

THAILAND WILDLIFE CONSERVATION AND PROTECTION ACT 2019

USAID Wildlife Asia | Legislative Support At A Glance

July 2021

USAID Wildlife Asia supported and contributed to the passing of the landmark legislation, Thailand's national *Wildlife Conservation and Protection Act (WARPA) B.E. 2562 (2019)*, which sees new wildlife offences defined and a dramatic increase in penalties for wildlife crimes.

THE LEGISLATIVE JOURNEY

- **2016 – 2017:** USAID Wildlife Asia supported a review of the *Wildlife Animals Reservation and Protection Act (WARPA) 1992*, working closely with the Royal Thai Government.
- **June 2017:** ASEAN Inter-Parliamentary Assembly (AIPA) convened a specialized working group on CITES at the 9th AIPA Caucus Meeting in Jakarta, Indonesia. The Thai Delegation proposed the creation of a specialized task force on wildlife and rosewood trafficking.
- **April 2017:** USAID Wildlife Asia provided technical inputs to the draft revision of the *Wildlife Animals Reservation and Protection Act (WARPA) 1992* at the Special Session on Counter Wildlife Trafficking, Standing Committee on Environment and Natural Resources, National Legislative Assembly (NLA).
- **January 2018:** USAID Wildlife Asia presented the report *Scaling Efforts to Counter-Wildlife Trafficking Through Legislative Reform* to the Standing Committee on Natural Resources and Environment of NLA.
- **June 2018:** USAID Wildlife Asia presented the *Wildlife Legislative and Policy Review Package* to the Office of the Prime Minister Inspector General.
- **July 2018:** DNP hosted a closed-door legal seminar for USAID Wildlife Asia to brief DNP legal specialists and Council of State advisers on the findings and recommendations of *Scaling Efforts to Counter Wildlife Trafficking Through Legislative Reform*.
- **November 2018:** USAID Wildlife Asia met with the Deputy Permanent Secretary of the Ministry of Natural Resources and Environment of Thailand to discuss Thailand's ongoing efforts to enhance its wildlife protection laws.
- **January - March 2019:** NLA conducted hearings on the *Wildlife Conservation and Protection Act B.E. 2562 (2019)*.



Thailand Wildlife Conservation and Protection Act, B.E. 2562 (2019)

WHAT IS THE WILDLIFE CONSERVATION AND PROTECTION ACT 2019?

Thailand's national *Wildlife Conservation and Protection Act (WARPA) B.E. 2562 (2019)* is an update of the *1992 Wildlife Animals Reservation and Protection Act*. WARPA 2019 addresses loopholes that had hampered Thailand's ability to fully implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which Thailand is party to. It sees a dramatic increase in penalties for wildlife crimes. For offences in illegal wildlife trade, maximum fines have increased by 25 times and maximum imprisonment terms have increased 3.75 times.

USAID Wildlife Asia worked with key stakeholders and champions including the ASEAN Inter-Parliamentary Assembly (AIPA), National Legislative Assembly (NLA), Ministry for Natural Resources and Environment and Department of National Parks, Wildlife and Plant Conservation (DNP) over the course of three years to advance and accelerate the revision of the 27-year-old WARPA Act.

This included facilitating stakeholders' understanding of the key Counter Wildlife Trafficking issues and the development of *Scaling Efforts to Counter-Wildlife Trafficking Through Legislative Reform*. The package of legislative and policy analysis and recommendations assisted decision makers in their deliberations.

- **March 7, 2019:** NLA passed the bill *Wildlife Conservation and Protection Act B.E. 2562 (2019)*.
- **May 2019:** *Wildlife Conservation and Protection Act B.E. 2562 (2019)* published in the *Royal Gazette*.
- **November 2019:** New *Wildlife Conservation Act* officially came into force.

WHERE CAN I FIND THE ACT?

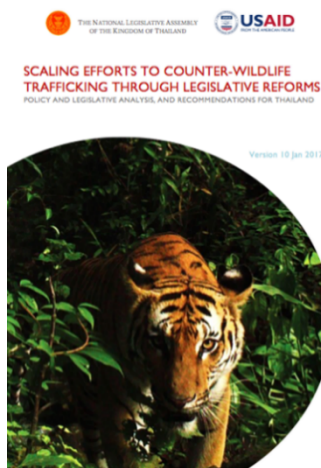
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PARTNERS IN LEADERSHIP

The Wildlife Act 2019 legislative process was shepherded by Thailand's:

- National Legislative Assembly (NLA)
- Minister for Natural Resources and Environment, Thailand (MONRE)
- Department of National Parks, Wildlife and Plant Conservation (DNP)

TOOL FOR ADVANCEMENT



In 2016, USAID Wildlife Asia prepared the report *Scaling Efforts to Counter-Wildlife Trafficking through Legislative Reforms: Policy and Legislative Analysis and Recommendations Thailand* to facilitate the advancement of the Wildlife Act. The report includes:

- Foreword by the President of the National Legislative Assembly
- 6 Chapters, 5 Annexes, 180 pages
- 11 laws reviewed for the Comparative Table of Penalties
- 50 Key and Model Key provisions covering law enforcement, species protection, criminal justice, inter-jurisdictional cooperation, prosecutions, anti-corruption, and others.
- 142 Subsidiary Legislations compiled

In 2019, the NLA enacted the *Wildlife Conservation and Protection Act B.E.2562 (2019)*, 27 years since Thailand adopted the *1992 Wildlife Act (WARPA B.E. 2535)*. The law officially came into force in November 2019.

WHY IS THE ACT IMPORTANT?

The new *Wildlife Conservation and Protection Act* introduces new and improved offences, enhances protection levels of endangered species, and substantially increases penalties and fines. For offences in trafficking of CITES species, maximum fines have increased by 25 times (from \$1,226 to \$30,656), and maximum imprisonment terms have increased 2.5 times (from 4-10 years). Illegal possession of CITES species is now an offence punishable with an imprisonment term of up to one year and/or a fine of up to \$3,065. For reserved species (species that are accorded the highest protection) there is now a minimum fine of \$9,196 and minimum imprisonment term of three years and 3.75 times increase in the maximum imprisonment term (from four years to 15 years).

“I didn’t think that the new WARPA will be adopted by the NLA within the official deadline, given the very long consultative process involved in passing new laws. It helped a lot that USAID Wildlife Asia gave the NLA a policy briefing on WARPA. As a result, the committee had a better understanding of the issue, and this facilitated the NLA’s passing of the legislation.”

– Somkiat Soontornpitakkool, Director of Department of National Parks (DNP), Division of Wild Fauna and Flora Protection

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.

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