



Ministry of Industry and Commerce

No. 1353/MOIC.DOP

Vientiane Capital, date: 23 JULY 201\3

Decision on the Organization and Operation of the Foreign Trade Policy Department

- According to Prime Minister's Decree on the Organization and Operation of the Ministry of Industry and Commerce No.522/PM, dated 23 December 2011.
- According to the proposal of the Foreign Trade Policy Department and the agreement of the Department of Organization and Personnel, Ministry of Industry and Commerce.

Minister of Industry and Commerce issues a decision:

Chapter 1 General Principles

Article 1 Purpose

This Decision is issued to define the location, roles, duties, rights, organizational structure and working method as the legal basis for the organization and operation of the Foreign Trade Policy Department aiming at effectively implementing the Party and State policies regarding foreign trade policy in the areas of industry and commerce in order to contribute to the development of the industry and commerce sector.

Article 2 Location

The Foreign Trade Policy Department, the abbreviation is "FTPD", is a part of the organizational structure of the Ministry of Industry and Commerce.

Article 3 Roles

The Foreign Trade Policy Department plays an advisory role for the Minister of Industry and Commerce with respect to foreign trade policies, negotiations under various scopes of trade agreements and cooperation in the field of industry and commerce with foreign countries.

Chapter 2

Duties and Scope of Rights

Article 4 Duties and Scope of Rights

The Foreign Trade Policy Department has the following duties and rights:

1. Research and develop the Party directions and policies, State laws, strategic plans on cooperation in the field of industry and commerce in order to formulate foreign trade policies and strategies, trade negotiating strategies and master plans on international economic integration;
2. Research and represent the policy and standpoint of Lao PDR in negotiations under various trade agreements;
3. Research the impacts of trade relations under multilateral, bilateral, regional and sub-regional frameworks on the economy, society and the environment of Lao PDR as well as represent policies and measures to cope with such impacts and provide assistance to the affected business sector and individuals;
4. Play a central role in researching and representing trade remedy measures as well as play an integral role in negotiating, monitoring and supporting the implementation of such measures under multilateral, bilateral, regional and sub-regional frameworks in collaboration with relevant sectors;
5. Play a central role in collaborating with relevant sectors in trade negotiations under multilateral, bilateral, regional and sub-regional frameworks as well as meetings in the scope of bilateral economic cooperation between Lao PDR and other relevant countries;
6. Summarize reports and disseminate trade negotiation results under multilateral, bilateral, regional and sub-regional frameworks;
7. Monitor and support the implementation of obligations of LAO PDR and its trade partners under every trade agreement in which Lao PDR is a party to as well as raise awareness and provide the information related to such obligations to relevant sectors;
8. Play a central role in coordinating with WTO trade representatives with regards to matters of the WTO and its members;
9. Play a central role in carrying out tasks related to WTO, ASEAN Economic Ministers(SEOM), ASEAN dialogue partners and those under Asia-Pacific frameworks (APTA) and other trade agreements to which Lao PDR is a party to;
10. Propose trade dispute solution to protect the national benefit under multilateral, bilateral, regional and sub-regional frameworks.;
11. Notify WTO Secretariat, ASEAN Secretariat, APTA Secretariat or dialogue partners on the revision and issuance of laws which affect trade and investment in Lao PDR;
12. Engage business sector and individuals in trade negotiations by taking their feedbacks and suggestions into consideration.

13. Support the progress of the Department personnel based on their knowledge and competency in a fair and equitable manner and focus on developing the knowledge and competency required to carry out tasks effectively;
14. Supervise and utilize the public servants within the Department, research and assign the technical staff for various positions and units, propose the high level authority for approval on the appointment of the position of deputy director and above based on the competencies of the public servants
15. Develop the database on foreign trade policy;
16. Propose the amendment of organizational and personnel structure and roles of the Department;
17. Have the right to sign documents under mandates of the Department;
18. Exercise other rights and carry out duties as assigned by the Minister of Industry and Commerce or the Government.

Chapter 3

Organizational Structure

Article 5 Personnel Structure and Responsibilities

Personnel structure of the Foreign Trade Policy Department comprises of a Director General, Deputy-Director Generals, Directors of Divisions, Deputy Directors of Divisions and technical staff according to the posts of the Department.

Responsibilities of the personnel are as follows:

- Director General is responsible for the overall and direct achievements and shortcomings in the implementation of roles, rights and duties as specified in Articles 3 and 4 of this Decision;
- Deputy Director Generals assist the Director General and are responsible for achievements and shortcomings on the implementation of certain activities as assigned by the Director General;
- Directors of Division, Deputy Directors of Division and technical staff are responsible for achievements and shortcomings on assigned activities according to their positions.
- Assignment to act on behalf shall be done in writing, except if the assignment is in a short period or in case of emergency.

Article 6 Organizational Structure

The organizational structure of the Foreign Trade Policy Department comprises of 6 divisions:

1. Administration and Cooperation Division;
2. Multilateral Trade Policy Division;
3. Bilateral Trade Policy Division;
4. ASEAN Economic Cooperation Division;
5. Trade in Goods Division;
6. Trade in Services Division.

Article 7 Rights and Duties of Divisions

A. Administration and Cooperation Division

1. Facilitate and carry out secretariat work of the Department including recording incoming and outgoing documents of the Department as well as monitor, support and collect outcomes of the implementation of activities of the divisions within the organizational structure of the Department;
2. Set up the working system and manage the personnel of the Department;
3. Manage the training and development of the personnel of the Department in coordination with the relevant divisions;
4. Be responsible for the protocols and public relations of the Department;
5. Develop, monitor and summarize work plans of the Department as well as summarize [and report] weekly, monthly, quarterly and annual operations of the Department;
6. Research and develop plans and manage the utilization of the Department budget as well as summarize and report on the utilization of the budget;
7. Play a central role for the management of the implementation of ODA projects under the Department;
8. Be responsible for the procurement of the Department;
9. Research and compile comments from line divisions of the Department with regard to documents related to activities of the Department;
10. Compile and provide information and statistics related to duties of the division and the Department;
11. Manage all State assets of the Department (office supplies, vehicles, etc); including managing the website and information center of the Department;
12. Develop the information database system of the Department in coordination with the relevant divisions
13. Implement other duties as assigned by the Director General.

B. Multilateral Trade Policy Division

1. Research and carry out policies regarding multilateral trade in consultation with the relevant divisions as well as disseminate and monitor the implementation of such policies;
2. Play a central role to participate in multilateral trade negotiations on various issues including trade facilitation, Trade Related Aspects of Intellectual Property Rights, trade remedies and non-tariff measures;
3. Protect trade benefits of Lao PDR under the multilateral trade framework via dispute settlement mechanism;
4. Play a central role to research and execute trade remedies under the multilateral trade framework as well as follow up and support the implementation of such measures in coordination with relevant sectors ;
5. Notify the WTO Secretariat on updated or new legislations, policies and measures affecting trade and investment;
6. Follow up the implementation of laws and regulations and trade policies of Lao PDR to be in compliance with WTO;
7. Act as a focal point with the Permanent Representative at Geneva on multilateral trade issues
8. Coordinate and cooperate with the Secretariat of the World Trade Organization as well as WTO member countries regarding activities concerned with the WTO framework;
9. Coordinate with line divisions within the FTPD to disseminate, follow up and support the implementation of the commitments by Lao PDR under the multilateral trade framework and other frameworks;
10. Apply procedures on the proposal of granting ratification to trade agreements under the multilateral trade framework of which the Government of Lao PDR is a signatory;
11. Play an advisory role for the Department with regards to activities related to economic integration under the multilateral trade framework;
12. Play a central role to coordinate with the WTO Secretariat with regards to the development of technical staff
13. Compile and provide information and statistics related to activities under the multilateral trade framework;
14. Implement other duties as assigned by the Director General.

C. Bilateral Trade Policy Division

1. Research and carry out policies and economic cooperation plans between the Government of Lao PDR and other governments as well as follow up, disseminate and implement such policies and plans in coordination with relevant parties;
2. Attend meetings to negotiate on economic cooperation between the Lao Government and other governments;
3. Be responsible for economic cooperation activities under the sub-regional framework including ACMECS, CLV, CLV+J, CLMV, Asian Pacific Trade

Agreement- APATA) and trade agreements under the bilateral trade framework;

4. Play a central role to implement activities under the framework of the Joint Committee (JC) except the economic cooperation under development assistance projects provided by international organizations or multilateral development partners and technical cooperation under the multi lateral trade and ASEAN frameworks ;
5. Apply procedures on the proposal of granting ratification to bilateral trade agreements of which the Government of Lao PDR has signed;
6. Play a central role for the coordination and implementation of cooperation activities/assistant projects under the frameworks of the Joint Committee (JC) , bilateral trade and regional trade;
7. Compile and provide information and statistics related to activities of bilateral trade between the Government of Lao PDR and other governments;
8. Play a central role in researching Generalized System of Preferences (GSP) granted by other countries to Lao PDR as well as monitoring the implementation
9. Implement other duties as assigned by the Director General.

D. ASEAN Economic Integration Division

1. Research and propose policies and plans on the ASEAN economic cooperation frameworks and its dialogue partners as well as negotiation strategies/tactics in coordination with relevant agencies, the public and business sectors;
2. Play a central role in coordinating with relevant sectors in negotiations under the ASEAN economic cooperation framework and through ASEAN with its dialogue partners on various issues including tariff and non-tariff issues;
3. Monitor and report on the implementation of commitments of Lao PDR, ASEAN member countries and other dialogue partners of which they are signatories to;
4. Notify the ASEAN Secretariat or contact points of other dialogue partners on revision and issuance of laws, policies and measures affecting trade and investment;
5. Coordinate and cooperate with the ASEAN Secretariat as well as ASEAN member countries on relevant activities within the ASEAN economic cooperation frameworks;
6. Coordinate with line divisions within the FTPD in order to disseminate, follow up and support the implementation of commitments within the ASEAN economic cooperation frameworks and ASEAN through its dialogue partners;
7. Apply procedures on granting ratification to trade agreements within the ASEAN economic cooperation frameworks which the Government of Lao PDR has signed;

8. Be a coordinating point for SEOM, AEM, ASEAN Summit and ASEAN Dialogue Partners, Asia-Europe Meeting (ASEM) and other relevant committees;
9. Be a coordinating point of the National AFTA Unit;
10. Be a center for coordination and implementation of cooperation activities/assistance projects within the ASEAN economic cooperation framework;
11. Follow up the implementation of cooperation activities in other economic sectors in ASEAN in order to report on a timely basis to a higher level;
12. Protect trade interests of Lao PDR under the trade liberalization framework through dispute settlement mechanism;
13. Compile and provide information on ASEAN economic cooperation activities;
14. Implement other duties as assigned by the Director General.

E. Division of Trade in Goods

1. Research on strategies and standpoints of Lao PDR with respect to negotiations on trade in goods under multilateral, bilateral, regional and sub-regional frameworks;
2. Research and propose a list of agricultural and industrial goods of Lao PDR which will be liberalized under multilateral, bilateral, regional and sub-regional frameworks in coordination with relevant sectors;
3. Attend negotiation meetings on the liberalization of agricultural and industrial goods under multilateral, bilateral, regional and sub-regional frameworks;
4. Follow up and support the implementation of the liberalization of agricultural and industrial goods under multilateral, bilateral, regional and sub-regional frameworks;
5. Notify the WTO Secretariat, ASEAN Secretariat, APTA Secretariat and other relevant dialogue partners on the revision and issuance of laws affecting trade in goods including information relating to Sanitary-Phytosanitary (SPS) and Technical Barriers to Trade (TBT);
6. Compile and provide information on activities of the division;
7. Implement other duties as assigned by the Director General.

F. Division of Trade in Services

1. Research on strategies and standpoints of Lao PDR with respect to negotiations on trade in services under multilateral, bilateral, regional and sub-regional frameworks;
2. Research and formulate a list of commitments on trade in services under multilateral, bilateral, regional and sub-regional frameworks;
3. Attend negotiation meetings on trade in goods, electronic commerce and investment under multilateral, bilateral, regional and sub-regional frameworks;

4. Follow up and support the implementation of commitments on trade and investment of Lao PDR under multilateral, bilateral, regional and sub-regional frameworks;
5. Notify the WTO Secretariat, ASEAN Secretariat, APTA Secretariat and other relevant dialogue partners on the revision and issuance of laws affecting trade in services
6. Compile and provide information on activities of the division;
7. Implement other duties as assigned by the Director General.

Chapter 4 Working Methods

Article 8. Working Procedures

All operations of the Foreign Trade Policy Department shall be performed according to the following procedures:

1. Implement democratic centralism principles, lead as a team, divide work among individuals, promote thoughts of civil servants, in combination with the implementation of one leader regime, if necessary;
2. Work according to detailed plans, prioritize work and handle the detailed problems with targets in each period;
3. Perform duties on the basis of strong coordination, agreement within and between the Department and concerned sectors, turn to local level regularly, aiming at using overall forces to fulfill assignments;
4. All duties shall be inspected and evaluated using cost and benefits including reasons for each issue in accordance with actual situations, implement reporting regime, and request for advice and guidance from the higher level regularly.

Chapter 5 Implementation

Article 9. Implementation

The Foreign Trade Policy Department shall implement this Decision effectively.

The Cabinet, Departments, Institutes and concerned sectors within the Ministry shall be informed and cooperative in implementing this Decision strictly.

Article 11. Seal

The Foreign Trade Policy Department has its own seal to use for operating official duties.

Article 12. Effectiveness

This Decision is effective from the date of signing and replaces Decision No.0776/MIOC.OPD, dated 22 May 2010 on the Organization and Operation of the Foreign Trade Policy Department.

Minister of the ministry of Industry and Commerce

(signed and sealed)

Khemmani Pholsena