

Recommendation 36

Please fill in the table below to confirm the rules of the host country in accordance with the Conventions. Please provide details on legal instruments and reference regulations.

PALERMO CONVENTION	REGULATIONS OF LAO PDR LAWS
Article 5 Criminalization of participation in an organized criminal group	<p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:</p> <p>(a) Either or both of the following as criminal offences distinct from those involving the attempt or completion of the criminal activity:</p> <p>(i) Agreeing with one or more other persons to commit a serious crime for a purpose relating directly or indirectly to the obtaining of a financial or other material benefit and, where required by domestic law, involving an act undertaken by one of the participants in furtherance of the agreement or involving an organized criminal group;</p> <p>(ii) Conduct by a person who, with knowledge of either the aim and general</p> <p>Penal code No.26/NA, dated 15 May 2017(Article 26-30 and 130):</p> <p>Article 26 Participation in an Offence Participation in an offence refers to intentional participation in an offence by two or more persons. Participants in an offence are:</p> <ul style="list-style-type: none"> – Authors; – Implementers; – Inciters; – Accomplices. <p>Article 27 Authors The author is the one who has planned, organised and gave instructions to commit the offence.</p> <p>Article 28 Implementer The implementer is the one who has directly committed the offence.</p> <p>Article 29 Inciters Inciters are persons who persuade, mobilize, encourage others to commit offences.</p> <p>Article 30 Accomplices Accomplices are persons who have intentionally assisted in the offence, or who have previously agreed to hide the offender, to hide instruments and tools of the offence, to efface traces of the offence or to conceal any proceeds from the offence.</p> <p>Article 130 Money Laundering Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.</p> <p>Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.</p> <p>Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and</p>

	<p>criminal activity of an organized criminal group or its intention to commit the crimes in question, takes an active part in:</p> <ol style="list-style-type: none"> a. Criminal activities of the organized criminal group; b. Other activities of the organized criminal group in the knowledge that his or her participation will contribute to the achievement of the above-described criminal aim; <p>(b) Organizing, directing, aiding, abetting, facilitating or counselling the commission of serious crime involving an organized criminal group.</p> <p>2. The knowledge, intent, aim, purpose or agreement referred to in paragraph 1 of this article may be inferred from objective factual circumstances.</p> <p>3. States Parties whose domestic law requires involvement of an organized criminal group for purposes of the offences established in accordance with paragraph 1 (a) (i) of this article shall ensure that their domestic</p>	<p>asset shall be confiscated.</p> <p>Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p>
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	<p>law covers all serious crimes involving organized criminal groups. Such States Parties, as well as States Parties whose domestic law requires an act in furtherance of the agreement for purposes of the offences established in accordance with paragraph 1 (a) (i) of this article, shall so inform the Secretary-General of the United Nations at the time of their signature or of deposit of their instrument of ratification, acceptance or approval of or accession to this Convention.</p>	
<p>Article 6 Criminalization of the laundering of proceeds of crime</p>	<p>1. Each State Party shall adopt, in accordance with fundamental principles of its domestic law, such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:</p> <p>(a) (i) The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate</p>	<p>1. Penal code No.26/NA, dated 15 May 2017(Article 130):</p> <p>Article 130 Money Laundering</p> <p>Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.</p> <p>Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.</p> <p>Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated.</p> <p>Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p>

	<p>offence to evade the legal consequences of his or her action; (ii) The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime;</p> <p>(b) Subject to the basic concepts of its legal system:</p> <p>(i) The acquisition, possession or use of property, knowing, at the time of receipt, that such property is the proceeds of crime; (ii) Participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established in accordance with this article.</p> <p>2. For purposes of implementing or applying paragraph 1 of this article:</p> <p>(a) Each State Party shall seek to apply paragraph 1 of this article to the widest range of predicate offences;</p> <p>(b) Each State Party shall include as predicate offences</p>	<p>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014 (Article 2, 6 and 8):</p> <p>Article 2: Money Laundering</p> <p>Money laundering is a conversion, use, movement, exchange, acquisition, possession, and genuine ownership transfer of funds or other properties by a natural person, legal person or an organisation that knows, knew or suspects that such funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location in order to make such funds or properties legitimate.</p> <p>Article 6: Acts of money laundering</p> <p>Acts of money laundering are as follow:</p> <ol style="list-style-type: none"> 1. Conversion and transfer of funds or properties with an intention to conceal or disguise the proceeds of crime, aid and abet offenders of predicate crimes to avoid the legal consequences; 2. Concealing or disguising origin and location of funds or properties, possession, movement, or ownership transfer of such funds or properties in question; 3. Acquisition, possession, use of funds or properties derived from predicate offences such as illicit lending of such funds or properties, use of such funds or properties in a direct investment; 4. Being an accomplice in planning, attempting to or aiding, encouraging, facilitating or giving advice on offences as defined in sub-paragraph 1, 2 and 3 above. <p>In addition to the above, money laundering is demonstrated as follow:</p> <ol style="list-style-type: none"> 1. Acknowledgement with intent with regards to offences leading to a money laundering; 2. An event or evidence that proves the funds or properties are derived from the predicate offences without the necessity for a court ruling. <p>A prosecution is to be carried out against offenders on the ground of money laundering, and offenders of predicate offences.</p> <p>Article 8 Definitions</p> <p>The terminologies used in this law have the following meaning:</p> <ol style="list-style-type: none"> 1. Predicate offences shall mean all criminal offences which are the causes of money laundering including offences committed outside the territory of the Lao PDR that incurs proceeds of predicate offences. These include frauds, robbery or theft, murder and battery, kidnap, detention and hostage taking, trading of illegal properties, currency counterfeiting including cheque counterfeiting, or use of counterfeited currency or cheque or bond, document forgery or use of forged documents infringement of intellectual property rights, corruption including a taking and giving bribery, adult and child prostitution, human trafficking, people smuggling, production and trafficking of narcotics, trading of war arms or explosives, participation in an
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	<p>all serious crime as defined in article 2 of this Convention and the offences established in accordance with articles 5, 8 and 23 of this Convention. In the case of States Parties whose legislation sets out a list of specific predicate offences, they shall, at a minimum, include in such list a comprehensive range of offences associated with organized criminal groups;</p> <p>(c) For the purposes of subparagraph (b), predicate offences shall include offences committed both within and outside the jurisdiction of the State Party in question. However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there;</p> <p>(d) Each State Party shall</p>	<p>organized criminal group and racketeering, terrorism including financing of terrorism, environmental crime, tax crimes, insider trading and market manipulation, violation of customs and tax regulations, extortion, piracy, and others;</p> <p>2. Proceeds of predicate offences shall mean funds or properties derived directly or indirectly from the predicate offences, properties transformed or changed, wholly or partially, to other forms of properties including returns of investment.</p>
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	<p>furnish copies of its laws that give effect to this article and of any subsequent changes to such laws or a description thereof to the Secretary-General of the United Nations;</p> <p>(e) If required by fundamental principles of the domestic law of a State Party, it may be provided that the offences set forth in paragraph 1 of this article do not apply to the persons who committed the predicate offence;</p> <p>(f) Knowledge, intent or purpose required as an element of an offence set forth in paragraph 1 of this article may be inferred from objective factual circumstances.</p>	
Article 7 Measures to combat money-laundering	<p>1. Each State Party:</p> <p>(a) Shall institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions and, where appropriate, other bodies particularly susceptible to money-laundering, within its competence, in order to deter and detect all forms of money-laundering, which</p>	<p>1. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014(Article 17, 18, 33, 34, 53, 54 and 55,):</p> <p>Article 17: Reporting entities</p> <p>Reporting entities are legal persons and organisations which have the obligation to report information or suspicious activities of being money laundering and financing of terrorism to the Anti-Money Laundering Intelligence Office(herein after called “AMLIO”).</p> <p>Reporting entities which consists of financial institutions andDNFBPs as defined in subparagraph 7 and 8 of article 8.</p> <p>Article 18: Rights and Obligations of reporting entities</p> <p>The reporting entities have the following rights and obligations:</p> <p>1. Developing AML/CFT Programme;</p>

	<p>regime shall emphasize requirements for customer identification, record-keeping and the reporting of suspicious transactions;</p> <p>(b) Shall, without prejudice to articles 18 and 27 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.</p> <p>2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across</p>	<p>2. Implementing risk assessment and risk based management principles; 3. Implementing Know Your Customer measures;</p> <p>4. Enhancing Customer Due Diligence measures;</p> <p>5. Gathering detailed information on customers;</p> <p>6. Gathering information about customers' transactions;</p> <p>7. Dealing with PEPs;</p> <p>8. Dealing with corresponding banks;</p> <p>9. Collecting data on wiretransfer;</p> <p>10. Maintaining records;</p> <p>11. Postponing transactions;</p> <p>12. Reporting;</p> <p>13. Reporting suspicious transactions;</p> <p>14. Maintaining reporting confidentiality.</p> <p>Overseas branches and subsidiaries in the group of the reporting entities are obliged to observe articles 19 to 32 of this law.</p> <p>In case the laws of the country where the branches subsidiaries in the group of the reporting entities are located do not allow the application of these obligations, the reporting entities shall notify their supervisory authorities.</p> <p>Article 53: Management body of AML/CFT</p> <p>The Government is to manage the AML/CFT activities centrally and unanimously in the nation, by assigning the National Coordination Committee (herein after called "NCC") which is directly responsible for managing, monitoring, inspecting on the basis of co-ordination with other concerned authorities and related local administrations.</p> <p>The Management body of AML/CFT is the NCC that has the role of chief of staff for the Government in implementation of this law and international standards relating to this work and attaining achievement.</p> <p>The NCC on AML/CFT which is non-permanent body consists of: Chairman, Deputy Chairman and a number of members who will be appointed or removed by the Prime Minister. Deputy Prime Minister is the Chairman of NCC on AML/CFT, Governor of Bank of Lao PDR is the first deputy chairman and act as standing member of the committee, Deputy Minister of Ministry of Public Security is the second deputy chairman and other members with equivalent ranking of Deputy Minister from relevant ministries and Deputy Head of related organizations. The organizational structure, activities and budget of the NCC for AML/CFT is set out in specific regulations.</p>
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	<p>their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.</p> <p>3. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.</p> <p>4. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat moneylaundering.</p>	<p>Article 54: Rights and Duties of NCC</p> <p>The NCC for AML/CFT has the following rights and duties:</p> <ol style="list-style-type: none"> 1. Study, form, amend national strategies, policies and regulations regarding AML/CFT for the Government's consideration; 2. Transpose the national strategies, policies, and regulations regarding AML/CFT into work plans, programmes, and projects as well as implement in each period to conform with regional and international standards; 3. Endorse action plans for AML/CFT and solve pending problems of AML/CFT systems; 4. Direct, stimulate, manage and monitor the implementation and dissemination of national policy, programmes, and laws and regulations regarding AML/CFT of terrorism of AMLIO, supervisory agencies and other relevant agencies; 5. Train, upgrade professional skills of staff about AML/CFT; 6. Take administrative measures against natural persons, legal entities or organisations that breach this law; <p>Unofficial Translation</p> <ol style="list-style-type: none"> 7. Co-ordinate with various sectorial authorities, local government administrations, and relevant parties related to AML/CFT in nationwide; 8. Relate with, co-operate with foreign countries, regionally and internationally on AML/CFT; 9. Summarize and report on its activities to the Government on a regular basis; 10. Perform rights and duties as defined in the laws and assigned by the Government. <p>Article 55: Anti-Money Laundering Office</p> <p>AMLIO is one organisation in the organisational structure of the Bank of Lao PDR and has the operational independence concerning his activities.</p> <p>AMLIO has main roles and tasks in data collection, analysis, dissemination, co-ordination with related parties both domestically and internationally for the combat and prevent of money laundering and terrorism financing.</p> <p>AMLIO uses the budget of the Bank of the Lao PDR.</p> <p>Organisational structure and activities of AMLIO are defined in separate regulation.</p> <p>Article 33: Declaration of cash, precious metal and bearer negotiable instruments at border crossings</p> <p>Natural persons who carry cash, precious metal and bearer negotiable instruments in and out of the Lao PDR, with value exceeding the threshold periodically set by the Bank of the Lao PDR, need to declare them to customs officers at border checkpoints. Customs officers will further report to AMLIO.</p> <p>Article 34: Examination by customs officers at border crossings</p> <p>Customs officers at border checkpoints are responsible for checking the correct declaration of cash,</p>
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		<p>precious metal and bearer negotiable instruments of natural persons entering/exiting of the Lao PDR in accordance with relevant regulations and laws.</p> <p>In case customs officers at checkpoints detect or suspect that there is a non-declaration or underreporting of cash, precious metal and bearer negotiable instruments or a false declaration relating to money laundering and financing of terrorism, such items will be seized or sequestered immediately; AMLIO to be informed, and an investigation is to be initiated to determine origins of cash, precious metal or bearer negotiable instruments.</p> <p>In case of inaccurate declaration, inaccurate amount, non-declaration or false declaration on cash, precious metal and bearer negotiable instruments when crossing Lao PDR's borders, a declarer will be fined in accordance with the relevant regulations.</p> <p>2. Agreement On Organization and Operations of The Anti-Money Laundering Intelligence Office (Revised edition) No: 15 /NCC, Date 08 NOV 2016:</p> <p>Article 3 Duties</p> <p>AMLIO has Duties the following rights:</p> <ol style="list-style-type: none"> 1. To make the Strategy Plan, Policy and legislations of Anti-Money Laundering and Counter-Financing of Terrorism in order to propose NCC's considering; 2. To collect extra information that's seem to be necessary from Reporting Entities and related organization to monitoring, inspect, analysis the information about money laundering and countering of financing terrorism, which notified of reported from individual, entity or organization and Reporting Entities in order to propose NCC; 3. To submit documents and make financial reporting, if it's seem to be suspected information about money laundering and financing of terrorism in order to submit to the related Investigation organization, and provide money laundering and financing of terrorism information in order to submit to the related Investigation Organization as required as NCC's assignment; 4. To co-ordinate ministries, Reporting Entities supervision organization and related other organization in order follow and inspect the implementation of Anti-Money Laundering and Counter-Financing of Terrorism; 5. To summarize information in eventually, information collect and statistic about Anti-Money Laundering and Counter-Financing of Terrorism and report the evaluation on implementation of inspection the Reporting Entities to NCC; 6. To co-ordinate related organization for inform list of terror, group of terrorism, terrorism organization, money launder and terrorism supporter and suspicious person to Reporting Entities and report, follow and punish suitable case; 7. To make staff training plan on Anti-Money Laundering and Counter-Financing of Terrorism in
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		<p>previously to enhance the implementation capacities;</p> <ol style="list-style-type: none"> 8. To make a plan for seminar, meeting on Anti-Money Laundering and CounterFinancing of Terrorism and attend the meeting with other related to technical works as NCC's assignment; 9. To advertise, promoted and study on Anti-Money Laundering and CounterFinancing of Terrorism to party, state enterprise and public as NCC's assignment; 10. To release more the Reporting Entities on coordination with Reporting Entities supervision organization in order to propose NCC; 11. To cooperate and relative with international organization on Anti-Money Laundering and Counter-Financing of Terrorism as assigned by the Chairman of NCC; 12. To provide report of financial intelligence to other organization; 13. Fulfill other duties as assigned by the Chairman of NCC.
Article 10 Liability of legal persons	<ol style="list-style-type: none"> 1. Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in serious crimes involving an organized criminal group and for the offences established in accordance with articles 5, 6, 8 and 23 of this Convention. 2. Subject to the legal principles of the State Party, the liability of legal persons may be criminal, civil or administrative. 3. Such liability shall be without prejudice to the criminal liability of the natural persons who have committed the offences. 4. Each State Party shall, in particular, ensure that legal 	<p>Penal code No.26/NA, dated 15 May 2017(Article 42, 88, 89 and 90):</p> <p>Article 42 Penalties A penalty is the compulsory State's measure used to restrict or revoke rights and interests of offenders.</p> <p>Article 88 Offence of Legal Person Offence of legal person is an offence committed by an organ or a representative of legal person.</p> <p>Article 89 Criminal Liability of Legal Person A legal person shall be liable for its offence if:</p> <ol style="list-style-type: none"> 1. That offence is act performed on its name; 2. That offence is act performed for its interest; 3. That offence is act performed under direction, management and decision of legal person. <p>Criminal liability of the legal person does not exclude criminal liability of the individual.</p> <p>Article 90 Prescription of Penalty on Legal Person Penalty imposed on legal person is a fine as principal penalty. Penalty imposed om legal person is double as prescribed in natural person. Beside penalty of fine for legal person, the court may decide to revoke legal person or to ban from running some kind business or to ban from mobilizing fund or ban from using cheque or credit card, to confiscate objects or undertake restoration.</p>

	persons held liable in accordance with this article are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.	
Article 11 Prosecution, adjudication and sanctions	<p>1. Each State Party shall make the commission of an offence established in accordance with articles 5, 6, 8 and 23 of this Convention liable to sanctions that take into account the gravity of that offence.</p> <p>2. Each State Party shall endeavour to ensure that any discretionary legal powers under its domestic law relating to the prosecution of persons for offences covered by this Convention are exercised to maximize the effectiveness of law enforcement measures in respect of those offences and with due regard to the need to deter the commission of such offences.</p> <p>3. In the case of offences established in accordance with articles 5, 6, 8 and 23 of this Convention, each State Party shall take appropriate</p>	<p>1. Penal code No.26/NA, dated 15 May 2017(Article 130 and 354-366):</p> <p>Article 130 Money Laundering Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties. Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated. Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated. Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated. Any preparation or attempt to commit such an offence shall also be punished.</p> <p>Article 354 Corruption Corruption is an act of leader, administrative staff, technical staff, staff of enterprise, civil servant, soldier, police officer, including any chief of village or person who is officially authorized to have power and foreign staff, international organisation staff. Acts that constitute corruption can take the following forms:</p> <ul style="list-style-type: none"> - Embezzlement of State property or collective property; - Swindling State property or collective property; - Give bribes; - Taking bribes;

	<p>measures, in accordance with its domestic law and with due regard to the rights of the defence, to seek to ensure that conditions imposed in connection with decisions on release pending trial or appeal take into consideration the need to ensure the presence of the defendant at subsequent criminal proceedings.</p> <p>4. Each State Party shall ensure that its courts or other competent authorities bear in mind the grave nature of the offences covered by this Convention when considering the eventuality of early release or parole of persons convicted of such offences.</p> <p>5. Each State Party shall, where appropriate, establish under its domestic law a long statute of limitations period in which to commence proceedings for any offence covered by this Convention and a longer period where the alleged offender has evaded the administration of justice.</p> <p>6. Nothing contained in this Convention shall affect the principle that the description of the offences established in</p>	<ul style="list-style-type: none"> - Abuse position, power and duty to take state property, collective property or individual property; - Abuse State property or collective property; - Excessive use of position, power, and duty to take State property, collective property or individual property; - Cheating or falsification relating to technical construction standards, designs, calculations, and others; - Deception in bidding or concession; - Forging documents or using forged document; - Disclosure of State secrets for personal benefit; - Holding back or delaying documents. <p>Article 355 (New) Embezzlement of State Property or collective Property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in embezzlement State property or collective property offence by the abuse of confidence in order to take in whole, take in part, or substitute other assets for any State property or collective property which has been assigned to such person to keep, transport, use in construction, repair, or for any other purpose shall be punished according to the damage value as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent
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	<p>accordance with this Convention and of the applicable legal defences or other legal principles controlling the lawfulness of conduct is reserved to the domestic law of a State Party and that such offences shall be prosecuted and punished in accordance with that law.</p>	<p>(1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip;</p> <ol style="list-style-type: none"> 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip; 11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip. <p>Where such an offence is committed as regular basis and organized group shall be punished by deprivation of liberty and shall be fined double punishment according to the value of damage of each points in paragraph one of this article and assest will be confiscated.</p> <p>Any attempt to commit such an offence shall also be punished.</p> <p>Article 356 (New) Swindle of State Property or Collective Property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption inswindling of State property or collective property is engaging in trickery, deceit or fraud by any means to cause person in charge of any State property or collective property to hand over [such property] to himself shall be punished according to the value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip;
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		<p>9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip;</p> <p>10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;</p> <p>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</p> <p>Where such an offence is committed as regular basis and organized group shall be punished by deprivation of liberty and shall be fined double punishment according to the value of damage of each point in paragraph one of this article and asset will be confiscated.</p> <p>Any attempt to commit such an offence shall also be punished.</p> <p>Article 357 (New) Giving Bribes.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in Giving bribes offence by offering, granting or promise to give money, material items or benefit by themselves or by direct or indirect medium of officials in order to use one's position, power and duties to provide benefit to person giving bribe shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of
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		<p>10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;</p> <p>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</p> <p>Article 359 (New) Abuse of position, power and duty to take State Property or Collective Property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in abusing his position, power, duties to take State property, collective property or personal property by using one's position, power and duties in order to benefit oneself, one's family, relative or clans, thereby [adversely] affecting the interests of the State or society or the rights and interests of citizens shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;
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		<p>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</p> <p>Article 360 (New) Abuse State property or collective property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in abusing state property or collective property by using state property or collective property to benefit oneself that causes severe damage to the interests of the state or collective shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip; 11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip. <p>Article 361 Excessive Use of Position, Power and Duty to take State Property or Collective Property.</p>
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		<p>damage, [where such damage] is not more than 20.000.000 Kip;</p> <ol style="list-style-type: none"> 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip; 11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip. <p>Where such an offence is committed as regular basis and organized group shall be punished by deprivation of liberty and shall be fined double punishment according to the value of damage of each points in paragraph one of this article.</p> <p>Article 365 Disclosure of state secrets for personal benefit</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in disclosure State secrets for personal benefit by revealing any document or secret information, or any government or official decision that is not allowed to be disclosed shall be punished by one to three years of imprisonment and shall be fined from 2.000.000 kip to 10.000.000 kip.</p>
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Article 12 Confiscation and seizure	1. States Parties shall adopt, to the greatest extent possible within their domestic legal systems, such measures as may be necessary to enable confiscation of:	<p>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017: Article 30 (Amended). Gathering and Keeping Physical Evidence Gathering of physical evidence should be immediately made at the time of discovering; collecting evidence must be thorough, recorded of the circumstances, and protecting the evidence as of the prescription in laws. In case that the evidence cannot be gathered materially, taking photo shall be recommended for collecting as electronic evidence. For the object that seems like silver, gold, diamond or any other valuable object must to</p>

	<p>(a) Proceeds of crime derived from offences covered by this Convention or property the value of which corresponds to that of such proceeds;</p> <p>(b) Property, equipment or other instrumentalities used in or destined for use in offences covered by this Convention.</p> <p>2. States Parties shall adopt such measures as may be necessary to enable the identification, tracing, freezing or seizure of any item referred to in paragraph 1 of this article for the purpose of eventual confiscation.</p> <p>3. If proceeds of crime have been transformed or converted, in part or in full, into other property, such property shall be liable to the measures referred to in this article instead of the proceeds.</p> <p>4. If proceeds of crime have been intermingled with property acquired from legitimate sources, such property shall, without prejudice to any powers relating to freezing or seizure, be liable to confiscation up to the assessed value of the</p>	<p>be researched and verified on the quality of the material, as well as weigh it immediately.</p> <p>Physical evidence should be protected by wrapping up, or kept in the bag.</p> <p>Physical evidence should be protected from damaging, lost, changing, breaking, and mixing up with others.</p> <p>Protection of physical evidence should follow:</p> <ol style="list-style-type: none"> 1. Physical evidence should be wrapped up and kept in the bag immediately after completing gathering process. All items should be recorded documentarily in detail and kept in the case file; 2. Physical evidence which is money, bank note, gold, silver, diamond, and other valuable items should be deposited with the bank under the rules of laws; 3. Chemical or addictive items must be identified before being kept; 4. Guns, exploded substance, inflaming substance, and other dangerous substances, must be delivered to concerned organizations for properly maintaining; 5. Physical evidence which is about bloodstain, hair, fingerprint, footprint, bullet, and others, must be kept properly as prescribed by laws; <p>In case that all physical evidence mentioned above has been lost, changed, and damaged, without any reasonable explanation, authorities concerned must be legally responsible under the Penal Code.</p> <p>2. Penal code No.26/NA, dated 15 May 2017(Article 52, 53 and 130):</p> <p>Article 52 Confiscation of Property</p> <p>Confiscation of property is the confiscation by the State of all or part of an offender's property without any compensation. A sentence of confiscation of property may only be imposed in serious cases as stated in penal law.</p> <p>In the event that the confiscation of all of the offender's property is imposed, exception must be made for property that is necessary for the livelihood of the offender and his/her family such as house for living, animals for the one who is a farmer, daily used objects of offenders and persons under the offender's control. In the event that partial confiscation of property is imposed, the court must set up a clear list of the property to be confiscated.</p> <p>The property belonging to the State cannot be confiscated and must be returned to relevant agencies.</p> <p>Article 53 Confiscation of Objects (Items)</p> <p>Confiscation of items connected to the offence is the confiscation by the State of items used in the offence or in the preparation for the offence, or that were obtained from an intentional offence.</p> <p>Confiscation of items connected to the offence may be imposed for major offences and crimes.</p> <p>Items belonging to other individuals used in the offence shall be confiscated by the State if the owner</p>
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	<p>intermingled proceeds.</p> <p>5. Income or other benefits derived from proceeds of crime, from property into which proceeds of crime have been transformed or converted or from property with which proceeds of crime have been intermingled shall also be liable to the measures referred to in this article, in the same manner and to the same extent as proceeds of crime.</p> <p>6. For the purposes of this article and article 13 of this Convention, each State Party shall empower its courts or other competent authorities to order that bank, financial or commercial records be made available or be seized. States Parties shall not decline to act under the provisions of this paragraph on the ground of bank secrecy.</p> <p>7. States Parties may consider the possibility of requiring that an offender demonstrate the lawful origin of alleged proceeds of crime or other property liable to confiscation, to the extent that such a requirement is</p>	<p>lending them is not in good faith or if confiscation is deemed necessary for safeguarding society.</p> <p>Items belonging to the State shall not be confiscated but shall be returned to the relevant organization.</p> <p>Article 130 Money Laundering</p> <p>Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.</p> <p>Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.</p> <p>Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated.</p> <p>Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p> <p>3. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</p> <p>Article 38: Application of provisional measures</p> <p>Competent authorities are eligible to apply provisional measures to seize or freeze funds in case they detect, find or suspect that there is an act of money laundering or financing of terrorism.</p> <p>Applying provisional measures must be in conformity with the relevant regulations and laws of the Lao PDR while protecting the rights and interests of the third party and ensuring no impacts on the operations of the financial and monetary system.</p>
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	<p>consistent with the principles of their domestic law and with the nature of the judicial and other proceedings.</p> <p>8. The provisions of this article shall not be construed to prejudice the rights of bona fide third parties.</p> <p>9. Nothing contained in this article shall affect the principle that the measures to which it refers shall be defined and implemented in accordance with and subject to the provisions of the domestic law of a State Party.</p>	
Article 13 International cooperation for purposes of confiscation	<p>1. A State Party that has received a request from another State Party having jurisdiction over an offence covered by this Convention for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in article 12, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system:</p> <p>(a) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an</p>	<p>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017: Article 272. Implementation of Judicial Assistance In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law. Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014: Article 44: Mutual Legal Assistance Mutual Legal Assistances aimed at the requesting for an assistance, and co-operation on investigation, seizure and freezing of funds of the accused, defendant, offender, use of other legal measures, extradition, request for additional information and evidence relating to offenses. The mechanism and procedures for Mutual Legal Assistance are defined in the relevant regulations and laws of the Lao PDR.</p> <p>3. Draft Law on Mutual legal assistance.....</p>

order is granted, give effect to it; or

(b) Submit to its competent authorities, with a view to giving effect to it to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with article 12, paragraph 1, of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 12, paragraph 1, situated in the territory of the requested State Party.

2. Following a request made by another State Party having jurisdiction over an offence covered by this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 12, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State

Article 2 International Cooperation for Mutual Legal Assistance in Criminal Matters

International Cooperation for Mutual Legal Assistance in criminal matters means a provision of providing an international cooperation for mutual legal assistance between Lao PDR and International Country within the scope of mutual legal cooperation as defined in the Article 7 of this Law.

ໝາຍ ໗ Scope of International Cooperation for Mutual Legal Assistance

International cooperation for mutual legal assistance in criminal matters shall have the following scopes:

1. Collecting an information;
2. Providing an evidence;
3. Participation of individuals to the requesting state;
4. Participation of offenders or individuals who detained in Lao PDR;
5. Addresses and Identities;
6. Searching and Seizing an evidence;
7. Seizure and Freezing;
8. Return of evidences;
9. Recognizing and Following a court's judgment in criminal matters;
10. Provision of other assistances may be consistent with the treaty to which Lao PDR is a party and the Laws of Lao PDR.

Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.

3. The provisions of article 18 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 18, paragraph 15, requests made pursuant to this article shall contain: (a) In the case of a request pertaining to paragraph 1 (a) of this article, a description of the property to be confiscated and a statement of the facts relied upon by the requesting State Party sufficient to enable the requested State Party to seek the order under its domestic law; (b) In the case of a request pertaining to paragraph 1 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement of the facts and information as to the extent to which execution of the order is requested; (c) In the case of a request

pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting State Party and a description of the actions requested.

4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral treaty, agreement or arrangement to which it may be bound in relation to the requesting State Party.
5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations or a description thereof to the Secretary-General of the United Nations.
6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence

	<p>of a relevant treaty, that State Party shall consider this Convention the necessary and sufficient treaty basis.</p> <p>7. Cooperation under this article may be refused by a State Party if the offence to which the request relates is not an offence covered by this Convention.</p> <p>8. The provisions of this article shall not be construed to prejudice the rights of bona fide third parties</p> <p>9. States Parties shall consider concluding bilateral or multilateral treaties, agreements or arrangements to enhance the effectiveness of international cooperation undertaken pursuant to this article.</p>	
Article 14 Disposal of confiscated proceeds of crime or property	<p>1. Proceeds of crime or property confiscated by a State Party pursuant to articles 12 or 13, paragraph 1, of this Convention shall be disposed of by that State Party in accordance with its domestic law and administrative procedures.</p> <p>2. When acting on the request made by another State Party in accordance with article 13</p>	<p>Draft Law on Mutual legal assistance.....</p> <p>Article 34 Repeal the Seizure and Freezing Orders</p> <p>When the Court shall not considering the request about the implementation of the foreign court decisions due to there is not enough reasonable, the focal coordination agency shall place the orders to repeal the seizure and freezing assets by their duties or assigns the Public Prosecutor Office or relevant organizations who have issued the orders to be in charge of issuing the repeal orders for immediately</p>

	<p>of this Convention, States Parties shall, to the extent permitted by domestic law and if so requested, give priority consideration to returning the confiscated proceeds of crime or property to the requesting State Party so that it can give compensation to the victims of the crime or return such proceeds of crime or property to their legitimate owners.</p> <p>3. When acting on the request made by another State Party in accordance with articles 12 and 13 of this Convention, a State Party may give special consideration to concluding agreements or arrangements on:</p> <p>(a) Contributing the value of such proceeds of crime or property or funds derived from the sale of such proceeds of crime or property or a part thereof to the account designated in accordance with article 30, paragraph 2 (c), of this Convention and to intergovernmental bodies</p>	
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	<p>specializing in the fight against organized crime;</p> <p>(b) Sharing with other States Parties, on a regular or case-by-case basis, such proceeds of crime or property, or funds derived from the sale of such proceeds of crime or property, in accordance with its domestic law or administrative procedures.</p>	
Article 15 Jurisdiction	<p>1. Each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offences established in accordance with articles 5, 6, 8 and 23 of this Convention when: (a) The offence is committed in the territory of that State Party; or (b) The offence is committed on board a vessel that is flying the flag of that State Party or an aircraft that is registered under the laws of that State Party at the time that the offence is committed.</p> <p>2. Subject to article 4 of this Convention, a State Party may also establish its jurisdiction over any such offence when:</p> <p>(a) The offence is committed</p>	<p>1. Penal code No.26/NA, dated 15 May 2017:</p> <p>Article 9 Application of the Penal Law outside the Territory of the Lao People's Democratic Republic</p> <p>Lao citizens who commit offences outside the territory of the Lao People's Democratic Republic shall be charged with and punished for such offences if they are defined as offences under the Penal Law of the Lao People's Democratic Republic.</p> <p>Aliens and apatrids residing in the Lao People's Democratic Republic who commit offences outside the territory of the Lao People's Democratic Republic shall also be charged and punished.</p> <p>Foreign individuals who commit offences outside the territory of the Lao People's Democratic Republic, which infringe the national interests of the Lao People's Democratic Republic or lawful interests of Lao citizens, shall also be charged and punished.</p> <p>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</p> <p>Article 13 Scope of application</p> <p>This law applies to natural persons, legal persons and organisations, both local and foreign, running business operations inside and outside of the territory of Lao PDR involved in money laundering and financing of terrorism.</p>

	<p>against a national of that State Party;</p> <p>(b) The offence is committed by a national of that State Party or a stateless person who has his or her habitual residence in its territory; or</p> <p>(c) The offence is: (i) One of those established in accordance with article 5, paragraph 1, of this Convention and is committed outside its territory with a view to the commission of a serious crime within its territory; (ii) One of those established in accordance with article 6, paragraph 1 (b) (ii), of this Convention and is committed outside its territory with a view to the commission of an offence established in accordance with article 6, paragraph 1 (a) (i) or (ii) or (b) (i), of this Convention within its territory.</p> <p>3. For the purposes of article 16, paragraph 10, of this Convention, each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offences covered by this</p>	
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	<p>Convention when the alleged offender is present in its territory and it does not extradite such person solely on the ground that he or she is one of its nationals.</p> <p>4. Each State Party may also adopt such measures as may be necessary to establish its jurisdiction over the offences covered by this Convention when the alleged offender is present in its territory and it does not extradite him or her.</p> <p>5. If a State Party exercising its jurisdiction under paragraph 1 or 2 of this article has been notified, or has otherwise learned, that one or more other States Parties are conducting an investigation, prosecution or judicial proceeding in respect of the same conduct, the competent authorities of those States Parties shall, as appropriate, consult one another with a view to coordinating their actions.</p> <p>6. Without prejudice to norms of general international law, this Convention does not exclude the exercise of any criminal jurisdiction</p>	
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	established by a State Party in accordance with its domestic law.	
Article 16 Extradition	<p>1. This article shall apply to the offences covered by this Convention or in cases where an offence referred to in article 3, paragraph 1 (a) or (b), involves an organized criminal group and the person who is the subject of the request for extradition is located in the territory of the requested State Party, provided that the offence for which extradition is sought is punishable under the domestic law of both the requesting State Party and the requested State Party.</p> <p>2. If the request for extradition includes several separate serious crimes, some of which are not covered by this article, the requested State Party may apply this article also in respect of the latter offences.</p> <p>3. Each of the offences to which this article applies shall be deemed to be included as an extraditable offence in any extradition treaty existing between States Parties. States Parties undertake to include</p>	<p>Law on Extradition No.18/NA, dated 11 July 2012 (Article 2 and 7-16):</p> <p>Article 2 Extradition</p> <p>The extradited person is the person who is the accused or the convicted in the court as a perpetrator in the territory of a foreign state and has escapeed to the territory of the Lao PDR or the accused or the convicted in the court of the Lao PDR and has escapeed to the territory of another state.</p> <p>Extradition is the handover of the accused or perpetrator sought by the Requested State to the Requesting State for criminal proceeding or for the execution of punishment in the territory of the Requesting State.</p> <p>Article 7. Extraditable Offences</p> <p>Extraditable offences are offences which are punishable under the penal law of the Lao PDR and that of the Requesting State by the penalty of imprisonment or other form of detention for a period of more than 12 months. It shall not matter whether the penal law of the Lao PDR or the Requesting State places the conduct constituting the offence within the same category of offence or not.</p> <p>Where the request for extradition relates to a person sentenced to imprisonment or other form of detention by a court of the Requesting State for any extraditable offence, extradition shall be granted only if a period of at least six months in the sentence remains to be served.</p> <p>If the request for extradition concerns two or more acts each of which contitutes and offence under the laws of the Requesting State and the Lao PDR and at least one of which fulfils the condition of period of penalty provided in paragraphs 1 and 2 of this Article, the Lao PDR may grant extradition for all of those acts.</p> <p>Article 8. Refusal to Grant Extradition</p> <p>Extradition shall not be granted in any of the following circumstances :</p> <ol style="list-style-type: none"> 1. The offence for which the request for extradition is made is considered a political offence including fighting for liberty, peace and political opinion, except for offences as described in Article 9 of the this law ; 2. An offence under military law of the Requesting State including the escape from the obligation on millitary service, and not follow the command of the supirior ; 3. The prosecution or execution or punishment of the offence for which the extradition has been sought

	<p>such offences as extraditable offences in every extradition treaty to be concluded between them.</p> <p>4. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offence to which this article applies.</p> <p>5. States Parties that make extradition conditional on the existence of a treaty shall: (a) At the time of deposit of their instrument of ratification, acceptance, approval of or accession to this Convention, inform the SecretaryGeneral of the United Nations whether they will take this Convention as the legal basis for cooperation on extradition with other States Parties to this Convention; and (b) If they do not take this Convention as the legal basis for cooperation on extradition, seek, where appropriate, to conclude</p>	<p>has become barred by the reason prescribed under the law of the Requesting State and the Lao PDR ;</p> <p>4. The court of the Lao PDR has passed judgement upon the person sought in respect of the same offence, before the request for extradition is made;</p> <p>5. The judgement of the Requesting State was made in a trial in absentia , except that the Requesting State ensures that the person sought will have the opportunity to defend himself in a fair trial and reopen the trial with his presence.</p> <p>Article 9. Offences that are not Considered as Political Offences The following offences shall not be considered as political offences:</p> <ol style="list-style-type: none"> 1. Taking of or attempt at the life or an attack on the following perons such as Head State, President of National Assembly, Head of Government, or other leaders and members of his or her family ; 2. Civil commotion; 3. Attack of detention and reformatory centers ; 4. Offence againts friendly countries ; 5. Abduction or taking hostages 6. Bombing, firing, using equipments or chemicals that are dangerous and harmful to life or massive physical or property destruction ; 7. Preparation, attempt or participation or commission in the offence, giving instruction, assistance or inciting other persons to commit offences as described in paragraphs 1 to 3 of this Article. <p>Article 10. Ground for Mandatory Refusal of Extradition Extradition shall not be granted in any of the following circumstances :</p> <ol style="list-style-type: none"> 1. The Lao PDR has jurisdiction, according to the law, over the offence for which the request for extradition is made and shall institute proceedings against the person sought; 2. The Lao PDR is in the process of proceeding against the person sought in respect of the same offence; 3. The Lao PDR has well-founded reasons to suppose that the request for extradition is not compatible with humanitarian considerations on account of race, nationality, religion, ethnic, gender, social status or economic status of the person sought, which may be subject to torture or inhumane treatment. <p>Article 11. Refusal of Extradition of a Lao Citizen, Alien or Stateless Person Residing in the Lao PDR</p>
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	<p>treaties on extradition with other States Parties to this Convention in order to implement this article.</p> <p>6. States Parties that do not make extradition conditional on the existence of a treaty shall recognize offences to which this article applies as extraditable offences between themselves.</p> <p>7. Extradition shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable extradition treaties, including, inter alia, conditions in relation to the minimum penalty requirement for extradition and the grounds upon which the requested State Party may refuse extradition.</p> <p>8. States Parties shall, subject to their domestic law, endeavour to expedite extradition procedures and to simplify evidentiary requirements relating thereto in respect of any offence to which this article applies.</p> <p>9. Subject to the provisions of its domestic law and its extradition treaties, the</p>	<p>The Lao PDR refuses to extradite its citizen, alien or stateless person residing in the Lao PDR, that commits a crime outside the territory of the Lao PDR, except that the treaty on extradition provides for otherwise.</p> <p>Refusal request for extradition shall not be the ground for the person sought to be released from criminal responsibility and that person is still subjected to criminal proceeding in the Lao PDR according to the law of the Lao PDR. The Requesting State shall submit the case file and relevant information to competent authority of the Lao PDR to prosecute the Lao citizen, alien or stateless person.</p> <p>Article 12. Submission of Request for Extradition</p> <p>The submission of the request for extradition from the Lao PDR to the Requesting State and from the Lao PDR to the Requesting State shall communicate through the diplomatic channels.</p> <p>For the submission of the request for extradition according to treaties on extradition that the Lao PDR is a party, it shall use the mechanisms as provided in the treaties.</p> <p>Article 13. Request for Extradition</p> <p>A request for extradition shall be made in writing and shall be accompanied by the following :</p> <ol style="list-style-type: none"> 1. Name of requesting organization ; 2. Name and surname, age, gender, nationality, photograph, type and number of documents relating to appearance or identity, job and address or residence of the person sought and other information of that person ; 3. A summary of offence of the person sought describing offence, date, time, location and the result of the offence; 4. The provisions of the law describing the accused or offence, punishment and court jurisdiction of the Requesting State ; 5. The provisions of the law describing any time limit on the prosecution or the execution of the punishment for the offence. <p>Article 14. Required Documents for the Request for Extradition</p> <p>A request for extradition shall be accompanied by the following:</p>
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	<p>requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the requesting State Party, take a person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.</p> <p>10. A State Party in whose territory an alleged offender is found, if it does not extradite such person in respect of an offence to which this article applies solely on the ground that he or she is one of its nationals, shall, at the request of the State Party seeking extradition, be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution. Those authorities shall take their decision and conduct their proceedings in the same manner as in the case of any other offence of a grave nature under the domestic law of that State Party. The</p>	<ol style="list-style-type: none"> 1. A copy of the warrant of arrest issued by a prosecutor, judge or other competent officers of the Requesting State ; 2. Such evidence as would justify that person's arrest and committal for trial, including evidence establishing that the person to whom the warrant of arrest refers. <p>Documents to be attached in the request for extradition to prosecution in the Requesting State shall be accompanied by the following:</p> <ol style="list-style-type: none"> 1. A copy of final judgement or sentence of the Requesting State ; 2. Evidence showing that the person sought for extradition is the person whom the judgement or sentence refers ; 3. A statement showing to what extent the judgement or sentence has been carried out; 4. In case of a trial in absentia, it shall be clearly assured that the person sought can defend himself or the case will be reopened with his presence. <p>All documents submitted by the Requesting Party according to this Article or the treaties on extradition that the Lao PDR is a party shall be officially signed and sealed and shall be accompanied by a translation in the Lao language or other languages as described in the treaties.</p> <p>Article 15. Concurrent Requests for Extradition</p> <p>If request for extradition of the person sought are made by two or more states at the same time whether the offence is the same or not, the Ministry of Foreign Affairs shall determine the priority of any of these requests taking into account the principles or obligations in the treaties on extradition, time and location of the offence, the gravity of the offence, the time of receiving the request, nationality and permanent residence of the person sought, victims and purpose of extradition.</p> <p>Article 16. Consideration of Request</p> <p>After receiving the request for extradition and attached documents, the Ministry of Foreign Affairs or the Central Authority as described in the treaties on extradition shall consider whether the request has sufficient information or not according to Articles 13 and 14 of this law or treaties on extradition as well as the issues relating to the diplomatic relations and national interest of the Lao PDR.</p> <p>If the information furnished in support of the request for extradition is sufficient according to paragraph 1 of this Article, the Ministry of Foreign Affairs shall transmit the request to the Office of Supreme People's</p>
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	<p>States Parties concerned shall cooperate with each other, in particular on procedural and evidentiary aspects, to ensure the efficiency of such prosecution.</p> <p>11. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State Party to serve the sentence imposed as a result of the trial or proceedings for which the extradition or surrender of the person was sought and that State Party and the State Party seeking the extradition of the person agree with this option and other terms that they may deem appropriate, such conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 10 of this article.</p> <p>12. If extradition, sought for purposes of enforcing a sentence, is refused because the person sought is a national of the requested</p>	<p>Prosecutor in order to further consider the request for extradition.</p> <p>If the information furnished in support of a request for extradition is insufficient according to Articles 13 and 14 of this law or treaties on extradition, the Ministry of Foreign Affairs or a central authority may request for additional information within fifteen days after the date of receipt of the request or according to the treaties. The Requesting State shall provide additional information according to the request (from the Requested State) within forty five days after such request is made.</p> <p>If the Requesting State fails to provide additional information within that period, it shall be considered as having renounced its request voluntarily. However, the Requesting State shall not be precluded from making a fresh for the same purpose.</p>
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	<p>State Party, the requested Party shall, if its domestic law so permits and in conformity with the requirements of such law, upon application of the requesting Party, consider the enforcement of the sentence that has been imposed under the domestic law of the requesting Party or the remainder thereof.</p> <p>13. Any person regarding whom proceedings are being carried out in connection with any of the offences to which this article applies shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided by the domestic law of the State Party in the territory of which that person is present.</p> <p>14. Nothing in this Convention shall be interpreted as imposing an obligation to extradite if the requested State Party has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a</p>	
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	<p>person on account of that person's sex, race, religion, nationality, ethnic origin or political opinions or that compliance with the request would cause prejudice to that person's position for any one of these reasons.</p> <p>15. States Parties may not refuse a request for extradition on the sole ground that the offence is also considered to involve fiscal matters.</p> <p>16. Before refusing extradition, the requested State Party shall, where appropriate, consult with the requesting State Party to provide it with ample opportunity to present its opinions and to provide information relevant to its allegation.</p> <p>17. States Parties shall seek to conclude bilateral and multilateral agreements or arrangements to carry out or to enhance the effectiveness of extradition.</p>	
Article 18 Mutual Legal Assistance	<p>1. States Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings 3 and shall reciprocally extend</p>	<p>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017: Article 727 Implementation of Judicial Assistance In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law. Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or</p>

	<p>to one another similar assistance where the requesting State Party has reasonable grounds to suspect that the offence referred to in article 3, paragraph 1 (a) or (b), is transnational in nature, including that victims, witnesses, proceeds, instrumentalities or evidence of such offences are located in the requested State Party and that the offence involves an organized criminal group.</p> <p>2. Mutual legal assistance shall be afforded to the fullest extent possible under relevant laws, treaties, agreements and arrangements of the requested State Party with respect to investigations, prosecutions and judicial proceedings in relation to the offences for which a legal person may be held liable in accordance with article 10 of this Convention in the requesting State Party.</p> <p>3. Mutual legal assistance to be afforded in accordance with this article may be requested for any of the following purposes: (a) Taking evidence or statements from persons; (b)</p>	<p>seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014: Article 44 Mutual Legal Assistance Mutual Legal Assistance Mutual Legal Assistances aimed at the requesting for an assistance, and co-operation on investigation, seizure and freezing of funds of the accused, defendant, offender, use of other legal measures, extradition, request for additional information and evidence relating to offenses.</p> <p>3. Darft Law on Mutual legal assistance Article 2 International Cooperation for Mutual Legal Assistance in Criminal Matters International Cooperation for Mutual Legal Assistance in criminal matters means a provision of providing an international cooperation for mutual legal assistance between Lao PDR and International Country within the scope of mutual legal cooperation as defined in the Article 7 of this Law.</p> <p>Article 7 Scope of International Cooperation for Mutual Legal Assistance International cooperation for mutual legal assistance in criminal matters shall have the following scopes:</p> <ol style="list-style-type: none"> 1. Collecting an information; 2. Providing an evidence; 3. Participation of individuals to the requesting state; 4. Participation of offenders or individuals who detained in Lao PDR; 5. Addresses and Identities; 6. Searching and Seizing an evidence; 7. Seizure and Freezing; 8. Return of evidences; 9. Recognizing and Following a court's judgment in criminal matters; 10. Provision of other assistances may be consistent with the treaty to which Lao PDR is a party and the Laws of Lao PDR.
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	<p>Effecting service of judicial documents;</p> <p>(c) Executing searches and seizures, and freezing;</p> <p>(d) Examining objects and sites;</p> <p>(e) Providing information, evidentiary items and expert evaluations;</p> <p>(f) Providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records;</p> <p>(g) Identifying or tracing proceeds of crime, property, instrumentalities or other things for evidentiary purposes;</p> <p>(h) Facilitating the voluntary appearance of persons in the requesting State Party;</p> <p>(i) Any other type of assistance that is not contrary to the domestic law of the requested State Party.</p> <p>4. Without prejudice to domestic law, the competent authorities of a State Party may, without prior request, transmit information relating to criminal matters to a competent authority in</p>	
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	<p>another State Party where they believe that such information could assist the authority in undertaking or successfully concluding inquiries and criminal proceedings or could result in a request formulated by the latter State Party pursuant to this Convention.</p> <p>5. The transmission of information pursuant to paragraph 4 of this article shall be without prejudice to inquiries and criminal proceedings in the State of the competent authorities providing the information. The competent authorities receiving the information shall comply with a request that said information remain confidential, even temporarily, or with restrictions on its use. However, this shall not prevent the receiving State Party from disclosing in its proceedings information that is exculpatory to an accused person. In such a case, the receiving State Party shall notify the transmitting State Party prior to the disclosure</p>	
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	<p>and, if so requested, consult with the transmitting State Party.If, in an exceptional case, advance notice is not possible, the receiving State Party shall inform the transmitting State Party of the disclosure without delay.</p> <p>6. The provisions of this article shall not affect the obligations under any other treaty, bilateral or multilateral, that governs or will govern, in whole or in part, mutual legal assistance.</p> <p>7. Paragraphs 9 to 29 of this article shall apply to requests made pursuant to this article if the States Parties in question are not bound by a treaty of mutual legal assistance. If those States Parties are bound by such a treaty, the corresponding provisions of that treaty shall apply unless the States Parties agree to apply paragraphs 9 to 29 of this article in lieu thereof. States Parties are strongly encouraged to apply these paragraphs if they facilitate cooperation.</p> <p>8. States Parties shall not decline to render mutual legal</p>	
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	<p>assistance pursuant to this article on the ground of bank secrecy.</p> <p>9. States Parties may decline to render mutual legal assistance pursuant to this article on the ground of absence of dual criminality. However, the requested State Party may, when it deems appropriate, provide assistance, to the extent it decides at its discretion, irrespective of whether the conduct would constitute an offence under the domestic law of the requested State Party.</p> <p>10. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of identification, testimony or otherwise providing assistance in obtaining evidence for investigations, prosecutions or judicial proceedings in relation to offences covered by this Convention may be transferred if the following conditions are met:</p> <p>(a) The person freely gives</p>	
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	<p>his or her informed consent;</p> <p>(b) The competent authorities of both States Parties agree, subject to such conditions as those States Parties may deem appropriate.</p> <p>11. For the purposes of paragraph 10 of this article:</p> <p>(a) The State Party to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State Party from which the person was transferred;</p> <p>(b) The State Party to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State Party from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States Parties;</p> <p>(c) The State Party to which the person is transferred shall not require the State Party from which the person was transferred to initiate</p>	
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	<p>extradition proceedings for the return of the person;</p> <p>(d) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spent in the custody of the State Party to which he or she was transferred.</p> <p>12. Unless the State Party from which a person is to be transferred in accordance with paragraphs 10 and 11 of this article so agrees, that person, whatever his or her nationality, shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts, omissions or convictions prior to his or her departure from the territory of the State from which he or she was transferred.</p> <p>13. Each State Party shall designate a central authority that shall have the responsibility and power to</p>	
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	<p>receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. Where a State Party has a special region or territory with a separate system of mutual legal assistance, it may designate a distinct central authority that shall have the same function for that region or territory. Central authorities shall ensure the speedy and proper execution or transmission of the requests received. Where the central authority transmits the request to a competent authority for execution, it shall encourage the speedy and proper execution of the request by the competent authority. The Secretary-General of the United Nations shall be notified of the central authority designated for this purpose at the time each State Party deposits its instrument of ratification, acceptance or approval of or accession to this Convention. Requests for mutual legal</p>	
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	<p>assistance and any communication related thereto shall be transmitted to the central authorities designated by the States Parties. This requirement shall be without prejudice to the right of a State Party to require that such requests and communications be addressed to it through diplomatic channels and, in urgent circumstances, where the States Parties agree, through the International Criminal Police Organization, if possible.</p> <p>14. Requests shall be made in writing or, where possible, by any means capable of producing a written record, in a language acceptable to the requested State Party, under conditions allowing that State Party to establish authenticity. The Secretary-General of the United Nations shall be notified of the language or languages acceptable to each State Party at the time it deposits its instrument of ratification, acceptance or approval of or accession to this Convention.</p>	
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	<p>In urgent circumstances and where agreed by the States Parties, requests may be made orally, but shall be confirmed in writing forthwith.</p> <p>15. A request for mutual legal assistance shall contain:</p> <ul style="list-style-type: none"> (a) The identity of the authority making the request; (b) The subject matter and nature of the investigation, prosecution or judicial proceeding to which the request relates and the name and functions of the authority conducting the investigation, prosecution or judicial proceeding; (c) A summary of the relevant facts, except in relation to requests for the purpose of service of judicial documents; (d) A description of the assistance sought and details of any particular procedure that the requesting State Party wishes to be followed; (e) Where possible, the identity, location and nationality of any person concerned; and (f) The purpose for which 	
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	<p>the evidence, information or action is sought.</p> <p>16. The requested State Party may request additional information when it appears necessary for the execution of the request in accordance with its domestic law or when it can facilitate such execution.</p> <p>17. A request shall be executed in accordance with the domestic law of the requested State Party and, to the extent not contrary to the domestic law of the requested State Party and where possible, in accordance with the procedures specified in the request.</p> <p>18. Wherever possible and consistent with fundamental principles of domestic law, when an individual is in the territory of a State Party and has to be heard as a witness or expert by the judicial authorities of another State Party, the first State Party may, at the request of the other, permit the hearing to take place by video conference if it is not</p>	
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	<p>possible or desirable for the individual in question to appear in person in the territory of the requesting State Party. States Parties may agree that the hearing shall be conducted by a judicial authority of the requesting State Party and attended by a judicial authority of the requested State Party.</p> <p>19. The requesting State Party shall not transmit or use information or evidence furnished by the requested State Party for investigations, prosecutions or judicial proceedings other than those stated in the request without the prior consent of the requested State Party. Nothing in this paragraph shall prevent the requesting State Party from disclosing in its proceedings information or evidence that is exculpatory to an accused person. In the latter case, the requesting State Party shall notify the requested State Party prior to the disclosure and, if so requested, consult with the requested State</p>	
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	<p>Party. If, in an exceptional case, advance notice is not possible, the requesting State Party shall inform the requested State Party of the disclosure without delay.</p> <p>20. The requesting State Party may require that the requested State Party keep confidential the fact and substance of the request, except to the extent necessary to execute the request. If the requested State Party cannot comply with the requirement of confidentiality, it shall promptly inform the requesting State Party.</p> <p>21. Mutual legal assistance may be refused:</p> <p>(a) If the request is not made in conformity with the provisions of this article;</p> <p>(b) If the requested State Party considers that execution of the request is likely to prejudice its sovereignty, security, ordre public or other essential interests;</p> <p>(c) If the authorities of the requested State Party would be prohibited by its domestic</p>	
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	<p>law from carrying out the action requested with regard to any similar offence, had it been subject to investigation, prosecution or judicial proceedings under their own jurisdiction;</p> <p>(d) If it would be contrary to the legal system of the requested State Party relating to mutual legal assistance for the request to be granted.</p> <p>22. States Parties may not refuse a request for mutual legal assistance on the sole ground that the offence is also considered to involve fiscal matters.</p> <p>23. Reasons shall be given for any refusal of mutual legal assistance.</p> <p>24. The requested State Party shall execute the request for mutual legal assistance as soon as possible and shall take as full account as possible of any deadlines suggested by the requesting State Party and for which reasons are given, preferably in the request. The requested State Party shall respond to reasonable requests by the requesting State Party on</p>	
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	<p>progress of its handling of the request. The requesting State Party shall promptly inform the requested State Party when the assistance sought is no longer required.</p> <p>25. Mutual legal assistance may be postponed by the requested State Party on the ground that it interferes with an ongoing investigation, prosecution or judicial proceeding.</p> <p>26. Before refusing a request pursuant to paragraph 21 of this article or postponing its execution pursuant to paragraph 25 of this article, the requested State Party shall consult with the requesting State Party to consider whether assistance may be granted subject to such terms and conditions as it deems necessary. If the requesting State Party accepts assistance subject to those conditions, it shall comply with the conditions.</p> <p>27. Without prejudice to the application of paragraph 12 of this article, a witness, expert or other person who, at the request of the</p>	
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	<p>requesting State Party, consents to give evidence in a proceeding or to assist in an investigation, prosecution or judicial proceeding in the territory of the requesting State Party shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in that territory in respect of acts, omissions or convictions prior to his or her departure from the territory of the requested State Party. Such safe conduct shall cease when the witness, expert or other person having had, for a period of fifteen consecutive days or for any period agreed upon by the States Parties from the date on which he or she has been officially informed that his or her presence is no longer required by the judicial authorities, an opportunity of leaving, has nevertheless remained voluntarily in the territory of the requesting State Party or, having left it, has returned of his or her own free will.</p>	
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	<p>28. The ordinary costs of executing a request shall be borne by the requested State Party, unless otherwise agreed by the States Parties concerned. If expenses of a substantial or extraordinary nature are or will be required to fulfil the request, the States Parties shall consult to determine the terms and conditions under which the request will be executed, as well as the manner in which the costs shall be borne.</p> <p>29. The requested State Party:</p> <p>(a) Shall provide to the requesting State Party copies of government records, documents or information in its possession that under its domestic law are available to the general public;</p> <p>(b) May, at its discretion, provide to the requesting State Party in whole, in part or subject to such conditions as it deems appropriate, copies of any government records, documents or information in its possession that under its domestic law are not available to the general public.</p>	
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	30. States Parties shall consider, as may be necessary, the possibility of concluding bilateral or multilateral agreements or arrangements that would serve the purposes of, give practical effect to or enhance the provisions of this article.	
Article 19 Joint investigations	States Parties shall consider concluding bilateral or multilateral agreements or arrangements whereby, in relation to matters that are the subject of investigations, prosecutions or judicial proceedings in one or more States, the competent authorities concerned may establish joint investigative bodies. In the absence of such agreements or arrangements, joint investigations may be undertaken by agreement on a case-by-case basis. The States Parties involved shall ensure that the sovereignty of the State Party in whose territory such investigation is to take place is fully respected	<p>Law on the Criminal Procedure No.37/NA, dated 14 November 2017 (Article 271-273):</p> <p>Article 271. International Cooperation in Criminal Proceedings</p> <p>International cooperation in criminal proceedings must carried out in compliance with agreements that the Lao PDR has signed with foreign countries or international conventions that it has entered into and in accordance to the laws of the Lao PDR.</p> <p>In the incident that the Lao PDR has not yet signed or not yet entered into international conventions relating to criminal proceedings, such co-operation shall be carried out on the basis of principles of mutual cooperation, but shall not be in conflict with the laws of the Lao PDR.</p> <p>Article 272. Implementation of Judicial Assistance</p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p>Article 273. Refusal on Judicial Assistance</p> <p>The competent organization conducting criminal proceedings in the Lao PDR may refuse the judicial assistance in the following cases:</p> <ol style="list-style-type: none"> 1. The request for judicial assistance is not in conformity with agreements that the Lao PDR has signed with foreign countries, or international conventions to which the Lao PDR is a party, or the laws of

		<p>the Lao PDR.</p> <p>2. The provision of the judicial assistance would affect the sovereignty, security or stability of the nation, or any important interest of the Lao PDR.</p>
Article 20 Special investigative techniques	<p>1. If permitted by the basic principles of its domestic legal system, each State Party shall, within its possibilities and under the conditions prescribed by its domestic law, take the necessary measures to allow for the appropriate use of controlled delivery and, where it deems appropriate, for the use of other special investigative techniques, such as electronic or other forms of surveillance and undercover operations, by its competent authorities in its territory for the purpose of effectively combating organized crime.</p> <p>2. For the purpose of investigating the offences covered by this Convention, States Parties are encouraged to conclude, when necessary, appropriate bilateral or multilateral agreements or arrangements for using such special investigative techniques in the context of cooperation at the</p>	

	<p>international level. Such agreements or arrangements shall be concluded and implemented in full compliance with the principle of sovereign equality of States and shall be carried out strictly in accordance with the terms of those agreements or arrangements.</p> <p>3. In the absence of an agreement or arrangement as set forth in paragraph 2 of this article, decisions to use such special investigative techniques at the international level shall be made on a case-by-case basis and may, when necessary, take into consideration financial arrangements and understandings with respect to the exercise of jurisdiction by the States Parties concerned.</p> <p>4. Decisions to use controlled delivery at the international level may, with the consent of the States Parties concerned, include methods such as intercepting and allowing the goods to continue intact or be removed or replaced in whole or in part.</p>	
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<p>Article 24 Protection of witnesses</p>	<p>1. Each State Party shall take appropriate measures within its means to provide effective protection from potential retaliation or intimidation for witnesses in criminal proceedings who give testimony concerning offences covered by this Convention and, as appropriate, for their relatives and other persons close to them.</p> <p>2. The measures envisaged in paragraph 1 of this article may include, inter alia, without prejudice to the rights of the defendant, including the right to due process:</p> <p>(a) Establishing procedures for the physical protection of such persons, such as, to the extent necessary and feasible, relocating them and permitting, where appropriate, non-disclosure or limitations on the disclosure of information concerning the identity and whereabouts of such persons;</p> <p>(b) Providing evidentiary rules to permit witness</p>	<p>Law on the Criminal Procedure No.37/NA, dated 14 November 2017(Article 7 and 63):</p> <p>Article 63. Participants in Criminal Proceedings</p> <p>Participants in criminal proceedings are as follow:</p> <ol style="list-style-type: none"> 1. The suspects; 2. Accused persons; 3. Complainants; 4. Injured party; 5. Civil plaintiff; 6. Civil liable party; 7. Witnesses; 8. Lawyers or protectors; 9. Professionals; 10. Specialists; 11. Translators. <p>Article 7. Protection Measures</p> <p>All criminal proceedings, organizations and concerned authorities will be protected by laws from possible action of revenges, coercion to life, health, freedom, dignity, and properties belonging to family, individual, and the public.</p> <p>For an act of individual or organization which bring harm to organizations or criminal proceeding authorities by suing coercion, oppression, defamation, and libel, shall be punished by laws.</p> <p>All citizens will be protected of life, health, dignity, or property in the time of conducting a case proceeding.</p> <p>All behavior of organization and concerned authority regarding the use of force, torture, oppression, and coercion, which bring about harm to society, will be punished by laws.</p>
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	<p>testimony to be given in a manner that ensures the safety of the witness, such as permitting testimony to be given through the use of communications technology such as video links or other adequate means.</p> <p>3. States Parties shall consider entering into agreements or arrangements with other States for the relocation of persons referred to in paragraph 1 of this article.</p> <p>4. The provisions of this article shall also apply to victims insofar as they are witnesses.</p>	
Article 25 Assistance to and protection of victims	<p>1. Each State Party shall take appropriate measures within its means to provide assistance and protection to victims of offences covered by this Convention, in particular in cases of threat of retaliation or intimidation.</p> <p>2. Each State Party shall establish appropriate procedures to provide access to compensation and restitution for victims of offences covered by this Convention.</p> <p>3. Each State Party shall, subject</p>	

	to its domestic law, enable views and concerns of victims to be presented and considered at appropriate stages of criminal proceedings against offenders in a manner not prejudicial to the rights of the defence.	
Article 26 Measures to enhance cooperation with law enforcement authorities	<p>1. Each State Party shall take appropriate measures to encourage persons who participate or who have participated in organized criminal groups:</p> <p>(a) To supply information useful to competent authorities for investigative and evidentiary purposes on such matters as:</p> <p>(i) The identity, nature, composition, structure, location or activities of organized criminal groups;</p> <p>(ii) Links, including international links, with other organized criminal groups;</p> <p>(iii) Offences that organized criminal groups have committed or may commit;</p> <p>(b) To provide factual, concrete help to competent authorities that may contribute to depriving organized criminal groups of</p>	<p>Law on the Criminal Procedure No.37/NA, dated 14 November 2017:</p> <p>Article 272. Implementation of Judicial Assistance</p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p>

	<p>their resources or of the proceeds of crime.</p> <ol style="list-style-type: none"> 1. Each State Party shall consider providing for the possibility, in appropriate cases, of mitigating punishment of an accused person who provides substantial cooperation in the investigation or prosecution of an offence covered by this Convention. 2. Each State Party shall consider providing for the possibility, in accordance with fundamental principles of its domestic law, of granting immunity from prosecution to a person who provides substantial cooperation in the investigation or prosecution of an offence covered by this Convention. 3. Protection of such persons shall be as provided for in article 24 of this Convention. 4. Where a person referred to in paragraph 1 of this article located in one State Party can provide substantial cooperation to the competent authorities of another State Party, the States Parties 	
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	concerned may consider entering into agreements or arrangements, in accordance with their domestic law, concerning the potential provision by the other State Party of the treatment set forth in paragraphs 2 and 3 of this article.	
Article 27 Law enforcement cooperation	<p>1. States Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, to enhance the effectiveness of law enforcement action to combat the offences covered by this Convention. Each State Party shall, in particular, adopt effective measures:</p> <p>(a) To enhance and, where necessary, to establish channels of communication between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by this Convention, including, if the States Parties concerned deem it appropriate, links with other</p>	<p>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017: Article 9. Cooperation with International</p> <p>The government shall support all cooperation with international inside and outside the region regarding the criminal proceeding, cooperation, exchanging of experience, information, technology, upgrading knowledge and experience to personnel belonging to organizations of criminal proceeding and not against to the international treaties that the Lao PDR has ratified.</p> <p>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014: Article 14: International cooperation</p> <p>The state encourages a relation and co-operation with foreign countries, regions and international community onAML/CFTthrough an exchange of lessons, information, seminars, technical knowledge upgrading and capacity building, technicalassistance in order to develop AML/CFT efforts and comply with the international agreements and treaties, which the Lao PDR is a party to.</p> <p>Article 43: Contents of international co-operation</p> <p>International co-operation onAML/CFTshall be in the following contents:</p> <ol style="list-style-type: none"> 1. gather, study, and exchange of information, technologies and lessons on money laundering and financing of terrorism; Unofficial Translation; 2. sign agreements with foreign countries or becomea party tothe international treaties and agreements onAML/CFT; 3. mutual assistance in technical capacity building including training and knowledge upgrading for concerned personnel and officers; 4. Comply withthe international agreements and treaties which the Lao PDR is a party to.

	<p>criminal activities;</p> <p>(b) To cooperate with other States Parties in conducting inquiries with respect to offences covered by this Convention concerning:</p> <p>(i) The identity, whereabouts and activities of persons suspected of involvement in such offences or the location of other persons concerned;</p> <p>(ii) The movement of proceeds of crime or property derived from the commission of such offences;</p> <p>(iii) The movement of property, equipment or other instrumentalities used or intended for use in the commission of such offences;</p> <p>(c) To provide, when appropriate, necessary items or quantities of substances for analytical or investigative purposes;</p> <p>(d) To facilitate effective coordination between their competent authorities, agencies and services and to promote the exchange of personnel and other experts, including, subject to bilateral agreements or arrangements between the States Parties</p>	
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	<p>concerned, the posting of liaison officers;</p> <p>(e) To exchange information with other States Parties on specific means and methods used by organized criminal groups, including, where applicable, routes and conveyances and the use of false identities, altered or false documents or other means of concealing their activities;</p> <p>(f) To exchange information and coordinate administrative and other measures taken as appropriate for the purpose of early identification of the offences covered by this Convention.</p> <p>2. With a view to giving effect to this Convention, States Parties shall consider entering into bilateral or multilateral agreements or arrangements on direct cooperation between their law enforcement agencies and, where such agreements or arrangements already exist, amending them. In the absence of such agreements or arrangements between the States Parties concerned, the Parties may</p>	
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	<p>consider this Convention as the basis for mutual law enforcement cooperation in respect of the offences covered by this Convention. Whenever appropriate, States Parties shall make full use of agreements or arrangements, including international or regional organizations, to enhance the cooperation between their law enforcement agencies.</p> <p>3. States Parties shall endeavour to cooperate within their means to respond to transnational organized crime committed through the use of modern technology.</p>	
Article 29 Training and technical assistance	<p>1. Each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its law enforcement personnel, including prosecutors, investigating magistrates and customs personnel, and other personnel charged with the prevention, detection and control of the offences covered by this Convention. Such programmes may include secondments and exchanges of staff.</p>	

	<p>Such programmes shall deal, in particular and to the extent permitted by domestic law, with the following:</p> <ul style="list-style-type: none"> (a) Methods used in the prevention, detection and control of the offences covered by this Convention; (b) Routes and techniques used by persons suspected of involvement in offences covered by this Convention, including in transit States, and appropriate countermeasures; (c) Monitoring of the movement of contraband; (d) Detection and monitoring of the movements of proceeds of crime, property, equipment or other instrumentalities and methods used for the transfer, concealment or disguise of such proceeds, property, equipment or other instrumentalities, as well as methods used in combating moneylaundering and other financial crimes; (e) Collection of evidence; (f) Control techniques in free trade zones and free ports; (g) Modern law enforcement equipment and techniques, including electronic
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	<p>surveillance, controlled deliveries and undercover operations;</p> <p>(h) Methods used in combating transnational organized crime committed through the use of computers, telecommunications networks or other forms of modern technology; and</p> <p>(i) Methods used in the protection of victims and witnesses.</p> <p>2. States Parties shall assist one another in planning and implementing research and training programmes designed to share expertise in the areas referred to in paragraph 1 of this article and to that end shall also, when appropriate, use regional and international conferences and seminars to promote cooperation and to stimulate discussion on problems of mutual concern, including the special problems and needs of transit States.</p> <p>3. States Parties shall promote training and technical assistance that will facilitate extradition and mutual legal assistance. Such training and</p>
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	<p>technical assistance may include language training, secondments and exchanges between personnel in central authorities or agencies with relevant responsibilities.</p> <p>4. In the case of existing bilateral and multilateral agreements or arrangements, States Parties shall strengthen, to the extent necessary, efforts to maximize operational and training activities within international and regional organizations and within other relevant bilateral and multilateral agreements or arrangements.</p>	
<p>Article 30 Other measures: implementation of the Convention through economic development and technical assistance</p>	<p>1. States Parties shall take measures conducive to the optimal implementation of this Convention to the extent possible, through international cooperation, taking into account the negative effects of organized crime on society in general, in particular on sustainable development.</p> <p>2. States Parties shall make concrete efforts to the extent possible and in coordination with each other, as well as with international and</p>	

	<p>regional organizations:</p> <p>(a) To enhance their cooperation at various levels with developing countries, with a view to strengthening the capacity of the latter to prevent and combat transnational organized crime;</p> <p>(b) To enhance financial and material assistance to support the efforts of developing countries to fight transnational organized crime effectively and to help them implement this Convention successfully;</p> <p>(c) To provide technical assistance to developing countries and countries with economies in transition to assist them in meeting their needs for the implementation of this Convention. To that end, States Parties shall endeavour to make adequate and regular voluntary contributions to an account specifically designated for that purpose in a United Nations funding mechanism. States Parties may also give special consideration, in accordance with their domestic law and the</p>	
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	<p>provisions of this Convention, to contributing to the aforementioned account a percentage of the money or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of this Convention;</p> <p>(d) To encourage and persuade other States and financial institutions as appropriate to join them in efforts in accordance with this article, in particular by providing more training programmes and modern equipment to developing countries in order to assist them in achieving the objectives of this Convention.</p> <p>3. To the extent possible, these measures shall be without prejudice to existing foreign assistance commitments or to other financial cooperation arrangements at the bilateral, regional or international level.</p> <p>4. States Parties may conclude bilateral or multilateral agreements or arrangements on material and logistical assistance, taking into consideration the financial</p>	
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	<p>arrangements necessary for the means of international cooperation provided for by this Convention to be effective and for the prevention, detection and control of transnational organized crime.</p>	
Article 31 Prevention	<p>1. States Parties shall endeavour to develop and evaluate national projects and to establish and promote best practices and policies aimed at the prevention of transnational organized crime.</p> <p>2. States Parties shall endeavour, in accordance with fundamental principles of their domestic law, to reduce existing or future opportunities for organized criminal groups to participate in lawful markets with proceeds of crime, through appropriate legislative, administrative or other measures. These measures should focus on:</p> <p>(a) The strengthening of cooperation between law enforcement agencies or prosecutors and relevant private entities, including industry;</p>	<p>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017(Article 271-273):</p> <p>Article 271. International Cooperation in Criminal Proceedings</p> <p>International cooperation in criminal proceedings must carried out in compliance with agreements that the Lao PDR has signed with foreign countries or international conventions that it has entered into and in accordance to the laws of the Lao PDR.</p> <p>In the incident that the Lao PDR has not yet signed or not yet entered into international conventions relating to criminal proceedings, such co-operation shall be carried out on the basis of principles of mutual cooperation, but shall not be in conflict with the laws of the Lao PDR.</p> <p>Article 272. Implementation of Judicial Assistance</p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p>Article 273. Refusal on Judicial Assistance</p> <p>The competent organization conducting criminal proceedings in the Lao PDR may refuse the judicial assistance in the following cases:</p> <p>3. The request for judicial assistance is not in conformity with agreements that the Lao PDR has signed with foreign countries, or international conventions to which the Lao PDR is a party, or the laws of the Lao PDR.</p> <p>4. The provision of the judicial assistance would affect the sovereignty, security or stability of the nation, or</p>

	<p>(b) The promotion of the development of standards and procedures designed to safeguard the integrity of public and relevant private entities, as well as codes of conduct for relevant professions, in particular lawyers, notaries public, tax consultants and accountants;</p> <p>(c) The prevention of the misuse by organized criminal groups of tender procedures conducted by public authorities and of subsidies and licences granted by public authorities for commercial activity;</p> <p>(d) The prevention of the misuse of legal persons by organized criminal groups; such measures could include:</p> <p>(i) The establishment of public records on legal and natural persons involved in the establishment, management and funding of legal persons;</p> <p>(ii) The introduction of the possibility of disqualifying by court order or any appropriate means for a reasonable period of time persons convicted of offences covered by this</p>	<p>any important interest of the Lao PDR.</p> <p>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</p> <p>Article 43: Contents of international co-operation</p> <p>International co-operation on AML/CFT shall be in the following contents:</p> <ol style="list-style-type: none"> 1. gather, study, and exchange of information, technologies and lessons on money laundering and financing of terrorism; 2. sign agreements with foreign countries or become a party to the international treaties and agreements on AML/CFT; 3. mutual assistance in technical capacity building including training and knowledge upgrading for concerned personnel and officers; 4. Comply with the international agreements and treaties which the Lao PDR is a party to.
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	<p>Convention from acting as directors of legal persons incorporated within their jurisdiction;</p> <p>(iii) The establishment of national records of persons disqualified from acting as directors of legal persons; and</p> <p>(iv) The exchange of information contained in the records referred to in subparagraphs</p> <p>(d) (i) and (iii) of this paragraph with the competent authorities of other States Parties.</p> <p>3. States Parties shall endeavour to promote the reintegration into society of persons convicted of offences covered by this Convention.</p> <p>4. States Parties shall endeavour to evaluate periodically existing relevant legal instruments and administrative practices with a view to detecting their vulnerability to misuse by organized criminal groups.</p> <p>5. States Parties shall endeavour to promote public awareness regarding the existence, causes and gravity of and the threat posed by transnational</p>	
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	<p>organized crime. Information may be disseminated where appropriate through the mass media and shall include measures to promote public participation in preventing and combating such crime.</p> <p>6. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that can assist other States Parties in developing measures to prevent transnational organized crime.</p> <p>7. States Parties shall, as appropriate, collaborate with each other and relevant international and regional organizations in promoting and developing the measures referred to in this article. This includes participation in international projects aimed at the prevention of transnational organized crime, for example by alleviating the circumstances that render socially marginalized groups vulnerable to the action of transnational organized crime.</p>	
Article 34 Implementation	1. Each State Party shall take the necessary measures, including	Penal code No.26/NA, dated 15 May 2017(Article 26-30, 130 and 354-366): Article 26 Participation in an Offence

<p>of the Convention</p>	<p>legislative and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention.</p> <p>2. The offences established in accordance with articles 5, 6, 8 and 23 of this Convention shall be established in the domestic law of each State Party independently of the transnational nature or the involvement of an organized criminal group as described in article 3, paragraph 1, of this Convention, except to the extent that article 5 of this Convention would require the involvement of an organized criminal group.</p> <p>3. Each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating transnational organized crime.</p>	<p>Participation in an offence refers to intentional participation in an offence by two or more persons. Participants in an offence are:</p> <ul style="list-style-type: none"> – Authors; – Implementers; – Inciters; – Accomplices. <p>Article 27 Authors The author is the one who has planned, organised and gave instructions to commit the offence.</p> <p>Article 28 Implementer The implementer is the one who has directly committed the offence.</p> <p>Article 29 Inciters Inciters are persons who persuade, mobilize, encourage others to commit offences.</p> <p>Article 30 Accomplices Accomplices are persons who have intentionally assisted in the offence, or who have previously agreed to hide the offender, to hide instruments and tools of the offence, to efface traces of the offence or to conceal any proceeds from the offence.</p> <p>Article 130 Money Laundering Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties. Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated. Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated. Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated. Any preparation or attempt to commit such an offence shall also be punished.</p> <p>Article 354 Corruption Corruption is an act of leader, administrative staff, technical staff, staff of enterprise, civil servant, soldier, police officer, including any chief of village or person who is officially authorized to have power and</p>
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		<p>foreign staff, international organisation staff.</p> <p>Acts that constitute corruption can take the following forms:</p> <ul style="list-style-type: none"> - Embezzlement of State property or collective property; - Swindling State property or collective property; - Give bribes; - Taking bribes; - Abuse position, power and duty to take state property, collective property or individual property; - Abuse State property or collective property; - Excessive use of position, power, and duty to take State property, collective property or individual property; - Cheating or falsification relating to technical construction standards, designs, calculations, and others; - Deception in bidding or concession; - Forging documents or using forged document; - Disclosure of State secrets for personal benefit; - Holding back or delaying documents. <p>Article 355 (New) Embezzlement of State Property or collective Property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in embezzlement State property or collective property offence by the abuse of confidence in order to take in whole, take in part, or substitute other assets for any State property or collective property which has been assigned to such person to keep, transport, use in construction, repair, or for any other purpose shall be punished according to the damage value as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the
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		<p>value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip;</p> <ol style="list-style-type: none"> 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip; 11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip. <p>Article 358 (new) Taking Bribes</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in taking bribes offence by receiving, claiming, requesting, or agreeing to accept material items or benefit from someone else by using one's position, power and duties to provide direct or indirect benefit to person giving bribe shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of
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		<p>the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip;</p> <ol style="list-style-type: none"> 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip; 11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip. <p>Article 359 (New) Abuse of position, power and duty to take State Property or Collective Property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in abusing his position, power, duties to take State property, collective property or personal property by using one's position, power and duties in order to benefit oneself, one's family, relative or clans, thereby [adversely] affecting the interests of the State or society or the rights and interests of citizens shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip;
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		<ol style="list-style-type: none"> 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip; 11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip. <p>Article 360 (New) Abuse State property or collective property.</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in abusing state property or collective property by using state property or collective property to benefit oneself that causes severe damage to the interests of the state or collective shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> 1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip; 2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip; 3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip; 4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip; 5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip; 6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip; 7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip; 8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip; 9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip; 10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of
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		<p>damage] is from more than 2.000.000.000 Kip.</p> <p>Article 362 (New) Cheating or Falsification Relating to Technical Construction Standards</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in cheating, falsification relating to technical contruction standards by the means of cheating, falsification relating to technical contruction standards [that occurs in the process of] survey, design, calculation, and others between project owners and contractors and other persons concerned such as construct, repair, decoration, install and others activities to get benefit on oneself,thereby [adversely] affecting the interests of the State or society or the rights and interests of citizens and causes damage exceeding 5.000.000 kip to 50.000.000 kip shall be punished bv one to four years of imprisonment and shall be fined one percent (1%) of the value of damage.</p> <p>Where such an offence is committed as regular basis or causes more than 50.000.000 kip to 700.000.000 kip shall be imprisoned more than four to ten years and shall be fined one percent (1%) of the value of damage.</p> <p>Where such an offence is committed as regular basis and organized group and causes more than 700.000.000 kip to 2.000.000.000 kip shall be imprisoned more than ten to twenty years and shall be fined one percent (1%) of the value of damage.</p> <p>Where such an offence causes more than 2.000.000.000 kip shall be punished by life imprisonment and shall be fined one percent (1%) of the value of damage.</p> <p>Article 363 (New) Deception in Bidding or Concessions</p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption indeceiving in bidding or concessions by making an agreement between state officials and the contracting company and other concerned persons to create conditions to win bid or concession for a certain state activity, for personal benefit and that causes damage to the interests of the state and society or the rights and interests of citizens more than 5.000.000 kip to 50.000.000 kip shall be punished bv one to four years of imprisonment and shall be fined one percent (1%) of the value of damage.</p> <p>Where such an offence is committed as regular basis or causes more than 50.000.000 kip to 700.000.000 kip shall be imprisoned more than four to ten years and shall be fined one percent (1%) of the value of damage.</p> <p>Where such an offence is committed as regular basis and organized group and causes more than 700.000.000 kip to 2.000.000.000 kip shall be imprisoned more than ten to twenty years and shall be fined one percent (1%) of the value of damage.</p> <p>Where such an offence causes more than 2.000.000.000 kip shall be punished by life imprisonment and shall be fined one percent (1%) of the value of damage.</p> <p>Article 364 Forging Documents or Using Forged Documents</p>
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