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Semi-Annual January-June 2011 Report

Laos-US International and ASEAN Integration (LUNA) Project

(Draft Submitted on September 30, 2011 to the Project Steering Committee for Review at the PSC Meeting on October 11, 2011)

September 2011

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Semi-Annual January-June 2011 Report -- Laos-US Interna- tional and ASEAN Integration (LUNA) Project

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ACRONYMS

AEC – ASEAN Economic Community

ADB – Asian Development Bank

ASEAN – Association of Southeast Asian Nations

ASW – ASEAN Single Window

AusAID – Australian Agency for International Development

BTA – U.S.-Lao PDR Bilateral Trade Agreement

DIT – Department of Information Technology (MOST)

DIP – Department of Intellectual Property (MOST)

DISM – Department of Intellectual Property, Standardization and Metrology (NAST)

DSM – Department of Standardization and Metrology (MOST)

EC – European Commission

EDC – Enterprise and Development Consultants

FAO – Food and Agriculture Organization of the U.N.

FTPD – Foreign Trade Policy Department

GATS – General Agreement on Trade in Services (WTO)

GiZ – Deutsche Gesellschaft für Internationale Zusammenarbeit (German Development Agency)

IP – Intellectual Property

IPR – Intellectual Property Rights

IOSCO – International Organization of Securities Commissions

IMF – International Monetary Fund

LBA – Lao Bar Association

LNCCI – Lao National Chamber of Commerce and Industry

LUNA – Laos-United States International and ASEAN Integration (LUNA) Project

MAF – Ministry of Agriculture and Forestry

MOF – Ministry of Finance

MOFA – Ministry of Foreign Affairs

MOH – Ministry of Health

MOIC – Ministry of Industry and Commerce

MOJ – Ministry of Justice

MPI – Ministry of Planning and Investment

MPT – Ministry of Posts, Telecommunications and Communications

MOST – Ministry of Science and Technology

NA – National Assembly

NA-EPF – NA Committee on Economics, Planning and Finance

NAST – National Authority for Science and Technology (upgraded to MOST)

NSW – National Single Window

PMO – Prime Minister’s Office

PSC – Project Steering Committee

RDMA – USAID Regional Development Mission/Asia

SECO – Securities and Exchange Commission Office

SPS – Sanitary-Phytosanitary Measures

TBT – Technical Barriers to Trade

TDF – Trade Development Fund (funded by the Multilateral Donor Fund)

UNCTAD – U.N. Conference and Trade and Development

UNDP – U.N. Development Program

UNDP – SELNA Project – [UN Joint Program on Support to an Effective Lao National Assembly](#)

UNIDO – U.N. Industrial Development Organization

USAID – U.S. Agency for International Development

WB – World Bank

WTO – World Trade Organization

Introduction

The objective of the USAID-funded Laos-United States International and ASEAN Integration (LUNA) Project is to support the government of Laos in drafting, analyzing, promulgating, and implementing the array of legal and economic policy reforms and institutional capacity building needed to accomplish the following three objectives:

- Support the effective implementation of the U.S.-Lao PDR Bilateral Trade Agreement (BTA);
- Support the timely accession of Laos to the World Trade Organization (WTO); and
- Support Laos in fulfilling its commitments to the ASEAN Economic Community (AEC).

The three trade agreements form the pillars for establishing priorities for LUNA activities. These trade agreements have far-reaching impact, not only on commercial activity in Laos, but also on governance and the rule of law. To be most successful, the modernization and deepening of the Lao legal system and the integration of its economy into regional and global markets, which are driven by effectively implementing the trade agreements, should be integral and positive components of Laos' long-term development strategy. Although the mandate for the project is to support implementation of the trade agreements, the more general, and ultimately more important, goal of the project is to help Laos use the trade agreements to lay a strong foundation for sustained, broad-based development, poverty reduction, and strengthened rule of law and governance.

LUNA provides demand-driven support to six line ministries – the Ministries of Industry and Commerce (MOIC), Justice (MOJ), Agriculture and Forestry (MAF), Health (MOH), Finance (MOF), and Science and Technology (NAST), the National Assembly (NA) and the Lao National Chamber of Commerce and Industry (LNCCI). LUNA's technical assistance consists of legal and economic policy analysis, comments on draft laws and regulations, training, and support for workshops and seminars, publications, study missions, translations, research, and certain equipment purchases. As much as possible, the project attempts to provide on-the-job and other types of training to counterpart staff, and project technical advisors work in teams with government counterparts to produce outputs. In this way, not only will useful legal and policy reforms be advanced, but the capacity of staff will also be enhanced, which will contribute significantly to the sustained impact of the project into the future.

This document provides a Semi-Annual Report on LUNA activities from January through June 2011 with expected project activities for July to December 2011 that have been requested by our assigned counterparts. The Semi-Annual Report is in line with the LUNA Work Plan for 2011 that was approved through a joint letter from the Ministry of Industry and Commerce (MOIC) and the U.S. Agency for International Development (USAID) on May 19, 2011. Several draft versions of this Semi-annual Report were provided to USAID and the MOIC for comments since June, 2011. The report incorporates the appropriate elements of the First Quarter 2011 Work Plan. To provide a full per-

spective on the overall flow of the Project's support, the four Tables in Appendix A provide a cumulative listing of technical assistance activities from 2010 through the end of the second quarter of 2011.

Status Report on LUNA Activities from January to June 2011 and Proposed Activities for July to December 2011

The first six months of 2011 were an extremely active period of activity by our counterparts as they moved forward laws and regulations to meet the requirements of the BTA, WTO and ASEAN, particularly in preparation for a WTO Working Party meeting in June. As a result, LUNA was quite busy as well, supporting on a demand-driven basis our counterpart efforts to develop effective legislation and institutional capacities that comply with the trade agreements and that support national socio-economic development objectives.

A. PROJECT ADMINISTRATION

Project Office and Team Operations

With the approval of the extension and expansion of LUNA, Franck Boulin was hired in June to serve as LUNA's Senior Legal Advisor. Franck will work around two-thirds time each year, with flexibility to ensure that he will be available during peak times of LUNA technical assistance.

With the expansion of staff, LUNA moved into a new, bigger office that is much closer to the Foreign Trade Policy Department (FTPD) and most of our counterparts (23 Singha Road, House no. 167/Unit 11, PO Box 5070, Nongbonr Village, Saysetha District, Vientiane Capital; Phone: 856 21 454-452)

Enterprise and Development Consultants (EDC), our main local sub-contractor, continued to support the project effectively.

Supervision and Project Steering Committee Activities

During the first quarter of 2011, MOIC created a multi-ministry Project Steering Committee (PSC) to supervise LUNA's demand-driven activities (details are provided in the 2011 Work Plan). LUNA provided a draft Work Plan for 2011 to the FTPD and core members of the PSC on February 8, which was discussed and approved in principle by our Lao and USAID supervisors at a meeting at the Regional Development Mission/Asia (RDMA) in Bangkok on February 14, 2011. We conducted our operations for the first quarter based on this approval in principle and in close cooperation with USAID, the Ministry of Industry and Commerce (MOIC) and our counterparts.

The PSC met on April 29, 2011 with representatives from the U.S. Government and from related donor projects to review and approve LUNA's Work Plan for 2011.¹ Steve Parker, LUNA Project Manager, presented the Work Plan for 2011 and the draft First Quarter Report for 2011. After discussion, the Work Plan was approved by the PSC. This approval was formalized by a joint letter by the MOIC and USAID on May 19, 2011. In addition to the review of LUNA's Work Plan, and in response to a request by the Vice-Minister, USAID agreed to co-chair future LUNA PSC meetings. The next meeting was tentatively planned for October 11, 2011 in Vientiane to review the semi-annual report on LUNA project activity. Over time, it is expected that the LUNA Project Steering Committee will operate under the umbrella of the Trade Executive Committee to facilitate transparency and donor coordination.

In addition, USAID, in response to a request by the MOIC and in line with USAID policy, plans to conduct a mid-term project evaluation of the LUNA Project from August 22-26, 2011, the findings of which will also be discussed at the PSC meeting on October 11.

USAID Extension and Expansion of LUNA

Based on a proposal submitted by Nathan Associates in response to a Request for Proposal from USAID, USAID awarded to Nathan Associates on May 12, 2011 an extension of LUNA to September 30, 2013 with an additional budget ceiling of \$3.2 million. The exact increase in funding will depend upon annual appropriations from the U.S. Congress.

Report Deliverables

This report meets contractual requirements for USAID and requirements in the Work Plan for 2011 as determined by the Project Steering Committee.

¹ The meeting was chaired by Mme. Khemmani Pholsena, Vice Minister of Industry and Commerce. There were participants from the MOIC, the National Assembly (NA), the Ministry of Planning and Investment (MPI), the Ministry of Agriculture and Forestry (MAF), the Ministry of Finance (MOF), the Ministry of Foreign Affairs (MOFA), the National Authority of Science and Technology (NAST), the Lao National Chamber of Commerce and Industry (LNCCI), the U.S. Embassy in Lao PDR, USAID/RDMA, EC, WB, AusAID, GIZ, UNDP, UNIDO, ADB and FAO. The U.S. Embassy in Lao PDR was represented by Deputy Chief of Mission Peter Haymond and the USAID/RDMA in Bangkok was represented by Michal Satin, Director of the General Development Office and LUNA's USAID Technical Supervisor Chanyut Nitikitpaiboon.

B. SUMMARY OF LUNA ACTIVITIES FROM JANUARY TO JUNE 2011

LUNA worked with our counterparts from January to June 2011 to accomplish the following outputs (see Appendix A for details):

- 1) LUNA supported 17 workshops with 785 participants from January to June 2011. Participants from every province attended LUNA-supported workshops over this period.
- 2) LUNA provided detailed legal comments, often on several different drafts of the same instrument, on 3 draft laws and 6 draft implementing regulations, with the following regulations supported by LUNA approved over this period:
 - a. MOIC Decision on Notification Unit of Sanitary-Phytosanitary Measures and Technical Barriers to Trade (No.:0471/MOIC enacted on March 9, 2011)
 - b. Prime Minister Decree on Imports and Exports of Goods (#114 enacted on April 6, 2011)
 - c. Cabinet approval of accession to the Berne Convention (April 2011)
 - d. Regulation on the Organization and Operation of Technical Barriers to Trade Enquiry Point (No: 1199/NAST.PMO enacted June 22, 2011)
 - e. Decision of the Minister on the Organization and Operation of Sanitary and Phytosanitary Measures (SPS) Enquiry (No. 1502/MAF enacted June 23, 2011)
- 3) LUNA supported two study missions, one to Bangkok, Thailand and one to Hanoi and Ho Chi Minh City, Vietnam with 21 Lao participants.
- 4) LUNA provided translations of 10 documents, including 9 laws and regulations (the translations and their status are listed in Appendix Table A-4).

C. REPORT ON PROJECT ACTIVITIES FROM JANUARY TO JUNE 2011 AND PROPOSED ACTIVITIES FROM JULY TO DECEMBER 2011

This section reports on each demand-driven project activity conducted from January to June 2011 followed by proposed activities for July to December 2011. The presentation is organized in the same format at the Annual Work Plan, as follows:

1. Analytical frameworks and general trade-capacity building to advance the BTA, WTO and AEC;
2. Transparency and dispute settlement;
3. SPS and TBT;
4. Trade facilitation and management;
5. Customs;
6. Intellectual property rights;
7. Trade in services; and,
8. Public-private policy dialogue on trade policy.

Since the Work Plan for 2011 provides a detailed review of project activities in 2010 and requested activities for 2011, this Semi-Annual Report provides only new information that was not presented in the Annual Work Plan.

1. Analytical Frameworks and General Trade-Capacity Building to Advance the BTA, WTO AND AEC

Activity 1.1: Develop a Roadmap of Legal and Institutional Reforms for BTA Implementation, WTO Accession and the ASEAN Economic Community Blueprint

One of the top priorities for the new Senior Legal Expert will be to develop a more comprehensive BTA/WTO Roadmap, starting with an updating of the BTA Implementation Matrix. This will be linked as well with an AEC Roadmap, which will be a key component for a planned Workshop on the Status of the Lao PDR's Implementation of the ASEAN Economic Community Blueprint.

Proposed Next Steps from July to December 2011. The updated BTA Implementation Matrix will be the top priority, and is expected to be completed in October, 2011. The WTO and ASEAN Roadmaps will continue to be developed on an incremental basis over time.

(Request by the NA, MOJ and FTPD; the FTPD is the lead agency)

Activity 1.2: Support MOIC-FTPD Capacity-Building Programs

- **Public Release of the FTPD Website, WTO/Trade Reference Room and U.S. Product Manuals.** The FTPD, with LUNA support, organized a major release program on May 12, 2011 with around 120 participants at the FTPD conference room to publicize to the business community,

universities and other government agencies the coming on line of the FTPD Webpage (www.laoftpd.com), the opening of the WTO/Trade Information Room and the five U.S. product manuals in Lao and English languages.

- **FTPD Website and Communications.** During the first four months of the year, LUNA funded a part-time Lao consultant to support the FTPD Webpage Task Force to make the key improvements needed to finalize the FTPD website. An operational FTPD website was released on May 12. As well, LUNA is supporting a year of dedicated internet connection for the Multilateral Trade Policy Department and other FTPD staff responsible for maintaining and upgrading the webpage.
- **Translations.**² At the request of the FTPD, LUNA provided translations of the following documents, although some will require further technical inputs to finalize the translations:
 1. Decree on Fees and Services Charges (final version submitted in March 2011)
 2. GATS Enquiry Point Decision (final version submitted in March 2011)
 3. Draft Decree on Animal Disease Control (initial working draft)
 4. Draft Decree on Animal Movement (initial working draft)
- **FTPD WTO and Trade Information Room.** Further progress was made in stocking the FTPD's WTO and Trade Reference Room with materials. LUNA provided support for the furniture and equipment for the room, while the FTPD leads the effort to stock the materials and maintain the room. The Room was formally opened at the May 12 release.
- **Awareness of the WTO, BTA and AEC.** As reported below, over these six months, LUNA supported and participated in a range of workshops with government officials and private-sector stakeholders that serve to raise awareness of the WTO, BTA and ASEAN. In each workshop supported by LUNA, an effort is made to provide international and Lao perspectives on WTO, BTA and AEC implementation.
 1. **Awareness of the ASEAN Economic Community Blueprint.** The FTPD has asked LUNA to expand its support for activities to support implementation of the AEC Blueprint, which is now included as a separate Issue Item 1.4 below.
- **U.S. Product Manuals.** The U.S. product manuals for five sectors – agricultural goods, apparel, handicrafts, silk products and wood processing – have been fully translated and prepared in “Word” format. The Silk Products manual has been professionally laid-out and printed in final form. These were distributed at the May 12 release event. The other four manuals will be laid out over the course of July and August, and will be printed in September or October. One thousand copies will be printed for each manual, with each manual including the English and Lao language versions. Each manual will also be posted on the FTPD website. These manuals provide an overview of U.S. import procedures and market characteristics for five sectors where Lao producers appear to have the prospect for expanding exports. Lao exports to the U.S. market are minimal, even after the normalizing of economic relations through the U.S.-Lao PDR Bilateral Trade Agreement in 2005. The implementation of the BTA, which reduced the U.S. tariff rates for imports from Laos roughly

² Additional translations were provided to other agencies, and are listed in the specific issue areas. A full list of translations is provided in Appendix Table A-4.

from around an average of 45 percent to around an average of around 5 percent, effectively removed prohibitive U.S. tariffs on imports from Laos.

- **Study Mission for the Project Steering Committee.** Under the leadership of the FTPD, LUNA organized a study mission to Bangkok, Thailand for ten core FTPD and related agency staff who will make up LUNA's PSC on February 14-15, 2011. This study mission served two purposes: first to facilitate a meeting between the core PSC and USAID/RDMA staff to review the draft LUNA Work Plan for 2011; and secondly, it included several meetings with Thai colleagues to exchange views on the Royal Thai Gazette, on trading rights with the Thai Ministry of Commerce, and on public-private policy dialogue with the Thai Federation of Industries.

(Request by the FTPD)

Proposed Next Steps for July to December 2011. By October, LUNA will complete the publication of the U.S. Product Manuals and continue to support the steady improvement of the FTPD webpage. In this regard, LUNA will support in October an external expert to make several further improvements to the webpage. LUNA will continue to support translation of key documents, as requested. LUNA will also support a FTPD official to attend a WTO-USAID Workshop on Trade Remedies in Phnom Penh, Cambodia in October.

Activity 1.3: Support the National Assembly to Develop the Laws and Capacities Required for WTO Accession, BTA Implementation, and Meeting AEC Obligations

National Assembly Workshop on Economic Laws. LUNA supported on March 29-30, 2011 in Vientiane a high-profile workshop organized by the NA Committee on Economics, Planning and Finance (NA-EPF) to review legislative needs for 2011-2015 for all economic areas. Around 80 participants attended this program. Results from this workshop were used by counterparts to develop the legislative agenda for the newly elected 7th National Assembly that will operate from 2011 to 2015. LUNA's technical input and keynote presentation focused on the challenges and opportunities for WTO accession and the ASEAN Economic Community, including examples of several key laws required for the WTO/BTA/ASEAN. The workshop also included sessions on public finance, financial markets, land, mining/hydro, forestry, and water resources. The workshop was opened by the Vice-President of the NA and the Deputy Chief of Mission of the U.S. Embassy, and included leaders from each NA committee, and Ministers, Vice-Ministers and other high-level representatives from a number of line ministries as well as experts from many donor agencies. LUNA supported the workshop in cooperation with the UNDP-SELNA Project.

Proposed Next Steps for July to December 2011. LUNA has been requested by the NA-EPF Committee to support a major workshop during the second week of October to help Committee leadership, MPs and staff to review laws proposed for review and approval in the December 2011 session. This will be done in cooperation with the UNDP-SELNA Project and the World Bank, with all three providing funding and technical input. LUNA's technical contribution will include developing the agenda and making a presentation on international best practice related to revisions to the Law on Telecommunications, which is important for the trade agreements. **(Request by the NA)**

Activity 1.4: Support for Implementing the ASEAN Economic Community Blueprint

In line with planning for the ASEAN Summit meetings in November 2011 and the need to assess the Lao PDR's progress toward meeting AEC obligations by 2015, the FTPD has requested that LUNA expand its support for implementation of the AEC Blueprint, in coordination with efforts related to the BTA and WTO, as follows.

Proposed Next Steps for July to December 2011. The FTPD has requested LUNA support for a major workshop to provide a mid-term evaluation of Lao PDR commitments to the ASEAN Economic Community Blueprint. The two-day workshop will be held in early December (tentatively set for Dec. 6-7), after the ASEAN Summit meetings in Indonesia. The workshop, which will include participants from a wide-range of agencies and stakeholders, will provide a report on the progress made at the ASEAN summit, with a focus on Pillars I (free flow of goods and services) and III (equitable economic development, including SME development), and on a comprehensive assessment on the status of how Laos is meeting its full AEC obligations with identification of priority areas for further work to meet the AEC deadlines.

This activity will be co-supported with the GiZ Trade and Regional Economic Integration Project.

(Request by the FTPD)

2. Transparency and Dispute Settlement

Activity 2.1: Support Development of a Law on Laws and Upgrading the Official Gazette

LUNA supported a Study Mission to Bangkok, Thailand on February 15-16, 2011 that included discussions on legal transparency with the Royal Thai Gazette.

LUNA experts have begun to meet regularly with the core MOJ-led drafting team for developing the Law on Laws and a well-functioning Official Gazette, including the Vice-Minister of Justice and Acting President of the Law Committee in the National Assembly, as well as other senior officials from the MOJ, NA and the Prime Minister's Office (PMO). Key policy issues have been identified and discussed in the drafting team meetings. Based on these discussions, key questions were developed to facilitate how best to organize the study mission to Vietnam.

The study mission to Hanoi and Ho Chi Minh City Vietnam was conducted from June 27 through July 2. The delegation was led by the Vice-Minister of Justice and included the Vice Presidents of the NA's Law Committee and EPF Committee, and key senior officials from the MOJ, PMO, NA and FTPD. The delegation met with counterparts in Vietnam from the Ministry of Justice, National Assembly, Office of the Government (both their legal policy team and leaders of the Official Gazette), the Ministry of Finance, the Vietnam Chamber of Commerce and Industry, and leaders of the Ho Chi Minh People's Committee, Department of Justice and People's Assembly in Ho Chi Minh City, and foreign and domestic laws firms and business representatives in both Hanoi and HCMC. The findings from this study mission provide a substantive foundation for making a range of key policy decisions that will facilitate development of a first draft Law on Laws. As well, the National Assembly has agreed to set a "fast-track" schedule for developing and approving a law on laws – with review and approval scheduled for June 2012.

Proposed Next Steps for July to December 2011. To meet the June 2012 deadline, given the many fundamental issues that will be covered by this law, the drafting team has set the following agenda for developing the law:

- 1) Based on guidance by the drafting team, LUNA will prepare a rough first draft law on laws by September 2011, and will submit this draft to the Drafting Team in English and Lao.
- 2) The Drafting Team will review and provide comments and revisions by early October, creating a solid 1st draft by the Drafting Team by the end of October.
- 3) Various technical discussions and inter-ministry meetings will be completed to gain feedback on the 1st draft from a wide range of government officials and private stakeholders in November and December to develop a strong 2nd draft of a law on laws.
- 4) Activities will be determined for January through June 2012 to facilitate and further solidify the draft and to gain input and build public awareness among a wide range of stakeholders throughout Laos, including government officials, NA leaders and staff, and key other stakeholders such as the business sector.

(Request by the MOJ and NA; MOJ is the lead agency)

Activity 2.2: Support Strengthening of Administrative and Judicial Appeal Processes

Proposed Next Steps for July through December 2011. A diagnostic report on administrative and judicial appeal processes will be developed around October 2011, building upon the current processes established in the Law on Petitions. This report will summarize the extensive requirements in the trade agreements for the right to appeal administrative decisions and related international best practice, and will present options for change in the Lao legal and institutional context. Discussions will then be held with the Ministry of Justice and other key agencies and stakeholders to develop a plan for modernizing the administrative appeal process in Laos in line with the international treaty requirements.

(Request by the FTPD)

Activity 2.3: Support the Implementation of the Revised Law on Resolution of Economic Disputes

Following up on LUNA's support to modernize commercial mediation and arbitration in Laos through revisions to the Law on the Resolution of Economic Disputes that were approved in the December 2010 NA session, LUNA worked with the Canadian Bar Association, Lao Bar Association and Ministry of Justice to support an intensive 2-day training program on international arbitration procedures for around 80 lawyers, mediators/arbitrators and other participants on March 7 and 9, 2011 in Vientiane. LUNA contributed by funding the participation of arbitrators from outside Vientiane, and by participating in the wrap-up panel session.

A final English translation of the Law on Resolution of Economic Disputes was provided in May, 2011.

Proposed Next Steps for July to December 2011. LUNA has been requested by MOJ officials in the Center for Resolution of Economic Dispute to support the following activities over the next six months:

- 1) LUNA will provide basic communication capacities so that the Center can communicate with businesses and dispute settlement officials to promote and implement their dispute settlement services, which will involve:
 - a. Purchase of a USB port and 12 months of internet connection;
 - b. Purchase of a laptop commuter and a 4-in-1 copy/scan/fax/printer machine;
 - c. Support for development of a brochure that can be distributed to interested parties through the country to promote the upgraded services by the Center; and,
 - d. Encourage the development of a simple webpage for the Center, which may be followed up by a more sophisticated dynamic webpage over time. At this stage, given resource limitations, LUNA cannot commit to supporting the more complex and expensive webpage.
- 2) LUNA will support the Center to develop a Prime Minister Decree to Implement the Revised Law on the Resolution of Economic Disputes. LUNA expects to receive a draft decree in October, and to provide comments on that draft within several weeks of receipt. Once a solid draft decree is developed, LUNA will support the Center to organize a National Consultation Workshop in Vientiane to promote the new dispute settlement services provided by the Center and to gain input from stakeholders and government agencies on the draft implementing decree. Once the implementing decree is approved, beyond some procedures and forms, other implementing regulations are not expected to be required.
- 3) Likely in early 2012, LUNA will support the publication of a book that will include all key documentation related to economic dispute resolution in Laos, including an introduction explaining the key processes in simple terms, copies of the law, decree and procedures/forms, lists with pictures of mediators and arbitrators, and the NY Convention on enforcing arbitral awards.
- 4) LUNA will encourage other donors to provide further training and capacity building on economic dispute settlement over time, including for training of judges, increasing understanding by businesses, and further understanding international arbitration procedures.

(Request by the MOJ)

Activity 2.4: Linking the Trade Agreements and Legal Sector Development

In all of its activities, LUNA continually supports the strong link between the requirements in the trade agreements and enhancing governance and the rule of law in Laos. In particular, it works to link the trade agreements to achieving the longer-term objectives of the Legal Sector Master Plan and development of the Rule of Law in Laos by 2020.

3. SPS and TBT

Throughout the first six months of 2011, LUNA worked closely with the FTPD, NAST-DISM and MAF to support the development of regulations to modernize and bring into compliance with the trade agreements the legal framework for SPS and TBT activities. In June 2011, a regulation to establish the TBT Enquiry Point and contact network was approved by NAST and a Decision to establish the SPS Enquiry Point and contact network was approved by MAF. A strong draft of the Prime Minister Decree to Implement the Law on Standardization was submitted to the WTO Working Party for external review and the Ministry of Justice for internal review in August.

Note that as of August or September, 2011, NAST will be upgraded to the Ministry of Science and Technology (MOST). And, DISM will be separated into two departments – the Department of Standardization and Metrology (DSM) and the Department of Intellectual Property (DIP). For the below, we use DISM for descriptions of activities from January to June, and DSM and DIP for activities from July through December, 2011.

Activity 3.1: Support Establishment and Operation of SPS and TBT Transparency Points

Throughout the last six months, LUNA worked closely with the FTPD, NAST-DISM and MAF to develop regulations to establish and operate a TBT Enquiry Point, SPS Enquiry Point and SPS-TBT Notification Unit. LUNA provided initial drafts as a reference to initiate these drafting processes.

For the TBT Enquiry Point legislation, to gain feedback from a range of stakeholders on a subsequent draft, LUNA supported NAST-DISM to organize a Workshop on the Draft TBT Enquiry Point on March 23, 2011 in Vientiane with around 25 participants, which included a LUNA presentation on international best practice and WTO-TBT requirements. After several additional working sessions with NAST-DISM officials, a near-final draft in English and Lao languages of the TBT Enquiry Point was completed in late May. After submittal for review, NAST approved the “Regulation on the Organization and Operation of the Technical Barriers to Trade Enquiry Point” on June 22, 2011.

Benefiting from previous LUNA support, the MOIC Decision on Notification Unit of Sanitary-Phytosanitary Measures and Technical Barriers to Trade was approved on March 9, 2011.

For the SPS Enquiry Point legislation, LUNA supported a small multi-ministry working session at MAF with around 12 participants to advance the draft on April 4. A larger retreat was organized by MAF with LUNA support on April 25-26, 2011 at Thalat, Vientiane Province, with around 30 participants from each of the key MAF departments, as well as the Ministry of Health (MOH), the MOIC, MOJ and other concerned ministries. LUNA experts provided a presentation on WTO requirements and participated in all discussions. A revised draft SPS Enquiry Point regulation was discussed, leading to a subsequent re-drafting in May. After review by leadership, MAF approved the “Decision of the Minister on the Organization and Operation of Sanitary and Phytosanitary Measures (SPS) Enquiry Point” on June 23, 2011.

LUNA starting working with MAF and the MOIC in March to develop a draft Decision on Principles for Applying SPS in Plant and Animal Administration to incorporate WTO requirements on SPS

measures into MAF procedures for developing and implementing SPS measures. Building from an initial draft prepared by the MOIC, LUNA provided several detailed comments. A refined draft was reviewed carefully at the April 25-26 retreat noted above. This Decision is designed to provide a transitional instrument to help MAF implement SPS measures according to WTO requirements, while such requirements are integrated overtime into core agricultural laws and implementing regulations.

LUNA provided initial working translations of the Law on Plant Quarantine, the draft Decree on Animal Disease Control and the draft Decree on Animal Movement Control; each of which needs more technical input to improve the translation.

Proposed Next Steps for July through December 2011. Regarding the TBT Enquiry Point, LUNA has been requested by DSM to support the development of an action plan for establishing and operating a TBT Enquiry Point and supporting the system of TBT contact points. Subsequent to this request, the ADB mobilized an international expert with extensive experience to support development of the SPS and TBT Enquiry Points. LUNA will coordinate closely with MAF, MOST, MOIC and the ADB expert to advance development of the transparency points for SPS and TBT. As well, LUNA will coordinate with the TDF-WB project to develop a trade portal, which will require an identical data base for SPS and TBT measures. In August, FTPD will load a SPS-TBT Notification Unit webpage with a link to the FTPD webpage -- www.laoftpd.com.

LUNA will also support MAF to finalize its Decision on Principles for Applying SPS in Plant and Animal Administration in September and October.

(Request by the FTPD, MOST-DSM and MAF)

Activity 3.2: Support Finalization of Regulations to Implement the Law on Standardization

During the first six months of 2011, LUNA provided an initial draft of a Prime Minister Decree to Implement the Law on Standardization as a reference to initiate the drafting process, and provided legal analysis and comments on several subsequent drafts. In addition to a number of small working meetings with NAST-DISM officials, LUNA supported a workshop on the draft standardization decree on March 31 and April 1, 2011 in Vientiane with around 30 participants from NAST and related concerned ministries. An expert from LUNA made a presentation on WTO requirements, and participated with experts from NAST and a number of other agencies to review and suggest improvements for each article of the draft. A near-final draft English version of a PM Decree to Implement the Law on Standardization was completed with NAST-DISM officials in late May, and a near-final Lao language version was completed in early June. DSM passed this draft to the MOIC for submittal to the WTO Working Party for international feedback, in parallel with submitting the draft to the MOJ for internal review.

Proposed Next Steps for July through December 2011. Over the next six months, LUNA will support additional technical assistance required to finalize the decree, based on inputs from the WTO, MOJ and any other sources. Next steps to support public awareness and implementation of this decree will commence after the decree is approved – with implementation support expected to commence in early 2012. LUNA will coordinate with an ADB project supporting regulatory impact analysis to build the capacities for implementing the rules for developing and applying technical regulations in-

cluded in this decree that will be in line with the WTO Technical Barriers to Trade Agreement and ASEAN's Good Regulatory Practices Guidelines.

(Request by MOST-DSM)

Activity 3.3: Support Development of Regulations to Implement the Law on Metrology

LUNA provided a draft translation of the Law on Metrology that was approved in the December 2010 session of the National Assembly. Given the many technical terms and concepts in this law, completing a quality draft translation required substantial input by NAST-DISM and metrology experts. The initial draft was reviewed and improved at a retreat in Thalat, Vientiane Province on April 28-29, 2011 by ten core NAST-DISM officials and LUNA experts, and was further refined in several working meetings at NAST in May. A final translation of the Law on Metrology was completed in May, 2011.

In parallel with translating the Metrology Law, LUNA is supporting NAST to develop a Prime Minister Decree to Implement the Metrology Law. Conceptual issues were discussed at the retreat on April 28-29, and LUNA has provided some draft wording for key elements of this decree. As well, LUNA has provided input as to where the Law on Metrology is not in line with international best practice, which affects greatly how an implementing decree may be developed.

Proposed Next Steps for July through December 2011. As a next step to determine whether an implementing decree should be developed or whether the Law should be first revised to more fully comply with international best practice, DSM has requested LUNA to support an analysis of where the existing Law on Metrology is out of compliance with WTO and other international best practices, and to suggest how the Law might be revised to resolve these problems. Based on this analysis, DSM will decide whether to move directly to revise the Law, or to first develop an implementing decree followed by revision to the law several years later. Ed Nemeroff, LUNA's TBT expert, will come to Laos in November to lead this analysis and work closely with MOST-DSM staff.

(Request by MOST-DSM)

Activity 3.4: Build MOST-DSM Institutional and Implementation Capacities

References have been provided to DISM-NAST with examples of strategic development plans from other countries on developing a modern and effective Quality Infrastructure. LUNA cooperated fully with the TDF-TBT consulting team that conducted an analysis of the Lao TBT system in May, 2011.

Proposed Next Steps for July through December 2011. DSM has asked LUNA to provide advice on developing a 5-year and 10-year development strategy, building upon the findings of the TDF-TBT report. Over the next six months, LUNA will cooperate carefully with the TDF and other donors on this work to make sure that joint resources are used most effectively to help MOST-DSM develop an effective medium and longer-term development strategy.

(Request by MOST-DSM)

4. Trade Facilitation and Management

Activity 4.1: Support Development and Implementation of Regulations on Trading Rights

Under tight deadlines, LUNA provided the FTPD with several sets of detailed legal comments and participated in a conference call with LUNA's international expert to strengthen the PM Decree on Imports and Exports of Goods, which was enacted on April 6, 2011.

Also, LUNA supported a Study Mission to Bangkok, Thailand on February 14-15, 2011 that included discussions on trading rights with the Thai Ministry of Commerce.

(Request by MOIC)

5. Customs

Activity 5.1: Support Customs Valuation Procedures and a ASEAN/National Single Window

LUNA has been requested by the Customs Department to facilitate development of a ASEAN/National Single Window (ASW/NSW), which is designed to significantly reduce the time and expense required for moving goods through border checkpoints and to facilitate more effective B-to-B communications related to cross border flows of goods among ASEAN economies. Within USAID, technical leadership for this work comes from the USAID-funded ADVANCE ASEAN Single Window (ASW) project, which operates on an ASEAN regional basis from a base in Jakarta, Indonesia. LUNA is working closely with the ASW project to provide effective technical assistance on single windows, in close cooperation with related donor projects.

LUNA provided back-up logistics support for a half-day workshop in Vientiane organized by the Department of Customs on June 20, 2011 with around 30 participants where the ASW team presented findings from a "Legal Needs Assessment" for establishing a NSW in Laos.

To date, LUNA has not been requested by Customs to provide comments on the legal framework for customs valuation.

With regard to other support to the Customs Department, note (below) LUNA's support for developing a MOF instruction on border measures to protect intellectual property rights.

Proposed Next Steps for July through December 2011. LUNA will support coordination between the USAID-funded ASW Project's work on single windows and related donor projects, especially the TDF project to develop a trade portal as a first step toward a NSW, the customs modernization project that is aimed at automating customs procedures (WB-UNCTAD), work on the SPS-TBT Enquiry Point inventories of SPS and TBT measures (LUNA and ADB), and other projects to improve the legal framework for customs procedures and to provide related training (WB and IMF). LUNA can provide strategic TA and funding as requested.

If requested, LUNA is prepared to provide comments on the proposed revisions to the Customs Law, especially with regard to fulfillment of obligations in the WTO's Customs Valuation Agreement.

(Request by Customs)

6. Intellectual Property Protection

Activity 6.1: Support for Revising the Law on Intellectual Property

In early 2011, LUNA translated to English a quite long first draft of a Prime Minister Decree to Implement the Law on Intellectual Property (IP) that was developed by NAST-DISM staff. LUNA's IP expert – Judy Goans – met almost daily from March 15-29 with the NAST-DISM drafting team to discuss and provide comments on every article of this first draft (which included almost 200 articles), with the goal of developing a strong 2nd draft of the IP implementing decree. These sessions were followed up with a second review of all key articles in the 1st draft of the decree, with NAST-DISM and LUNA experts meeting again almost daily from April 29 to May 6, 2011. In preparation for LUNA's technical assistance on IP, several detailed comparative matrixes were developed to assess how the current IP Law complies with the WTO-TRIPS agreement, the BTA and related international IP conventions.

Based on these meetings and discussions, the LUNA IP expert provided a fully revised 2nd draft of the Prime Minister Decree to Implement the Law on Intellectual Property in early June. MOST-DIP staff reviewed the revisions to develop a final 2nd draft of the IP decree.

Proposed Next Steps for July through December 2011. Based on the results of the June WTO Working Group meeting in Geneva, a decision was made by the Lao PDR to focus on revising the Law on IP to come into compliance with the WTO as quickly as possible, aiming to develop strong draft revisions by the end of September for eventual submission to the Cabinet and then the December session of the National Assembly for review and possible approval.³ LUNA will mobilize our IP expert – Judy Goans -- in September to work with the core MOST-DIP drafting team to complete a full first draft revision to the IP Law, with a focus on meeting WTO and related international requirements. A Consultation Workshop with key stakeholders and inter-agency experts will be organized on September 23 to review the proposed revisions to the Law on IP.

DIP and FTPD plan to distribute draft revisions to the Law on IP to the WTO Working Party in October for comments. Depending upon comments from the WTO and from the Consultative Workshop, a 2nd draft of revisions to the IP Law may be prepared. LUNA will support any further requested activities needed to facilitate this process.

Since the revisions to the Law on IP are expected to include a range of detailed elements and procedures, there will be substantial sections of the revised Law that will be self-implementing. The current thinking is that there may not be a need to develop a PM implementing decree. If so, LUNA will support MOST-DIP to move directly to developing key ministerial regulations to implement the revised law as effectively and quickly as possible, which will be a focus of LUNA support to MOST-DIP in 2012. **(Request by MOST-DIP)**

³ Note that much of the work on developing the draft PM implementing decree in early 2011 will contribute directly to expedite the revisions to the Law on IP in September 2011 and thereafter.

Activity 6.2: Support Accession to Intellectual Property Treaties

The Lao Cabinet approved accession to the Berne Convention in April, 2011. Next steps will be taken by the Ministry of Foreign Affairs to prepare the appropriate instruments for submitting a request to accede to the Berne Convention to the World Intellectual Property Organization (WIPO). Before full accession is approved by WIPO, Laos will be required to adjust its Law on IP Law to conform to the requirements in the Berne Convention. The work to revise the Law on IP noted above will be critical to meeting requirements for full membership into the Berne Convention.

(Request by MOST-DSM and FTPD)

Activity 6.3: Support to Upgrade the Patent Office's Capacity to Examine and Approve Patents

Over the first six months of 2011, the Patent Office has built upon the foundation provided by LUNA technical assistance in 2010 to move forward consideration of a number of patent applications. As of July 2011, at least one patent has received a technical approval. After the development of the patent approval format, Laos's first patent should be granted before the end of 2011. Although LUNA will place the highest priority on supporting the revision to the IP Law, when any time is available, LUNA's IP expert will continue to work with Patent Office staff to advance patent reviews and approvals/rejections.

(Request by MOST-DSM)

Activity 6.4: Support Development of a Stronger Legal Framework and Public Understanding for Intellectual Property Border Measures

LUNA provided detailed comments on various drafts of the Instruction on Customs' Measures for the Protection of Intellectual Property Rights and provided an initial training program on IP border measures for around 30 Customs and MOIC staff in Vientiane on March 30, 2011. At the request of the FTPD, LUNA prepared a draft Briefing Paper on Intellectual Property Border Measures. This was used by drafters as a background reference, and may be formalized into a handout that can be distributed more widely to facilitate understanding and implementation of the Instruction. LUNA supported the Customs Department to organize a retreat at Thalath, Vientiane Province on May 9-10, 2011 with around 50 participants. This retreat included around 5 Customs officials for each of the Lao Customs regions throughout the country, as well as experts from key related agencies, including NAST and the FTPD. Since IP border measures are quite new in Laos, the LUNA IP expert and an expert on IP enforcement from Thailand presented on WTO/BTA requirements and international best practice for IP border measures. The second day focused on review and comments on each article of the draft Instruction. This retreat provided key practitioners from throughout the country with an overview of WTO requirements and international best practice, while also provided pragmatic inputs to the Instruction from the Customs officials who will ultimately be responsible for implementing the Instruction. Based on a revised draft following this retreat, LUNA provided quick comments in May on what has become a quick solid draft.

Proposed Next Steps for July through December 2011. At the request of the Minister of Finance to make sure the Instruction has been reviewed by the business community, the Customs Department and FTPD have requested LUNA to support a workshop in July with the LNCCI to gain input from the business community on the draft instruction on IP border measures. As well, LUNA will provide another set of comments on further revisions to the draft and will contribute to developing a

final English language version of the Instruction after it has been approved. As requested, LUNA will support steps to begin implementation of this instruction.

(Request by FTPD, Customs and MOST-DIP; Customs is in the lead)

Activity 6.5: Support Capacity Building and Public Awareness to Enhance Implementation of IP Processes

As noted below, LUNA will support the LNCCI to organize a workshop on intellectual property protection for the business community in Vientiane and to enhance advocacy by businesses and other stakeholders in Laos for strong IP enforcement.

(Request by MOST-DIP and Customs)

7. Trade in Services

Based on a request from the Securities and Exchange Commission Office (SECO), LUNA provided technical assistance in January 2011 to help build a strong understanding by SECO staff of the principles of effective securities regulation from the International Organization of Securities Commissions (IOSCO). After careful review and discussion, the IOSCO principles were used to develop a framework for a draft Law on Securities. The initial findings of this work were discussed in a workshop on a draft law on securities organized by SECO in Vientiane on January 24, 2011 with around 20 participants. With this foundation, SECO staff is working to develop a full draft law on securities. LUNA will not provide further support unless requested by the Bank of Laos through the Project Steering Committee.

Activity 7.1: Support the WTO General Agreement on Trade in Services (GATS) Enquiry Point

LUNA provided a translation of the MOIC Decision on GATS Enquiry Point, which was approved on February 22, 2011. LUNA provided a Briefing Paper on the GATS Enquiry Point in 2009, which provided background and a reference for development of this decision.

(Request by FTPD)

Activity 7.2: Support Development and Implementation of an Effective Law on Lawyers

During the first three months of 2011, LUNA provided several sets of detailed comments on the draft Law on Lawyers, and supported the Ministry of Justice to organize two workshops to gain input on the draft. These were done in close coordination with the UNDP-SELNA Project. A workshop to review the draft Law on Lawyers was organized by the Ministry of Justice in Vientiane on February 3, 2011 for around 80 participants, including primarily members of the Lao Bar Association from throughout the country, but also experts from several foreign and domestic law firms operating in Laos. A follow-up retreat was held in Thalat, Vientiane Province on March 10-12, 2011 for key members of the MOJ-led drafting team, a number of key other MOJ staff, and related experts to do a full and careful article-by-article review of the draft. LUNA experts participated fully in each of these ses-

sions, providing insights from international best practice in the context of what can work effectively in Laos.

In the second quarter, LUNA worked with MOJ officials to improve parts of the English translation of the draft Law on Lawyers, and to fine tune several articles.

Proposed Next Steps for July through December 2011. The National Assembly is scheduled to review and potentially approve a Law on Lawyers in the December 2011 session. As a result, the MOJ has requested that LUNA support major workshops in three areas of Laos to provide the opportunity for feedback and consultation from key stakeholders throughout the country – in Vientiane, Luang Prabang and Pakse in August, 2011. These will be moderated by either the Minister or Vice-Minister of Justice, and will provide the opportunity for review by the legal and judicial sectors from every province in Laos. Based on comments from these workshops, LUNA will work with the drafting team in September and October to help develop a strong 3rd draft of Law on Lawyers for submittal to the Cabinet and National Assembly.

In addition, LUNA has supported the development of a background paper on the development of the legal sector in Vietnam in response to passage of a law on lawyers, which will be submitted to the Lao drafting team and used as a reference for consideration by Lao officials and stakeholders.

(Request by the MOJ and NA; the MOJ is the leading agency)

Activity 7.3: Support Development of the Revision to the Law on Telecommunications

New Activity and Proposed Next Steps from July through December 2011. At the request of FTPD and the Ministry of Post, Telecommunications and Communications (MPT), LUNA has been asked to translate to English the current draft revisions to the Law on Telecommunications and to provide comments on the draft. LUNA will provide comments on the revisions in August, 2011 and will be available to support the MPT to further develop the draft as requested. LUNA's telecommunications and information technology expert will make a presentation on WTO requirements and other international best practice related to telecommunication policy at the NA Workshop from October 10-12, 2011.

(New Request by the FTPD, MPT and NA; FTPD is the leading agency)

Activity 7.4: Support Development of a Decree on E-Commerce

New Activity and Proposed Next Steps for July through December 2011. LUNA has been requested by the Department of Information Technology (DIT) in MOST to provide comments on a draft Decree on E-Commerce and to support the organization of a National Consultative Workshop to raise understanding of international best practice and to gain input by key stakeholders on the draft decree. LUNA's IT expert – John Adams – will come to Laos for the first three weeks of October to work with the MOST team. LUNA will support a small technical workshop with the core drafting team on October 7 to review international best practice for electronic transactions and commerce and Lao development objectives in this area. LUNA will work with the drafting team to recommend revisions to improve the draft, meet with the drafting team again on October 18 to determine any needed revisions, and will support a National Consultation Workshop with around 75 participants on the revised decree on October 21 in Vientiane. Around 10 key provincial officials and stakeholders will be

invited to the workshop. Any follow-up technical assistance from LUNA needed to support this decree will be determined after this workshop.

(New Request by MOST-DIT)

8. Public-Private Dialogue on Trade Policy

Activity 8.1: Support Productive Public-Private Dialogue on Trade Policy

LUNA supported a Study Mission to Bangkok Thailand on February 14-15, 2011 that included discussions on public-private policy dialogue with the Thai Federation of Industries and the Thai Ministry of Commerce.

LUNA supported a workshop on the status of the WTO accession and how to enhance public-private policy dialogue with the LNCCI and FTPD in Luang Prabang for around 60 participants on February 24, 2011, which included participants from Luang Prabang and several surrounding provinces in the north. Presentations were made by FTPD officials heavily involved with the WTO negotiations, as well as by the Vice-President of the LNCCI and leading local government and LNCCI officials. LUNA made a presentation on international perspectives on the WTO accession.

LUNA supported another workshop on the status of the WTO accession and how to enhance public-private policy dialogue with the LNCCI and FTPD in Pakse, with participants from Champasak and surrounding provinces in the south, for around 73 participants on June 13, 2011. Presentations were made by FTPD officials involved directly with the WTO negotiations, as well as by the Secretary General of the LNCCI and leading local government and LNCCI officials. LUNA made a presentation on international perspectives on the WTO accession.

Proposed Next Steps for July through December 2011. LUNA will continue to support workshops organized by the LNCCI to build understanding and increase policy dialogue with business communities in Vientiane and throughout the country. This will include a WTO Workshop tentatively scheduled for Xieng Khouang around November 21, 2011.

As approved in the Annual Work Plan for 2011, LUNA will fund a half-time legal advisor to support the development of a LNCCI Department on Law and Policy. The recruitment for this position is expected to start in September 2011. Once this expert is on board, LUNA will help support his/her efforts in general, including in particular helping to mobilize the voice of businesses in Laos in support stronger IPR protection.

The LNCCI has requested for LUNA to support a one-day workshop in early December 2011 during a major "Made in Laos" promotion event in Vientiane. There will be 100-200 businesses attending this event. Topics covered could include presentations on WTO accession, Lao PDR trade policy and promotion initiatives, IPR protection and trademark/copyright procedures, customs reforms, and export opportunities.

LUNA will also support the LNCCI to enhance the voice of the business sector for improving protection of IPR.

APPENDIX A: LUNA Technical Activities from 2010 through June 30, 2011

Table A-1
Workshops and Seminars

No.	Activity	BTA, WTO, AEC Relationship	Date	Counter-part(s)	Participants	Place
	2010					
1	Workshop on Public-Private Trade Policy Dialogue	Transparency, Policy Dialogue	Jan. 28, 2010	MOIC/FTPD	48	Vientiane Capital
2	Workshop on Bern Convention on Copyrights	IPR	Aug. 26, 2010	NAST/DISM	59	Vientiane Capital
3	Workshop on SPS and TBT Enquiry and Notification Points	Trade in Goods	Sept. 8-9, 2010	MOIC, MAF, MOH, NAST	68	Vientiane Capital
4	National Assembly Intersession Programme	Transparency, Public Awareness	Sept. 13–16, 2010	National Assembly	120	Thalat, Vientiane Province
5	Workshop on the draft Law on Resolution of Economic Disputes and the Law on Lawyers	BTA Article 10 and Trade in Services	Oct. 22, 2010	MOJ and National Assembly	57	Vientiane Capital
6	Technical workshop on the draft Law on Resolution of Economic Disputes	BTA Article 10	Dec. 2, 2010	MOJ and National Assembly	15	Vientiane Capital
	1st Quarter 2011					
7	Workshop on Fundamental Principles for a Securities Law	Trade in services	Jan. 24, 2011	Office of Securities and Ex-	20	Vientiane Capital

				change		
8	Workshop on the Draft Law on Lawyers	Trade in Services	Feb. 3, 2011	MOJ and Lao Bar Association	80	Vientiane Capital
9	Workshop on the Status of the WTO Accession and Public-Private Policy Dialogue	Public awareness and public-private dialogue	Feb. 24, 2011	LNCCI and FTPD	60	Luang Prabang
10	Training Workshop on International Commercial Arbitration	BTA, Article 10	Mar. 7 and 9, 2011	MOJ and LBA, in cooperation with Canadian Bar Assoc.	80	Vientiane Capital
11	Retreat on Draft of Law on Lawyers	Legal Services	Mar. 10-12, 2011	MOJ	30	Thalat, Vientiane Province
12	Workshop on draft TBT Enquiry Point Regulation	TBT	Mar. 23, 2011	NAST/DISM	25	Vientiane Capital
13	Workshop on Economic Law Priorities for the Legislative Agenda from 2011-2015	BTA, WTO, ASEAN	March 29-30, 2011	National Assembly	80	Vientiane Capital
14	Training on Intellectual Property Border Measures	IPR	March 30, 2011	MOF/Customs	30	Vientiane Capital
15	Workshop on Draft Prime Minister Decree to Implement the Standardization Law	TBT	Mar. 31 and April 1	NAST/DISM	30	Vientiane Capital
16	Almost daily meetings with core drafting team for PM Decree to Implement the Intellectual Property Law	IPR	March 15 to 29	NAST/DISM	4-5 each meeting	Vientiane Capital
	2nd Quarter 2011					
17	Workshop on the SPS Enquiry Point	SPS	April 4, 2011	MAF	12	Vientiane Capital
18	Intensive meetings with core drafting team on TBT enquiry point regulation and PM implementing decree for the Law on Standardization	TBT	April 20, 22, 27 and May 3, 19, 26 and June 2, 8	NAST-DISM	Around 4-6 each meeting	Vientiane Capital
19	Retreat on SPS Enquiry Point and MAF Principles for Applying SPS Measures	SPS	April 25-26, 2011	MAF	30	Thalat, Vientiane Province
20	Half-day working meetings with the Drafting Team for Law on Laws	Legal transparency	April 27, May 18, June 21, 2011	MOJ	around 12 each meeting	Vientiane Capital
21	Retreat on the Metrology Law and drafting a Prime Ministerial Implementing Decree	TBT	April 28-29, 2011	NAST/DISM	10	Thalat, Vientiane Capital

22	Workshop on LUNA Work Plan 2011	Project administration	April 29, 2011	FTPD	25	Vientiane Capital
23	Almost daily meetings with core drafting team for PM Decree to Implement the Intellectual Property Law	IPR	April 29 thru May 6, 2011	NAST/ DISM	4-5 each meeting	Vientiane Capital
24	Workshop on Intellectual Property Border Measures	Customs, IPR	May 9-10, 2011	MOF/Customs	50	Thalat, Vientiane Province
25	Release Event for FTPD Webpage, WTO/Trade Reference Room, and 5 U.S. Product Manuals	FTPD capacity building	May 12, 2011	FTPD	120	Vientiane Capital
26	Workshop on the Status of the WTO Accession and Public-Private Policy Dialogue	Public awareness and public-private dialogue	June 13, 2011	LNCCI and FTPD	73	Pakse
27	Workshop on Lao National Single Window Legal Requirements Analysis and Roadmap Activity⁴	ASEAN Single Window	June 20, 2011	Customs	30	Vientiane Capital

⁴ LUNA provided logistics support, with the ASW providing funding and technical leadership.

Table A-2
Comments/Analysis on Policy/Legal Reform

No.	Activity	BTA, WTO, AEC Relationship	Date	Result	Counterpart(s)
	2010				
1	PM Decree on Notification and Enquiry of Trade-Related Information for SPS and TBT (legal comments on draft)	Trade in goods	June 2010	Enacted into law no. 363/PM August 19, 2010	MOIC/FTPD
2	Laos-US BTA Implementation Matrix (comments to update)	BTA	July 2010		MOIC/FTPD
3	SPS/TBT Checklist for WTO Accession (comments to update)	Trade in goods	June and Oct 2010	On-going	MOIC/FTPD
4	MOIC Decision on Notification Unit of Sanitary-Phyosanitary Measures and Technical Barriers to Trade (comments on several drafts)	Trade in goods	Sept 2010	Enacted into law no.: 0471/MOIC, March 9, 2011	MOIC/FTPD
5	PM Decree on Control of Prices of Commodities and Services (legal comments on draft)	Trade in goods and services	Oct 2010	Enacted into law no. 474/PM, November 18, 2010	MOIC/FTPD
6	Law on Lawyers (legal comments on draft)	Trade in services	Oct 2010	Draft progressing	MOJ
7	Revision to the Law on the Resolution of Economic Disputes (legal comments on several drafts)	BTA Article 10	Oct and Dec 2010	Enacted into law in December 2010	MOJ/National Assembly
8	Memo on Options to Upgrade Public-Private Dialogue on	Transparency	Dec 2010	On-going	MOIC/FTPD

	Trade/WTO Policy				
9	PM Decree to Implement the Law on Standardization (legal comments on several drafts)	Trade in goods	Nov 2010 and Dec 2010	Draft progressing	NAST/DISM/Standards
	1st Quarter 2011				
10	Powerpoint on Foundations and Principles of the International Organization of Securities Commissions (IOSCO) ; and discussions on framework for a securities law	Trade in services	Jan 2011		Office of the Securities and Exchange Commission
11	Decision of the Minister on the Organization and Operation of Sanitary and Phytosanitary Measures (SPS) Enquiry Point	Trade in goods	Jan 2011	Draft progressing	MAF
12	Comparison of Lao IP Law and TRIPS, BTA and related International IP Conventions	IPR	Jan 2011		NAST/DISM and MOIC/FTPD
13	PM Decree on Imports and Exports of Goods (legal comments on several drafts)	Trade in goods	(legal comments on several drafts) Jan/Feb/ Mar, 2011	Enacted as #114 on April 6, 2011	MOIC
14	Regulation on the Organization and Operation of the Technical Barriers to Trade Enquiry Point	Trade in goods	(legal comments on several drafts) Jan/Feb/Mar, 2011	Enacted as No:1199/NAST.PMO June 22, 2011	NAST/DISM
15	PM Decree to Implement the Law on Standardization (legal comments on several	Trade in goods	Jan/Mar 2011	Draft progressing	NAST/DISM

	drafts)				
16	PM Decree on Implementing the Intellectual Property Law	IPR	March 2011	Draft progressing	NAST/DISM
17	Law on Lawyers (legal comments on draft)	Trade in Services	Feb and Mar, 2011	Draft progressing	MOJ/NA
18	Instruction on Customs' Measures for the Protection of Intellectual Property Rights (legal comments on draft)	IPR	Feb and Mar, 2011	Draft progressing	FTPD/Customs/NAST
	2nd Quarter 2011				
19	Cabinet Approval of Accession to Berne Convention	IPR	April 2011	MOFA preparing formal submission to WIPO	NAST/DISM
20	PM Decree on Implementing the Intellectual Property Law	IPR	April/May 2011	Draft progressing	NAST/DISM
21	Instruction on IP Border Measures (legal comments on several drafts)	IPR	April/May 2011	Draft progressing	FTPD/Customs/NAST
22	PM Decree to Implement the Law on Standardization (legal comments on several drafts)	Trade in goods	April/May/June 2011	Draft progressing	NAST/DISM
23	Regulation on the Organization and Operation of the Technical Barriers to Trade Enquiry Point	Trade in goods	(legal comments on several drafts) from Jan to May 2011	Enacted as No:1199/NAST.PMO June 22, 2011	NAST/DISM
24	Decision of the Minister on the Organization and Operation of Sanitary and Phytosanitary Measures (SPS) Enquiry	Trade in goods	April/May 2011	Enacted as No.1502/MAF June 23, 2011	MAF
25	Instruction on the Principles for Applying SPS in	Trade in goods	April/May 2011	Draft progressing	MAF

	Plant and Animal Administration				
26	Law on Laws (concepts, scope and structure of a law on laws)	Transparency	April/May 2011	Initial stages of drafting	MOJ/NA/PMO
27	PM Decree to Implement the Metrology Law	Trade in goods	May 2011	Initial stages of drafting	NAST/DISM
28	Full 2nd Draft of PM Decree to Implement the IP Lao	IPR	Early June, 2011	Draft progressing	NAST/DISM
29	Law on Laws , initial outline draft in English and Lao language	Transparency	Early June 2011	Draft just beginning	MOJ

Table A-3
Study Missions

No.	Activity	BTA, WTO, AEC Relationship	Date	Counterpart	Participants	Place
2010						
1	Study Mission to exchange views on Vietnam's BTA/WTO experience and on how Vietnam effectively utilized the USAID Star Project to support BTA implementation and WTO accession	BTA implementation, WTO accession	Feb 4-5, 2010	MOIC	8	Hanoi, Vietnam
2	Study Mission to exchange views on price controls, distribution services, business registration and trading rights	Trade in goods and services	Dec 13-17, 2010	MOIC	8	Hanoi and Ho Chi Minh City, Vietnam
1st Quarter 2011						
3	Study Mission to Bangkok Thailand to exchange views on legal transparency, trading rights and public-private policy dialogue, and for a meeting between the Lao Project Steering Committee and USAID/RDMA	Trade in goods, policy dialogue, project admin	Feb 14-15, 2011	MOIC and Project Steering Committee	10	Bangkok, Thailand
2nd Quarter 2011						
	High-level Study Mission to Vietnam to exchange views on developing a law on laws	Transparency	June 26 to July 2, 2011	MOJ/ NA/ PMO	11	Hanoi and Ho Chi Minh City, Vietnam

Table A-4
Publications, Translations, Capacity Building and Websites

No.	Activity	BTA, WTO, AEC Relationship	Date	Counter-part	No. of Copies
	2010				
1	Assessment of the Intellectual Property System in Laos	IPR	July 2010	NAST/DISM	Background report
2	Translation of the Decree on Fees and Service Charges from Lao to English (a very long and complicated decree)	Trade in goods	Aug 2010, final version submitted Mar 2011	MOIC/FTPD	
3	Upgrade communication capabilities of FTPD through higher internet capacity, server and other hardware, and FTPD website development	Trade capacity building, transparency	Throughout 2009/2010	MOIC/FTPD	
4	Development of manuals on marketing to five U.S. product sectors—agricultural, apparel, handicraft, silk, and wood products—translation into Lao.	Trade capacity building	2009 and 2010	MOIC/FTPD	
5	Reference report on the evolution of modernization of Vietnam's commercial arbitration system	BTA, Article 10	Oct. 2010	MOJ	
6	Support establishment of a WTO and trade reference center at MOIC/FTPD (equipment purchase coordinated with other contributors)	Trade capacity building	Nov 2010	MOIC/FTPD	
7	Translation of UNCITRAL Model Law on Commercial Arbitration	BTA, Article 10	Dec. 2010	MOJ	
8	Translation of draft PM Decree to Implement the Law on Standardization	Trade in goods	Dec 2010	NAST/DISM	
	1st Quarter 2011				
9	Working translation of the draft PM Decree to Implement the IP Law	IPR	March 2010	NAST/DISM	
10	Translations of various working drafts for the regulations on SPS and TBT	Trade in goods	Jan/Feb/ Mar 2011		
11	Translation of Law on Plant Quarantine (initial draft)	Trade in goods	Mar 2011	MAF	

12	Translation of Law on Metrology (initial draft)	Trade in goods	Mar 2011	NAST/DISM	
13	Translation of MOIC Decision on GATS Enquiry Point (enacted as No. 0349/MOIC.FTPD on Feb 22, 2011)	Trade in services	Mar 2011	MOIC/FTPD	
14	Translation of draft Decree on Animal Disease Control (initial working draft)	Trade in goods	Mar 2011	MAF	
15	Translation of draft Decree on Animal Movement Control (initial working draft)	Trade in goods	Mar 2011	MAF	
	2nd Quarter 2011				
16	Manuals in English and Lao on marketing to five U.S. product sectors—agricultural, apparel, handicraft, silk, and wood products.	Trade in goods	May/June/July 2011	MOIC/FTPD	5,000 copies (1,000 copies of each manual)
17	FTPD Website Becomes Operational	Institution building	May 2011	MOIC/FTPD	
18	WTO/Trade Reference Room Opened	Institution building	May 2011	MOIC/FTPD	
19	Translation of Law on the Resolution of Economic Disputes (Final Version)	Dispute Settlement	May 2011	MOIC/FTPD and MOJ	
20	Draft Briefing Paper on Intellectual Property Border Measures (English)	IPR	May 2011	MOIC/FTPD and NAST/DISM	
21	Translation of ASEAN Regulatory Good Practice Guide (initial draft) ⁵	Trade in Goods	May 2011	NAST/DISM	
22	Translation of Law on Metrology (Final draft)	Trade in goods	May 2011	NAST/DISM	

⁵ A final draft of the ASEAN Regulatory Good Practices was completed by the TDF-TBT consulting team.