



# LAOS

## TRANSIT

**11.3 TONNES**  
IVORY LINKED  
TO LAOS SEIZED  
SINCE 2010

IVORY



## TRANSIT

**ZERO KNOWN**  
HORN SEIZURES  
BUT TRADE  
OBSERVATIONS  
SINCE 2010

RHINO



## TRANSIT

**13 TIGERS** SEIZED  
PLUS TRADE  
OBSERVATIONS  
SINCE 2000

TIGER



## TRANSIT

**81 PANGOLINS**  
SEIZED SINCE 2010

PANGOLIN



## TRANSIT

**ZERO KNOWN**  
SEIZURES BUT  
TRADE OBSERVATIONS  
SINCE 2010

HELMETED  
HORNBILL



PARTY TO CITES (2004) | UNTOC (2003) | UNCAC (2009) | MEMBER OF INTERPOL | WORLD CUSTOMS ORGANISATION | ASEAN-WILDLIFE ENFORCEMENT NETWORK

## PANGOLIN SEIZURES LINKED TO LAOS SINCE 2010 HAVE TAKEN PLACE IN...



THAILAND VIETNAM NIGERIA MALAYSIA SINGAPORE

## WILDLIFE CRIME CONVICTIONS



# LAOS | INVESTING IN ENFORCEMENT

## KEY INDICATORS<sup>1</sup>

INTERPOL National Central Bureau has officer(s) dedicated to investigating wildlife crime

Multi-agency enforcement mechanism established to investigate wildlife crime

Financial intelligence unit includes wildlife crime on their portfolios

Assets and proceeds of crime seized in relation to wildlife crime cases since 2014

DNA analysis used in wildlife crime investigations since 2014

Government monitoring of online wildlife trade

Part of bilateral or multilateral agreements that specifically tackle transnational wildlife crime<sup>2</sup>

Participated in INTERPOL operations on wildlife crime since 2014

Participated in regional/international enforcement operations on wildlife crime since 2014<sup>3</sup>

Applied or declared intention to apply ICCWC Wildlife and Forest Crime Analytic Toolkit

## MAIN OBSERVATIONS

- While Laos established a national **multi-agency enforcement mechanism (Lao-WEN)** in 2011 and two provincial multi-agency enforcement units to tackle wildlife crime, Lao-WEN does not appear to have been fully deployed for dismantling criminal networks operating in and through Laos.

Engagement in Lao-WEN by key agencies such as the Environmental Police, Customs and prosecutors is unclear. In addition, since 2009 an inter-agency agreement has been in place to coordinate the implementation of CITES among the army, police (which includes the INTERPOL NCB), Customs, forestry officers, prosecutors and the import/export department of the Ministry of Industry and Commerce.

- Laos is increasingly playing an important role in the region as a wildlife trafficking hub primarily targeting Chinese nationals as buyers and it is crucial to secure effective **co-operation with neighbouring countries**. In 2016, frontline enforcement officers from key border areas in Laos, China and Vietnam participated in a field mission to discuss wildlife smuggling networks along the major Indo-Myanmar trade route. Bilateral agreements on enforcement for combatting wildlife trafficking exists with Vietnam, China and two provinces in Thailand.
- **Laos and South Africa** have signed a MoU on illegal wildlife trade.
- Applying the **ICCWC Wildlife and Forest Crime Analytic Toolkit** is a positive step and it is now important to ensure that information on progress made in implementing the recommendations arising from the Toolkit process is made publicly available.
- In partnership with various stakeholders, **training to relevant Government personnel** has been provided by the Government in several areas, including on prosecution and use of new anti-money laundering legislation in

wildlife crime cases. However, capacity gaps continue to exist—for example, the Institute of Ecology and Biological Resources, which is the CITES Scientific Authority, lacks capacity to identify CITES-listed species in trade.

## CHALLENGE

There are at least seven specialist law enforcement agencies mandated with combating wildlife crime but there is an apparent lack of clarity of roles and responsibilities for implementing this mandate. In particular, there is a need for improved collaboration between the Department of Forest Inspection (DoFI) and Department of Forest Resources Management. Further, there is also need for clarity about the division of competence at the national and provincial levels.

## CASE FILES

At least 11 tonnes of ivory have been seized globally with links to Laos. In addition, ivory and other wildlife products are openly available for sale in Sanjiang Market, Vientiane, as well as in Luang Prabang. As of October 2016, only one ivory seizure has been recorded in Laos—in 2015 at Wattay airport, 48kg of ivory was seized from two suitcases originating from Ethiopia. The seizure was the result of collaboration and information exchange with regional partners, although it is important the seizure is now followed up with investigations leading to arrests and prosecutions.

One case of rhino horn trafficking was recorded in 2015 after the Royal Thai Police provided information on the identity of an alleged rhino horn trafficker and the suspected port of entry into Laos from Thailand. However, Laos police did not follow up with any investigation as information had allegedly been received through 'unofficial' channels.

# LAOS | ENSURING EFFECTIVE LEGAL DETERRENTS

## KEY INDICATORS<sup>1</sup>

Legislation treats wildlife crime as a 'serious crime' as per UNTOC, ie, the maximum sanction applicable is not less than 4 years

Sentencing guidelines for wildlife crime have been disseminated

Known convictions for wildlife crime since 2014

Charges brought under ancillary legislation such as anti-money laundering laws in wildlife crime cases since 2014

Has anti-corruption unit

Known convictions for corruption related to illegal wildlife trade cases since 2014

**25/100** TI Corruption Perceptions Index 2015

including trafficking of 'protected' wildlife species, as a predicate offence.

- According to the UNODC, over the period 2011–14, DoFI investigated 18 wildlife related cases. Although the current Wildlife and Aquatic Law of 2007 provides for imprisonment of up to five years for the import, export or re-export of protected wildlife, in 2016, law enforcement authorities informed a CITES mission that no arrests or prosecutions related to illegal trade in rhino horn, elephant ivory and other wildlife specimens have occurred in the country since 2012. Indeed, it is possible that there has **never been a single conviction for wildlife crime in Laos**.

BELOW: IVORY AND OTHER WILDLIFE PRODUCTS OPENLY FOR SALE IN NORTHERN LAOS © EIA/ENV

## CHALLENGE

A recent CITES mission to Laos and assessments conducted by organisations such as UNODC have highlighted various loopholes in the main legislation used to investigate wildlife crime, namely the Wildlife and Aquatic Law of 2007.

For example, the 2007 Law encourages the capture and use of wild founder stock for breeding and authorises trade in parts and products of captive-bred animals (including tigers, elephants and rhinos).

Possession does not appear to be treated as an offence. While the Act does provide protection for some species, in the absence of a comprehensive definition of protected species the scope of the Law remains unclear. It appears that trade in several non-native species such as helmeted hornbill may be allowed under the 2007 Law.

## MAIN OBSERVATIONS

- Laos has been subject to **several CITES compliance processes** for failure to implement the Convention. There appear to be plans to revise the law in 2017, although details on potential revisions are unclear.
- **Anti-money laundering legislation** was enacted in 2015 and the UK Government is providing support for implementation of the new law which includes environmental crime,



# LAOS | ERADICATING DEMAND

## KEY INDICATORS<sup>1</sup>

Prohibits trade in elephant ivory

Prohibits trade in parts/products of Asian big cats

Stockpiled ivory has been inventoried

Destroyed ivory stockpile since 2014

Destroyed other wildlife stockpiles since 2014

No known incidents of thefts of government-owned wildlife stocks

Government-led initiatives to reduce demand for wildlife products implemented since 2014

to phase out all tiger farms. It is important that the Government now implements this commitment by adopting measures to stop the expansion of tiger farms in Laos and to review applicable laws and policies that currently encourage commercial breeding of tigers and other wildlife. It is estimated that 700 tigers are held in farms in Laos.

- A well-known wildlife market in Vang Vieng was closed in September 2016 by the Ministry of Agriculture and Forestry in collaboration with NGO Free the Bears; more than 50 bear gall bladders were seized along with numerous bones, teeth and fur from a variety of species. A total of 43 traders were identified and some were charged, although there is no information available on whether investigations are ongoing to secure convictions.
- Although it was reported that certain illegal wildlife products in the **Golden Triangle Special Economic Zone (GTSEZ)** in northern Laos were confiscated and burnt in March

2015, there has been no reported inventory of items confiscated. Some tiger skins were reportedly destroyed but photographs of them were not shared and cross-referenced against India's photographic identification databases for the purpose of investigating origin.

- Stockpiles of seized **Siamese rosewood** (*Dalbergia cochinchinensis*) are not centralised.

## CHALLENGE

EIA investigations in the GTSEZ have documented a thriving elephant ivory market and trade in tiger parts and products both from wild tigers trafficked from Myanmar and from captive tigers kept at the GTSEZ, primarily aimed at Chinese buyers. A Chinese company called Kings Romans Group manages the GTSEZ and the Government of Laos has, in essence, given a free pass to the company to operate in the GTSEZ, where a wide range of illegal wildlife products are openly traded. This undermines current initiatives at combatting the illegal wildlife trade in Laos.