



LAO PEOPLE'S DEMOCRATIC REPUBLIC

PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Ministry of Agriculture and Forestry
Department of Forestry

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CITES SC.NATIONAL IVORY ACTION PLAN PROGRESS REPORT

Laos PDR July 2016–September 2017

Part A

Laos PDR has continued to make significant progress in the implementation of the National Ivory Action Plan.

Political will to end wildlife and forest crime has never been stronger in Lao PDR partly due to the recent inauguration of the new Prime Minister, Thongloun Sisoulith. He has a strong environmental policy and, as the former minister for foreign Affairs, is familiar of the importance of conventions and treaties and takes a serious view on maintaining these international obligations.

In April 2017 PMO 528 was issued prohibiting the sale of 16 elephants to Dubai. This demonstrates commitment at the highest levels of government to end the trade in live elephants.

The GoL has made significant statements reaffirming its commitments to CITES Convention. Addressing illegal trade in ivory is an important element of the GoL's commitment to CITES conventions., and at At COP 17, the following commitments were made:

- Close down domestic ivory markets
- Continued implementation of the NIAP.

Regulatory instruments are being reviewed and improved;

- A review of the Wildlife and Aquatic Law, funded by the WB has commenced. Draft ToR has been developed and contracts have been negotiated.

- Amendments to the penal code that explicitly mention CITES compliance and strict penalties for wildlife offences have been approved and expect to be implemented shortly.
- MAF instruction 0054 state under Article 17 that actions will be taken to *'Strictly prevent hunting, transport, merchandise in local market, import-export and transit of aquatic and wild animals and their parts through Laos to the third countries. Commercial farming of aquatic and wild animals in the list I of CITES which is the list for merchandise prohibition is prohibited.*
- Notice No: 1990/PMO.ED, issued by the Prime Minister's Office on 19 December 2016, also supports MAF activities to meet international obligations and prevent illegal trade.

Capacity to implement the NIAP has been enhanced.

- The GoL, under WB/EPF funding, is supporting two new 5-year projects to enhance and expand CITES and wildlife enforcement capacity within and across Lao-WEN framework. The two agencies receiving support are the Environment Police and Customs.
- Additional actions include:
 - All Provincial Office of Forest Inspections and central Lao-WEN members have been trained in ivory identification. Participants also received an ivory identification kit, and the principles of securing evidence and chain of custody was also taught.
 - Secure evidence storage facilities are currently being installed at key provincial and central locations to ensure effective evidence management.
 - Surveys have been conducted recording locations and details of ivory traders operating in hotspot locations such as Luang Prabang and the Vientiane San Jiang Market.
 - Guidelines for the process of searching for and ultimately seizing illegal ivory are being produced.
 - Finally an awareness and media campaign aimed at Chinese visitors and businesses has been developed and is in the process of being launched at key entry and exit points.

While the Government of Lao PDR is consolidating CITES Functions under Ministry of Agriculture and Forestry and on behalf of CITES Management Authority Would like to provides the attach Update on Actions to the Implement NIAP parts A,B and C.

Acting CITES MA, Department of Forestry



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Category	Progress rating					
	Substantially achieved	On Track	Limited progress	Pending completion of another action	Not commenced	Unclear

1.1 Conduct a revision of the regulation on National Biodiversity Conservation, wildlife and Aquatic Management in Lao PDR, No.0360/MAF.2013, 8/12/2013, to update it in accordance with relevant legislation such as the wildlife Act.

X

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 to prosecution and punishment and make recommendations on required revisions

X

1.3 Develop a ministerial circular on the management of hunting trophies

X

1.4 Review penalties under the penal code to ensure that wildlife crime is adequately addressed as a form of serious crime

X

2.1 Develop capacity of multi-agency (Lao-WEN) law enforcement officers through regional (North, Central, South) training courses in the following areas:

a) to conduct inspection and detection regarding smuggled wildlife including species identification (including genuine ivory from fake)

X

b) CITES requirements and examination of(CITES) documents and detect documentation misuse and fraud

X

2.2 Ensure that border officers are in possession of necessary tools and guises to identify CITES species and determine genuine from fake documentation

X

2.3 develop advanced investigative capacity of multi-agency (Lao-WEN) law enforcement officers through regional (North, Central, South) training courses in subjects including:

Forensic awareness

X

Controlled deliveries

X

Use of technology

X

Judicial procedures and presenting cases

X

2.4 Participate in international and regional law enforcement activities

X

2.5 Improve control of wildlife trade in ivory and other wildlife in local markets

X

2.6 Strengthen the enforcement at ports and border checkpoints

X

Category 3

3.1 Enhance cooperation with other Asian, African countries on combating wildlife crime

X

3.2 Increase use of international tools to enhance information and intelligence

X

X

3.3 Ensure reporting of information to MIKE and ETIS X

Category 4

4.1 Increase awareness of the seriousness of wildlife crime amongst prosecutors and judiciary X

4.2 Increase the capacity of relevant officers in wildlife crime investigation to help increase the rate of prosecutions for wildlife crime X

Category 5

5.1 conduct awareness and trafficking prevention trafficking at key border ports: VTE, Luang Prabang, Pakse airports and key land crossings X

6.1 Establish and maintain a robust system for management of stockpiles of wildlife seizures X

7.1 Explore implementation of the ICCWC wildlife and forest crime Analytic toolkit in Lao PDR X

Detailed evaluation of actions

Action	Evaluation	Summary of progress
1.1 Conduct a revision of the regulation on National Biodiversity Conservation, wildlife and Aquatic Management in Lao PDR, No.0360/MAF.2013, 8/12/2013, to update it in accordance with relevant legislation such as the wildlife Act.	On track	A review of the Wildlife and Aquatic Law, funded by the WB/FAO, has commenced.
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 to prosecution and punishment and make recommendations on required revisions	On track	Under the Chairmanship of the Director General of the Department of Forest Inspection, Lao-WEN Terms of References and Operating Procedures have been reviewed. Lao-WEN member meet for 3 days in October 2016 where further improvements were identified. This includes protocols for activation when ivory is identified and seized. A Lao-WEN steering sub-committee has been established to finalise these arrangements. Following endorsement, these procedures will be implemented. The Department of Forest Inspections is currently developing a strategic plan to close the domestic ivory trade.
1.3 Develop a ministerial circular on the management of hunting trophies	Not commenced	Nil action
1.4 Review penalties under the penal code to ensure that wildlife crime is adequately addressed as a form of serious crime	Substantially achieved	Reviews to the Penal code have been accepted and will be implemented shortly. CITES is explicitly mentioned and lack of compliance carries criminal liability. Two new articles relating to trade of wildlife have been accepted.

Category 2

2.1 Develop capacity of multi-agency (Lao-WEN) law enforcement officers through regional (North, Central, South) training courses in the following areas:

a) to conduct inspection and detection regarding smuggled wildlife including species identification (including genuine ivory from fake)

On track

An Ivory and wildlife product Identification and Seizure training module has been developed and delivered to 308 officers from DOFI, POFI and key Lao -WEN agencies. Ivory identification kits have been provided.

b) CITES requirements and examination of(CITES) documents and detect documentation misuse and fraud

Limited progress

GoL is in the process of amalgamating all CITES agencies under the Ministry of Agriculture and Forestry. This will streamline and clarify roles, authority and responsibilities, and remove interagency confusion. The integration of all 3 agencies (CITES MA, scientific Authority and CITES enforcement Authority), and the development and implementation of stronger Lao-WEN ToR and SoP's will address current deficiencies.

2.2 Ensure that border officers are in possession of necessary tools and guises to identify CITES species and determine genuine from fake documentation

On track

The Department of Forest Inspection is working with the Office of Public Prosecution, and Lao-WEN members to improve prosecution outcomes associated with wildlife crime.

2.3 develop advanced investigative capacity of multi-agency (Lao-WEN) law enforcement officers through regional (North, Central, South) training courses in subjects including:

On track

26 law enforcement related training activities were collectively attended by 878 staff, 169 who were female. In addition, DoFI, as the law enforcement agency for CITES, has engaged the Chief Public Prosecutor to review current Operating Procedures and to gain a greater awareness of GoL responsibilities under international agreements, including CITES.

Forensic Awareness
Controlled Deliveries
Questioning
Use of Technology

Judicial procedures and presenting cases	On track	A 5 day workshop, funded by DoFI and chaired by the Office of Public Prosecution, was held where enforcement procedures for prosecution was held in August 2017. Following this workshop, Operating Procedures have been revised and are now being finalised. This will strengthen enforcement actions. The Department of Forest Inspection, as the law enforcement agency for CITES, has engaged the Chief Public Prosecutor to review current Operating Procedures and to gain a greater awareness of GoL responsibilities under international agreements, including CITES.
2.4 Participate in international and regional law enforcement activities	On track	DoFI and PoFI staff attended 19 international workshops: 38 staff, with 6 being female, attended. Workshops and meetings included: CITES COP17, South Africa, - INTERPOL Regional Wildlife Investigative Support Meeting, Bhutan, - Ivory Seizure follow up meeting (COBRA), Thailand,- UNODC Illegal trade wildlife, Thailand,- ASEAN enforcement wildlife network, Cambodia,- Hanoi Conference on Illegal Wildlife Trade,- ASEAN WG on the CITES and Wildlife Enforcement
2.5 Improve control of wildlife trade in ivory and other wildlife in local markets	Limited progress	Nil progress to report on the closing of domestic ivory markets.
2.6 Strengthen the enforcement at ports and border checkpoints	Limited progress	Nil seizures reported

Category 3

3.1 Enhance cooperation with other Asian, African countries on combating wildlife crime	On track	DoFI has established MoU's between its Lao-WEN counterparts in Vietnam and Thailand, and the Peoples Republic of China's CITES Management Authority's. These are designed to strengthen law enforcement to address trade in protected species. Annual bilateral meetings are held with Thailand and Vietnam at the central and provincial level, and meetings were held with China and Myanmar with a view to strengthening cooperation activities. A MOU was signed between Lao PDR and the Republic of South Africa to strengthen action against illegal wildlife trade.
3.2 Increase use of international tools to enhance information and intelligence	On track	The Department of Forest Inspection continues to actively engage with, and attained those events sponsored or supported by, INTERPOL and UNODC, ASEAN-WEN and other wildlife enforcement related activities. The capacity to share information and intelligence is progressively being strengthened and system updated to streamline such procedures
3.3 Ensure reporting of information to MIKE and ETIS	On track	ETIS report submitted July 2017

Category 4

4.1 Increase awareness of the seriousness of wildlife crime amongst prosecutors and judiciary	On track	A 5 days workshop, funded by DoFI and chaired by the Office of Public Prosecution, was held where enforcement procedures for prosecution was held in August 2017. Following this workshop, Operating Procedures have been revised and are now being finalised. This will strengthen enforcement actions.
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4.2 Increase the capacity of relevant officers in wildlife crime investigation to help increase the rate of prosecutions for wildlife crime

On track

DoFI is working with the Office of Public Prosecution and Lao-WEN members to improve prosecution outcomes associated with wildlife crime. As part of this initiative, a five-day workshop, funded by DoFI and chaired by the Office of Public Prosecution, was held that focused on advanced enforcement procedures for prosecution has been held in regional Province's. Following this workshop, Operating Procedures have been revised and are now being finalised. This will strengthen enforcement actions.

5.1 conduct awareness and trafficking prevention trafficking at key border ports: VTE , Luang Prabang and Pakse airports and key land crossings.

On track

The Department of Forest Inspection, through the:

- WB sponsored SUFOR-SU project, has allocated US\$ 20,000 in the 2017 budget to develop a national community engagement and awareness tool kit.
- WB/EPF funded LENS2 Project, has allocated US\$ 10,000 to support the development of this tool kit.
- WCS, WWF and other projects have committed to supporting the development of this tool kit.
- LENS2 Project has developed 'awareness' posters for use at international entry points. These have already been located at Wattay Airport and the Vientiane Friendship bridge.

Category 6

6.1 Establish and maintain a robust system for management of stockpiles of wildlife seizures

Limited progress

Category 7

7.1 Explore implementation of the ICCWC wildlife and forest crime Analytic toolkit in Lao PDR

On track

In June 2017 INTERPOL conducted an ICCWC Toolkit Assessment for DOFI and Lao WEN agencies.