



Institute for Legal Support and Technical Assistance

Conference Report 2018

Strengthening Capacities on Combating Transnational Organised Crime in the Lao PDR

February 27, 28, March 1, 2018 Vientiane Lao PDR



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Presentations at the Conference were delivered in English and Lao language and translated respectively by a team of qualified translators. As with many languages, it is not possible to translate in an equal terminology from Lao into English and vice versa. In this report, the Lao content reflects the most accurate interpretation of the presentations as delivered during the conference.

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Key Notes :

Mrs Bounthai Pankeo

Head of Planning and International Cooperation, Office of the Supreme People's Prosecutor of Lao PDR

Mrs Bounthai welcomed all guests and representatives from the different institutions and organisations involved in combating transnational crime. She outlined the objectives of the conference; to enhance cooperation between international, national and sub-national agencies, especially in the sectors concerned with combating the illegal drug trade and money laundering. Mrs Bounthai concluded by thanking the government of Luxembourg and the government of Canada for their support to facilitate this important event.



Mr Bounyang Chandalasane

Deputy Prosecutor General of Lao PDR



Mr Bounyang welcomed embassy representatives, ministries, local and international organisations. He expressed his gratitude to all involved for their support in organising the conference focusing on transnational crime and drug crime. In particular, he expressed the Lao government's appreciation for the continued support from the governments of Luxembourg and Canada.

Transnational organised crime, he noted, poses significant challenges to all countries in the region, including Laos. Mr Bounyang outlined the need for cooperation and coordination at the international level to combat criminal activity, as drugs damage societies and individuals, and affect the future of the country. He stressed that the government of Lao PDR would continue combating transnational crime, endorsing and amending laws, and developing legal cooperation with international organisations.

Mr Richard Philippart

President of the Institute for Legal Support and Technical Assistance

Mr Philippart welcomed all participants. He noted that organised crime is a serious threat for many countries, and Southeast Asia is seriously exposed to that risk. Developing countries are particularly vulnerable; structures may be undermined and development achievements challenged. Organised crime is complex and adapts to environments and constraints.

Illicit narcotics and money laundering are both high priorities for the Lao government. Globalisation of crime today requires that all countries cooperate and comply with international standards. Laos has made a lot of efforts and has been taken off the FATF grey list in 2017. However, there are still remaining challenges to overcome, as organised crime and money laundering are of high concern for the private sector, which is why he was pleased to welcome representatives from 10 private banks and a casino to the conference. Mr Philippart underlined the importance of this coordination conference and thanked representatives from international organisations and experts from Europe for responding to the call.



H.E. Ms Lee-Anne Hermann

Chargé d'Affaires, Embassy of Canada in Lao PDR



Ms Hermann thanked all attendees, in particular ILSTA and the government of Laos and stressed the importance of the conference topics as a part of Canada's larger agenda to assist in combating money laundering in Southeast Asia. This is the second major event supported by Canada and Luxembourg in Laos and she believed the conference would build on the successes of the last conference and strengthen cooperation between all agencies involved.

Transnational crime and money laundering are significant challenges which require creative approaches and collaboration to combat. The Canadian government is committed to assisting ASEAN nations to combat threats to travel and trade, and there is a long history of cooperation between ASEAN and Canada.

Ms Julie Wagner

Counsellor, Embassy of Luxembourg in Lao PDR

Ms Wagner recognised the importance of the event and expressed her gratitude towards ILSTA and the organisers. She was pleased to see representatives from 17 different provinces attending and believed that bringing together institutions; the judiciary, police and other law enforcement agencies sends a very strong signal that organised crime has to be tackled in a joint manner. She recognised that the conference was an important opportunity to strengthen national coordination.

Ms Wagner noted that 2017 was an important year for Lao PDR in being removed from the FAFT grey list. A robust legal framework is essential to address organised crime since tracking the flow of money is often easier than tracking the criminals themselves. She concluded by thanking Canada and other national and international organisations for making this important conference possible.



Presentations :

Day 1, February 27th 2018

Mr John Connolly & Mr Keith Farquharson

Institute for Legal Support and Technical Assistance



Typologies of Crime and its Possible Dynamics

Mr Connolly and Mr Farquharson gave an overview of different crime types, illustrating the linkages between them, with an emphasis on emerging crime types in the region. The presentation, with theoretical and practical elements, not only supported capacity building on the main crime types but provided knowledge on how to group crimes, which is essential for data collection.

Violent crime was examined covering murder, torture, assault, rape, kidnapping, and human trafficking. A crime like human trafficking can involve an accumulation of violent offences, such as kidnapping, assault, rape, torture etc., while also involving supporting crimes such as document forgery and corruption.

A look at **property crime** featured essential information and video clips of burglary, arson, theft and vandalism. While drug crime covered the three UN Conventions, which outlaw among different activities not only the cultivation, production, transport and sale of illicit drugs, but also the financing of drug production. Mr Farquharson explained environmental crime which covered the illegal wildlife trade, illegal logging, illegal trade in ozone depleting substances, illegal waste product disposal, biopiracy, and unregulated fishing. Cybercrime is the use of computers as the object of crime or the tool used in criminal activity and includes online victimization piracy, hacking, financial crime, identity theft, illegal content, and the use of the dark web.



The presentation concluded with a review of white collar crime. Mr Connolly presented some famous white-collar criminal cases, which caused immense losses through their crimes; insider trading, obstruction of justice, securities fraud, document forgery, fraud, corruption, money laundering, blackmail, and corporate fraud. The presentation and connections made between the different elements and crime types was deemed particularly interesting.



Mr Ray Forte

Royal Canadian Mounted Police, criminal analyst

Transnational Crime in Canada and in the Region

Mr Ray Forte is based in Bangkok with the Royal Canadian Mounted Police (RCMP). The theme of his presentation was the importance of co-operation between domestic agencies and transnationally.

The Federal Police in Canada classify their operations in four main areas: Serious Organised Crime, Financial Crime, Cybercrime, and National Security. He provided examples of the last three and then highlighted Serious and Organised Crime.



With Serious and Organised Crime, he described the situation in Canada and its international dynamics, giving examples of notorious international motorcycle gangs and illicit narcotics. With Asian organised crime he encouraged the audience to think more about linkages of crime types and widening as such the focus. He stated the example of international motorcycle gangs using specific global networks which interact with each other and travel. Members of these gangs in Canada, are involved in the supply of drugs in Canada. Networks also exist over Thailand, stretching to Isaan, where they purchase narcotics and supply them to the Canadian market. Judicial process and investigations are often challenged

due to the possible violent nature these gang members may exercise towards witnesses. Money laundering and connections with legitimate businesses are subject to be used for further operations.

Mr Forte presented Canada's strategy in countering narcotics, identifying the source countries and suppliers and developing a strategy to contact source countries. Canada's international law enforcement disrupts, dismantles and prosecutes international targets and stresses the importance of an 'all agencies in one room' approach so that coordination and cooperation is maximised.





The Economy of Organised Crime

Mr Yamalov stated that organised crime is a business and should be understood as such. Increasing the cost of doing organised crime and shifting the interest to other markets are powerful strategies governments could apply. They should identify and prioritise the most disruptive criminal practices with the highest social costs and tackle them first. When legalisation strategies are applied it is important to guarantee that the process is fair and does not lead to oligopolisation by a few insiders.

Mr Yamalov gave an example from the late 1990s in Bulgaria when the government chose to fight racketeering by legalisation of private security business. He outlined the stages of the process to shut down the practice pointing out that car-thefts were reduced and security protection was transformed into insurance.

With a case study of petty corruption and bribery in traffic police in mid 2000s he showed how a domino effect of petty corruption went through the ranks of the police

to the stage where police bosses were involved in drug and human trafficking. Mr Yamalov stressed that wide-spread petty corruption to bribe traffic police generates huge financial flows within the hierarchy and thus the need to organise and control it. Policemen start to bribe their bosses for lucrative positions and become easily involved in other crimes. Bosses easily provide protection for other deviant behaviour as well. The idea that increased salaries for public servants would help to tackle the issue of petty corruption has been shown by evidence from Latin America and the private sector to be ineffective, if not combined with structural changes and higher-level policy reforms. He suggested that technology along with management and control strategies were effective tools in combating petty corruption, along with education and activism of the public.



Mr Yamalov concluded with two case studies of hidden economy affecting policy; one regarding duty-free gas stations at borders in Bulgaria, and the other of a 'carousel' VAT fraud case. In both examples a decisive role is being played by international cooperation. In his closing remarks, Mr Yamalov stressed the need to tackle petty crime as a major priority in order to avoid the domino effect to more serious offences.



Mr Phoutsavath Sounthala

Lao National Commission for Drug Control and Supervision, Ministry of Public Security

Illicit Narcotics

The presentation began with an overview of the global drug problem and the increasing transport of illicit narcotics from the Golden Triangle, through transit countries such as Laos, and the direct and indirect impacts and challenges. The current market price for methamphetamine continues to decrease due to increased production in the Golden Triangle. While development projects to replace opium growing with alternative crops have shown some success, there is a lack of finance for this.

Mr Phouthsavath referred to the heroin and cannabis plantations in Bolikhamxay and in the north of Laos. The current focus for law enforcement is northern and central Laos, but the challenge is a lack of equipment. The authorities are looking for international assistance and cooperation in this area.

Laos is party to the three main narcotics conventions, Narcotic Drugs in 1981, Psychotropic Substances in 1997 and the Traffic in Illicit Drugs 1988. The government is committed to the 2016-2025 ASEAN Action Plan to address the problem of the Golden Triangle and the 2016-2018 Safe Mekong Joint Operation.

Mr Phouthsavath outlined the nine pillars of the 2016-2020 National Drug Master Plan along with recent statistics on offenders and drugs. The presentation ended with the example of how transnational cooperation and coordination led to the capture of the notorious drug lord Naw Kham.



Dr Heleen De Geest & Mr John Connolly

University of Luxembourg & Institute for Legal Support and Technical Assistance



Human Trafficking and Smuggling of Migrants

Dr De Geest began with an example of a raid in Bangkok, during which 113 victims of human trafficking were identified and rescued, including 11 Lao women. Worldwide, it is estimated that the total number of trafficking victims could be higher than two million per year. She explained the three components of trafficking: the act, means and exploitation, and the special application in cases involving victims under 18 years old. Laos is party to all of the major international legal instruments in this area, namely the UN Convention on Transnational Organized Crime (TOC), and the three underlying Palermo protocols.

Mr Connolly presented smuggling of migrants (SOM) illustrating the differences between the two types of crime: SOM is always cross-border, and unlike trafficking in persons, there is no exploitation of the

migrant; rather the motivation of the smuggler is to receive a one-time payment or fee. However, by crossing a border illegally the migrant becomes vulnerable to being a victim of trafficking, as they lack the correct paperwork in the destination country. Other crimes associated with smuggling of migrants and human trafficking were identified, such as document forgery, corruption and money laundering.



Mr Thepphathai Phanka

Deputy Director Anti-Corruption Department, State Inspection Authority



Corruption

Mr Thepphathai gave an overview of the roles and responsibilities of the State Inspection Authority (SIA). There are eleven departments in the central office along with provincial and district level inspection units. He defined corruption as the misuse of public office for private gain and outlined some of the measures that SIA is taking to prevent and combat corruption, including public awareness campaigns through dissemination workshops and educational programmes.

SIA and the Ministry of Education and Sport have developed a joint curriculum starting from early childhood education to create awareness. SIA, with the National University of Laos, is developing a higher-level university curriculum which it plans to implement in schools and colleges nationwide.

Mr Thepphathai highlighted the introduction of periodic asset declaration by state officials and outlined the steps taken in an inspection investigation. At the international level, Laos ratified the UN Convention Against Corruption in 2009 and in 2014 adopted a law on anti-corruption. Laos has entered into bilateral agreements with Vietnam, China, Cambodia and Thailand. However, the recent Transparency International Corruption Perception Index saw a decline in Laos' ranking (123 in 2016 to 135 in 2017). He identified a lack of funds and limited human resources as major challenges in SIA's efforts to combat corruption.



Mr Giovanni Broussard

United Nations Office on Drugs and Crime

Wildlife Crime



Mr Broussard stressed that wildlife trade must occur within the confines of agreed international conventions, namely CITES (1975), of which Laos has been a member since 2004. Laos is generally classified as a transit country for illicit wildlife trade, but there is strong evidence suggesting that Laos is the final destination for many shipments and couriers. The illegal trade occurring alongside the legal trade includes trafficking in tigers, rhino horn, elephant ivory, pangolin and other animals.



He highlighted examples of Laos in the international media over recent years with regard to wildlife trafficking and explained the steps the Lao government is taking to improve law enforcement, conviction rates, and punishments.

His recommendations were to clarify which institutions have investigative authority in illegal wildlife cases; to strengthen cooperation between neighbouring countries; and for the Lao government to decide what to do with the tiger farms in Laos.

Mr Linthong Douangphachanh, Deputy Director of the Department of Forest Inspection, challenged the statement that Laos has become a destination country for illegal wildlife products.



Asian Tiger, listed as an endangered species



Pangolin: the most trafficked mammal on the planet



Presentations :

Day 2, Wednesday 28th February 2018

Mr Max Muller

KAUFHOLD & REVEILLAUD, Avocats



Perpetrator and Accomplice in Cumulation of Offences

Mr Muller explained why it is necessary to deal with perpetrators and accomplices in crime and how this is achieved by focusing on their interaction. There has to be a commission of one or more crimes and the link made between the individuals involved before or after the crime.

He looked at conceptual sources from Roman law, examining the idea whether there might be equal punishment or separation between perpetrators and accomplices. Next was a consideration of the reasons for the distinction. As the perpetrator's wrongdoing is not arguable, there is no need for clarifying their punishment.

However, there is a need to define the role of the accomplice; they

need to be active and, there must be interaction or links that are clearly related to the crime (e.g. during the preparation, the execution or the escape). He then considered the distinction between an accomplice and an accessory.

Next followed an explanation of the effects. As legal systems distinguish the perpetrator and accomplice when it comes to punishment, there needs to be a determination of the degree of participation in the crime. Would the crime have been carried out without the involvement of the accomplice or accessory? This is why different jurisdictions draw distinctions in punishments. Mr Muller illustrated a scenario of perpetrators and accomplices working together in a criminal association, a typical subsidiary of organised crime. The individual participation and liability of each of the individuals involved with drug dealing, money laundering, human trafficking was analyzed reaching from witnesses, bystanders, lookouts and other partakers of guilt as cumulation of offences. Several approaches were considered to deal with the issue and differences between consecutive or cumulative and concurrent prison sentences were pointed out. Mr Muller concluded with an open note regarding whistleblowers, since they are often essential to prosecutions whilst involved with crimes – should their initiative be encouraged or rewarded and they hence be protected or not?

Mr Souphasith Lorvanxay

Deputy Director of the Criminal Case Inspection Department,
Office of the Supreme People's Prosecutor

Monitoring and Prosecution of Drug and Money Laundering Offences

Mr Souphasith presented the characteristics of economic and drug-related crimes by examining who has the opportunity to commit offences. He illustrated some examples of typical offences, such as illegal logging, human trafficking and corruption. He then explained the steps of money laundering; the sources of illegal funds and some techniques criminals use to launder money.

Mr Souphasith explained the purpose and principles of monitoring and inspection by the Inspection Authority on Criminal Proceedings.

He described the conditions necessary for making an arrest and some of the causes leading to a case being dismissed.



Special Session on Combating Money Laundering

Mr Ray Forte

Royal Canadian Mounted Police



This special session addressed principally analysts and prosecutors who investigate financial crime. Almost every crime has a money component to it. The money has to be laundered to conceal its illicit origins. An investigation starts with an analysis of the information available, including data collection from credit cards, transaction history from credit cards, travel history from passports, and contacts from seized phones.

Mr Forte gave examples of types of financial crime, definitions of money laundering and the effects of money laundering and explained the three stages of money laundering: placement, layering and integration. This was followed by an examination of money laundering indicators, e.g. the cost of yaba (methamphetamine), double zero indicators, briefcases full of cash, repeat actions, such as crossing to Thailand on the same day every month.

The main focus of the session was three cases studies, which participants analysed in groups identifying red flags for money laundering. The 40 participants from private banks, AMLIO and the prosecutors' office expressed their appreciation for the practical relevance of the session and requested further follow-up sessions along the same lines.



Mr Sengpraarthid Snookphone

Deputy Director of the Department of Treaties and Law, Ministry of Foreign Affairs of the Lao PDR



International Anti-Narcotics Treaties

Mr Sengpraarthid gave an overview of transnational organised crime and the national and international legal provisions which cover it, with particular reference to the Palermo Protocols, which Laos ratified in 2000. He detailed the three major international instruments on narcotics to which Laos is a party and explained Laos' domestic policies and regulations regarding narcotics, noting that the new Lao Penal Code contains extensive provisions on narcotics.

Mr Sengpraarthid outlined the roles and responsibilities of the Department of Treaties and Law in reporting on the implementation of international conventions and noted that a challenge in meeting these reporting obligations is obtaining accurate data from relevant ministries and institutions. He described how Laos has developed and amended its domestic laws to comply with international standards.

Mr Gerson Bergeth

United Nations Office on Drugs and Crime

Border Management

Mr Bergeth outlined the work of UNODC in helping governments in the Mekong region to improve their capacity to manage their borders. Border Liaison Offices (BLOs) are used to streamline cross-border cooperation and standardize operating procedures. He presented some successes which improve data collection and analysis; provide technical training to enhance the skills of frontline officers; enable real time information sharing leading to drug seizures and the capture of traffickers.

Mr Bergeth detailed the work done in each country of the Mekong region, and the planned expansions of the BLO programme into China, Bangladesh and India. UNODC provides training to increase capacity in combating transnational crime; drugs, wildlife crime, human trafficking, and dumping of pesticides, amongst others. UNODC also provides infrastructure and facilities support, operational equipment and assets, digitized systems to organize data collection, and encourages effective cross-border communication. Key factors that ensure successful and sustainable BLOs are political will from the highest government levels and national support in terms of budget, equipment and investment in staff capacity.



<http://www.unodc.org/southeastasiaandpacific/en/what-we-do/toc/border-management.html>

Mr Inthapanya Keovongphachanh

Director of the Department of Legislation, Ministry of Justice

The Lao Penal Code

Mr Inthapanya presented some of the provisions in the new Penal Code compared with the previous Criminal Law and explained that the new code has not yet been promulgated. The new Penal Code contains 425 articles and has been in the drafting process since 2012. The main additions and amendments highlighted were criminal liability of legal persons and private companies and the criminalisation of the financing of terrorism. He outlined the different types of sanctions and punishments, ranging from re-education to the death penalty for the most serious offences, noting that the number of offences warranting the death penalty had been reduced from 16 to 12.

Some of the other new articles include an improved definition of money laundering in compliance with international standards; the anti-corruption articles; a separate chapter on narcotics; sanctions for military officers; and the effectiveness of the penal code, which is expected to be promulgated soon.



Mr Keith Farquharson

Institute for Legal Support and Technical Assistance



Money Laundering and Financing of Terrorism

Mr Farquharson began by considering the problem of spending money from criminal activities, as businesses cannot accept funds from criminal origins. He presented the legal definition of money laundering and gave examples of how money laundering works in cash and non-cash societies. In the cash society a drug dealer buys gold, expensive watches, cars, houses or land, goes to a casino, or buys an interest in a business. The drug dealer keeps these assets for a while, then later sells the assets so the money received is 'clean' and he has hidden the illegal source of the funds.

In the non-cash society there are three steps to money laundering, placement, layering and integration. An estimated \$1.6 trillion US was laundered in 2009 and the figure could be as high as \$2.85 trillion.

Money laundering is not a victimless crime as there are economic and social consequences. When criminals put their money in legitimate businesses, these businesses gain an unfair advantage as they can offer lower prices. Money

laundering creates economic distortion and instability; there is a loss of government revenue, because tax is not paid. As a result, honest citizens pay higher taxes. In addition, there is a serious risk to a country's reputation; it can be difficult to get international loans and criminal groups are attracted to the country. Money laundering also has a social impact, successful criminal businesses expand, bringing more crime so the cost of government rises as more money is needed for policing or healthcare for drug addicts. Power moves from the markets to the criminals, and criminals become richer and more powerful.

How do you stop money laundering? Laos is a member of the Financial Action Task Force (FATF) and the Asia Pacific Group on Money Laundering and has to implement their recommendations. Article 129 of the new Lao Penal code criminalises money laundering, while Article 130 criminalises the financing of terrorism. Banks and other businesses have a duty to make suspicious transaction reports (STRs) to AMLIO. There is a 'know your customer' (KYC) approach with identity checks and checks that the documents are real. Mr Farquharson concluded his presentation with an explanation of the modus operandi of financing of terrorism, highlighting the differences between FT and ML.



Mr Chintamay Vilayhong

Deputy Director, Anti Money Laundering Intelligence Office (AMLIO)



Countering Money Laundering

Mr Vilayhong described the role of AMLIO, which is to collect data, analyse and submit reports to investigation agencies. AMLIO acts as the secretariat to the National Coordination Committee (NCC) for AML/CFT. He explained the organisational chart and structure within AMLIO and the roles and responsibilities of its four departments.

Mr Vilayhong presented the implementation mechanisms of AMLIO; the AML Working Group and AML/CFT Focal Point. Some of the challenges faced by AMLIO include ensuring compliance and reporting of predicate offences; implementation of the 40 FATF recommendations before the next mutual evaluation in 2020; and the lack of awareness of money laundering in Laos.

The next steps for AMLIO are to complete the National Risk Assessment (NRA) in preparation for the mutual evaluation in 2020; address shortcomings; elaborate a strategic plan and build better understanding of money laundering in relevant government agencies, private institutions and among the general public. He highlighted the progress achieved so far in Laos being removed from FATF's grey list in 2017 and emphasized that there is still much to do.

Mr Anisack Vangvichith

Director of Planning and International Relations, People's Supreme Court

Cybercrime in ASEAN

The presentation considered the challenges of cybercrime; how criminals are able to generate income through cybercrime and how it is a big challenge for national security. The problems with social media were considered, identifying users, phishing for information and identity theft. Examples included Facebook, where there is a lot of user information on display, WhatsApp, We Chat (especially in China), and Line.

Mr Anisack considered the benefits and harm of social media showing the example of how a social media chat could lead to the transfer of money which in turn could lead to human trafficking. The characteristics of cybercrime were presented as access without permission; fraud or identity theft which was identified as a growing problem in Thailand; sabotage - spreading viruses to destroy systems; hacking and phishing; the sharing of inappropriate material, piracy violations and terrorism.



The ASEAN Political-Security pillar considers cybercrime a major threat. Cooperation is required with countries outside the ASEAN block especially with regards to terrorism and violations of national security.

Mr Thongmay Mounbandith

Judge, Criminal Chamber of the People's Supreme Court

Organised Crime, Money Laundering and Narcotics: The View of the Judiciary



Mr Thongmay explained the structure of the court system in Laos and the important role played by the People's Courts in addressing transnational organised crime. He addressed anti-money laundering, stating that there is a need for development of the law and a need for investigating authorities to improve evidence collection techniques with the use of new technology.

Mr Thongmay outlined some of the difficulties investigating authorities face in prosecuting narcotics cases, as there is a serious difficulty in quantifying the elements in compounded illicit drugs due to the lack of scientific infrastructure in the country. Overall, he stressed the importance of connecting with international partners, especially the importance of law enforcement agency cooperation to improve human resources to deal with these problems.

Professor Stefan Braum

University of Luxembourg

Procedural Safeguards of the Defence

Due to an overrun of the agenda, Professor Braum did not have an opportunity to make his presentation, which was postponed to a future date. He stressed that procedural safeguards of the defence are crucial to the basic right to a fair trial and underpin due process and the very concept of justice. Professor Braum promised that given sufficient time, he would be available on a future occasion to present this important subject.



Presentations :

Day 3, Thursday 1st March 2018

Mr Inshik Sim

Research Officer, United Nations Office on Drugs and Crime



Mr Inshik Sim pointed to the shift in the market in the region from opium production to synthetic drugs and the new challenges faced from psychotropic drugs. He emphasised the decrease in opium production from the Golden Triangle area during the last decade and the reasons for this decrease, and also the change in the primary drug use in the countries in the region from heroin to synthetic drugs particularly methamphetamine.

Mr Sim informed the conference how transnational crime groups have increased production of methamphetamine, this evidence is based on statistics from laboratories that have been dismantled by law enforcement agencies. The production of methamphetamine has intensified throughout the region, with the increase being greatest in the Golden Triangle area due in large part to the success of Chinese law enforcement agencies in shutting down laboratories in China. New laboratories have opened up in Myanmar where there is less government control in certain areas, such as the Shan state.

Seizures of methamphetamine have increased in Southeast Asia and there is no sign of the expansion of the market for methamphetamine slowing. East Asia and Southeast Asia are the world's largest markets for methamphetamine. Trafficking usually takes place through land borders and recent seizures have shown and expansion from the Mekong region to the rest of Southeast Asia.

Synthetic drugs that have similar psychoactive properties to traditional drugs but which are 50 times cheaper to produce and 50 times stronger have been identified in the region and are showing an increasing trend. These synthetic opioids have recently been the cause of many deaths in North America.



Mr Sim highlighted the low detection rate of precursors for synthetic drugs, especially considering that China and India, in close geographical proximity, have vast pharmaceutical industries.

The potential impact of this new drug type in Southeast Asia could be devastating, calling for awareness and efficient strategies.

Mr Vilasith Singkavongsay

Deputy Director of the Central Prosecutor's Office

Dissemination of the Law on Prosecutors



Mr Vilasith explained that the new law on the Office of the Supreme People's Prosecutor was amended in relation to the constitution in 2015 and promulgated in 2018. He presented some of the amendments to the law covering the roles and responsibilities of prosecutors. These included the system of working and authority in monitoring and inspection. He informed the conference of planned developments to establish district and local prosecutor offices, their level of jurisdiction and the functions of prosecutors.

Mr Khampane Sayavong

Head of Anti-Human Trafficking Division, Ministry of Public Security

Countering Human Trafficking

Mr Khamphane talked about the link between human trafficking and other transnational crimes such as illicit drugs and money laundering. Illicit drugs are used to control victims of human trafficking; the victims cannot run away and sometimes die. The profits from human trafficking are laundered.

Human trafficking is modern-day slavery which must be detected and prevented by rigorous enforcement of international conventions. The ASEAN convention on human trafficking will come into force immediately when ratified.

The perpetrators of human trafficking understand the law and rehearse how to speak to officials. They use control mechanisms on their victims e.g. taking away their mobiles for communication, filming female victims and blackmailing them, using fake weddings. Human traffickers often target women and children. There is a terrible effect on the victim's mental and physical health and often a problem with re-integrating the victims into society. Some rescued victims are so traumatised they even request that the police officers kill them.

Mr Khamphane presented the structure of the Human Trafficking Committee, the action plan, the articles in the penal code and the law on women and children. He outlined the act, means, purpose definition and the different components that make up trafficking for adults and children.

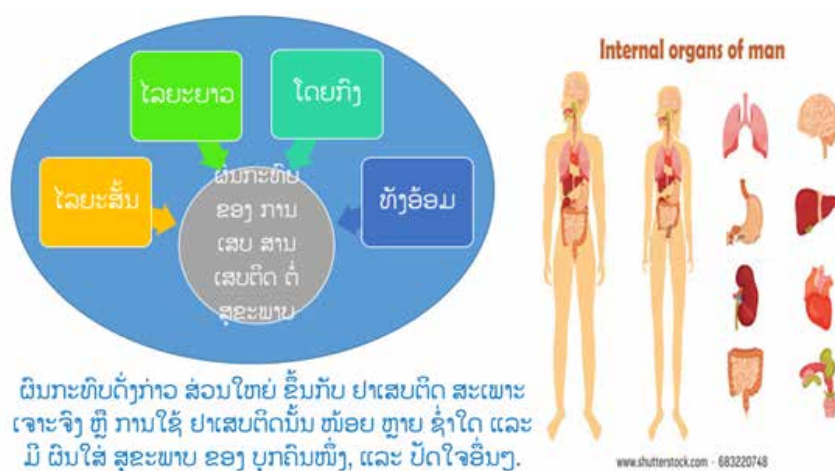
The Lao anti-trafficking strategy is to disseminate information to stop the root cause of human trafficking by having posters published in all provinces, warning people of the dangers of going abroad in search of work. At the village level anyone coming into the village should have their documents checked as should anyone going abroad. There are also workshops organised to educate and inform the public. Laos has memorandum of understanding with Thailand, China and Vietnam and will have one with Cambodia in the near future.



Narcotics as a Serious Public Health Issue



Dr Chantharavady defined the various types of addictive substances, the reasons why people use these drugs and the impact of drug addiction on individuals with regard to family, society, the law and public health. She raised some of the challenges involved in the prevention of drug use and the rehabilitation of addicts. The Lao government's strategy to combat drug abuse comprises campaigns and education, treatment programmes and post-treatment support, and reintegration of former drug users into the family and society. Dr Chantharavady stressed that each case is individual and requires treatment dependent upon the circumstances, and that prolonged addiction can have a significant impact on physical and mental health.



LAOS PROVINCE MAP

Laos Province Map



Best Lessons Learned to Address and Combat Drug Crime

Mr Somphone Inthavong

President of the People's Court of Bokeo, Bokeo Province

Drug crime is a serious issue for Bokeo Province as the province borders Thailand and Myanmar in the Golden Triangle. There are many concerns and challenges with drug crime. This is reflected in the figures from 2017. There were 124 cases involving 158 people, 17 of these were females and 9 foreign nationals. Many of these people are also drug users.

These drug crimes are linked to supply and demand, so to tackle these drug crimes we have to look at how to deal with the producer and supplier. This is not the responsibility of one agency, but all the involved agencies both domestically and internationally have to cooperate to confront and deal with these challenges. Mr Somphone called for an increase in budget to improve the drug rehabilitation services in the province.



Lieutenant Colonel Khamkoun Boualiengkham

Head of Police Office, Luang Namtha Province



Luang Namtha is a mountainous region of over 9,300 square kilometres. It shares a 100 kilometre border with China and a 130 kilometre border with Myanmar. The border areas are not heavily populated and it is very easy to get across the border, so Luang Namtha is frequently used by drug traffickers as a transit place from the Golden Triangle to other provinces and countries.

The police face difficulties because of this geography and limited financial means. Help from central officials and more effective case management have improved matters somewhat. The Luang Namtha police have their own drug squad and hotline. The province had 103

cases involving more than 100 suspects in 2017, 2.4 million yaba tablets and 22 kilogrammes of heroin were seized as was equipment, vehicles and telephones. The police also had success in dismantling human trafficking networks.

He pointed out that no village in the province is drug free. The problems they face in catching the big drug dealers is that small-time dealers refuse to talk. Lieutenant Colonel Khamkoun suggested providing incentives for information, building a drug rehabilitation centre and providing the police with more equipment and tools.



Mr Somsua Sanu

Deputy Prosecutor General of Luang Prabang Province



Illicit drugs are the main threat to socio-economic development. Mr Somsua drew a link between the number of drug users in a village and the level of poverty in that village. Most drug users are under the age of 45.

Luang Prabang Province is a transit point from the north to other provinces in Laos. There is consultation between the police, prosecutors and the judiciary in the fight against drug trafficking.



Luang Prabang currently has two drug rehabilitation centres, but there is a need for a more effective rehabilitation programme to ensure that former addicts do not relapse. If there are no drug users then the number of traffickers will be reduced and it will be easier to dismantle networks.

He provided some statistics showing that in 2017 there were 80 cases involving 180 traffickers, 20 of whom were women. 66 cases have been sent for prosecution while more evidence is being gathered on the other cases. It is extremely difficult to prosecute the major dealers as the small dealers are unwilling to give evidence or even provide false information to the police. Drug use has also led to an increase in other crimes in the province such as road traffic accidents.

Best Lessons Learned to Address and Combat Human Trafficking and Corruption

Mr Bounma Douangmalasinh

Deputy Prosecutor General of Vientiane Capital, Vientiane Capital



Mr Bounma detailed the articles used to combat human trafficking and corruption, and briefly described the organisation of the provincial and district level offices



and their responsibilities. He closed his presentation by providing information on the number of cases of human trafficking prosecutions in 2017; 6 cases with 18 perpetrators involved, of which 5 were female.

Mr Phoukham Nainin

President of the People's Court of Savannakhet, Savannakhet Province



Mr Phoukham presented statistics on court cases processed in the period 2015-17: 116 cases, of which 80% were drug-related, 4 cases of corruption and one case of human trafficking.

He highlighted some of the positive lessons and activities which had occurred in his jurisdiction, such as cooperation with the provincial committee in Mukdahan (Thailand), assistance provided to Lao victims, education programmes in high risk areas, training for prosecutors and law enforcement agencies, and guidance received from four law enforcement agencies.



Lieutenant Colonel Bounpheng Santhalavone

Deputy Director of Police Office Supervising Investigation Work, Oudomxay Province



Lieutenant Colonel Bounpheng informed delegates of the increasing prevalence of human trafficking in his province due to a lack of employment opportunities combined with poverty and poor education levels. Most victims are destined for China. In 2017, there were three cases of human trafficking, involving six victims trafficked to China.

He detailed the efforts in his province to combat human trafficking; collecting data, educating citizens, identifying high-risk areas, and prosecuting trafficking cases.

Lieutenant Colonel Bounpheng highlighted corruption amongst high-level officials as being a problem which has affected the development of the province. Further cooperation with the environmental and economic police was required to stamp out the problem.



Lieutenant Colonel Phetsone Insouphanh

Deputy Chief of Police, Huaphan Province



Lieutenant Colonel Phetsone explained that transnational crimes involving drugs and kidnapping were challenges in his province due to the geographical location and international border. He pointed out that human trafficking involving false marriage and recruitment was an issue, but that officials were conducting awareness raising campaigns in high-risk areas to educate the public about human trafficking.



He stated that corruption amongst education officials and financial staff at provincial levels had been an issue, but that 2 billion Lao Kip (\$250,000) had been recovered.



Dr Phoxay Sayasone

Vice Governor of Savannakhet Province

There are Drug Crime Committees at provincial and district level to develop a programme of victim assistance and prevention through collaboration. 2017 saw 500 drug cases. This number has been increasing year by year.

Regarding human trafficking, Savannakhet has borders with both Vietnam and Thailand. There has been close collaboration between the different agencies involved domestically and with the neighbouring provinces in both Vietnam and Thailand. They have also provided apartments for mother and child victims of trafficking.

In relation to corruption, 6 billion Lao Kip (\$750,000) was recovered from 35 public officials and citizens. There were no cases of terrorism in 2017. He stated how pleased he was to participate in the discussion on how to plan and prepare for the prevention of transnational crime, but also stated that poverty eradication is a crucial element in combating these crimes.

Some of the challenges the province faced recently have included foreigners involved in ATM scams, difficulty in getting translators for accused foreigners, capacity building, dealing with perpetrators from neighbouring countries, casinos, fake marriages, wildlife crime and the challenges with drug users and their rehabilitation back into the community. He stated that 30,000 people have been impacted by drug crimes in the province. Many of these challenges are a result of criminals taking advantage of poor people and forcing them into crime.

The main areas for development are relations with neighbouring countries, as Savannakhet is a transport corridor, technical understanding and expertise, and inter-agency cooperation.



Professor Dr Thongkhen Bounman

Chief of Police of Vientiane Province



Professor Dr Thongkhen advised that in 2017 Vientiane Province focused its efforts on education, especially of the most vulnerable groups and in declaring villages to be drug free. He noted the knock-on effect of other parties joining in the celebration of the villages' drug-free status.

The professor stated that the head of the family is responsible for educating his family. The head of the village is responsible for disseminating information to the village. He also emphasised the importance of the role of village security personnel and women's representatives in the dissemination of information. This programme has been in place for the past two years.

The police and prosecutors should work together and co-ordinate their efforts. Examples of challenges faced by law enforcement agencies included delays due to forensic analysis of seized drugs and criminals using accessories lacking in criminal capacity, such as children, in order to avoid prosecution.

Professor Dr Thongkhen called for a rehabilitation centre for the victims of human trafficking as families cannot afford rehabilitation so they currently have to send the victims to detention centres as there is no other safe place where they can be presently accommodated. He stressed the need to involve all parties in combating crime.



Mr Bouathong Khounyordpanya

Vice Governor of Saravan Province



Mr Bouathong commented about the importance of using information from informants within the province for small domestic cases. He claimed that Laos is not the origin of drug crime, which has been expanding from other countries.



Mr Bouathong recalled that in his experience working on the monitoring of drug cases, there had not been any case in which a major drug dealer had been caught. Saravan province is a transit and destination point for drug trafficking as the province shares borders with Thailand and Vietnam. The authorities in the province believe that in order to address these problems there has to be a focus on the countries of origin. He concluded that “if the child is not behaving you have to look at the parents.”

Dr Phoxay Xayasone

Vice Governor of Savannakhet Province



Drug crime is the most serious issue in the province. For two years the Drug Crime Committee has been working on collecting and studying all the types of drugs and where they come from in order to be able to identify and destroy them. According to Dr Phoxay, there are new types of drugs appearing in the province now, such as heroin and ya E (Ecstasy), but there are not many for sale yet. The most common place for selling drugs is at entertainment venues. However, there have been only a few drug arrests in the province.

Mr Chintamay Vilayhong

Deputy Director, Anti Money Laundering Intelligence Office (AMLIO)

Money laundering and financing of terrorism are significant issues along with their predicate offences. In terms of the law, there are over 29 criminal offences which constitute predicate offences. If drug crime and predicate offences have a tendency to increase, then anti-money laundering efforts will also tend to increase. However, this depends on the cooperation of the relevant authorities and their participation in following the anti-money laundering case procedures.



Closing Remarks :

Mr Richard Philippart

Co-chair and President of Institute for Legal Support and Technical Assistance



Mr Philippart congratulated OSPP for coordinating so many organisations to discuss the topic of organised crime. We have seen over the past three days that transnational organised crime is complex and comprises a high variety of criminal offences from human trafficking, smuggling of migrants, endangering as such youth and families; wildlife trafficking and illegal logging, endangering the existence of a national heritage; illicit narcotics and precursors, endangering again the younger generation and families; and of course money laundering and corruption, putting at risk financial institutions and the economy.

Organised crime groups seek safe havens in order to develop their activities. It is very significant therefore that Lao PDR will soon promulgate its first penal code. The country also has a new law for the prosecutors. Laos has a comprehensive strategy to combat narcotics. Laos is a party to all the major international treaties, TOC, CITES,

UNCAC etc. the list is long. In all these important documents, there is one term that does not get enough attention: prevention. Prevention is very important in combating all of these crimes. The criminal justice response is of course an important element to combat crime, but prevention is a major part of it, and ILSTA would like to deal with that in a separate workshop, particularly in view of what we have heard in this conference regarding new trends in narcotics in the region.

Mr Philippart reinforced ILSTA's commitment to support Laos in addressing organised crime, and thanked all participants, speakers, and organisers, in particular the chair, OSPP, the University of Luxembourg, UNODC, ILSTA, the Ministry of Finance of Luxembourg, and the government of Canada.

Mr Bounyang Chandalasane

Chairman and Deputy Prosecutor General of Lao PDR



Mr Bounyang congratulated and thanked all supporters, presenters and attendees. He stated that the conference had provided an opportunity to create awareness and exchange possible remedies on tackling crime throughout the country. He went on to say that he hoped each participant would take the content of the conference and implement and apply what they had learned in each of their home jurisdictions.

Finally, he once again thanked all who had contributed and attended and announced the recommendations from the 2018 conference as outlined below.

Recommendations :

- Endorse the recommendation of the 2016 conference, that this conference continues as an annual meeting for capacity building and to discuss lessons learned;
- Establish a Steering Committee for organising this conference annually to support coordinating responses;
- Develop capacity for all the provincial officials for the combating of organised transnational crime;
- Strengthen the data collection and assessment analysis on organised crime;
- Disseminate the knowledge on money laundering and narcotics and the risks involved to the delegates respected provinces;
- The participants and senior officials take the materials and acquired knowledge back to their local areas and apply them;
- Closer coordinating and monitoring of all the relevant agencies, both domestic and international in combatting trans-national crime;
- Disseminate and create more awareness of the lessons learned from this conference across the nation.



Winners of the Legal Knowledge Quiz

Mr Thongbay Lorvanxay, Chief of the Police of Bolikhamxay Province

Mr Lailathong Khantiyalath, President of the Provincial Court, Bolikhamxay Province



All attendees at the conference took part in a multiple-choice legal knowledge quiz, which tested their knowledge on themes and topics of the conference, such as drug crime, human trafficking, smuggling of migrants, wildlife crime, cybercrime, money laundering, and corruption amongst others.

The joint winners of the legal knowledge quiz were Mr Thongbay Lorvanxay, Chief of Police of Bolikhamxay Province, and Mr Lailathong Khantiyalath, President of the Provincial Court of Bolikhamxay Province. Congratulations to both! Pictured on the left is Mr Thongbay Lorvanxay receiving the trophy from Mr Bounyang Chandalasane and Mr Richard Philippart on the final day of the conference.

Delegations of the provinces :





Vice Governors of the Provinces :



Pictures of the Conference :













ທ່ານຮູ້ບໍ່ວ່າການຟອກເງິນ ແມ່ນຫຍັງ???

ມາດຕາ 2 ຂອງ ກົດໝາຍວ່າດ້ວຍ ການຕ້ານສະກັດກັ້ນການຟອກເງິນ ແລະ ການສະໜອງທຶນ ໃຫ້ແກ່ການກໍານົດຮ້າຍ (ເລກທີ 50/ສພຊ, ລົງວັນທີ 21 ກໍລະກົດ 2014)

ການຟອກເງິນ ແມ່ນ ການປ່ຽນຮູບ, ນຳໃຊ້, ເຄື່ອນຍ້າຍ, ແລກປ່ຽນ, ໄດ້ມາ, ຄອບຄອງ, ໂອນ ກຳມະສິດທີ່ແທ້ຈິງ ຂອງເງິນ ຫຼື ຊັບສິນອື່ນ ທີ່ ບຸກຄົນ, ນິຕິບຸກຄົນ, ຫຼື ການຈັດຕັ້ງ ໂດຍທຳມະດາ, ໄດ້ຮູ້ ຫຼື ສົງໄສວ່າ ເງິນ ຫຼື ຊັບສິນນັ້ນ ມາຈາກການກະທຳຜິດຕົ້ນ ເພື່ອປົກປິດ ຫຼື ຊຸກເຊືອງ ຄຸນລັກສະນະ, ທີ່ມາຂອງເງິນ, ທີ່ຕັ້ງ ຂອງຊັບສິນ ເພື່ອເຮັດໃຫ້ເງິນ ຫຼື ຊັບສິນດັ່ງກ່າວ ຖືກຕ້ອງ ຕາມກົດໝາຍ.

ການຟອກເງິນ ເປັນການກະທຳຜິດທາງອາຍາ

(ມາດຕາ 66 ມາດຕະການທາງອາຍາ ຕໍ່ການຟອກເງິນ
ກົດໝາຍວ່າດ້ວຍ ການຕ້ານ ສະກັດກັ້ນການຟອກເງິນ ແລະ ການສະໜອງທຶນ ໃຫ້ແກ່ການ
ກໍານົດຮ້າຍ
ເລກທີ 50/ສພຊ, ລົງວັນທີ 21 ກໍລະກົດ 2014)

1.

STOP TRAFFICKING! HUMAN

ຢຸດ ການຄ້າມະນຸດ!

ມາດຕາ 134
ຂອງ ກົດໝາຍອາຍາລາວ

Human Trafficking:
ການຄ້າມະນຸດແມ່ນ

1+
ພຶດຕິກຳ(ການກະທຳ)+

2+
ດ້ວຍວິທີການ +

3+
ເພື່ອຈຸດປະສົງຂຸດຮີດ



ອົງການໂຄສະນາລະບົບສູງສູງ ສ.ປ.ປ. ລາວ
The Office of the Supreme People's Prosecutor of Lao PDR



Institute for Legal Support and Technical Assistance



THE GOVERNMENT
OF THE GRAND DUCHY OF LUXEMBOURG
Ministry of Foreign and European Affairs

ລັດຖະບານແຫ່ງຊາດລຸກເຊມບູກ
Ministry of Foreign Affairs

SMUGGLING OF MIGRANTS IS A SERIOUS CRIME!

2.

ການລັກລອບນຳຄົນ ຕ່າງດ້ວເຂົ້າເມືອງແມ່ນ ອາຊະຍາກຳຮາຍແຮງ!



ສິ່ງທີ່ຄວນຮູ້:

ອາຊະຍາກຳ

ແມ່ນແຕກຕ່າງ

ການຄ້າມະນຸດ!

ການລັກລອບນຳຄົນຕ່າງດ້ວເຂົ້າເມືອງ

ຈາກອາຊະຍາກຳ



ຄວາມແຕກຕ່າງລະຫວ່າງການລັກລອບນຳ
ຄົນຕ່າງດ້ວເຂົ້າເມືອງ ແລະ ການຄ້າມະນຸດ

| | ການຍືນຍອມ | ການກົດຂີ່ຂັດຮົດ | ການຂ້າມເຂດຊາຍແດນ |
|-------------------------------------|-------------|-----------------|------------------|
| ການລັກລອບນຳຄົນຕ່າງ ດ້ວເຂົ້າເມືອງ | ຕ້ອງການ | ບໍ່ຕ້ອງການ | ຕ້ອງການ |
| ການຄ້າມະນຸດ | ບໍ່ກ່ຽວຂ້ອງ | ຕ້ອງການ | ບໍ່ຕ້ອງການ |



ອົງການໄອອະການປະຊາຊົນສູງສຸດແຫ່ງ ສປປ ລາວ
The Office of the Supreme People's Prosecutor of Lao PDR



Institute for Legal Support and Technical Assistance



THE GOVERNMENT
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Ministry of Foreign and European Affairs

ພະແນກການສູນກາງການຕ່າງປະເທດ
responsible@lux.gov

ທ່ານຮູ້ຈັກລູກຄ້າຂອງທ່ານດີແລ້ວ ຫຼື ບໍ່?

K Y C

ພວກເຂົາອາດຄອບຄອງເງິນທີ່ມາຈາກການກະທຳຜິດຕົ້ນ!

1. ການກະທຳຜິດຕົ້ນ ໝາຍເຖິງ ການກະທຳຜິດທາງອາຍາ ທັງໝົດ ເຊິ່ງເປັນຕົ້ນເຫດຂອງການຟອກເງິນ ລວມທັງການກະທຳຜິດນອກດິນແດນ ສປປ ລາວ ທີ່ກໍ່ໃຫ້ເກີດມີຜົນຈາກການກະທຳຜິດຕົ້ນ ມີຄື ການສໍ້ໂກງຊັບ; ການບັນຊັບ ຫຼື ການລັກຊັບ; ການຄາດຕະກຳ ແລະ ການທຳຮ້າຍຮ່າງກາຍ; ການລັກພາຕົວ, ການກັກຂັງ ແລະ ການຈັບເປັນຕົວປະກັນ; ການຊື້-ຂາຍຊັບທີ່ຜິດກົດໝາຍ; ການປອມແປງເງິນ ຫຼື ການໃຊ້ເງິນປອມ ລວມທັງການປອມແປງເຊັກ, ການໃຊ້ເຊັກ ຫຼື ພັນທະບັດປອມ; ການປອມແປງເອກະສານ ຫຼື ການໃຊ້ເອກະສານປອມ; ການລະເມີດຊັບສິນທາງບັນຍາ; ການສໍ້ລາດບັງຫຼວງ ລວມທັງການຮັບສິນບິນ ແລະ ການໃຫ້ສິນບິນ; ການຄ້າໂສເພນີ ຜູ້ໃຫຍ່ ແລະ ເດັກ; ການຄ້າມະນຸດ, ການຂົນຂວາຍສິ່ງຄົນອອກ ຫຼື ການເອົາຄົນເຂົ້າປະເທດ; ການຜະລິດ ແລະ ຄຳຂາຍ ຢາເສບຕິດ; ການຊື້-ຂາຍ ອາວຸດເສິກ ຫຼື ວັດຖຸລະເບີດ; ການເຂົ້າຮ່ວມໃນກຸ່ມອົງການອາຊະຍາກຳ ແລະ ກຸ່ມຄົນທີ່ເກັບຄ່າຄຸ້ມຄອງ; ການກໍ່ການຮ້າຍ ລວມທັງການສະໜອງທຶນໃຫ້ແກ່ການກໍ່ການຮ້າຍ; ອາຊະຍາກຳທາງດ້ານສິ່ງແວດລ້ອມ; ອາຊະຍາກຳທາງດ້ານອາກອນ; ການຊື້-ຂາຍ ຂໍ້ມູນພາຍໃນ ແລະ ການບັນເທົາ; ການລະເມີດລະບຽບການກ່ຽວກັບລະບອບພາສີ, ອາກອນຂອງລັດ; ການບັງຄັບ ນຳບຊຸ້ມເອົາຊັບ; ການເປັນໂຈນສະລັດ ແລະ ອື່ນໆ;
2. ຜົນຈາກການກະທຳຜິດຕົ້ນ ໝາຍເຖິງ ເງິນ ຫຼື ຊັບທີ່ໄດ້ມາໂດຍທາງກົງ ຫຼື ທາງອ້ອມ ຈາກການກະທຳຜິດຕົ້ນ, ຊັບສິນທີ່ໄດ້ປ່ຽນຮູບ ຫຼື ປ່ຽນແປງທັງໝົດ ຫຼື ບາງສ່ວນ ໄປເປັນຊັບສິນອື່ນ ລວມທັງຜົນຕອບແທນຈາກການລົງທຶນ; ມາດຕາ 8, ກົດໝາຍວ່າດ້ວຍການຕ້ານ ສະກັດກັ້ນ ການຟອກເງິນ ແລະ ການສະໜອງທຶນ ໃຫ້ແກ່ການກໍ່ການຮ້າຍ

ລະວັງ, ທ່ານອາດກໍ່ການກະທຳຜິດທາງອາຍາ!

ມາດຕາ 2 ການຟອກເງິນ

ການຟອກເງິນ ແມ່ນ ການປ່ຽນຮູບ, ນຳໃຊ້, ເຄື່ອນຍ້າຍ, ແລກປ່ຽນ, ໄດ້ມາ, ຄອບຄອງ, ໂອນກຳມະສິດທີ່ແທ້ຈິງ ຂອງເງິນ ຫຼື ຊັບສິນອື່ນ ທີ່ ບຸກຄົນ, ນິຕິບຸກຄົນ ຫຼື ການຈັດຕັ້ງ ໂດຍທີ່ຮູ້, ໄດ້ຮູ້ ຫຼື ລົງໂສວ່າ ເງິນ ຫຼື ຊັບສິນນັ້ນ ມາຈາກການກະທຳຜິດຕົ້ນ ເພື່ອປົກປິດ ຫຼື ຊຸກເຊື່ອງ ຄຸນລັກສະນະ, ທີ່ມາຂອງເງິນ, ທີ່ຕັ້ງ ຂອງຊັບສິນ ເພື່ອເຮັດໃຫ້ເງິນ ຫຼື ຊັບສິນດັ່ງກ່າວ ຖືກຕ້ອງຕາມກົດໝາຍ.



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