

Agreement
between
the Government of the Lao People's Democratic Republic
and
the Government of the People's Republic of China
on
Cooperation in Preventing and Combating Trafficking in Persons

The Government of the Lao People's Democratic Republic and The Government of the People's Republic of China, (hereinafter referred to as "the Two Parties");

DEEPLY CONCERNED OVER crimes of trafficking in persons, violating the rights and interests of victims of trafficking and undermining social order;

ON THE BASIS OF mutual respect for each other's independence, sovereignty, equality and mutual benefits, with the aim to strengthen law enforcement cooperation between them to prevent, combat and punish transnational trafficking in persons, and provide necessary protection and assistance to victims of trafficking in an effective manner,

The Two Parties have agreed as follows:

Article 1

For the purpose of this Agreement, Trafficking in Persons shall be defined according to the relevant national laws of the Two Parties.

Article 2

The Two Parties shall carry out cooperation in compliance with their respective domestic laws and relevant international treaties acceded to by the Two Parties in the following areas:

1. Prevent crimes of trafficking in persons;
2. Investigate cases of trafficking in persons;
3. Protect and assist victims of trafficking;
4. Build capacity in the areas of prevention and combating trafficking in persons;
5. Establish liaison mechanism in the border areas.

Article 3

The Two Parties shall cooperate in combating crimes of trafficking in persons in the following areas:

1. - Repatriate victims of trafficking;
- Hand over wanted persons in accordance with the Treaty between the Lao People's Democratic Republic and the People's Republic of China on Extradition; or by other means agreed by the Two Parties;
2. Provide training in investigation on transnational crimes of trafficking in persons and protection of victims of trafficking;
3. Exchange information and laws related to trafficking in persons;
4. Establish liaison offices in the border areas.

Article 4

The two Parties shall take appropriate measures to protect victims of trafficking in the following areas:

1. Either Party shall not punish the victims for illegal entry to or exit from its territory, or any other offences arising directly from trafficking in persons;
2. Persons who have been identified as trafficking victims shall be formally repatriated by the Two Parties in a timely manner;

3. The Two Parties shall guarantee the safety and privacy of victims, and provide appropriate assistance to victims including shelters, legal assistance, physical rehabilitation and psychological counselling;
4. In the process of identification, temporary assistance, repatriation and legal process, the Two Parties shall treat the victims in a humanitarian and dignified manner;
5. Victims who are under 18 years old shall be treated with special care and assistance throughout the process of protection, repatriation and legal process by taking into account the best interests of such children.

Article 5

The Two Parties shall cooperate to ensure that victims shall be repatriated to their countries in a safe and timely manner as follows:

1. One Party shall notify the other Party in advance about the name, age and relevant information related to victims through diplomatic channels or police channels so that the Two Parties can hold discussions and make arrangements for repatriation of victims;
2. The Two Parties shall refer to the repatriation procedures as mutually agreed upon and make sure that such procedures are simplified and convenient. After receiving a request from one Party, the other Party shall conduct the process of identification and verification of nationality of victims and inform the requesting Party of the identification results within thirty (30) days.
3. With regard to handing over of victims, the Requesting Party shall inform the Receiving Party about the time and venue of handover five (5) official working days in advance. The handover shall take place at the border check points which are agreed upon by the Two Parties. The handover documents shall be signed by officials of relevant authorities of the Two Parties.
4. The Two Parties shall designate their own Agencies in charge of identification and handover and inform each other in writing;

Article 6

The implementing authorities of this Agreement shall be the Ministry of Public Security of the Lao People's Democratic Republic and the Ministry of Public Security of the People's Republic of China. The implementing authorities shall hold annual consultation meetings in the two countries alternately to discuss matters related to the prevention and combating of trafficking in persons. In emergency cases, the Two Parties may agree to hold additional meetings by identifying the time and venues for such temporary meetings.

The invited delegation under this Agreement shall bear their own international travel expenses. The expenses occurring during the stay of such delegation shall be borne by the receiving Party, unless otherwise agreed upon by the Two Parties.

Article 7

The Two Parties shall undertake to observe rigorously the confidentiality principle concerning the sources and information exchanged by the two Parties. No information received shall be disclosed to any third Party without prior written consent given by the providing Party.

Article 8

For the purpose of this Agreement, the Requested Party may refuse to provide assistance to the Requesting Party if the Requested Party considers that the assistance requested by the other Party may bring about any negative impact to the sovereignty, security, social orders, basic interests or legal principles of the Requested Party, and the Requesting Party shall be informed about the reason for such objection.

Article 9

The present Agreement shall not affect the rights and obligations under any other international treaties concluded or acceded to by either of the Two Parties respectively.

Article 10

Any differences between the Two Parties arising from the interpretation or implementation of this Agreement shall be settled through consultations in the spirit of friendship and mutual understanding.

Article 11

This Agreement can be amended after consultation by mutual consent.

Article 12

This Agreement shall enter into force on the date of the later notification by any Party, through diplomatic channels, that its domestic requirements for the entry into force of this Agreement have been fulfilled.

Either party may notify the other party in writing through diplomatic channels about the termination of this agreement. This agreement will become null and void in ninety (90) days upon the other Party receiving such notification.

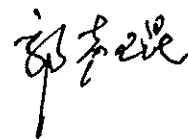
Done in duplicate on 1st September 2014 in Beijing, China in the Lao, Chinese and English languages. All texts shall be equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government of the
Lao People's Democratic Republic



Pol. Brig. Gen. Somkeo SYLAVONG
Acting Minister
Ministry of Public Security

For the Government of the
People's Republic of China



Guo Shengkun
State Counselor
Minister of Public Security