

Lao's People Democratic Republic  
Peace Independence Democracy Unity Prosperity

Prime Minister

No. 05/PM

Vientiane Capital, 8 May 2018

**Order**

**On Strengthening Strictness of the Management and Inspection  
of Prohibited Wild Fauna and Flora**

To: Ministers, Heads of Ministry-Equivalent Organisations, Vientiane Capital Governor and Provincial Governors

- Pursuant to the Law on the Government no.04/NA, dated 8 November 2016
- Pursuant to the Law on Wildlife and Aquatic Animal no.07/NA, dated 24 December 2007
- Pursuant to the Law on the Criminal Procedure no.17/NA, dated 10 July 2012
- Pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of which Lao PDR is signatory
- Pursuant to the proposal of the Ministry of Agriculture and Forestry no.32/DoF, dated 27 April 2018

In order to strengthen strictness of the management and inspection of endangered prohibited wild fauna and flora to bring them in line with the laws and regulations of the Government and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of which Lao PDR is a signatory as well as to effectively prevent negative impact on restricted wild fauna and flora.

**The Prime Minister has issued the following order:**

1. Ministries, related sectors and local authorities to be mindful and strengthen strictness in following one's duty, and ensure rights and responsibilities to be in line with the laws and legislations on the management, inspection and prosecution of prohibited wild fauna and flora.
2. Stop the hunting of all wild animals listed in the prohibited list (Appendix I), stop the import, transit, export, trade of alive or lifeless wild fauna and flora. These include parts of the body and products from prohibited list (Appendix 1) stated in the Law on Wildlife and Aquatic Animals of the Lao PDR and CITES. Wildlife listed in the protected list (Appendix II) must also be strictly protected in accordance with the law of the Lao PDR and CITES.
3. Stop the establishment of prohibited wildlife farm (Appendix 1) for business purpose and promote the existing farms to transform into safari or zoo environment for the purpose of conservation, tourism and scientific purposes only. Establishment of prohibited wildlife list (Appendix II) and general wildlife list (Appendix III) farms must be approved by the Ministry of Agriculture and Forestry with the provision of the following documents: report on the extinction risk management plan, technical business feasibility study and social and environment impact assessment.

4. Strictly prohibit the trade, import and export of prohibited wild flora with no authorization from relevant sectors.
5. The Ministry of Agriculture and Forestry is to lead research into, and promotion of, endangered wild flora for extension, and manage plantations of endangered wild flora.
6. The Ministry of Agriculture and Forestry is to take lead and in cooperation with ministries, concerned sectors and local authorities, to:
  - 6.1. Conduct a survey to register wildlife that is being bred, including parts and products such as elephant ivory, elephant bones and rhino horns that possessed by individual or institutions. Pirated products from ivory, bones and rhino horns that are sold publicly must be inspected, seized and destroyed.
  - 6.2. Continue to inspect, collect, register, seize hunting weapons, hunting equipment and destroy them; no individual and institution is allowed to produce, possess and sell any hunting weapons and equipment that lead to extinction.
  - 6.3. Strictly inspect and patrol along vulnerable border area, points of arrival and departure, special economic zones and other areas; if there is a case of violation and offense in terms of trading, transportation of wildlife, parts and products that are against the laws and CITES, offenders must be investigated in accordance with the law procedures to be prosecuted. In case of confiscation for prosecution, items must be handed over to the forestry investigation officials to investigate in accordance with Articles 53, 54 and 79 of the Criminal Law and Articles 59, 60 and 61 of the Wildlife and Aquatic Law. Evidence seized by the Government, if either wildlife that is alive or animal parts that can be conserved after the case is closed, should be handed over to the authorities of Agriculture and Forestry (CITES division) to be conserved (in accordance with Article 8 and Article 13 of the CITES); if the seized wildlife is dead or consists of animal parts that cannot be conserved (e.g. rotten), it should be destroyed.
  - 6.4. Strengthen the management, the inspection, prevention and interdiction of hunting, trading, transporting, importing, exporting, transit of wildlife and wild plants of the prohibited list (Appendix 1) and protected list (Appendix 2) both living and in parts, including organs, wildlife products, as per the laws and regulations that apply to wildlife and aquatic animals of the Lao PDR as well as CITES.
7. The Ministry of Agriculture and Forestry is to proceed with the inspection and listing of all businesses and entities trading in wildlife parts including: bones, skins, horns, ivory, rhino horns, gallbladders, teeth, claws and other parts, and products and souvenirs that are made from animal parts at the markets, hotels, special economic zones, tourist sites, airports, international checkpoints and other locations.
8. The Ministry of National Defense and Ministry of Public Security is to lead their line agencies to strengthen strictness in inspecting the import and export of wild fauna and flora in different international checkpoints and borders. Officials are strictly prohibited to allow or facilitate the import and export of wild fauna and flora as indicated in paragraph 3 of this Order. In case of breaching of the regulations, the offenders must be arrested and all evidence must be seized and handed over to the investigation unit of forest authorities to strictly prosecute the case in accordance with relevant laws and regulations.
9. The Ministry of Finance is to lead customs officials to strictly inspect, prevent and interdict trade, transport, import, export, re-export, transit of wild fauna and flora in the prohibited list (Appendix 1)

and protected list (Appendix 2) both alive and dead, including parts, organs, products made from wild animals that are indicated in the Wildlife and Aquatic Law of the Lao PDR and CITES. In case of breaching of the regulations, the offenders must be arrested and all evidence must be seized and handed over to the investigation unit of forest authorities to strictly prosecute the case in accordance with relevant laws and regulations.

10. The Ministry of Agriculture and Forestry, in combination with relevant sectors, together with all levels of local authorities, is to increase efforts to disseminate and increase awareness of relevant regulations, especially the Wildlife and Aquatic Law and other legislations related to CITES.

11. The Ministry of Science and Technology together with the Ministry of Agriculture and Forestry and local authorities, is to study the status of plants and animals species under CITES list, especially the species that have potential for trading, also to prepare a species extinction risk management plan to be used as information to report to Secretariat of CITES.

12. The Ministry of Agriculture and Forestry and Ministry of Science and Technology to improve the structure and human resources of the Management Authority (CITES MA) and Scientific Authority (CITES SA) in accordance with CITES, to strengthen capacity and collaboration among in order to increase efficiency in work implementation.

13. All Ministries, all concerned sectors and local authorities are to increase efforts to improve coordination in the inspection and monitoring of the implementation of CITES.

14. The Ministry of Agriculture and Forestry is to organize with other ministries, relevant sectors and local authorities, the implementation of this Order with transparency and strictness and report to the Government regularly so that Government recommendations are provided on time to address the situation.

15. The Ministers, Heads of Ministry-equivalent agencies, the Governor of Vientiane Capital, Provincials Governors are assigned to properly understand this Order, as well as to make this Order a thorough duty of work based on their responsibilities and effectively implement this Order. In case sectors or local authorities fail to comply with this Order, the head committee of that particular sector or authority will be held accountable for their actions to the Government based on relevant laws and regulations.

16. This order is effective from the date it is signed. Previous orders, decisions, notices and legislations, including those of local authorities, in conflict with this order are eliminated.

Prime Minister of Lao PDR

Mr. Thongloun Sisoulith