

THAILAND JUDICIAL TRAINING INSTITUTE COURSE FOR JUDGES

USAID Wildlife Asia | At A Glance

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USAID Wildlife Asia, in partnership with Thailand's Judicial Training Institute (JTI) and the United Nations Environment Programme (UNEP) developed an *Introductory Course on International Environmental Law and Governance* targeted towards sitting judges and judges-in-training. The 10-unit training program provides judges the foundational knowledge on environmental law principles and their application, enabling them to adjudicate environmental criminal court cases as serious transnational organized crimes. The course is comprised of ten lessons that combine online learning with classroom tutorials and lessons reviews that can be conducted in-person or virtually. It is available in Thai and English.

WHAT ARE THE COURSE CONTENTS?

Lesson topics include:

1. Introduction to Contemporary Environmental Management and Environmental Law
2. Introduction to Global and Transboundary Environmental Problems
3. Environmental Ethics and Environmental Justice
4. Principles and Concepts of Environmental Law
5. International Environmental Law and Multilateral Agreements
6. Environmental Law in Thailand
7. Environmental Procedure and Sentencing
8. Law on the Protection of Natural Resources & Biodiversity in Thailand
9. Laws on the Protection of Wildlife in Thailand (Illegal Wildlife Trade)
10. Laws on Pollution Management in Thailand

WHERE CAN I FIND THE COURSE?

The course is available at:

<https://elearning.informeal.org/course/view.php?id=72>



Home page of the course on the InforMEA platform

WHAT IS THE COURSE FOR?

Criminals caught for illegal wildlife trafficking or other environmental crimes can be arrested only to be released with no or minimal penalty due to poorly prepared, prosecuted, or adjudicated cases. By training acting and trainee judges on the foundations of environmental law and environmental crimes including best practices and sentencing guidelines, judges and lawyers can bring more robust cases to court. This increases the courts' abilities to punish and further deter wildlife crime. The 10-unit *Introductory Course on International Environmental Law and Governance*, which has been endorsed by Thailand's Judicial Training Institute (JTI), provides a mechanism to rapidly and broadly strengthen the courts' abilities to adjudicate environmental issues and recognize wildlife trafficking cases as a transnational organized crime.

WHO IS THE COURSE FOR?

The course is targeted at judges-in-training as well as sitting judges across all tiers of the Thai courts system including trial court, appellate court, and Supreme Court levels. It provides a comprehensive introduction to environmental law for those with limited exposure to environmental crimes cases including those related to illegal wildlife trafficking. It also serves as continuing education for those updating their knowledge on international and national environmental legislation and governance issues.

WHO HAS BEEN INVOLVED IN DEVELOPING THE COURSE?

The Thailand Judicial Training Institute Introductory Course on International Environmental Law and Governance was developed as a joint effort between USAID Wildlife Asia and the following partners:

The **United Nations Environment Programme (UNEP)**. The United Nations system’s lead entity for addressing environmental issues at the global and regional level. UNEP’s Asia and the Pacific Office serves 41 countries across the region to promote and implement sustainable development solutions. The UNEP Law Division facilitates the InforMEA Portal which seeks to bring together the wealth of information generated by Multilateral Environmental Agreements (MEAs).

The **Judicial Training Institute (JTI)** Thailand. JTI was founded in 1986 under the Office of the Judiciary and is under the authority of the President of the Supreme Court. The JTI is responsible for training judicial personnel, including career judges and trainees, lay judges (associate judges), and senior judges. It is the only institution charged with providing judicial training. JTI provides not only judicial training for judge-trainees but also in-service judicial trainings for judges at all levels.

Other partners include the U.S. Department of Justice, the U.S. Fish and Wildlife Service, APCEL, the Land and Environment Court of New South Wales, International Union for Conservation of Nature Academy of Environmental Law, Thai academic network and universities such as Chiang Mai University, Chulalongkorn University, and Thammasat University, and Thailand’s Office of the Attorney General. The Department of National Parks, Wildlife and Plant Conservation, Department of Special Investigation, Customs, and the Anti-Money Laundering Office provide subject matter technical support and other subject matter experts.

IMPRISONMENT TERMS						
	Trading	Import/export	Transit	Possession	Hunting	Captive breeding
WARPA 2019	3-15 yrs (Reserved) 0-10 yrs (Protected) 0-4 yrs (breedable Protected & Controlled)	3-15 yrs (Reserved) 0-10 yrs (Protected, breedable Protected, Controlled)	0-4 yrs	0-5 yrs (Reserved & Protected) 0-1 yr (breedable Protected & Controlled)	3-15 yrs (Reserved) 0-10 yrs (Protected)	0-3 yrs (breedable Protected and Controlled)
Ivory Trade Act, B.E. 2558 (2015)	Not exceeding 3 years	Not exceeding 3 years	Not exceeding 3 years	-	-	-

FINES (Thai baht)						
	Trading	Import/Export	Transit	Possession	Hunting	Captive breeding
WARPA 2019	300,000-1,500,000 (Reserved) 0-1,000,000 (Protected) 0-50,000 (breedable Protected & Controlled)	300,000-1,500,000 (Reserved) 0-1,000,000 (Protected, breedable Protected & Controlled)	0-400,000	0-500,000 (Reserved & Protected) 0-100,000 (breedable Protected & Controlled)	300,000-1,500,000 (Reserved) 0-1,000,000 (Protected)	0-300,000 (breedable Protected and Controlled)
Ivory Trade Act, B.E. 2558 (2015)	Not exceeding six million (6,000,000) Baht	Not exceeding six million (6,000,000) Baht	Not exceeding six million (6,000,000) Baht	Not exceeding three million (3,000,000) Baht	-	-

Penalties under Thailand’s Wild Animal Reservation and Protection Act B.E 2558

HOW DOES THIS SUPPORT THAILAND’S GREEN BENCHES PROGRAM?

A green bench hears and adjudicates disputes relating to forest preservation and environmental protection. The Supreme Court of Thailand has established green benches at the Supreme Court, the Appellate Court, and the trial court level. The Administrative Court of Thailand has established green benches at all levels — nine at trial courts, and one each at the Central Administrative and Supreme Administrative Courts. Both courts adopted special rules for the green benches, which provide for the use of the precautionary principle and expert evidence. *The Introductory Course on International Environmental Law and Governance* provides baseline training for judges and judges-in-training.

“The Judicial Training Institute realizes the importance of enhancing knowledge and understanding of environmental law at both national and international levels. We cooperate with USAID and UNEP in order to organize this academic training to strengthen the judicial expertise related to the environmental cases.”

–Justice Peem Thongsunti, JTI Thailand Secretary General

ABOUT USAID WILDLIFE ASIA

USAID Wildlife Asia is a five-year (2016-2021), US\$24.5 million, regional counter wildlife trafficking (CWT) initiative addressing the illegal trade in pangolins, tigers, elephants, and rhinos in Southeast Asia (Cambodia, Lao People’s Democratic Republic, Thailand, and Vietnam) and China. The project aims to reduce consumer demand for wildlife parts and products, strengthen law enforcement, enhance legal and political commitment, and support regional collaboration to reduce wildlife crime.

<https://www.usaidwildlifeasia.org>