

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



Seventy-fourth meeting of the Standing Committee
Lyon (France), 7 - 11 March 2022

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

Application of Article XIII: Reports of the Secretariat

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

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 made by the Lao People's Democratic Republic (Lao PDR) on the 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 its 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 also requested that the Lao PDR submit a report on progress on addressing the updated recommendations to the Secretariat 90 days before its 73rd meeting.

Technical assistance

5. The compliance assistance project supporting the implementation of the recommendations of the Standing Committee and the National Ivory Action Plan initiated in 2019 by the Lao PDR and the Secretariat and funded by the United States of America was completed in 2021. A new project to further progress ongoing work and carry out capacity-building activities is currently under development with an expected start in March 2022. In addition, as further described below, other partners are providing support to Lao PDR on combatting

illegal trade in wildlife and in wildlife management more generally, including the United Nations Office on Drugs and Crime (UNODC), World Conservation Society (WCS) and the Worldwide Fund for Nature (WWF), to mention a few.

6. On 5 February 2021, the CITES Secretariat signed an agreement with the United Nations Food and Agriculture Organization (FAO) on *Support to the implementation of the UN-REDD Initiative for Sustainable Forest Trade in the Lower Mekong project with a focus on trade in CITES-listed timber species*. Several activities under this project directly benefitted Lao PDR as described below.

Implementation of the recommendations adopted at SC71

7. In January and June 2020, Lao PDR submitted reports on progress with the implementation of the recommendations, which the Secretariat summarized in information document [SC2020 Inf. 5](#). The document provided an update on activities from February 2019 to June 2020, some of which had been impacted by the COVID-19 pandemic. The Secretariat recalls that all documents related to the application of Article XIII in Lao PDR are available on the CITES compliance [webpage](#). In December 2021, Lao PDR submitted a report detailing actions taken between July 2020 and December 2021. The following summary is based on this progress report, and the Secretariat's exchanges with the Lao PDR.
8. The Secretariat notes progress in implementing recommendations relating to national legislation, law enforcement and awareness-raising, as well as challenges and delays in implementing recommendations relating to the preparation of non-detriment findings (NDFs) on relevant *Dalbergia* species, and the monitoring of wildlife farms and related trade. Significant institutional changes have occurred in 2021 concerning the management of CITES in the Lao PDR which have affected implementation. In particular, the Secretariat notes the delay in designating the Ministry of Education and Sports as the Scientific Authority after the dismantling of the Ministry of Science and Technology, previously designated as the Scientific Authority.

Regarding management of exports of Dalbergia spp.

9. It is recalled that the Standing Committee agreed on the following recommendation with regard to the 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.*
10. On 22 December 2020, Lao PDR organized with the support of the CITES Secretariat a multi-stakeholder seminar on the sustainable use of *Dalbergia* spp. involving representatives of the National University of Lao PDR, the CITES Scientific and Management Authorities, the private sector as well as other partners. As a follow-up to this first seminar, a training workshop on making non-detriment findings for trees in Lao PDR was organized in Vientiane Province on 19-23 April 2021 by the Ministry of Science and Technology, with support and trainers from the CITES Secretariat, FAO, and experts from the Thai government. The workshop aimed to increase awareness of the role and responsibility of the CITES Scientific Authority and the importance of making NDFs for the sustainable use of rosewood, and to build capacity of the CITES Scientific Authority in making NDFs on *Dalbergia* spp., using a multisectoral approach.
11. In the framework of the CITES Secretariat-FAO agreement mentioned above in paragraph 5, and building upon the discussions of relevant workshops, the National Agriculture and Forestry Research Institute (NAFRI) signed an agreement with FAO in August 2021 on the development of an NDF for rosewoods in Lao PDR. The final outcomes of the agreement are scheduled for March 2022, including recommendations towards the establishment of sustainable export quotas for rosewood, and a long-term rosewood conservation and sustainable management strategy. The Secretariat continues to provide backstopping support to FAO and NAFRI in the implementation of the agreement, as it relates to recommendation a) of the Article XIII process.

Regarding national legislation for the implementation of CITES

12. At SC71, the Standing Committee urged Lao PDR to step up its efforts to put in place national legislation for the implementation of the Convention by agreeing on the following recommendation:

- b) *Lao PDR shall, as a matter of priority, take substantive and significant steps to develop and adopt adequate legislative measures to implement the Convention that meet the minimum requirements set out in Resolution Conf. 8.4 (Rev. CoP15) on National laws for implementation of the Convention drawing on the support provided by the CITES Secretariat and should submit draft legislation for observations by the Secretariat by 31 December 2019.*
13. Due to the COVID-19 pandemic, implementation of the recommendations in the reporting period was challenging. Despite these challenges, the following progress was achieved by Lao PDR:
- a) The draft Decree on International Trade in Endangered Species of Wild Fauna and Flora has been completed with advice from the Ministry of Justice and the CITES Secretariat. A technical call with the CITES Secretariat and the Ministry of Justice was held on 1 December 2021 to present the latest draft. It is expected that the Decree will be finalized and signed before March 2022.
- b) On 25 February 2021, the Prime Minister approved Agreement No. 08, which updated the national Wildlife List I and List II of Lao PDR. The updated Wildlife Lists were officially published in the Lao Official Gazette in May 2021.
- c) The revision of the Wildlife and Aquatic Law No. 07/NA (dated 24 December 2007) is continuing; the revised law is expected to implement certain CITES requirements, notably related to offenses and penalties. The appointment of a Steering Committee and a Technical Committee to improve the law has been completed; four technical consultation meetings have been held to discuss and work on the draft revision. Further consultation meetings were held on 17-19 November and on 21-22 December 2021. The aim is to finalize the revised law by 2023.

Regarding CITES Authorities

14. Three recommendations were agreed by the Standing Committee with regard to the CITES authorities in Lao PDR. The first concerned capacity-building:
- c) *Lao PDR shall continue to monitor and address the need for capacity building and training of staff in CITES Management and Scientific Authorities, as well as in customs and border controls on CITES-related matters with the support of the CITES Secretariat.*
15. A number of activities were undertaken in the reporting period to address this recommendation. Several of these were organized by or with the support of the CITES Secretariat, some of them under the UN-REDD project mentioned above. The activities are briefly summarized below:
- a) The training workshop of April 2021 on making NDFs for trees in Lao PDR as mentioned above.
- b) On 18-19 May 2021, officers from the Lao CITES Management Authority and Scientific Authority and from other relevant Lao agencies participated in an online training workshop organized by the CITES Secretariat in collaboration with FAO on legal acquisition findings (LAF) for trade in CITES tree species from the Lower Mekong Region. The aim was to increase their understanding and knowledge on making LAF for timber and on identifying, discussing and refining national procedures for LAF in Lao PDR.
- c) On 25-26 May 2021, the Lao CITES MA and other relevant Lao agencies participated in an online training workshop on automated CITES permit management, organized by the CITES Secretariat with funding from the FAO.
- d) The CITES MA coordinated with relevant agencies, particularly the Department of Forest Inspection and the Department of Environmental Police, to conduct training on implementation of CITES and law enforcement activities for customs officials at checkpoints and to provincial officials of the Forest Inspection Unit and the Forestry Section. Three trainings were implemented from March to July 2021 in Champasak (for Southern Provinces), Khammouane (for Central provinces), and Luang Prabang (for Northern Provinces).
- e) From 25-29 October 2021, officers from Lao PDR participated in an online workshop hosted by the CITES Secretariat with funding from the FAO on the physical inspection of timber shipments in the Lower Mekong Region.

16. As mentioned above, the Government decided in early 2021 to dismantle the Ministry of Science and Technology which was previously designated as the CITES Scientific Authority. The Government later decided to establish the CITES Scientific Authority under the Ministry of Education and Sports.
17. On 9 December 2021, the Ministry of Education and Sports approved the nomination of three officers from the Faculty of Forestry of the National University of Laos (NUOL) as coordinators for the LAO CITES Scientific Authority. Lao reported that the CITES Scientific Authority will continue to build the capacity of its officers in ivory and products testing to support officers in the enforcement of laws and CITES obligations.
18. Depending on available resources, the CITES Management Authority plans to continue activities in disseminating CITES relevant laws and regulations and implementation of CITES with relevant agencies.

Lao PDR shall

- d) *every six months submit to the Secretariat copies of export permits and other CITES permits and certificates issued by the Management Authority; and*
 - e) *submit the required annual trade report according to the fixed format and deadlines and submit information with regard to the level of the government-held stockpiles of ivory and of rhinoceros horn in accordance with the recommendations of the Conference of the Parties.*
19. Lao PDR has provided copies to the CITES Secretariat of export permits issued by the Management Authority during the period. A total of 39 permits have been issued in 2021 authorizing export of different specimens of agarwood, including oil, chips, logs and dust. No permits authorizing trade in specimens of animal species have been issued in 2021. The annual trade report has been submitted to the Secretariat as well. Data for the illegal trade report is still being collected from relevant law enforcement agencies but information on seizures made in the period is included in paragraphs 24-26 below.

Regarding law enforcement

20. In light of the illegal trade in a number of different species involving Lao PDR, the Standing Committee has placed significant emphasis on law enforcement and adopted six different recommendations in this regard:
- f) *Lao PDR shall continue to effectively implement PM Order No. 0512018 and the revised Penal Code and disseminate these instruments widely among all relevant law enforcement and criminal justice agencies.*
21. Lao PDR has continued dissemination of relevant government orders and laws among relevant law enforcement and criminal justice agencies, with support of development partners, as indicated below.
- a) See training activities mentioned in paragraph 15 d) above.
 - b) From 8-10 July 2020, the Department of Combating Natural Resources and Environmental Crime (DCNEC) organized the training on “Online Research and Information Management on Wildlife Crime” in Vang Vieng with a total of 17 participants from DCNEC, Provincial Environmental Police Divisions (PEPDs), and the Cybercrime Unit, with the objective to improve capacity in online research and information management to assist in investigations and enforcement.
 - c) On 14 December 2020, DCNEC in cooperation with the Wildlife Conservation Society (WCS) conducted a Consultation Meeting on Prosecuting Transnational Wildlife Crime in Laos in Savannakhet Province with a total of 28 participants from Environmental Police, the Office of the Public Prosecutor, and judiciary both at national and provincial level. The objective of the meeting was to discuss, research and impose methods in solving problems and challenges occurring during transnational wildlife crime prosecution process; delivery of case documents to the prosecutor and presenting evidence in court (using of evidence to prove the case), and enhanced coordination between police and prosecutor. From 15-18 December 2020, DCNEC conducted the training on Online Investigation Techniques for Environmental Police Officers. The training was held in Savannakhet province with a total of 28 participants from the Provincial Environmental Police Divisions, DCNEC, LaoCERT (Lao Computer Emergency Response Team), the Office of the Public Prosecutor and WCS. The objective of the training was to build the capacity of Environmental Police Officers in managing their work during the COVID-19 pandemic, including online investigations of illegal wildlife trafficking and advanced techniques to access wildlife crime information on the Internet. On 22 December 2020, a consultation meeting with

environmental police, prosecutors and the judiciary was organized in Oudomxay province with a total of 28 participants. This was followed by the training on Online Investigation Techniques for Environmental Police Officers from 23-25 December 2020 in Oudomxay province with a total of 32 participants.

- d) Training courses on Wildlife Crime Scene Search and Documenting Evidence were organized with the support of the World Wildlife Fund (WWF) in Sekong Province from 21-23 October 2020, in Vientiane Capital from 26-28 October 2020 and in Luang Prabang Province from 23-25 November 2020.
- e) From 1 to 2 April 2021, 22 officers from Savannakhet Forest Inspection and Environmental Police Divisions participated in a refresher training on investigation techniques, laws and procedures, proper and safe handling and rescue of confiscated live wildlife, and hotline wildlife response and coordination in Savannakhet province.
- f) From 21-24 June 2021, DCNEC in cooperation with UNODC conducted the training course on Wildlife Crime Scene Search and Documenting Evidence in Vientiane Capital with a total of 28 participants from the CITES Scientific Authority, DCNEC, DoFI, customs, Office of the Public Prosecutor, judiciary, cybercrime unit, forensic unit, and UNODC.
- g) From 19-23 July 2021, DCNEC, in cooperation with the U.S. Department of Justice and WCS, conducted the Workshop on Cross-border Illegal Wildlife Trade Prevention in Lao PDR in Luang Prabang province, with a total of 50 participants from DCNEC, Provincial Environmental Police Divisions PEPDs, Office of the Public Prosecutor, UNODC, INTERPOL, Immigration Police, People's Police Academy, WCS and the US Embassy. The workshop aimed to improve knowledge about CITES regulations and protected species under CITES and Lao legislation; wildlife products identification techniques; enhanced law enforcement approaches and investigation techniques for DCNEC and PEPD officers; the situation of illegal wildlife trafficking during the COVID-19 pandemic; and cooperation and coordination between law enforcement officers and relevant agencies.
- h) The DCNEC, the Police National Central Bureau (NCB), DOFI and DOF participated in a high-level training on Combating Financial Crimes related to Environmental Crime via videoconference from 9-13 August 2021.
- i) Implementation of awareness campaigns regarding wildlife laws and regulations and on investigations was conducted by DOFI, with WWF support, for Forest Inspection officers in Bokeo Province in June 2020; Luang Prabang in October 2020; Bolikhamxay and Khammouane Provinces in January and February 2021; Xayabouly Province from January to February 2021; and Oudomxay, Xiengkhouang and Houaphan Provinces from August to September 2021.
- j) On 9-11 August 2021, the Office of the Supreme People's Prosecutor General Inspection Department and Training Institute organized a cooperation and consultation training workshop on wildlife crime in Xiengkhouang Province to build awareness and understanding among prosecutors on relevant international treaties, and wildlife crime case handling and prosecutions with a total of about 40 prosecutors, inspectors and police officers participating. The Office of the Supreme People's Prosecutor (OPP) is planning to develop prosecutor capacity across the country in relation to wildlife cases.
- k) On 20-24 December 2021, DoFI with technical support from WCS, organized three activities that aim to build better understanding of wildlife crime case challenges, interagency coordination, and online research and analysis capacity. The activities were attended by representatives from the Department of Forest Inspection, DCNEC, the Office of the Public Prosecutor, the People's Supreme Court, and from the provinces.
- g) *Lao PDR shall continue to effectively implement existing relevant plans, in particular its National Ivory Action Plan (NIAP), and report on progress in implementation according to the fixed formats and deadlines.*

22. The 2020 National Ivory Action Plan is being implemented. The progress report detailing updates of activities and achievements was submitted to the CITES Secretariat in December 2021 for the present meeting. In August 2021, a consultation workshop to report on progress in the implementation of the 2020 NIAP was organized by the Department of Forestry in Vientiane Province, with representatives from NIAP-implementing agencies participating.

h) Lao PDR shall 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).

23. Lao PDR has continued implementation of the National Wildlife Crime Response Strategy Plan [MAF Decision No. 1559 (2018)]. 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 (Lao-WEN). Specific updates are as follows:

a) Meetings of the Lao-WEN Coordinating Committee were organized by DoFI with the participation of relevant law enforcement agencies since 2020 to develop and improve the Strategic Action Plan and cooperation framework to improve institutional roles and responsibilities of Lao-WEN agencies. On 10 September 2021, the Lao-WEN Standard and Operating Procedure (SOP) was approved by the Ministry of Agriculture and Forestry under Decision No. 1223/MAF. The SOP provides guidance on cooperation between Lao-WEN agencies in relation to wildlife and forest crimes.

b) The mandate of the Department of Customs on wildlife related enforcement has been improved under the following legal instruments:

i) the Ministry of Finance Regulation No. 2059/MOF, dated 29 April 2021 on Organization and Activities of the Department of Customs;

ii) the Law on Customs No: 81/NA, dated 29 June 2020, and adopted and promulgated on 1 January 2021, and

iii) Ministry of Finance Instruction No. 3269/MOF, dated 26 July 2021 on the Implementation of the Customs Law No. 81/NA.

In this context, the Department of Customs organized a consultation meeting on the approval of the customs strategy and guidelines on 28-29 January 2021 in Vang Vieng with 20 officers participating.

c) In 2020, the mandate of DCNEC was amended, to provide clearer roles and responsibilities for the environmental police in the area of crimes and offenses related to natural resources and environment, corresponding to Chapter 9 of the Lao Penal Code as amended in 2017. On 19 March 2021, the General Police under Agreement No. 0081 established the Lao-WEN Coordinating Committee under DCNEC to coordinate with Lao-WEN agencies.

d) The Office of Supreme People's Prosecutors issued Decision No. 518 on 15 October 2021 on the appointment of the Deputy Director General and the Deputy Head of Division to be focal points for the Lao PDR CITES Committee and Secretariat responsible for CITES implementation and NIAP.

e) In promoting improved coordination and cooperation at provincial levels, seven provincial inter-agency meetings and workshops were conducted across the country during the reporting period.

i) Lao PDR shall investigate and prosecute mid- to high-profile cases involving organized or transboundary illegal trade activities, such as those identified by various international partners; and provide to the Secretariat the results (arrests and prosecutions) of any investigations conducted by competent national authorities to determine the origin of specimens in illegal trade, the identities of individuals involved in smuggling, and the results of any legal proceedings against alleged perpetrators for the period February- December 2019 in the illegal trade report format.

24. With regard to specific inspections and investigations of trafficking and illegal trade in wildlife (CITES and non-CITES) in Lao PDR, the CITES Management Authority of Lao PDR reported the following on behalf of all relevant enforcement agencies:

a) For 2020, DoFI reported a total of 494 kg of wildlife seized from 17 provinces and Vientiane: 63 kg of wildlife carcasses and parts under the Lao Prohibited List I (including *inter alia* Golden cat, Douc Langur, Pangolin, Greater Coucal); 336 kg of wildlife carcasses and parts under the Lao Management List II (including *inter alia* Clouded Monitor, Turtle, Hog badger, Civet; and 95 kg of wildlife carcasses and parts under Lao General List III. For 2021, DoFI reported a total of 11 cases of illegal trade with a total 75 kg of illegal wildlife seized across the country.

- b) DNEC reported the following enforcement-related activities: In July 2020, the seizure of 30 kg of tiger bones, Chinese goral bones, turtle bones and deer horns from a Vietnamese national living in Vientiane. The case is still pending investigation. On 21 April 2021, the PEPD in cooperation with the Provincial Forest Inspection (PoFI) of Savannakhet province conducted an operation against a suspect in the Champhone district, Savannakhet province, which resulted in the arrest of one male suspect and confiscations of various pieces of ivory (total weight: over 2 kilos) and 1 deer horn. On 30 July 2021, DCNEC conducted an investigation of online trading through Facebook, and set up a sting operation against the suspects in Vientiane Capital. A total of 4 kg of suspected rhino horns were confiscated, with three suspects arrested. The case is under investigation with the exhibits handed to the DOFI for forensic examination. DNEC has also inspected three tiger farms in Bolikhamsai province in 2020, one of these had been converted into a zoo with public access but two others had not.
 - c) The Environmental Police Division (PEPD) of Oudomxay province intercepted a suspected truck which was later identified as a truck of a logistic company and arrested a man with confiscated prohibited wildlife species (Gaur, CITES Appendix I) parts. The case was handed over by PEPD to PoFI and is currently pending investigation.
25. Lao PDR also reported the details of nine cases that are ongoing with the prosecutors. They involve nationals of China, Lao PDR and Viet Nam. Confiscated items include ivory, pangolin, tiger, bear, deer, dhole etc.
26. Five cases have been completed by the Courts in 2020-2021. In four of these, the Courts have handed down sentences ranging from fines of LAK 4 million up to 2 years and six months imprisonment, as well as confiscation of the illegally traded items. One case was dismissed by the court due to lack of evidence. Lao PDR has requested that the details of the investigations be kept confidential.
- j) *Lao PDR shall 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'.*
27. Lao PDR has continued to work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam as recommended by the Standing Committee. During the period, the following activities have been undertaken:
- a) The Department of Customs participated in meetings of the Association of Southeast Asian Nations (ASEAN) on law enforcement every six months for consultation and information exchange. It also coordinated with and participated in meetings with neighbouring countries under bilateral, trilateral and multilateral cooperation frameworks. It attended seminars and consultation meetings on a regular basis.
 - b) DCNEC and DOFI attended the 3rd Senior Officials meeting of the Working Group on Illicit Wildlife and Timber Trafficking, held on 15 June 2021 via videoconference.
 - c) The INTERPOL National Central Bureau (NCB) participated in the annual meeting on countering wildlife crime in the Asian region held in Singapore, 23-27 March 2020; the INTERPOL consultation meeting via videoconference on wildlife crime on 13 July 2020; the annual meeting, via videoconference, on wildlife in Asia (Operation Thunder 2020) on 14 September 2020; and the meeting on investigation and analysis of wildlife market in the Golden Triangle area on 20 July 2021.
 - d) The Lao WEN team attended the ASEANAPOL online dialogue on wildlife crime from 8 to 10 June 2021, which was hosted by the ASEANAPOL Secretariat. The dialogue focused on the issues of wildlife crime and on understanding the enforcement structure to combat the crimes in ASEAN Member States. Lao PDR reported that with the current situation of the COVID-19 pandemic, the Dialogue served as a platform for the ASEAN Member States to share their experiences and best practices to overcome new trends of crime.
 - e) The Lao WEN attended the 16th ASEAN Working Group on CITES and Wildlife Enforcement and the 2nd ASEAN Technical Meeting on Development of the ASEAN Handbook on Legal Cooperation to Combat Illegal Wildlife Trade from 26 to 27 May 2021 via videoconferencing hosted by Myanmar and the INTERPOL Regional Investigative and Analytical Case Meeting (RIACM) Conference on Rhino Trafficking (Operation Golden Strike) on 23 August 2021.

- f) The first Memorandum of Understanding (MoU) on Cooperation between the Environmental Police, Ministry of Public Security of Laos and Viet Nam on Transnational Wildlife Crime Prevention was endorsed at the "Meeting on Cooperation on Transnational Wildlife Crime Prevention" which took place in July 2019, at Da Nang City, Viet Nam.
 - g) Lao PDR further reported that its Department of Forestry is coordinating with the CITES MA of Malaysia (Department of Wildlife and National Parks) as regards laboratory support and assistance in the testing and analysis of collected tiger biopsies in facilities in Lao PDR but that the actual testing has been delayed due to the pandemic.
 - h) The Lao CITES MA and DoFI are currently following up with the Chinese government regarding the status of live Asian elephants exported by Lao PDR and imported by China and in investigating the discrepancies in the number of exported and imported specimens reported by China and Lao PDR. The number of live Asian elephants imported by China from Lao PDR in the period 2011-2018 is 87. However, Lao PDR has only reported the export of 35 elephants to the CITES trade database and investigations are ongoing on this discrepancy.
 - i) The Department of Customs has exchanged information on a testing basis through the Customs Law Enforcement Channels of ASEAN and the World Customs Organization (WCO).
 - k) *Lao PDR shall implement the ICCWC indicator framework for wildlife and forest crime with the assistance of ICCWC partners and monitor progress on those indicators.*
28. The recommendations from the ICCWC toolkit were approved by the Ministry of Agriculture and Forestry under Decision No: 0752/MAF on 6 November 2020. The Department of Forestry has been in communication with UNODC regarding a mechanism to finance the implementation of the toolkit recommendations by the relevant government agencies identified in the toolkit.

Regarding monitoring of wildlife farms and related trade;

- l) *Lao PDR shall disseminate and effectively implement Ministerial Decision No. 0188/MAF, dated 8 February 2019 on the Establishment and Management of zoos, wildlife farms, centres for rehabilitation and breeding of wildlife and wild flora farms.*
29. Lao PDR has continued to disseminate the Ministerial Decision relating to the establishment and management of zoos, wildlife farms, centres for rehabilitation and breeding of wildlife and wild flora farms, in workshop and meetings with concerned government departments.
30. The Wildlife and Aquatic Law No. 07/NA is undergoing revision and will include a review of the Ministerial Decision No. 0188/MAF (February 2019) on *Establishment and Management of zoos, wildlife farms, centres for rehabilitation and breeding of wildlife and wild flora farms* and relevant CITES requirements.
- m) *Lao PDR shall 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 g) of Resolution Conf. 12.5 (Rev. CoP17) on Conservation of and trade in tigers and other Appendix-I Asian big cat species and Decision 14.69.*
31. The Department of Forestry is coordinating with the CITES MA of Malaysia (Department of Wildlife and National Parks) regarding laboratory support and assistance in the testing and analysis of collected tiger biopsies in facilities in Lao PDR. Both parties are currently following up and processing CITES import and export permits to facilitate the export-import of 263 tiger tissue samples, 42 tiger DNA samples, and seven tiger whisker samples, collected during the audit of the tiger facilities. The ongoing international travel lockdown in Lao PDR due to the pandemic has delayed the delivery of the samples from Lao PDR to Malaysia.
- n) *Lao PDR shall establish an appropriate advisory committee with involvement of the CITES Secretariat and other relevant organizations and partners to provide advice on the transformation of commercial tiger farms.*
32. Lao PDR has not yet established an advisory committee; discussions and recommendations on the committee are still on-going.

Regarding awareness raising

- o) *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.*
33. From 2019-2021, the Department of Forestry coordinated with relevant agencies and localities to conduct a campaign to encourage, advertise and give advice on the methods of protection of wild elephants with a view to reducing the conflict between humans and wild elephants in Borikhamxay, Khammouane, Savannakhet, Attapeu, Vientiane, Oudomxay and Xayabury provinces.
 34. On 7 July 2021, the Division of Wildlife Management conducted the awareness campaign for Attapue Province with the participation of relevant agencies of the provincial government totalling 23 officers. On 28 August 2021, the Division of Wildlife Management conducted the awareness campaign on biodiversity and protection from wild elephant for officers of Nam Xam National Protected Area and people from six villages: Khor Village, Thin Village, Phansavanh Village, Phiengthin Village, Phiengdang Village and Phienghome Village. A total of 145 persons attended. From 8 to 14 July 2021, a training was organized on how to protect communities from wild elephant conflicts and on techniques on how to chase them back to the wild for villagers of two villages from Xaysetha and Xansay District, Attapue Province, with 92 participants.
 35. The Department of Customs produced a video on Combating and Prevention of Wildlife and Timber Trafficking and has conducted its dissemination via online media by the Ministry of Finance through their website, Facebook pages, YouTube and television programmes.
 36. From 6 to 7 August 2020, the Department of Forest Inspection and WCS collaborated with the Lao Journalists' Association, engaging with the Ministry of Information, Culture and Tourism, in organizing a workshop for Lao journalists on wildlife crime prevention in Vientiane Times, as part of celebrating Lao Wildlife Day and Mass Media Day and to facilitate better awareness among Lao journalists on their roles in supporting wildlife crime prevention efforts. This was followed by a field workshop from 18 to 24 January 2021 by the Lao Journalists' Association and the Department of Forest Inspection at the Nam Et-Phou Loey National Park on wildlife crime prevention efforts.
 37. Outreach activities were implemented by DOFI with the support of WWF in Khammouane, Oudomxay, Phongsaly, Xiengkhouang, Houaphan and Luang Prabang. In December 2020, WWF and TRAFFIC organized a Specialized Workshop for Chinese Investors and Tour Guides in Lao PDR on Green Investment and Responsible Tourism to Refuse Illegal Wildlife products in Luang Prabang.
 38. In July-August 2021, the Department of Forestry and DoFI set up billboards to increase awareness and actions to report illegal wildlife trade through the hotline 1601. This was made possible by the Lao Conservation Trust for Wildlife (LCTW) under the EU Partners Against Crime project with WCS.
 39. The Departments of Forestry and Forest Inspection are coordinating with organizations in Lao PDR such as the GIZ-ProFEB, WWF, WCS, and LCTW on developing an illegal wildlife trade campaign since 2020. This includes the finalization of public service videos on illegal wildlife trade by the Department of Forest Inspection.
 40. The Faculty of Environmental Science of the National University of Laos is also collaborating with the Department of Forestry on awareness and outreach activities in southern provinces of Lao PDR.

Observations and conclusions by the Secretariat

41. The Secretariat considers that the progress report submitted by Lao PDR demonstrates continued commitment by Lao PDR to work towards full compliance with the Convention and to address the recommendations by the Standing Committee.
42. Enacting and issuing the Decree on International Trade in Endangered Species of Wild Fauna and Flora is a crucial step towards full compliance. The Decree is set to be adopted by the Government in March 2022 and is expected to provide a good legal basis for regulating trade in specimens of the CITES-listed species. Once adopted and submitted to the Secretariat in its final version (and in English), the Secretariat will analyze the Decree in the context of other relevant national legislation, such as the Penal Code. The revised Wildlife and Aquatic Law (WAL) is also considered to be relevant for the full implementation of the Convention in the country. The issuance of the revised and updated national lists of protected wildlife in Lao PDR is also a

reflection of the engagement and commitment of Lao PDR towards conservation of threatened and endangered species.

43. With regard to the organization and structure of the national CITES Authorities, there has been a setback with respect to the change in the CITES Scientific Authority from one ministry to another in 2021. The newly designated focal points for the CITES Scientific Authority are likely to need support and capacity-building going forward.
44. Copies of all permits issued in 2020-2021 have been submitted to the Secretariat. The Secretariat notes that all permits in 2021 involved artificially propagated specimens of only one species (*Aquilaria*). The annual reports for 2020 and 2021 have been submitted, while the annual illegal trade report for 2020 is still pending the collection of all data from the various enforcement agencies.
45. On enforcement-related matters, action has been taken in the reporting period as noted above, despite the challenges due to the pandemic. The number of court cases concluded (five) is limited, but more than in previous years. Efforts seem to be underway to ensure collaboration and coordination among the various enforcement agencies, which include both DoFI and DNEC as well as their regional and local branches. This is an important effort that must be continued as conflicting and overlapping mandates may otherwise hamper the effective and efficient action against illegal trade. The Secretariat notes with some concern that limited follow-up on the ICCWC indicator framework for wildlife and forest crime and implementation of the ICCWC Toolkit Recommendations has been reported by Lao PDR since those activities were completed in 2019.
46. As mentioned above and described in more detail in document SC74 Doc. 28.1 on compliance matters, the Secretariat has been communicating with the CITES MA of Lao PDR and China regarding the trade of live Asian elephants from Lao PDR to China with source code C over the period 2010-2018. The Secretariat has not received copies of the CITES documents issued to authorize such trade and does not have any evidence as to the captive-bred origin of the elephants. Lao PDR needs to demonstrate that live Asian elephants to be traded with source code C comply with the definition set out in [Resolution Conf. 10.16 \(Rev.\) on Specimens of animal species bred in captivity](#). Lao PDR also needs 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. With funding from the United States of America, the Secretariat has offered support to Lao PDR to strengthen the system for registration and marking of elephants in captivity as mandated by Decision 18.227. Lao PDR (DoFI) has responded positively to this offer and activities are being planned.
47. The lack of progress on the monitoring and management of wildlife farms, in particular tiger farms, is also a concern. As progress is being made on most of the other recommendations of the Standing Committee, the authorities of Lao PDR now need to prioritize the effective implementation of the recommendations related to tiger farms and of [Decision 14.69](#). As mentioned in the previous report, the policy of the Government is that there should be no commercial breeding of tigers in Lao PDR. However, this policy has not yet been translated into action. The establishment of the national advisory mechanism/committee could provide guidance with respect to the process for conversion of existing tiger farms; regional collaboration on the matter may also be considered. With funding from the United Kingdom of Great Britain and Northern Ireland, the Secretariat is hoping to be able to undertake over the course of 2022 at least some of the missions to Parties where there are facilities which may be of concern as mandated by Decision 18.108, subject to the travel restrictions related to the pandemic.
48. In conclusion, the Secretariat would like to commend Lao PDR and partners for the number of activities carried out over the last 18 months as reported by Lao PDR. The commitment and continued efforts of Lao PDR must be maintained in order to effectively address illegal trade in wildlife which is still widespread in the country. The Secretariat would like to invite Lao PDR to provide further information on the impacts and results of the activities undertaken in future progress reports on implementation of the Article XIII recommendations.

Recommendations

49. In light of the above, the Secretariat recommends that the Standing Committee maintains and updates the recommendations adopted at SC71 as follows:

*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.
- 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 (ICWC) with the assistance of ICWC and other partners and conduct a follow-up ICWC 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 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.
50. The Secretariat further recommends that the Standing Committee request 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.
51. The Secretariat finally recommends that the Standing Committee at its 77th meeting review progress made by Lao PDR 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.