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2012 Annual Work Plan

Laos-US International 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

DOA – Department of Agriculture (MAF)

DIMEX – Department for Exports and Imports (MOIC)

DIP – Department of Intellectual Property (MST)

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

DIT – Department of Information Technology (MST)

DLV – Department of Livestock and Veterinary Matters (MAF)

DSM – Department of Standardization and Metrology (MST)

EC – European Commission

EDC – Enterprise and Development Consultants

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

FDD – Ministry of Health's Food and Drug Department

FTPD – Foreign Trade Policy Department (MOIC)

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

MST – 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 MST)

LNSW – Lao 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 and 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 eight counterparts, including six line ministries – the Ministries of Industry and Commerce (MOIC), Justice (MOJ), Agriculture and Forestry (MAF), Health (MOH), Finance (MOF), and Science and Technology (MST) – as well as 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. By strengthening the legal and policy framework and enhancing institutional and human resource capacities, LUNA can most effectively contribute to long-term development in the Lao PDR.

LUNA's 2012 Annual Work Plan reports on activities completed over the last six months of 2011 (the first 6 months of activities were reported on in the "Semi-Annual January-June 2011 Report) and provides the technical assistance activities requested by our assigned counterparts for 2012. This demand-driven Work Plan builds upon on-going activities from 2011 and introduces new activities as currently requested by our counterparts. It serves both as the 2012 Annual Work Plan and the 4th Quarter Report. Additional technical assistance will be added on a demand-driven basis as appropriate over the course of 2012. To provide a full perspective on the overall flow of the Project's support, Appendix A provide a cumulative listing of workshops supported from 2010 through the end of 2011.

Status Report on LUNA Activities in 2011

In 2011, the Lao PDR made strong progress in their efforts to accede to the WTO, first by closing in principle bilateral market access negotiations in December with all Working Party members except for the Ukraine, and then by gaining consensus support for drafting the Working Party Report. As revealed in the LUNA co-supported “High-Level Workshop on Laos Toward the ASEAN Economic Community in 2015” organized in January 2012, the Lao PDR is also participating actively in a wide array of ASEAN Economic Community Activities and is making steady progress toward meeting its AEC obligations that will come due from 2012 through 2015. As well, Lao PDR continues to make progress in more fully implementing the BTA, often in tandem with overlapping WTO accession requirements.

On a demand-driven basis, as documented below, LUNA provided a wide-array of strategic technical assistance to our eight counterparts in 2011 to support many of the key reforms that contributed to advance implementation of these three trade agreements and that will help develop a policy, legal and business environment that can provide a solid foundation for Lao PDR to take advantage of the opportunities and meet the challenges introduced by the trade agreements.

A. PROJECT ADMINISTRATION

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.

Team Operations and the Project Office

With the approval of the extension and expansion of LUNA in 2011, Franck Boulin was hired in June to serve as LUNA’s Senior Legal Advisor. Franck works around two-thirds time each year, with flexibility to ensure that he will be available during peak times of LUNA technical assistance. As well, LUNA hired Ms. Chaikao Kedsadasak as our new Project Coordinator. LUNA’s Office Manager Ms. Sonpheth Chanthaphone and translator Mr. Somsay Orasith continue to be highly productive and responsive to our counterparts. LUNA has worked closely with USAID, Nathan’s home office project support staff (Marie Plishka, Mark Walter and Yi Wang) and our MOIC Foreign Trade Policy Department (FTPD) counterparts to develop an administrative and financial system that, in combination with hard work by all, allows our small team to support a quite large number of program activities. This frees up as much project funding as possible from our limited resources to support priority coun-

terpart activities. With this approach, however, we are careful to ensure that project support is done in compliance with USAID and MOIC guidelines.

As well, the project benefits greatly from the contribution of a range of technical specialists who support our programs on a short-term but on-going basis over time, particularly: Judy Goans, LUNA's intellectual property expert; Ed Nemeroff, LUNA's TBT and SPS expert; John Adams, LUNA's telecommunications and electronic transactions expert; and Sivath Sengdoangchanh, LUNA's Senior Lao legal advisor; and a range of international experts who support our work through long-distance analysis of laws and regulations. Again, this approach is designed to allow LUNA to respond as efficiently as possible given our resource limitations to provide timely and high-quality technical assistance across the wide-array of typically highly-technical issues relevant to the trade agreements.

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, continues to effectively support the in-country financial administration of the project.

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).

The Project Steering Committee met on April 29, 2011 to approve the 2011 Work Plan, and again on October 11, 2011 to approve the Semi-Annual January-July 2011 Report on LUNA project activity. The USAID/RDMA Program Economist presented a report on the USAID Mid-Term Evaluation of the LUNA Project at the October PSC meeting. Representatives from both our Lao PDR counterparts and related donor agencies participated in both sessions.

A PSC meeting was held on February 28, 2011 in Vientiane to discuss the Draft 2012 Work Plan. This meeting was co-chaired by the Mdm. Khemmani Pholsena, Vice Minister of Industry and Commerce and by Mr. Michael Satin, Head of General Development Office, Regional Development Mission for Asia, Bangkok. Around 30 representatives participated, including Steering Committee members, representatives from Lao PDR counterpart organizations, and representatives from donors working in related areas to LUNA activities. At that meeting, the Draft 2012 Work Plan was approved in principle, with a request to make several edits before "official" approval is processed.

A copy of the minutes for that meeting is available upon request. The meeting as well noted the importance of distributing the draft Work Plan several weeks in advance of the PSC meeting, and that it may be more appropriate for the PSC to be headed by a senior official of MOIC's Foreign Trade Policy Department rather than the Vice-Minister. This is because over time, it is expected that the LUNA Project Steering Committee will operate under the umbrella of the Trade Executive Committee (TEC) to facilitate transparency and donor coordination. The TEC will be chaired by the Vice-Minister of Industry and Trade.

Tentatively, it was decided that the next PSC meeting to discuss and approve the Semi-Annual 2012 Report on LUNA activities from January to June 2012 would be held in July or August 2012 in Luang Prabang.

Report Deliverables

This Report, which includes the 2012 Annual Work Plan and a report on 4th quarter activity, meets contractual requirements for USAID in terms of a 2012 Annual Work Plan and a 4th Quarter Report for 2011.

B. SUMMARY OF LUNA ACTIVITIES IN 2011

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

- 1) LUNA supported 13 workshops with 861 participants from July to December 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 5 draft laws and 6 draft implementing regulations, with the following laws and regulations supported by LUNA approved over this period:
 - a. Instruction on Customs Measures for the Protection of Intellectual Property Rights, approved on August 3, 2011;
 - b. Lao PDR deposited at the World Intellectual Property Organization (WIPO) its instrument of accession to the Berne Convention for the Protection of Literary and Artistic Works on December 14, 2011,
 - c. Law on Lawyers, approved by the National Assembly on December 21, 2011;
 - d. Revised Law on Intellectual Property, approved by the National Assembly on December 21, 2011;
 - e. Revised Law on Customs, approved by the National Assembly on December 21, 2011;
 - f. Revised Law on Telecommunications, approved by the National Assembly on December 21, 2011;
- 3) LUNA supported participation of one MOIC official in a trade remedies workshop in Phnom Penh, Cambodia.
- 4) LUNA provided translations of 9 documents for our counterparts, in addition to a number of working translations as the basis for LUNA comments.
- 5) LUNA supported the development of 540 hard copies and 200 CD-Roms of the U.S. Product Manuals, 2,000 copies of a brochure on “Lao and ASEAN Economic Community 2015” and 2,000 copies of a FTDP-ASEAN Division notebook.

C. REPORT ON PROJECT ACTIVITIES FROM JULY TO DECEMBER 2011 AND REQUESTED ACTIVITIES FOR 2012

This section reports on each demand-driven project activity conducted from July to December 2011 followed by requested activities by our counterparts for 2012. The presentation is organized around eight “Issue Areas” in the same format as the previous Work Plans, with some adjustments made at the sub-issue level to reflect completion of some work and introduction of new areas of work, 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 and the Lao National Single Window linked to the ASEAN Single Window;
6. Intellectual property rights;
7. Trade in services; and,
8. Public-private policy dialogue on trade policy.

Please note that since this 2012 Work Plan was reviewed in late February, several of the requested activities for 2012 had already been completed in January and early to mid February. Our counterparts and supervisors were fully aware of all these activities. Since this is an annual work plan, however, the request is still made for these activities in the future tense, in order to be consistent with the annual coverage from January 1 to December 31, 2012.

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

Report on July-December 2011 Activities. Strong demand for LUNA technical assistance on a wide range of activities to support implementation of the three trade agreements both fully occupied LUNA staff over the course of 2011 and made it clear that LUNA was responding to priority requirements for implementing the trade agreements. WTO accession priorities are revealed clearly through the negotiation process. In conjunction with our counterparts and given our resource capabilities, we have made the practical decision that a time-consuming, well-developed WTO Accession Roadmap is not needed to ensure that LUNA technical assistance responds to priority needs. For the BTA, the FTPD updated the BTA Implementation Matrix in 2011 to show major advances in a range of key areas, including for IPR, Customs and TBT/SPS.

With regard to a Roadmap for meeting AEC obligations, as reported in more detail in Activity 1.4 below, LUNA co-sponsored a “High-Level Workshop on Laos Toward the ASEAN Economic Com-

munity in 2015” organized in January 2012 to provide a mid-term evaluation of progress and to identify priority needs over the course of 2012 and subsequent years.

Requested Activities for 2012. At this stage, LUNA and our counterparts have moved beyond the need for a WTO accession or BTA implementation roadmap, while further work on the AEC will be continued in Activity 1.4. As a result, this Activity will no longer be included in LUNA Work Plans.

Activity 1.2: Support MOIC-FTPD Capacity-Building Programs

Report on July-December 2011 Activities. The following activities supported MOIC-FTPD capacity building from July to December 2011.

- **Maintenance and Improvement of the FTPD’s Communication and Public Outreach Capabilities: the FTPD Website, WTO/Trade Reference Room, Public Awareness Initiatives and U.S. Product Manuals.**
 - **FTPD’s Webpage and Internet Capacity.** The FTPD Webpage (www.laoftpd.com) is fully operational and is being updated continuously by FTPD staff, serving over this period as the main instrument for the MOIC to provide information on trade policy issues, including WTO accession and AEC activities, to the public and trade communities. A page on the SPS-TBT Notification Unit was added in late 2011, in line with WTO requirements.
 - **FTPD’s WTO and Trade Reference Room.** The FTPD’s WTO and Trade Reference Room continues to serve as a useful information centre, particularly for university students and officials, and as a useful meeting venue.
 - **Public Awareness Workshops on WTO/ASEAN/Trade Issues.** As the focus shifts toward specific WTO and related trade issues, LUNA shifted to support public awareness and ministry/stakeholder workshops with relevant line ministries and the LNCCI, with the FTPD co-sponsoring and providing keynote presentations on trade issues (examples are provided throughout the Work Plan for specific-issue activities). Activity 1.4 reports on AEC public awareness work.
 - **U.S. Product Manuals.** Over the last six months, LUNA supported the publication of 540 “desk-top” publications and 200 CD-Roms of English and Lao versions of the U.S. product manuals for five sectors – agricultural goods, apparel, handicrafts, silk products and wood processing. In addition to distributing the product manuals, the primary author of these reports – Michael Blakeley – spoke at two major workshops on trade issues co-sponsored by the LNCCI and FTPD. The English versions have been posted on the FTPD website, and the Lao translated versions are being improved and will be posted in early 2012. Over the course of 2012, LUNA will both print some hard copies of the manuals and distribute CD-Roms, as appropriate for the relevant audience.
- **Training for FTPD Staff.** In addition to many meetings and discussions between LUNA experts and FTPD staff, LUNA supported one MOIC staff to attend a regional workshop in Phnom Penh, Cambodia from October 4-6, 2011 on trade remedies. The workshop included participants mainly from Cambodia, which is actively drafting a trade remedy law, as well as from Vietnam and Laos. It reviewed the key WTO principles and international practices used for developing and implementing anti-dumping, countervailing and safeguard procedures. It was co-sponsored by the USAID/MSME

II Project in Cambodia and the WTO. The one participant from Laos was supported by LUNA because of the emerging interest in Laos to develop a trade remedy mechanism law.

- **Translations.** At the request of the FTPD and other agencies, LUNA provided translations of the following documents from July to December 2011:

- 1) Draft PM Decree on the Prevention and Control of Animal Epidemic Diseases;
- 2) Draft PM Decree on Control of the Movement of Animals and Animal Products;
- 3) Draft Regulation on Customs Valuation In Implementation of the WTO Customs Valuation Agreement;
- 4) Customs Notice 2326 on Reducing Administrative Prices;
- 5) Instruction on Customs Measures for the Protection of Intellectual Property Rights;
- 6) Law on Resolution of Economic Disputes;
- 7) Draft Revised Customs Law;
- 8) Draft Law on Lawyers;
- 9) Draft Revisions on the Law on Telecommunications

Requested Activities for 2012. The FTPD continues to effectively use a range of donor and internal support to steadily strengthen its capacity (for example, on a rotating basis, key FTPD staff have been attending training and internship programs at the WTO in Geneva, and regularly participate in ASEAN programs). Increasingly, LUNA and FTPD staff work directly as peers on priority issues, with learning gained in both directions and with FTPD experts providing technical assistance and awareness on WTO, ASEAN and related trade issues to other parts of the Government and to private-sector stakeholders. As a result, LUNA will provide less direct capacity-building support to FTPD.

In 2012, LUNA will provide the following capacity-building support to the FTPD:

- **Continue Support for Improving Communication Capabilities.** LUNA will continue to provide small but strategic amounts of funding in 2012 to upgrade the FTPD's internet capacity, to further improve the FTPD website and to provide two computers.
- **Training.** As reported in the SPS and TBT sections related to SPS-TBT Enquiry Points below, LUNA will support one staff member of the FTPD's SPS-TBT Notification Unit to participate in week-long internships with counterparts in Thailand and Vietnam. As requested, LUNA will support additional, targeted capacity development for FTPD staff.
- **Strategy Session for Developing Trade Remedies in Lao PDR.** LUNA will support a Strategy Session for key agencies to investigate appropriate strategies and models for developing trade remedy mechanisms in Lao PDR. The session is tentatively planned for 20th August 2012. Based on this session, a game plan will be proposed for developing trade remedy legislation, as reported in Activity 4.2.

(Request by the FTPD)

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

Report on July-December 2011 Activities. LUNA supported a high-level 3-day workshop on October 10-12, 2011 in Vientiane organized by the NA Committee on Economics, Planning and Finance (NA-EPF) to review the laws coming up for review and approval in the December 2011 National Assembly session. Around 80 participants attended this program, including all key members and staff of the EPF Committee as well as leading members and staff from the other NA committees and senior officials from line ministries. Line-ministry officials leading the drafting of each law made presentations on the key elements of the draft, with comments provided by international and Lao experts on each draft law. One new law and six revised laws were discussed, as follows: new law on small and medium enterprises, and major revisions to the law on intellectual property, law on customs, law on telecommunications and law on insurance, along with relative small revisions to the law on mining and law on electricity. Additional discussions were provided on a range of possible tax policy legislation. LUNA provided the lead international presentations on the draft revisions to the Law on Intellectual Property and the draft revisions to the Law on Telecommunications. The workshop, which was co-sponsored with the UNDP-SELNA Project and the World Bank, was opened by the Vice-President of the NA, the U.S. Ambassador, the Head of the World Bank in Laos, and the President of the NA-EPF.

LUNA technical advisors also met with NA-EPF leadership when appropriate to discuss LUNA comments on key draft laws.

Requested Activities for 2012. LUNA has been requested by the NA to support the following activities in 2012:

- 1) **Major Workshops Leading Up to Each National Assembly Session in 2012.** LUNA has been requested by the NA-EPF Committee and the NA Law Committee to support high-level workshops four to six weeks before the two NA sessions in 2012. As was the case in 2011, these workshops will provide the opportunity for committee members and staff to review drafts scheduled for review and approval in the next NA session, benefiting from presentations of the lead drafting ministries and perspectives from international and Lao experts on each issue. LUNA will work with NA leadership to organize these two workshops.
- 2) **Provide Comments on Key Draft Laws.** When requested by NA Committee leaders, LUNA will provide comments on key draft laws under consideration by the National Assembly and will meet with them as requested on a case-by-case basis.

(Request by the NA-EPF and NA Law Committee)

Activity 1.4: Support for Implementing the ASEAN Economic Community Blueprint

Report on July-December 2011 Activities. In 2011, LUNA supported the publication of 2,000 brochures on “Lao and ASEAN Economic Community 2015” for distribution at workshops and other events.

Requested Activities for 2012. Although much of the ASEAN economic policy agenda builds on the WTO agreements, achieving AEC Blueprint obligations for Laos requires a number of additional legal/policy reforms and institutional innovations that go beyond WTO requirements. LUNA is being requested to become more involved with supporting AEC-related reforms. For example, ASEAN guidelines on good regulatory practice were included in a key PM Decree to implement the law on standardization.

LUNA has been requested by the FTPD and other agencies to support the following activities in 2012 to advance the AEC agenda.

- 1) **“High-Level Workshop on Laos toward the ASEAN Economic Community in 2015”.** In 2011, the FTPD requested LUNA support, in cooperation with the GiZ Trade and Regional Economic Integration Project (ASEAN) Project, for a “High-Level” workshop to provide an overview of progress made in the recent ASEAN Summit and a mid-term evaluation of Lao PDR commitments to the ASEAN Economic Community Blueprint. This workshop was re-scheduled from its originally planned date in December 2011 to January 23-24, 2012 in Vientiane.¹ Around 112 participants attended from a wide-range of ministries (typically at a relatively high-level that included Director Generals, Deputy Director Generals and Division Heads), research and university staff, and business leaders. The workshop was opened by the Minister of Industry and Commerce, the Vice-Minister of Foreign Affairs, the U.S. Ambassador and the German Ambassador. The workshop reviewed Lao participation in a wide range of AEC activities, including goods and services trade (tariffs and trade facilitation), the various AFTA and AFTA Plus Agreements, intellectual property, TBT and SPS, SME development and competition policy). In addition, two major pieces of research on the AEC were presented: the AEC scorecard by a leading Lao research group and an assessment by a GiZ-funded expert of the status of meeting AEC commitments for Pillar 1 (free flow of goods and services) activities. This workshop highlighted the next steps needed to meet AEC obligations and provides a benchmark to judge progress in subsequent years. LUNA supported the publication of 2,000 copies of a brochure on “Lao and ASEAN Economic Community 2015” and 2,000 copies of a FTPD-ASEAN Division notebook, both of which were distributed at the workshop.
- 2) **Support Application of ASEAN Requirements on TBT Issues.** LUNA has been requested by MST-DSM to support the fulfillment of their obligations in the ASEAN Consultation Committee on Standards and Quality (ACCSQ), which includes application of good regulatory practices in the development and implementation of standards, technical regulations and conformity assessment procedures, in line with the ASEAN Good Regulatory Practice Guide and the ASEAN Policy Guideline on Standards and Conformance. These activities will be described in more detail in Activity 3.2 below.

¹ Since this workshop was originally approved in the 2011 Work Plan and thus scheduled for December 2011, we report on the completion of this activity during the 3rd week of January, 2012.

- 3) Other AEC initiatives that LUNA may get more involved in during 2012 include support for developing a Competition Law, described in more detail in Activity 4.2.

(Request by the FTPD and other ministries as listed in other activity requests)

2. Transparency and Dispute Settlement

Activity 2.1: Support Development of a Law on Making Legislation

Report on July-December 2011 Activities. LUNA experts met regularly with the core MOJ-led drafting team for developing the Law on Making Legislation, including the Vice-Minister of Justice and senior officials from the MOJ, NA and the Prime Minister’s Office (PMO), to review and build understanding and consensus on key issues related to drafting a law on making legislation. Based on these meetings and the June/July 2011 study mission to Vietnam, LUNA developed an initial “reference” draft law on making legislation in English (and then translated to Lao) to help organize thinking for the drafting team to develop a first draft of the law.² As well, the National Assembly has agreed to set a “fast-track” schedule for developing and approving this law – with review and approval scheduled for June 2012.

LUNA provided two speakers at workshops organized by the MOJ Training Institute on legislative drafting in Vientiane on August 8 and 11, 2011, for around 56 participants at the first meeting and around 39 participants at the second meeting. Participants were from MOJ Departments from most of the provinces throughout Laos.

Requested Activities for 2012. Building on the preparatory work in 2011 and to meet the planned submittal of a draft Law on Making Legislation to the National Assembly June 2012 session, LUNA will support the following activities:

- 1) **Consultations.** LUNA experts will meet regularly with the drafting team to discuss key issues and how to advance the draft effectively;
- 2) **Drafting Technical Working Meetings.** During the week of February 6-10, 2012, LUNA will support technical working meetings by the MOJ-led drafting team to develop a full Lao language first draft of the law.
- 3) **A Major Retreat for In-Depth Review of a Draft Law on Making Legislation.** LUNA will support the MOJ to organize a 3-day retreat in Thalath, Vientiane Province, on February 29 to March 2, 2012 for an expanded drafting team and LUNA experts to fully review the first draft law and to make recommendations for improvements.

² As reported in the Semi-Annual January-June 2011 Report, 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 Making Legislation.

- 4) **National Consultation Workshop on a Solid Draft Law on Making Legislation.** Based on the progress made at these two February/early March sessions, LUNA will support further technical assistance discussions and a national consultation workshop in Vientiane on March 27-28, 2012 to facilitate input from key stakeholders on the draft law and to build public awareness of the key issues covered by this law.
- 5) Additional LUNA support will be provided as requested as the draft law develops.

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

Activity 2.2: Support Strengthening of Administrative and Judicial Appeal Processes

Report on July-December 2011 Activities. A diagnostic report on administrative and judicial appeal processes is being developed by LUNA staff, building upon the current processes established in the Law on Petitions and Civil Procedure Law. The WTO and other trade agreements have extensive requirements for the “right to appeal” government decisions. LUNA experts developed a rough draft report in late 2011.

In addition to this report, LUNA provided comments to help strengthen “right to appeal” processes in several laws and regulations.

Requested Activities for 2012. The initial draft report will be reviewed internally by LUNA, and will be distributed for comment to key counterparts as appropriate in 2012. 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, the National Assembly 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

Report on July-December 2011 Activities. In order to support the capacity of the Center for Economic Dispute Resolution to communicate with stakeholders, LUNA provided the office on October 3, 2011 with a laptop computer, 4-in-1 copy machine and access to internet capacity.

Requested Activities for 2012. Plans have been made to move forward implementing regulations of the revised Law on Resolution of Economic Disputes, there is a need to increase public awareness of the benefit of alternative dispute resolution processes, and there is interest to develop a private mediation and arbitration center.

LUNA has been requested by MOJ officials in the Center for Economic Dispute Resolution (CEDR) to support the following activities in 2012.

- 1) **Support Development of an Implementing Decree.** In early February, 2012 the CEDR provided LUNA with around 35 articles as a start for a draft Prime Minister Decree to Implement

the Revisions to the Law on Resolution of Economic Disputes. After translation, LUNA will work with the CEDR-led drafting team in March and April to complete a first draft implementing decree. This will involve a series of technical working meetings with CEDR and LUNA experts in March and early April, with the goal of completing the draft before the mid-April Lao New Year break. Work will continue on drafting and stakeholder consultations over the course of 2012.

- a. To be determined – A technical workshop with the MOJ-led drafting team and a National Consultation Workshop in Vientiane on a strong draft of a PM implementing decree.
- 2) **Support a Major MOJ Workshop on Economic Dispute Resolution (EDR).** The CEDR will organize a major 4-day workshop on economic dispute resolution from May 7-10, 2012. LUNA will provide funding for the venue, lunches and translation, while the MOJ will cover all other costs, including participation by government officials and mediators and arbitrators from a number of provinces through Laos.
- a. The May 7-8 session will include around 100 participants representing a wide range of line ministries, judicial organizations, the Lao Bar Association and the business sector, including Department of Justice participants from most of the provinces. Presentations during these two days will be more general and LUNA will make a presentation on the principles and best practices for international arbitration, by a Singapore lawyer with extensive practical experience conducting arbitration in the region and with a focus on the Singapore International Arbitration Center (SIAC). CEDR will also present an outline of the draft Prime Minister Decree to Implement the Revisions to the Law on Resolution of Economic Disputes for discussion and feedback.
 - b. The May 9-10 “training” session will focus on more technical discussions for around 50 mediators and arbitrators and MOJ staff. LUNA’s Singaporean expert will lead a technical discussion arbitration processes in the morning of May 10, including working through an actual arbitration case.
 - c. For these workshops, LUNA will support a senior arbitration expert from the Singapore Office of the Rajah Tann Law Firm to make these presentations. LUNA will support airfare and per diem, while the Rajah Tann expert will provide his time on a pro bono basis.
- 3) **Brochures and a Book.** LUNA will support the CEDR to publish brochures and a book of relevant laws and regulations (including the NY Convention on enforcing arbitral awards) to publicize and build public awareness of the benefits of commercial mediation and arbitration processes.
- 4) **Support 1st Annual Meeting on EDR in Laos.** LUNA will provide some support for the first annual meeting on alternative dispute resolution (ADR) in Laos, tentatively scheduled for December, 2012.

- 5) 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. As noted in Issue Area 8, LUNA will also support the LNCCI to research and potentially make a plan to establish a private arbitration center in Laos.

(Request by the MOJ-CEDR)

Activity 2.4: Linking the Trade Agreements and Legal Sector Development

Report on July-December 2011 Activities. 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.

Requested Activities for 2012. Although no specific, funded activities are requested in this area for 2012, more generally, LUNA will continue to support legal development that advances both the trade agreements and the achievement of the rule of law in Laos in line with the Legal Sector Master Plan.

(Request by MOJ)

3. SPS and TBT

In 2011, LUNA continued to work intensively with the FTPD, NAST-DISM (MST-DSM) and MAF to support the development of regulations to modernize the legal framework for SPS and TBT activities and bring it into compliance with the trade agreements. Note that as of September, 2011, NAST was upgraded to become the Ministry of Science and Technology (MST). And, DISM was 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 until September 2011 and DSM and DIP for activities from September 2011 onward.

Activity 3.1: Support Establishment and Operation of SPS and TBT Enquiry Points and Notification Unit

Report on July-December 2011 Activities. Building on support for developing regulations to establish and operate the enquiry and notification points, over the last six months of 2011 LUNA continued to meet regularly with MST-DSM, MAF and FTPD to help advance development of the transparency points in practice. In addition, LUNA cooperated with the ADB's short-term advisor on enquiry points and with the MOIC's Department for Imports and Exports (DIMEX) managed project on developing the Trade Portal. LUNA helped advance and coordinate among MST, MAF, MOIC and the relevant donor projects the practical approach of hosting the SPS and TBT Enquiry Point webpages on the Lao Trade Portal website, which will save time and money. MST and MAF made progress on registering webpage sites for the enquiry points and the MOIC developed a SPS/TBT Notification Unit webpage that was linked through the FTPD webpage -- www.laoftpd.com.

Requested Activities for 2012. In 2012, the enquiry points will move into full operation, which will require training and strategic support to build the needed capacities to support effective operation.

LUNA will work with the MST-DSM, MAF and the MOIC to advance the enquiry points and notification unit as follows:

- 1) **Bring Enquiry Point Webpages On-Line.** Develop webpages for the TBT and SPS Enquiry Points respectively, with the goal of having the webpages up and running when the Lao Trade Portal is set to be launched in mid-June. This will include developing a list of laws, regulations and standards affecting TBT and SPS, identification of specific measures that affect trade, and design of user-friendly webpages that are responsive to the needs of the DSM and MAF.
- 2) **On-the-Job Training Study Mission on SPS and TBT Enquiry Points to Bangkok and Hanoi.** Organize a study mission for one-week, on-the-job training internships with the TBT and SPS Enquiry Point agencies in both Bangkok, Thailand and Hanoi, Vietnam, with the first internship likely in July or August 2012 in Bangkok and a second internship in Vietnam over the course of the rest of 2012. The participants in the study mission will sit directly with key counterpart staff that are responsible for operating enquiry points in Thailand and Vietnam in order to be exposed in the most practical sense to how enquiry points operate.
- 3) **Develop Operational Manuals for the SPS and TBT Enquiry Points.** Building upon the initial work of the ADB consultant in late 2011, LUNA will support DSM and MAF to develop formal operating manuals for conducting enquiry point business, which will include guidance not only for the Enquiry Point, but also for the ministerial and provincial contact points. As needed, training workshops may also be supported.
- 4) **Workshops to Build Provincial Awareness and Cooperation about WTO-TBT Issues and Operating the TBT Enquiry Point.** In conjunction with the TDF, LUNA will provide partial funding and LUNA speakers on international best practice for three workshops organized by MST-DSM to raise awareness among MST Departments in all provinces with regard to the WTO-TBT Agreement and the new regulations to establish and operate the TBT Enquiry Point and the SPS-TBT Notification Unit. Since the Enquiry Point will cover not only national but also provincial and local procedures and measures, TBT contact points will be established eventually in each province (initially the plan is to establish around 4 provincial contact points as a pilot project to learn more about how best to extend to all provinces). The workshops will be held in Luang Prabang on January 16-17, Vang Vieng on Jan. 23 and Savannakhet on Feb. 20, 2012. Additional workshops may be supported as well.

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

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

Report on July-December 2011 Activities. Over the last six months of 2011, LUNA met several times with the MST-DSM-led drafting team to move forward final wording of the Prime Minister Decree to Implement the Law on Standardization, which includes a number of key WTO and ASEAN

requirements. LUNA provided support for a series of technical workshops to finalize the draft decree around November 9-11, 2011.

Requested Activities for 2012. The decree to implement the Standardization Law is expected to be approved in June 2012. Next key steps will be to complete priority implementing regulations and to build awareness among the ministries, provinces and business sectors complemented by appropriate training for the newly specified procedures for developing and implementing standards, technical regulations and conformity assessment procedures.

LUNA has been requested to support the following activities in 2012:

- 1) **Final Comments on the Standardization Decree.** LUNA will provide any comments needed to help finalize the draft PM Decree to Implement the Law on Standardization for submission to the Government for approval. It is expected that the decree will be approved in June 2012.
- 2) **Implementing Regulations for the Decree on Standardization.** Over the course of 2012, LUNA will provide comments and support workshops to help MST-DSM to draft priority implementing regulations for the standardization decree, including the following:
 - a. Code of Practice for Technical Regulations (to be drafted for comments by the end of March, 2012);
 - b. Regulation to establish the Lao National Bureau of Accreditation (LNAB) (timing to be determined);
 - c. Regulation on standards services and processes (timing to be determined);
 - d. Regulation on post-market surveillance (timing to be determined); and,
 - e. Regulation on Mutual Recognition Agreements (MRAs) for conformity testing in line with the ASEAN Framework on MRAs (timing to be determined).
 - f. As well, a guideline manual on drafting procedures for standards, technical regulations and conformity assessment procedures may be developed.
- 3) **Public Awareness and Implementation of Standardization Decree.** Since the standardization decree affects many line ministries at the national and provincial levels, effective implementation of the decree will require a good awareness of new procedures for developing standards, technical regulations and conformity assessments. LUNA will support workshops, trainings and other activities as needed to facilitate effective implementation of the decree and implementing regulations. These programs may be done in conjunction with reviews of draft regulations. The timing for these workshops are to be determined.

- a. LUNA will cooperate with the ADB project working on regulatory impact assessment to provide training and develop needed templates.
- 4) **Notification of Acceptance of the WTO-TBT Code of Good Practice for Standards.** The decree on standardization authorizes the Lao PDR to accept and comply with the WTO-ISO/IEC Code of Good Practice for the Preparation, Adoption and Application of Standards, which must be done through a notification form submitted to the ISO/IEC Information Center with copies sent by the ISO/IEC to the WTO Secretariat. LUNA will provide any technical assistance needed for completing the acceptance process.
- 5) **Support the Start of the Process to Revise the Law on Standardization.** LUNA will support the initial steps toward the middle to end of 2012 to review needed revisions to the Law on Standardization to bring it into full compliance with the WTO-TBT Agreement and other international agreements and to strengthen and clarify principles and procedures for developing, applying and publishing national standards, technical regulations and conformity assessment procedures.

(Request by MST-DSM)

Activity 3.3: Support Development of the Law on Metrology

Report on July-December 2011 Activities. Based on discussions related to the Metrology Law in early 2011, a decision was made to develop a justification memo to propose that the Metrology Law should be revised in 2013 before developing an implementing decree. Revising the law first would bring principles, definitions and procedures for metrology in Laos into conformance with international best practices. A draft memo was developed by LUNA in October and November 2011 and there were discussions with DSM staff. In conjunction with the memo, initial draft revisions to the Law on Metrology were completed by LUNA.

Requested Activities for 2012. LUNA will support the following activities to advance development of a legal framework for an operational metrology system in Laos that conforms with international best practice, as follows:

- 1) **Support Completion of the Justification Memo to Revise the Law on Metrology in 2013.** LUNA will help complete a draft justification memo for revising the Metrology Law in 2013 and will translate this draft into Lao. Once approved by MST-DSM, the memo will be submitted to MST leadership to work out with Government and National Assembly leadership whether a decision can be reached to focus on revising the Law on Metrology in 2013.
- 2) **Support Revision of the Law on Metrology.** If the recommendation to revise the Metrology Law is accepted, LUNA will support DSM over the later part of 2012 and into early 2013 to complete strong draft revisions and to organize workshops for input by Government agencies and private stakeholders, with the aim to submit the revised law to the June 2013 NA session.

(Request by MST-DSM)

Activity 3.4: Build MOST-DSM Institutional and Implementation Capacities

Report on July-December 2011 Activities. Discussions were conducted between DSM and LUNA regarding key elements of a National Quality Infrastructure (NQI) Strategic Plan for developing DSM's institutional and human resource capacities to meet the demands of an increasingly open and rapidly growing Lao economy and to benefit from the use application of international best practices.

Requested Activities in 2012. LUNA has been requested to provide the following support:

- 1) **Support Development of the NQI Strategic Plan.** In January, the Trade Development Fund (TDF) took the initiative to develop a Terms of Reference for developing a National Quality Infrastructure (NQI) Strategic Plan. With primary funding by the TDF, LUNA's TBT expert Ed Nemeroff will help MST-DSM to develop a 5-year NQI Strategic Development Plan from around March to June 2012. Over the first six months of 2012, LUNA will coordinate its support for TBT capacity building activities closely with the NQI Strategic Plan development, including co-funding of trips for the consultant and provision of some time as needed to complete the work effectively. This may include funding for the Lao PDR to join various key international standardization organizations. Follow up LUNA support for institutional development will be driven by this Strategic Plan and will supplement TDF funding as appropriate.

(Request by MST-DSM)

Activity 3.5: Support Development and Implementation Capacity of SPS-Related Regulations for the Ministry of Agriculture and Forestry

Report on July-December 2011 Activities. Following up initial support in early 2011, LUNA provided a series of detailed comments and participated in several meetings to finalize the draft "Regulation on Basic Principles on the Application of Sanitary and Phytosanitary Measures in Plant and Animal Product Administration" by MAF. This was approved in January 2012.

At the request of the FTDP, LUNA translated and provided detailed comments on the draft PM Decree on the Prevention and Control of Animal Epidemic Diseases and on the draft PM Decree on Control of the Movement of Animals and Animal Products.

LUNA also continued to support the development of the SPS Enquiry Point by the MAF Planning Department.

Requested Activities for 2012. Given the importance of SPS issues for the trade agreements, as well as for development in Laos, LUNA has been requested to become increasingly more involved with support for legal development and implementation of new laws and regulations affecting SPS issues. In 2012 into 2013, MAF and the Ministry of Health's Food and Drug Department (FDD) plan to revise the three key laws affecting SPS, as well as most of the related implementing regulations and operational guidelines. As a result, LUNA will increase funding on SPS activities, particularly to build the operating capability of the SPS Enquiry Point (see Activity 3.1) and to support the legal reforms. In 2013, with the modernization of the legal framework, LUNA will shift resources more toward

building public awareness and implementation capacities. LUNA will coordinate closely with other donors working in this area, especially with regard to the ADB SPS Project to build institutional capacities to implement SPS activities in Lao PDR and the FAO Legal Expert.

LUNA has been requested to support work with the three departments in MAF as follows.

Activities with MAF's Planning Department will include the following:

- 1) **Workshops and Training Sessions on the SPS Enquiry Point and SPS Basic Principles Regulation.** LUNA will support the MAF Planning Department to organize workshops and training sessions to raise awareness, provide training and prepare operating manuals for the SPS Enquiry Point, both at the ministerial level and for provincial officials. This will include disseminating information on the SPS principles established in the new regulation on SPS basic principles. The timing for these workshops will be determined and coordinated with similar efforts by the MOH-FDD and MST-DSM.
 - a. See Activity 3.1 for support for O-J-T internships for two SPS-EP experts.
- 2) **Translation.** LUNA will provide translations for priority documents for the MAF Planning Department.

(Request by MAF Planning Department)

Activities with the MAF's Department of Livestock and Veterinary Matters (DLV) will include the following (these activities are expected to be carried out in October to December 2012):

- 1) **Book on Animal Health Law and Regulations.** Publish 500 copies of a comprehensive book on laws and regulations affecting animal health, and make sure these are all posted on the SPS Enquiry Point website.
- 2) **Posters to Encourage Better Understanding and Implementation of Regulations.** Publish a series of posters and other media that can be used throughout rural areas in Laos to raise awareness of improved animal health standards and procedures.
- 3) **Workshop on New Animal Health Regulations in the North.** Support at least one workshop in the north to raise awareness of the new animal health standards and procedures in a way that can train MAF and other officials to pass along the knowledge and training in rural areas.

(Request by MAF-DLV)

Activities with the MAF's Department of Agriculture (DOA) will include the following:

- 1) **Translations.** LUNA will translate the existing "SPS notifications" for agricultural imports and exports, which can be posted on the SPS website, and will translate others as requested.
- 2) **A Pilot Workshop on SPS Procedures for Exporting and Importing.** LUNA will support the MAF-DOA to organize a pilot workshop in Vientiane to raise awareness particularly among producers and farmers on SPS procedures for exporting and importing, and to discuss

how the MAF-DOA can more effectively disseminate information to targeted stakeholder groups. This workshop will likely be organized in June or July.

(Request by MAF-DOA)

Activity 3.6: Support Development and Implementation Capacity of SPS-Related Regulations for the Ministry of Health

Report on July-December 2011 Activities. LUNA has participated in a number of meetings with staff from the Food and Drug Department (FDD) of the Ministry of Health as part of development of SPS-related regulations, but has not directly provided any technical assistance to the FDD.

Requested Activities for 2012. The MOH-FDD has been added as a new full counterpart for LUNA support, with an active agenda as follows:

- 1) **Support for Developing Revisions to the Food Law.** LUNA will provide comments and support consultation workshops on revising the Food Law. LUNA will work in coordination with the FAO Legal Expert to help develop the Food Law.
 - a. The FDD drafting team with support from the FAO legal expert will complete first draft revisions. LUNA will provide comments on that draft.
 - b. **Small Technical Drafting Workshops.** LUNA will support small technical workshops in Vientiane among FDD, MOH and other ministry experts to gain input on the draft revisions to the Food Law.
 - c. **Major National Consultation Workshops.** LUNA will support three National Consultation Workshops over the course of 2012 into 2013 for comments on draft revisions to the Food Law, in Vientiane and in the north and south. The program in Vientiane will be for 2 days. The programs in the provinces will be 2.5 to 3 days each, and will include 2 days to review the Food Law and a half or one day each to review the food inspection regulation, SPS/TBT issues including issues regarding the SPS Enquiry Point, and other relevant issues that are important for provincial Ministry of Health staff to be aware of.
 - d. The Ministry of Health is likely to submit a draft Food Law to the National Assembly session in June 2013. LUNA will provide support as needed into the lead up to submission.

- 2) **Training Retreat for Ministry of Health-FDD Staff on SPS and TBT Requirements.** LUNA will support a 2-day retreat in Thalath, Vientiane Province with around 50 Ministry of Health and FDD staff from Vientiane Capital and a number of provinces to review TBT and SPS principles and requirements. Provincial staff will play a critical role in implementing the new legislation that is being developed in line with SPS and TBT requirements in the WTO and ASEAN. This will most likely be done in June/July 2012.

- 3) **Workshop on ASEAN Requirements for Food Safety.** LUNA will support a one-day workshop in Vientiane to review the key requirements in ASEAN for food safety and how Laos is progressing toward meeting these requirements. The focus of the workshop will include 5 key documents being developed by ASEAN on: a) food control systems; b) food hygiene; c) export and import inspection; d) food labeling; and e) Hazard Analysis and Critical Control Points (HACCP), GMP and ISO 22,000. Participants will include producers, traders and government officials. This is most likely to be done in June/July 2012.
- 4) **Study Mission to Bangkok on Food Importation Systems and Food Inspection.** If possible at the same time as the SPS and TBT Enquiry Points (MAF, MST, MOIC) internships in Bangkok, LUNA will support a study mission of 5 staff from the MOH (2 from FDD, 2 from Inspection, and one from the FDD-SPS Enquiry Point contact point) to meet for around a week with Thai counterparts that do food safety regulation and import control.
- 5) **Provide a Range of High-Priority Translations and Publications, as follows:**
 - a. ASEAN Requirements on Food Safety to Lao language (both the existing and draft versions);
 - b. Provide comments on the draft English translation of the MOH Regulation on Food Inspection;
 - c. Draft Food Inspection Guidelines to Lao language (when available);
 - d. Standard Operating Procedures for Imports to English;
 - e. Guideline Risk Assessment Plan to Lao language;
 - f. University curriculum for Food Safety to Lao and other translations as needed;
 - g. Publish 500-750 copies of the recently approved MOH Regulation on Food Inspection, including both Lao and English versions.
- 6) **Support Small Technical Workshops on Key Drafts.** Over the course of the year, LUNA may support small technical workshops to move forward key food policy regulations, including the finalization of the Food Inspection Guideline.

(Request by MOH-FDD)

4. Trade in Goods and Trade Facilitation

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

Report on July-December 2011 Activities. LUNA did not provide any support for trading right issues in the last six months of 2011.

Requested Activities in 2012. LUNA will provide technical input on helping to explain the limitations for using price controls. LUNA will discuss additional support for improving the trading rights regime and trade facilitation initiatives.

(Request by MOIC)

Activity 4.2: Support Development of Laws to Ensure Fair Trade and Competition: Trade Remedies and a Competition Law

Report on July-December 2011 Activities. LUNA supported one MOIC staff to attend a regional workshop in Phnom Penh, Cambodia from October 4-6, 2011 on trade remedies in line with the emerging interest in Laos to develop a trade remedy law (see Activity 1.2 for a more detailed description).

Requested for Activities in 2012. As the trade agreements lower trade barriers and open foreign access to the Lao market, there is a request from the MOIC to support the development of legal instruments that will help the Lao PDR to ensure that these more open markets are competitive and protected from abuse by companies with market power, from traders using unfair pricing, and from unanticipated surges in imports that could disrupt local producers, as follows.

- 1) **Competition Law.** LUNA will meet with the MOIC's Domestic Trade Department to discuss the possibility of supporting an accelerated development of a Law on Competition. This will be done in conjunction with other possible USAID support on this topic and will be coordinated with programs on competition policy by the ASEAN GiZ Project. Specific activities will be presented after these meetings.
- 2) **Development of Trade Remedy Mechanisms (likely with an initial emphasis on safeguards).** LUNA will support the MOIC to conduct a strategy session in August 2012 (as reported on in Activity 1.2). Based on the findings of this session, a plan for developing trade remedy laws will be developed. It is expected that this will include an initial focus on developing a Law on Safeguards, followed over time with laws on anti-dumping and countervailing duties, and will include support for legal drafting, staff training, public awareness and a study mission(s) to learn from the experiences of neighboring countries. Implementation capacities will be considered throughout this process, including the possible coordination of implementation capacities between competition and trade remedy policies.
 - a. Note: Vietnam created a Competition Authority in the Ministry of Trade and Industry that includes responsibility for investigating and applying both competition policy and trade remedies.

(Request by MOIC's FTPD and Department of Domestic Trade)

5. Customs and the Lao National Single Window linked to the ASEAN Single Window

As noted in past work plans, even though customs procedures are of the highest priority for the trade agreements, LUNA has provided relatively limited support on customs-related issues because of the major technical assistance projects on these issues supported by the World Bank and IMF. LUNA has taken a lead role for support on border measures to protect intellectual property rights, since this sub-issue was not covered by the other donors (see Activity 6.4 for more detail on support for IP border measures).

In the last part of 2011 and moving into 2012, however, LUNA is being requested by Customs and the FTDP to become more involved with developing the legal framework for customs procedures and the Lao National Single Window, as follows (note that LUNA support for IP border measures is presented in Activity 6.4).

Activity 5.1: Support Revision to and Implementation of the Customs Law

Report on July-December 2011 Activities. At the request of the Department of Customs, LUNA provided a full set of comments on the draft revisions to the Law on Customs in December 2012, with a focus on customs valuation procedures and IP border measures given their importance to the trade agreements.

Requested Activities for 2012. LUNA expects to be requested on a case-by-case basis to comment on draft regulations to implement the newly revised Customs Law, especially on regulations related to customs valuation and IP border measures. Customs request for a study mission on IP border measures is included in Issue Activity 6.4.

(Request by Customs and FTDP)

Activity 5.2: Support Development of the Lao National Single Window Linked to the ASEAN Single Window

Report on July-December 2011 Activities. The Lao PDR has committed in ASEAN to develop a Lao National Single Window (LNSW) by the end of 2012, which establishes urgency for moving forward the development of a LNSW. With the USAID/ADVANCE ASEAN Single Window (ASW) Project working through the ASEAN Secretariat in Jakarta, Indonesia taking the lead, LUNA provided on-the-ground support for planning a major workshop supported by the ASW Project to review a Roadmap for Establishing the LNSW Linked to the ASW. This workshop was originally scheduled for late 2011 but was rescheduled and held on January 26-27, 2012.

Closely linked to the legal requirements for developing a LNSW, LUNA began to support the development of an Electronic Transactions Law with the Ministry of Science and Technology's Department on Information Technology (MST-DIT), as reported in Activity 7.4.

Requested Activities for 2012. The Ministry of Finance has asked LUNA to support the following activities in 2012:

- 1) **Workshop on the LNSW Roadmap.** With the Jakarta-based USAID/ASW Project in the lead, LUNA provided on-the-ground support for a major workshop in Vientiane for around 70 participants from the Government and private sector to present and review a Roadmap for Establishing the LNSW Linked to the ASW. This workshop was originally scheduled for late 2011 but was rescheduled and held on January 26-27, 2012.

- 2) **Support Development of a Prime Minister Decree to Establish and Operate the Lao National Single Window Linked to the ASEAN Single Window.** LUNA and the ASW Project will cooperate to support the MOF to advance the decree and regulations as follows:
- a. **Develop a First Draft Decree.** Work with the MOF drafting team to develop a strong first draft decree in English by the end of February, and have it translated into Lao by the end of March.
 - b. **Develop a First Draft MOF Implementing Regulation.** In parallel with development of the draft decree, prepare a first draft MOF implementing regulation in March and April in English and the Lao language.
 - c. **Refine the Draft Decree and Regulation.** Work with the MOF drafting team to review and improve the draft decree and implementing regulations in late April and early May.
 - d. **National Consultation Workshops.** Organize three national consultation workshops, one in Vientiane and one each in the northern and southern provinces, to gain input from Government and private stakeholders on the draft decree and regulations, in early to mid-May.
 - e. **Finalize the Draft Decree for Submittal to the Government.** Support the finalization of the draft decree for submittal to the Ministry of Justice by the fourth week of May, and provide any needed follow up support, with the goal of submitting the decree for approval by the Cabinet at the end of June.
 - f. **Support Finalization of the MOF Implementing Regulation.** Following approval of the decree, support finalization of the MOF implementing regulation as quickly after promulgation of the decree as feasible.
 - g. Closely related, LUNA will continue to support the development of an Electronic Transactions Law (see Activity 7.4 for a more detailed description of this work).

(Request by the Ministry of Finance and Customs)

6. Intellectual Property Protection

Activity 6.1: Support for Revision of the Law on Intellectual Property

Report on July-December 2011 Activities. 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.³ LUNA mobilized our IP expert – Judy Goans – for around three weeks at the beginning of 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. Ms. Goans worked almost every day for the three-week period with the team to advance the draft. A Consultation Workshop with around 66 stakeholders and inter-agency

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

experts was organized on September 23, 2011 in Vientiane to review the proposed revisions to the Law on IP.

Following the national consultation, the draft revisions to the Law on IP were distributed to the WTO Working Party in October for comments. Also in October at a National Assembly workshop sponsored by LUNA to review draft laws for consideration in the December NA session, a LUNA expert made a presentation on international best practice and WTO/BTA requirements with regard to intellectual property. Via the internet, Ms. Goans worked with the drafting team in November to make adjustments to the draft to respond to comments by WTO Working Party members. The National Assembly approved the Law on IP on December 21, 2011.

The new IP Law will be one of the most comprehensive and technical laws ever passed in the Lao PDR. As a result, a time-consuming Prime Minister implementing decree will not be required, and the MST will be able to move directly into drafting a range of key ministerial regulations to speed up the implementation process for IPR protection in Laos.

Requested Activities for 2012. The MST-DIP will focus over the first six months of 2012 to develop priority implementing regulations for the revised IP Law, as follows:

- 1) **Developing Priority Implementing Regulations for the Revised IP Law.** LUNA's IP expert will work in March with the MST-DIP to develop first draft implementing regulations for the revised IP Law. Based on these discussions, the consultant will develop full drafts from her home of key implementing regulations and will return to Laos likely in August or September 2012 to move the English language versions toward conceptual finalization. These drafts will then be translated into the Lao language and will move through the formal legislative development process. Strong drafts will be developed for at least the four highest priority areas of the revised IP Law, as follows:
 - a. Regulation on Patents and Petty Patents;
 - b. Regulation on Trademarks;
 - c. Regulation on Industrial Designs; and,
 - d. Regulation on Copyrights and Related Rights.
 - e. No consultation workshops are expected to be needed on these drafts. The aim is to have these regulations approved in October 2012.

(Request by MST-DIP)

Activity 6.2: Support Accession to Intellectual Property Treaties

Report on July-December 2011 Activities. The Lao PDR deposited at the World Intellectual Property Organization (WIPO) its instrument of accession to the Berne Convention for the Protection of Literary and Artistic Works on December 14, 2011, and was notified that it would enter into force on March 14, 2012.

Requested Activities in 2012. The MST Copyright Office has requested the following support for 2012:

- 1) **Public Release Activity on Accession to the Berne Convention.** LUNA will support a public release event on March 14, 2012 to promote the importance of accession by the Lao PDR to the Berne Convention.

(Request by MST-DIP (Copyright Office))

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

Report on July-December 2011 Activities. Given the focus on revising the IP Law, LUNA did not provide any direct assistance to the Patent Office over this period. Nevertheless, building upon the foundation laid by previous LUNA support, the Patent Office made progress in reviewing and establishing the basis for approving and rejecting patent applications.

Requested Activities for 2012. To support development of the capacity of the Patent Office and to accelerate the operation of an effective patent examination process, LUNA has been requested to support the following activities.

- 1) **Enhance Internet Capacity for the Patent Office.** LUNA will provide expanded internet access to the Patent Office to allow it to access international patent searches more effectively.
- 2) **Public Release Activity for Issuing the First Patent in the Lao PDR.** LUNA will be requested to support the MST-DIP to organize a public release activity to promote the issuance of the first patent(s) in Laos. The date for this release will be determined.
- 3) **Capacity Building for the Patent Office.** LUNA will continue to support the building of capacity to review patent applications by the Patent Office over the course of the year. Activities may include providing training for the patent staff, workshops on patents with the university, and continuing the development of procedures for patent examination.

(Request by MST-DIP (Patent Office))

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

Report on July-December 2011 Activities. At the request of the Minister of Finance, LUNA supported a Department of Customs workshop in cooperation with the LNCCI in Vientiane on July 25, 2011 for 55 participants to provide input on the draft Customs instruction on IP border measures. The MOF approved the "Instruction on Customs Measures for the Protection of Intellectual Property Rights" on August 3, 2011, building upon strong, on-going LUNA support. As well, LUNA provided comments on the IP sections of draft revisions to the Law on Customs.

Requested Activities for 2012. LUNA will continue to support the development of a WTO-compliant system for IP border measures in Laos as follows:

- 1) **Support for Revising Regulations on IP Border Measures.** LUNA will provide comments and other support as needed to revise the "Instruction on Customs Measures for the Protection of IPR" to be in line with the revised Customs Law and WTO-TRIPS requirements.
- 2) **Support for a Study Mission to Thailand on the Operation of IP Border Measures.** LUNA will support a study mission for around 6 to 8 customs officials to Thailand to learn more about how the Thai system of IP border measures operates in practice. This may include a trip to the Nong Khai Friendship Bridge and elsewhere in Thailand, as appropriate. The timing for this will be determined after further discussion.

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

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

Report on July-December 2011 Activities. LUNA focused on advancing revisions to the IP Law over the last six months of 2011.

Requested Activities for 2012. The MST-DIP has requested the following support to build capacity and public awareness regarding IPR protection:

- 1) **Public Awareness Workshops.** Support several public awareness workshops in Vientiane and the provinces to enhance understanding about the newly revised IP law by government officials and private stakeholders, highlighting both industrial property and copyrights. These workshops will be co-organized by MST-DIP and the LNCCI. The first one or two of these workshops are planned for May, and will be followed over the course of the year.
- 2) **Promotion Activities for International IP Day.** LUNA will support public relations activities to promote IP protection on International IP Day on April 26, 2012 in Vientiane.
- 3) **Publish and Distribute Promotion Brochures and Other Media on Protecting IPR.** Support the publication of brochures, booklets and CDs to promote IP protection.

(Request by MST-DIP)

7. Trade in Services

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

Report on July-December 2011 Activities. The GATS Enquiry Point is up and running well, with a link to the LUNA-supported FTPD webpage.

Requested Activities for 2012. No future requests for LUNA support is expected.

(Request by FTPD)

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

Report on July-December 2011 Activities. Following up earlier support for drafting the Law on Lawyers, LUNA supported three major national consultation programs with participation by government agencies, the judicial sector, lawyers and businesses from throughout Laos, as follows: in Vientiane on August 18-19 for 77 participants and opened and chaired by the Minister of Justice; in Luang Prabang on August 22-23 with 66 participants (opened and chaired by the Vice-Minister of Justice); and in Pakse on August 29-30 with 53 participants (opened and chaired by the Vice-Minister of Justice). Following these workshops, LUNA provided further detailed comments on subsequent drafts of the law, and several working meetings were conducted with the MOJ-led drafting team. A well-developed draft was submitted in November to the Cabinet and then the National Assembly for approval. The new Law on Lawyers was approved by the National Assembly on December 21, 2011.

To support this process and to provide international perspective, LUNA supported the development and distribution of a reference paper on the development of the legal sector in Vietnam after their passage of a new law on lawyers.

Requested Activities for 2012. LUNA has been requested to provide the following support to implement the Law on Lawyers.

- 1) **Support Dissemination Workshops.** Plans to support public awareness and the effective implementation of the Law and Lawyers will be developed, as appropriate, with the MOJ.
- 2) **Support Implementing Regulations for the Law on Lawyers.** LUNA plans to discuss with the MOJ possible support to develop implementing regulations for the Law on Lawyers. This could include support for the Lao Bar Association to strengthen their Code of Ethics and Association By-Laws. For the LBA, LUNA will actively advocate for supplemental assistance by other donors.
- 3) **Support Publication of a Book on the Law on Lawyers and Posting of the Law on Webpages.** LUNA will support the publication of around 500-1,000 copies of the Law on Lawyers, and will encourage posting the law on key webpages, including those related to the trade agreements.

(Request by the MOJ)

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

Report on July-December 2011 Activities. LUNA was requested to comment on draft revisions to the Law on Telecommunications in September and October, 2011, with an emphasis on WTO requirements. LUNA developed detailed general and article-by-article comments in October, which were submitted to the Ministry for Posts, Telecommunications and Communications (MPT), the MOIC-FTPD and the NA-EPF. Two half-day meetings were conducted with the Vice-Minister of the MPT and the core drafting team to discuss our comments on October 14 and 25, 2011. Although LUNA was not requested to provide further assistance directly to the MPT, these comments were

used subsequently in numerous interagency meetings to develop these revisions. As well, LUNA's telecom expert provided a presentation on international best practice and WTO requirements for telecom services at the LUNA-supported NA workshop on October 10-12 that reviewed draft laws for upcoming consideration at the December NA session.

Revisions to the Law on Telecommunications were approved by the National Assembly on December 21, 2011. LUNA did not receive a copy of a near-final draft proposal to the NA for comment.

Requested Activities for 2012. No request has been made for further LUNA technical assistance on telecommunications.

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

Activity 7.4: Support Development of a Law on Electronic Transactions

Report on July-December 2011 Activities. LUNA worked with the MST's Department of Information Technology (DIT) to develop a draft Law on Electronic Transactions in October 2011. LUNA's IT expert John Adams and our resident legal team met with DIT leadership for three half-day programs to review the key issues and to decide on the need for a Law on E-Transactions. With this guidance, a full e-transactions law was drafted in English. The decision to upgrade to a law was largely validated at a workshop on the e-transaction law organized by MST-DIT with LUNA support in Vientiane on October 21 with around 70 participants including government officials and private stakeholders. Also at this workshop, international best practice on e-transactions was presented and discussed. With feedback from the workshop, the initial draft was translated into Lao and submitted to the MST-DIT for consideration in November, 2011.

Requested Activities for 2012. Given the wide-ranging and increasingly urgent importance of developing a legal basis for electronic communications among a number of sectors, particularly for e-commerce by the private sector, and e-governance for e-customs, for the Lao National Single Window and for e-banking, LUNA will support an extensive set of program activities over the first six months of 2012 to determine whether the development of a Law on Electronic Transactions can be accelerated for possible approval by the National Assembly in June 2012. In this context, MST-DIT has asked LUNA to bring our IT expert John Adams to work in Laos from around March 18 to April 7 and then again in May to support the following activities.

- 1) **Develop a Strong Draft Law on Electronic Transactions.** LUNA will support MST-DIT to conduct the following activities:
 - a. **Technical Workshops on the First Draft of the Law.** LUNA will support MST-DIP to organize five half-day technical workshops with the core drafting team from around March 19-23 to conduct an article-by-article evaluation of the draft law in English and Lao, making refinements as needed to improve the draft.
 - b. **National Consultation Workshops.** LUNA will support MST-DIT to organize three, 2-day National Consultation Workshops to gain input from Government and business sectors, one in Vientiane on March 29-30 (Thursday and Friday) and one in Luang Prabang on April 5-6 (Thursday and Friday) and one later in Pakse. To maximize input from the business sector, these workshops may be co-sponsored by the LNCCI.
 - c. **Additional Small Technical Meetings.** In addition during this period, MST-DIP may organize small meetings with key agencies affected by the law, including the National Assembly, MOF-Customs on e-customs and the Lao National Single Win-

- d. **Submittal for Final Approval.** As needed, LUNA can provide any additional support that may be needed to accelerate the review and approval process for this law, especially if it is submitted to the National Assembly for consideration in their June 2012 session.

(Request by MST-DIT)

Activity 7.5: Provide Comments on the Law on Insurance

Report on July-December 2011 Activities. LUNA was not involved with the development of the Law on Insurance, however, the draft Insurance Law was presented at the October 10-12, 2011 NA Workshop on upcoming laws for consideration in the December 2012 NA session.

Requested Activities for 2012. Based on a request from the NA-EPF and the FTPD, LUNA translated the draft Insurance Law that was submitted to and approved at the December NA session and provided detailed comments in January 2012. LUNA was requested to work with the NA meetings in February – led by the Law Committee – to provide comments on key articles in the draft as the NA moved to finalize wording for the law.

- 1) Support for an Implementing Decree for the Revisions to the Law on Insurance. As requested, LUNA will support the MOF to develop a strong draft implementing decree for the revisions to the Law on Insurance. Details of this support will be developed over time.

(Request by MOF)

8. Public-Private Dialogue on Trade Policy

Activity 8.1: Support Productive Public-Private Dialogue on Trade Policy and Build Awareness on Trade Issues by the Business Sector

Report on July-December 2011 Activities. On November 22 and 23, 2011, LUNA supported the LNCCI in cooperation with the FTPD to organize a workshop on the WTO, ASEAN and economic integration in the north-central region of Laos in Xieng Khouang provincial capital Phonesavanh with around 70 participants from business and private sectors representing six northern provinces. It included not only briefings on WTO accession and other national trade policy issues, but also presentations and discussions on trade and business issues at the provincial level. Participants included Chamber members from a number of neighboring provinces, as well as from Xieng Khouang. The workshop included a presentation on strategies for exporting to the U.S. market by Michael Blakeley, a marketing specialist and Project Manager for the USAID-ADVANCE-VALUE Project operating from Bangkok.

LUNA supported the LNCCI to organize a large workshop in Vientiane on the impact of economic integration on SMEs in Laos as part of its first-ever Made in Laos Trade Fair on December 10, 2011. The workshop was opened by the President of the LNCCI and U.S. Ambassador Karen Stewart. Over

200 participants attended on a Saturday, primarily from the business community but also including around 60 students from local business schools. As well, two representatives from each of the thirteen provinces with local chambers were invited to learn how to organize a successful trade fair and policy dialogue at the provincial level. The program provided an opportunity to brief the business community on the status and likely impact of WTO accession and ASEAN integration on SMEs in Laos, to promote the protection of intellectual property rights to support business development in Laos and to provide a range of experience and lessons learned by business leaders in Laos and ASEAN. The afternoon session of the workshop included a presentation by the Project Director of the USAID-ADVANCE-VALUE Project – Michael Blakely – on strategies for SMEs from a small, land-locked economy to export to developed-economy markets like the U.S. and was followed by a series of presentations by The Design Alliance Asia, a network of design and communication experts from throughout Asia.

Requested Activities for 2012. The LNCCI has requested support for the following activities in 2012 to support trade-policy dialogue and to build awareness of the business sector regarding trade issues:

- 1) **Support Workshops on WTO Accession and Key New Laws.** LUNA will support the LNCCI, in cooperation with the MST-DIP and MOIC, to organize workshops in Vientiane, Luang Prabang and Savannakhet over the course of 2012 (with the first workshop expected in May) to raise awareness of the WTO accession process and the impacts of the newly revised Law on Intellectual Property and new Law on SME Development. In the later part of 2012, LUNA will support a workshop in the north (likely Bokeo) for several days that will cover a wide range of trade-related issues, and with a range of possible ministerial co-sponsors.
 - a. LNCCI will also co-sponsor with relevant line ministries workshops on various legal and policy reforms, including for example a workshop on the draft E-Transactions Law. Such workshops are discussed in the relevant Issue Areas.
- 2) **Support a Trade-Policy Workshop around the LNCCI Expo 2012.** LUNA will support the LNCCI to organize a trade-policy workshop around November 2012 to supplement the LNCCI Expo 2012 Trade Fair.

(Request by LNCCI)

Activity 8.2: Build the Capacity of the LNCCI to Participate More Effectively in Public-Private Dialogue on Trade Policy and to Support Trade Facilitation

Report on July-December 2011 Activities. The LNCCI and LUNA worked together in November and December 2011 to develop a terms of reference for a legal expert to support the development of the Chamber's legal and policy advocacy capabilities. After advertising the position, candidates were interviewed and the legal advisor was selected – Ms. Xaynari Chanthala.

Requested Activities for 2012. The LNCCI has requested the following capacity building activities for 2012:

- 1) **The LUNA-supported Legal Advisor for the LNCCI.** Ms. Xaynari Chanthala will start working on a 40-percent basis at the beginning of January 2012 for at least one year. She will prepare a work plan in January, and after approval by the LNCCI and LUNA, will implement

that plan over the course of the year. An activity report will be provided and discussed each quarter, and the work plan will be adjusted accordingly. The main objectives for this work are to:

- a. develop an Action Plan for the LNCCI to develop a viable law and policy department;
 - b. develop a legal information center in the LNCCI;
 - c. develop a roadmap for developing a private arbitration center in the LNCCI;
 - d. help the LNCCI make comments on draft legislation and to recommend priority legislation for consideration; and,
 - e. provide technical law input to the Lao Business Forum policy dialogue.
- 2) **Training for LNCCI Staff on Rules of Origin.** The LNCCI will take on a larger role for providing rule of origin certification for Lao exports. LUNA will support 2 three-day training sessions for LNCCI staff to develop capabilities to process certificate of origin forms. The training will be provided in large part by the MOIC-DIMEX, which will be shifting the issuance of non-mandatory certification of origin to the LNCCI. The training sessions will be conducted on April 25-27 and in June 2012.

(Request by LNCCI)

- 3) **Lectures by LUNA Experts at Lao Universities.** Whenever possible, LUNA and our counterparts will arrange to provide lectures on issues related to the trade agreements and rule of law for Lao university students, in particular the Faculty of Law and Political Science for masters students in international law.

APPENDIX A: LUNA

Workshops from 2010 through December 31, 2011

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 total 39M 9F	Vientiane Capital
2	Workshop on Bern Convention on Copyrights	IPR	Aug. 26, 2010	NAST/ DISM	59 total 40M 19F	Vientiane Capital
3	Workshop on SPS and TBT Enquiry and Notification Points	Trade in Goods	Sept. 8-9, 2010	MOIC, MAF, MOH, NAST	68 total 51M 18F	Vientiane Capital
4	National Assembly Intersession Programme	Transparency, Public Awareness	Sept. 13–16, 2010	National Assembly	120 total 96M 24F	Thalath, 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 total 45M 12F	Vientiane Capital
6	Technical workshop on the draft Law on Resolution of Economic Disputes	BTA Article 10	Dec. 7, 2010	MOJ and National Assembly	15 total 12M 3F	Vientiane Capital
2011						
1st Quarter 2011						
7	Workshop on SPS and TBT Enquiry and Notification Points	SPS and TBT	Jan 21, 2011	MOIC/ FTPD	12 total 8M 4F	Vientiane Capital

8	Workshop on Fundamental Principles for a Securities Law	Trade in services	Jan. 24, 2011	Office of Securities and Exchange	20 total 15M 5F	Vientiane Capital
9	Workshop on Draft Prime Minister Decree to Implement the Standardization Law	TBT	Jan 26-27, 2011	NAST/ DISM	20 total 10M 10F	Vientiane Capital
10	Workshop on the Draft Law on Lawyers	Trade in Services	Feb. 3, 2011	MOJ and Lao Bar Association	47 total 40M 7F	Vientiane Capital
11	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	82 total 68M 14F	Luang Prabang
12	Training Workshop on International Commercial Arbitration	BTA, Article 10	Mar. 7 and 9, 2011	MOJ and LBA, in cooperation with Canadian Bar Assoc.	102 total 84M 18F	Vientiane Capital
13	Retreat on Draft of Law on Lawyers	Legal Services	Mar. 10-12, 2011	MOJ	21 total 18M 3F	Thalath, Vientiane Province
14	Workshop on Draft TBT Enquiry Point Regulation	TBT	Mar. 23, 2011	NAST/ DISM	32 total 23M 9F	Vientiane Capital
15	Workshop on Economic Law Priorities for the Legislative Agenda from 2011-2015	BTA, WTO, ASEAN	March 29-30, 2011	National Assembly	94 total 82M 12F	Vientiane Capital
16	Training on Intellectual Property Border Measures	IPR	March 30, 2011	MOF/Customs	31 total 28M 3F	Vientiane Capital
17	Workshop on Draft Prime Minister Decree to Implement the Standardization Law	TBT	Mar. 31 and April 1, 2011	NAST/ DISM	34 total 28M 6F	Vientiane Capital
18	Almost daily meetings with core drafting team for PM Decree to Implement the Intellectual Property Law	IPR	March 15 to 29, 2011	NAST/ DISM	4-5 each meeting	Vientiane Capital
2nd Quarter 2011						
19	Workshop on the SPS Enquiry Point	SPS	April 8, 2011	MAF	11 total 7M	Vientiane Capital

					4F	
20	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, 2011	NAST-DISM	Around 4-6 each meeting	Vientiane Capital
21	Retreat on SPS Enquiry Point and MAF Principles for Applying SPS Measures	SPS	April 25-26, 2011	MAF	41 total 27M 14F	Thalath, Vientiane Province
22	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
23	Retreat on the Metrology Law and drafting a Prime Ministerial Implementing Decree	TBT	April 28-29, 2011	NAST/DISM	7 total 5M 2F	Thalath, Vientiane Capital
24	Project Steering Committee Workshop on LUNA Work Plan 2011	Project administration	April 29, 2011	FTPD	19 total 13M 6F	Vientiane Capital
25	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
26	Workshop on Intellectual Property Border Measures	Customs, IPR	May 9-10, 2011	MOF/Customs	50 total 47M 3F	Thalath, Vientiane Province
27	Release Event for FTPD Webpage, WTO/Trade Reference Room, and 5 U.S. Product Manuals	FTPD capacity building	May 12, 2011	FTPD	112 total 70M 42F	Vientiane Capital
28	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 total 60M 13F	Pakse, Champasak province
29	Workshop on Lao National Single Window Legal Requirements Analysis and Roadmap Activity⁴	ASEAN Single Window	June 20, 2011	Customs	30 total 20M 10F	Vientiane Capital
3rd Quarter 2011						
30	Workshop for Business Sector Review of IPR Border Measure Decision	Customs, IPR	July 25, 2011	Customs and LNCCI	55 total 40M 15F	Vientiane Capital

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

31	Ministry of Justice Training Program on Legislative Drafting	MOJ capacity building	August 8, 2011	MOJ	56 total 41M 15F	Vientiane Capital
32	Ministry of Justice Training Program on Legislative Drafting	MOJ capacity building	August 11, 2011	MOJ	39 total 35M 4F	Vientiane Capital
34	Consultative Workshop on the Draft Law on Lawyers	Services	Aug 18-19, 2011	MOJ	77 total 55M 22F	Vientiane Capital
35	Consultative Workshop on the Draft Law on Lawyers	Services	Aug 22-23, 2011	MOJ	66 total 62M 4F	Luang Prabang
36	Consultative Workshop on the Draft Law on Lawyers	Services	Aug 29-30, 2011	MOJ	53 total 49M 4F	Pakse
37	Consultative Workshop on Draft Revisions to the Law on IPR	IPR	Sept 23, 2011	MOST	66 total 49M 17F	Vientiane Capital
4th Quarter 2011						
38	Technical Workshop on Draft E-Commerce Decree	Services	Oct 7, 2011	MOST	18 total 12M 6F	Vientiane Capital
39	The National Assembly Workshop to Review Draft Laws and Decrees	Many laws	Oct 10-12, 2011	NA	27 total 26M 1F	Vientiane Capital
40	Project Steering Committee Workshop on LUNA Work Plan 2011	Project administration	Oct 11, 2011	FTPD	27 total 19M 8F	Vientiane Capital
41	National Workshop on E-Transaction legislation	Services	Oct 21, 2011	MOST	59 total 51M, 8F	Vientiane Capital
42	Workshop on Challenges and Opportunities of Lao PDR's Economic Integration	Public awareness and public-private dialogue	Nov 22-23, 2011	LNCCI	99 total 80M 19F	Xiengkhouang Province
43	Seminar for the Challenges and Opportunities from ASEAN Economic Integration and Ac-	Public awareness and public-private dialogue	Dec 10, 2011	LNCCI	219 total 135M 84F	Vientiane Capital

cession to WTO for Entrepreneurs and SME in Lao PDR (Made in Lao Expo)					
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APPENDIX B: Planned Activities for 2012

(Included as a separate file)