Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry
Department of Forestry

No: 1193 - - - - /DoF
Vientiane Capital, Date: 04 MAR 2019

To: Ivonne Higuero.
CITES Secretariat-General

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

Dear Mr. Morgan,

I am pleased to provide to the CITES Secretariat the National Ivory Action Plan (NIAP) Progress Report of Lao PDR, covering the reporting period from July 2018 – February 2019. Based on the consultations and assessment done with several government agencies in Lao PDR tasked to support the implementation of NIAP, Lao PDR has made good progress with some action points having been both achieved and substantially achieved.

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

Your Respectfully,

Mr. Sousath SAYAKOUMMANE
Director General, Department of Forestry
CITES Management Authority in Lao PDR
Email: ssayakoummane@gmail.com
Copy to: ckeophouvong@yahoo.com

CITES NATIONAL IVORY ACTION PLAN PROGRESS REPORT

Prepared for the 70th meeting of the CITES Standing Committee

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Party: Lao People's Democratic Republic

Reporting period: July 2018 – February 2019

PART A: Synopsis of NIAP implementation

Background

Significant Achievements and Progress on Legislation and Regulations

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

Significant Achievements and Progress on Prevention and Awareness

Progress on Management of Stockpiles

Progress on Capacity Analysis and Development

Next Steps

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

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

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

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

PART C: Detailed evaluation of actions

ACTION	EVALUATION		SUMMARY OF PROGRESS (and *comments*)
PILLAR 1: Legislation and regulations			
1.1 Conduct a revision of the Regulation on National Biodiversity, Conservation, Wildlife and Aquatic Management in Lao PDR, No.0360 /MAF.2003, dated: 8/12/2003, to update it in accordance with relevant legislation such as the Wildlife Act.	Draft is produced Regulation has been successfully revised	☑ Substantially Achieved	1.1.1 The **Consultation Workshop on the Wildlife Legality Compendium Report** was organized on 24 January 2019 with the purpose of presenting the findings of the report such as strengths, weaknesses, loopholes, challenges and recommendations for an improved legal framework for the wildlife sector; making recommendations; and gathering comments, feedback and suggestions from workshop participants. The presentation in the workshop included a description of the legal framework in Lao PDR based on the scope of the Wildlife Legality Compendium project, recommendations on improving the Wildlife and Aquatic Law and relevant wildlife-related regulations, and the companion report on international obligations and recommendations on compliance. 1.2.1 Based on the comments received during the workshop, the report will be updated with results of the workshop on the analysis and recommendations to be submitted to the Ministry of Agriculture and Forestry for **next steps on the revision and updating of existing laws and regulations** to strengthen the legal framework and to ensure that they are adequate to implement CITES.
1.2 Following the completion of 1.1 above, review the current regulation of MAF and institutional mandates regarding enforcement of ivory trade through Lao PDR, Identifying barriers for prosecution and punishment and make recommendations on required revisions	Proposal submitted to Minister	☑ On track	1.2.2 Relevant departments in Lao PDR are also in discussion as regards the **updating of the wildlife list of Lao PDR**. 1.2.3 A **consultation workshop on the 2019 Lao PDR National Ivory Action Plan** was organized by the Department of Forestry with support from WCS and USAID Wildlife Asia on 15 February 2019. The workshop was to facilitate the process of updating and improving the National Ivory Action Plan with the participation and contribution from relevant government agencies in Lao PDR. 1.2.4 The **Lao PDR Asian Elephant Action Plan** is also under development with consultations happening with relevant Ministries and international organisations in Lao PDR. 1.3.1 From 26-27 December 2018, the Department of Forestry organised a workshop to review and revise the **draft guidelines on the establishment and management of zoos and wildlife farms in Lao PDR**. The draft has been submitted to MAF for review and approval.
1.3 Develop a Ministerial Circular on the management of hunting trophies	Draft is produced	☑ Substantially Achieved	1.4.1 On 17 October 2018, the **amended Penal Code** was published in the Lao Official Gazette and has entered into force. It includes: (a) criminalization of possession and trade of prohibited wildlife with a maximum penalty of 5 years; and (b) introduction of aggravating circumstances, such as the commission of the offense in an organized group, as a professional offence, recidivism, and causing substantial damage, that increases the imprisonment penalty for import, export, transit and transshipment of wildlife and aquatic animals in contravention of laws and regulations related to CITES from 3 months to 5 years to 5 to 10 years..
1.4 Review penalties under the Penal Code to ensure that wildlife crime is adequately addressed as a form of serious crime		☑ Pending completion of another action	1.4.2 The Lao government is continuing the wide dissemination of the amended Penal Code and the Prime Minister Order No. 05 (2018) to relevant law enforcement agencies in Lao PDR. Other activities done during the reporting period are: • Dissemination of PMO5 in all provinces in Lao PDR from July to September 2018, in 3 locations: (a) in Champasak Province for southern provinces in July 2018; (2) in Bokeo Province for northern provinces in August 2018; and (3) in Luang Prabang for central provinces in August 2018 • From 20-21 December 2018, a seminar on strengthening the enforcement of the amended Penal Code to combat wildlife and forest crime was facilitated by UNODC for participants from relevant government departments such as the Department of Combating Natural Resource and Environmental Crime, Department of Forest Inspection, Customs Department, and the Prosecutor's Office

ACTION	EVALUATION		SUMMARY OF PROGRESS (and *comments*)
			• From 23-30 December 2018, the Department of Forestry conducted a CITES and wildlife law and regulation awareness activity for government staff in 3 districts in Luang Prabang province and included officers from the District Agriculture and Forestry Offices, Police, Army, Culture and Tourism District Offices, and District Administration Offices
PILLAR 2: Enforcement			
2.1 Develop capacity of multi-agency (Lao-WEN) enforcement officers through regional (North, Central, South) training courses in the following areas: a) conduct inspection and detection regarding smuggled wildlife including species identification (incl. genuine ivory from fake) b) CITES requirements and examination of (CITES) documents and detect documentation misuse and fraud	Increase in wildlife inspections and detections at key border crossings and markets	(a) ☑ Achieved (b) ☑ On track	Capacity building activities conducted during the reporting period include: • Wildlife trafficking investigation training from 13-24 August 2018 which provided participants with techniques on the investigation process, prosecuting offenders, surveillance of suspects, interviews and interrogation of suspects, and identification of wildlife products • UNODC-Lao PDR National Cybercrime Roundtable discussion which increased awareness on cybercrime issues in Lao PDR • Law enforcement training in Xiengkuang Province organized by DOFI and WCS, under US-INL support, with participants from Xiengkuang province and district officers from Forest Inspection, Prosecutor, Police, and Border Army from 18-21 September 2018 – providing techniques for information collection, inspection, investigation, arrest, evidence management and case preparation and presentation to the prosecutor • Department of Combating Natural Resource and Environmental Crime (DCNEC) Illegal Wildlife Trafficking workshop for 160 participants from the environmental crime police divisions in 4 provinces (Xayabouly, Oudomxay, Khammouane, and Champasak) to increase understanding of wildlife crime, strengthen law enforcement and coordination, and strengthen legal mechanism to combat wildlife crime • Training on information management and specialized information collection and investigation techniques organized by DOFI and WCS, under US-INL and UK embassy support, for participants from Forest Inspection, Environmental Crime Police, Customs Department, Cybercrime Police, and State Inspectorate and Anti-Corruption Authority from 31 October – 2 November 2018 • Learning workshop to exchange best practices and experiences on ivory enforcement between Forest Inspection officers of Luang Prabang and Bokeo from 14-17 January 2019 • Illegal Wildlife Trade Monitoring Workshop (on Social Media) organized by WARN in Thailand from 21-22 January 2019, with WCS-supported participants from Forest Inspection and Environmental Crime Police • Provincial inter-agency coordination meeting to discuss improving cooperation and coordination among agencies was organized by DOFI and WCS in Savanakhet Province on 7 February 2019
2.2 Ensure that border officers are in possession of necessary tools and guides to clarify CITES species and determine genuine from fake documentation	Reference materials are available and referred to by donors	☑ Limited progress	
2.3 Develop advanced investigative capacity of multi agency (Lao WEN) law enforcement officers through regional (North, Central, South) training courses in subjects including: crime scene management, forensic awareness, controlled	Increase in the law enforcement operations and prosecutions of offenders	☑ On track	

ACTION	EVALUATION		SUMMARY OF PROGRESS (and *comments*)
deliveries, questioning, use of technology, judicial procedures and presenting cases [1]			
2.4 Participate in international and regional law enforcement activities	Increase in law enforcement operations and prosecutions of offenders	☑ Substantially achieved	Lao PDR participated in relevant enforcement and CITES-related workshops, trainings and meetings to build capacities on CITES-related and wildlife enforcement matters during the reporting period, such as: • Seminar on Import and Export Management and Protection of Endangered Species for Officials from Developing Countries, organized by the China State Forestry Administration in Beijing, from 20 June to 10 July 2018 • CITES SC70 meeting in Sochi, Russia in September 2018 • London IWT Conference where the Lao government provided commitments to tackle IWT in Lao PDR in October 2018 • CITES and Livelihoods Workshop organized by the CITES MA of China and the CITES Secretariat from 6-8 November 2018 in Guangzhou, China • 2nd International Conference on "Revisiting Efforts to Reduce Demand for Illegal Wildlife Products: Showcasing Best Practice in Behaviour Change" from 28-30 November 2018 in Bangkok, Thailand • Lao PDR co-chaired with Thailand the Special Meeting of the ASEAN Working Group on CITES and Wildlife Enforcement on 25 January 2019 in Bangkok. The agenda included preparation for the Special Ministerial Meeting on Illegal Wildlife Trade to be hosted by Thailand in March 2019. In addition, Lao PDR participated in the following international, regional and bilateral law enforcement related meetings: • In August 2018, Lao PDR hosted a transboundary workshop in Oudomxay province with support from WWF to discuss cooperation to tackle illegal wildlife trade in the Mekong region with the participation of neighbouring countries China, Myanmar, and Vietnam, and international organisations and developmental partners. • From 30-31 October 2018 during the Annual Meeting hosted by Vietnam in Ha Tinh Province to review progress of the implementation of the Memorandum of Understanding between the Forest Protection Department of Vietnam and Forest Inspection Department of Lao PDR, it was discussed for neighbouring provinces of Lao PDR and Vietnam to develop MoUs to combat wildlife and timber trafficking occurring between the provinces • Lao PDR participated in the inter-regional WIRE meeting in Kenya from 19-21 November 2018 to improve cooperation between Asian countries and African countries to combat wildlife trafficking. Part of the outcome of the meeting was for the NCBs of participating countries to develop an inter-regional plan on combatting wildlife trafficking. Lao PDR will also cooperate closely with Vietnam on the issue. • From 24-25 December 2018, Lao PDR organized in Vientiane Capital the Consultation and Experience Sharing Meeting between Laos-Vietnam Environmental Crime Police on the Implementation of Combatting Environmental Crime. The meeting was aimed at building the relationship and enhancing bilateral cooperation between Vietnam's and Lao's Environmental Crime Police. The meeting agreed to enhance the relationship, jointly strengthen coordination and

[1] See 5.2

ACTION	EVALUATION		SUMMARY OF PROGRESS (and *comments*)
			cooperation on wildlife crime case investigation, intelligence sharing, capacity building, and patrolling at shared border points. • DOF has also facilitated the rhino horn sampling and permission for DNA analysis and testing with the Lao Customs Department, with support from UNODC.
2.5 Improve control of illegal trade in ivory and other wildlife in local markets	Increase in offences detected. Reductions in offences	☑ On track	Lao law enforcement agencies have continued increasing their law enforcement efforts on wildlife trafficking cases in Lao PDR, including those identified and reported by various international partners. Below is a list of law enforcement and related activities accomplished from July 2018 until January 2019: (**Annex 10**) • In June 2018, 2 wildlife traders were intercepted along the highway for transporting an Asian golden cat and 4 Asiatic black bear paws around the Nam Et Phou Loey National Protected Area. The District Court fined the offenders 84 million Lao Kips (10,500 USD). • From 26-28 July 2018, a multi-agency team composed of DOFI, POFI in Bokeo, Army, Police, Prosecutors, and Administration of the Golden Triangle Special Economic Zone conducted an inspection of shops in Donxao market in the Golden Triangle Special Economic Zone, which resulted in the confiscation of suspected ivory products. • DCNEC conducted an investigation on a Vietnamese ivory workshop in Vientiane Capital. This resulted in the arrest of 1 Vietnamese owner on 2 August 2018 found with more than 10kg of worked ivory, rhino horn parts, and elephant skin. The case was submitted to the prosecutor to proceed with prosecution on 28 September 2018. • On 4 August 2018, Savanakhet Customs confiscated 18 turtles, 19 pangolins and 43 snakes (king cobras and other snake spp.) from a bus traveling from Savanakhet to Champasak. • On 17 August 2018, Savanakhet Customs with local police confiscated 266kg of snakes (32 individuals consisting of king cobras and other snake spp.) and 48 turtles. • On 17 August 2018, DOFI and POFI-Luang Prabang conducted an inspection of 2 shops in Luang Prabang airport, based on verified information provided, and confiscated 6kg of identified ivory products. Investigation of owners is ongoing for next steps. • In September 2018, Xone District police confiscated a clouded leopard being transported by a local wildlife trader around the Nam Et Phou Louey National Protected Area. The suspect is in jail awaiting prosecution. • From 24 September to 2 October 2018, DOFI and POFI-Luang Prabang, in cooperation with local police, inspected retail shops in Luang Prabang, which resulted in the confiscation of more than 20kg of identified ivory products, 1.25kg elephant skin, and 0.6 kg pangolin scales from 4 retail shops. Investigation of the Chinese business owners is ongoing for next steps. • From 22-23 October 2018, DOFI and POFI-Oudomxay cooperated with Oudomxay Police in the identification and investigation of a wildlife-related case involving 2 ivory tusks, 1 rhino horn, and several mounted trophies of prohibited and protected species in Lao PDR. The case was related to a narcotics case intercepted by the police in July 2017. • In November 2018, based on an investigation conducted by DCNEC in Vientiane Capital, 1 Lao national was arrested with various wildlife parts seized (elephant tusks, live monitor lizards, suspected tiger bones, dead pangolins and dried geckos. Investigation is on-going. • On 5 November 2018, Savanakhet PoFI confiscated non-timber forest products (including wild orchids) and wildlife (snakes, civet, porcupine, and other reptiles) from a Vietnamese vehicle. • From 10-17 December 2018, a multi-agency team composed of DoFI, PoFI-Bokeo, and other agencies conducted a road checkpoint in Ban Dan and an inspection of retail shops in Chinatown in the Golden Triangle Special Economic Zone and in Tonpheung District. This resulted in the confiscation of various wildlife and non-timber forest products from the road checkpoint, and at
2.6 Strengthen enforcement at ports and border checkpoints		☑ On track	

ACTION	EVALUATION		SUMMARY OF PROGRESS (and *comments*)
			least 8kg of various wildlife parts and products, including elephant skin and pangolin, from 2 retail shops in Chinatown and in Tonpheung District. Investigation and interview of the retail shop owners will continue. • From 24-28 December 2018, law enforcement authorities including DoFI, PoFI-Luang Prabang, and local police, based on verified information provided, conducted a search of 3 Chinese retail shops in Luang Prabang. This resulted in the confiscation of at least 98kg of wildlife parts and products, which included 88kg of identified ivory products, and with rhino horn, pangolin, tiger and bear parts. 1 Chinese national from 1 retail shop was arrested and interviewed and a criminal case was referred to the prosecutor on 24 January 2019. Criminal cases against 2 Chinese and 1 Lao suspects implicated in the 2 other retail shops have been referred to the prosecutor on 31 January 2019.
PILLAR 3: Strengthening cooperation and sharing information			
3.1 Enhance cooperation with other Asian and African countries on combating wildlife crime	Increased national cooperation Increased regional and international cooperation	☑ On track	See 2.4
3.2 Increase use of intentional tools to exchange information and intelligence	Increased intelligence reports and use of communication tools	☑ On track	See 2.4/2.5/2.6
3.3 Ensure reporting of information to MIKE and ETIS	Data is accurately recorded and reported	☑ On track	Lao PDR will report information to MIKE and ETIS, and submit reports as required by CITES Secretariat.
PILLAR 4: Judiciary and prosecutions			
4.1 Increase awareness of the seriousness of wildlife crime amongst prosecutors and judiciary		☑ On track	See 2.1/2.2/2.3
4.2 Increase the capacity of relevant officers in wildlife crime investigations to help	Increased prosecutions and detections	☑ On track	See 2.1/2.2/2.3

ACTION	EVALUATION		SUMMARY OF PROGRESS (and *comments*)
increase the rate of prosecutions for wildlife crime (see 2.3)			
PILLAR 5: Prevention and awareness			
5.1 Conduct awareness and trafficking prevention trafficking at key border ports: Wattai domestic and international airports, Luangprabang airport, Pakse airport, Laos-Thailand friendship bridge, 1 market areas		☑ Substantially achieved	• In July 2018, DOFI and POFI-Luang Prabang installed wildlife crime prevention messages in Luang Prabang airport. This was followed by the installation of similar messages in bus and boat transit points in Luang Prabang • CITES-awareness boards and messages have also been set-up in Wattay Vientiane airport, Savannakhet airport, Savannakhet friendship bridge, and 5 districts in Savannakhet province (Phin, Songkhon, Thapangthong, Phalanxay, and Xonnabuly).. • During the Lunar New Year from 4-10 February 2019, a multi-agency enforcement team actively inspected and provided wildlife crime prevention flyers to shops, tourists and travelers in 5 provinces – Vientiane Capital, Luang Prabang, Oudomxay, Luang Namtha, and Bokeo.
PILLAR 6: Management of Stockpiles			
6.1 Establish and maintain a robust system for management of stockpiles of wildlife seizures		☑ On track	Still ongoing development with government-held stockpiles from seizures and confiscation of tusks and worked ivory held by confiscating authorities – such as the Forest Inspection Offices in relevant provinces and the Environmental Crime Police.
PILLAR 7: Capacity analysis and development			
7.1 Explore implementation of the ICCWC wildlife and Forest Crime Analytic toolkit and Lao PDR		☑ On track	• Lao PDR is coordinating with UNODC to follow-up on the collection of information pursuant to Resolution 71/326 on "Tackling illicit trafficking in wildlife" as adopted by UNGA 11 September 2017. • On 22 January 2019, DoFI organized the Law Enforcement Technical Advisory Group (LETAG) meeting to discuss with supporting organisations and projects on strategic plans for Lao-WEN (or Lao Working Group on CITES and Wildlife Enforcement) and in implementing compliance and law enforcement recommendations from SC70, including implementation and collection of data on enforcement indicators of ICCWC with assistance partners. Participating technical organisations provided updates on activities conducted and support provided to Lao PDR and assisting in implementation of the recommendations including data collection of enforcement indicators.

Part D: Annex (supporting information) (OPTIONAL)

1. ANNEX 1 –