relevant government departments.

14. Regarding the monitoring of wildlife farms and related trade [recommendations l) to n)], the Lao PDR reported that the Ministerial Decision No. 0188/MAF on the Establishment and Management of zoos, wildlife farms, centres for rehabilitation and breeding of wildlife and wild flora farms had been disseminated to government departments concerned in workshops and meetings. Further, the Lao PDR reported that it had substantially completed the full audit of six tiger farm captive facilities in the country but needed to go back to one facility where sampling had not been possible. It was reported that this would be completed in November 2020. Preliminary draft audit reports from the facilities were submitted to the Secretariat. The DNA testing and the analysis of biopsy samples and the cataloguing of marking schemes were still ongoing. The advisory committee to provide technical input and advice on the monitoring, management and phasing out of tiger farms in the Lao PDR recommended by the Standing Committee had not yet been established.
15. Regarding awareness raising [recommendation o)], the Lao PDR reported a number of activities it had undertaken to raise public awareness of wildlife laws and regulations applicable in the country. These included distributing flyers to travellers, displaying signs and boards to announce relevant policies, collaborating with local celebrities, launching an Illegal Wildlife Trade Short Film Competition and organizing training workshops. Regarding capacity-building and technical assistance, the Lao PDR reported that it was working closely with developmental partners and organizations in the country to strengthen capacity building and technical support.

Conclusions

16. Overall, the Secretariat is encouraged to note that the Lao People's Democratic Republic continues to be engaged and determined towards achieving compliance with the Convention and looks forward to receiving the final draft CITES decree shortly. The pandemic has caused an additional delay in the NDF training that Lao PDR has requested in the context of the trade in *Dalbergia* species. There has also been a delay in the finalization of the tiger audit, which is holding up the establishment of the planned advisory committee. Finally, the Secretariat would like to note that letters have recently been addressed to the Lao PDR and China requesting information related to the trade in live Asian elephants to confirm that such trade is fully in compliance with the provisions of the Convention.