



REPORT ON ASIA-PACIFIC JUDICIAL SYMPOSIUM ON BEST PRACTICES IN ENVIRONMENTAL COURTS AND ADJUDICATION



June 17-18, 2021
Bangkok, Thailand

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Cover Photo Caption: Participants from the Asia-Pacific Judicial Symposium on Best Practices in Environmental Courts and Adjudication. Photo Credit: Thailand Court of Justice.

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ACRONYMS AND ABBREVIATIONS

| | |
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| APECL | Asia-Pacific Centre for Environmental Law |
| ASEAN | Association of Southeast Asian Nations |
| ADB | Asian Development Bank |
| AJNE | Asian Judges Network on Environment |
| AMS | ASEAN Member States |
| APCEL | Asia-Pacific Center for Environmental Law |
| CITES | Convention on International Trade in Endangered Species of Wild Fauna and Flora |
| COJ | Court of Justice |
| CWT | Counter Wildlife Trafficking |
| ECT | Environmental courts and tribunals |
| IWT | Illegal Wildlife Trade |
| IUCN | International Union for Conservation of Nature |
| JTI | Judicial Training Institute of Thailand |
| OAG | Office of the Attorney General, Thailand |
| OJC | Office of the Judicial Commission |
| OPSC | Office of the President of the Supreme Court, Court of Justice Thailand |
| SLAPP | Strategic Legal Action Against Public Participation |
| SVIS | Species victim impact statements |
| UNEP | United Nations Environment Programme |
| UNODC | United Nations Office on Drugs and Crime |
| USAID | United States Agency for International Development |
| USAID/RDMA | USAID's Regional Development Mission for Asia |

SUMMARY

The *Asia-Pacific Judicial Symposium on Best Practices in Environmental Courts and Adjudication* brought together over 120 judges and selected environmental law practitioners in the Asia-Pacific region sharing best practices in environmental courts and adjudication through a virtual event held on June 17-18, 2021. The event was co-organized by USAID Wildlife Asia with the Office of the President of the Supreme Court (OPSC), the Supreme Court of Thailand, and the UN Environment Programme (UNEP) with assistance from Asian Research Institute for Environmental Law. Through this Judicial Symposium, the Supreme Court of Thailand, and counterparts in the United States, Australia, and the larger judicial community in the region discussed best practices on environmental adjudication and environmental courts, including environmental jurisprudence, climate change, counter wildlife trafficking approaches, environment court rules, practice notes, and case management procedures.

The participants discussed best practices on environmental adjudication and environmental courts in the larger judicial community in the region including models for establishing environment courts, environment court rules, and case management procedures and sentencing guidelines for environment and wildlife crimes.

The Symposium highlighted the role of the Supreme Court of Thailand in developing jurisprudence, training, and procedures for environmental law in the region and the ongoing support of USAID and USAID Wildlife Asia.



BACKGROUND

USAID Wildlife Asia recognizes the unique and distinct leadership role the judiciary plays in the environmental enforcement chain. The Supreme Court of Thailand has established environmental divisions (or green benches) at the Supreme Court, the Appellate Court and the trial court level. The Administrative Court of Thailand has also established green benches at all levels — nine at the trial court level, and one each at the Central Administrative and Supreme Administrative Court. Both courts adopted special rules for the environmental divisions, which provide for the use of the precautionary principle and expert evidence. The role of Thai courts in environmental law has evolved over the past twenty years as the Thai government enacted environmental legislation and passed constitutional amendments recognizing individual and community rights to participate in the management and preservation of the environment. The Supreme Court of Thailand is also preparing for the eventual passage of a Bill to Establish the Environment Court of Thailand, which was passed by the National Reform Steering Assembly in 2017 and endorsed to the Cabinet for review.

The Supreme Court of Thailand-USAID Wildlife Asia partnership has contributed to important progress towards CWT efforts. There have been a number of key meetings to advance the partnership. The first meeting was conducted in May 2017 and identified areas for prospective collaboration with subsequent meetings held to further refine activities. In October 2018, USAID Wildlife Asia and USAID Regional Development Mission for Asia (RDMA) met with the Secretary-General, and Deputy Secretary-General of the Office of the President of the Supreme Court (OPSC) of Thailand to further formalize the engagement process through a biennial work planning process. In May 2019, judges and officials from OPSC hosted USAID Wildlife Asia to strategize and plan joint activities which were incorporated into the USAID Wildlife Asia Year 5 Work Plan. An inaugural joint activity launching the USAID Wildlife Asia-Supreme Court of Thailand partnership was conducted through a public seminar and judges training on 29-30 August 2019 in Bangkok. The event also launched the USAID Wildlife Asia-Supreme Court of Thailand partnership two-year workplan.

This Asia-Pacific Judicial Symposium was a culmination of the two-year work plan and engagement and was conceived as a joint tri-national activity establishing the partnership of the governments of the U.S., Australia, and Thailand to promote Thailand's regional judicial leadership in ASEAN and further advance Thailand's national green benches agenda.

The Symposium's speakers and presenters included pre-eminent judges from Australia, China, India, Indonesia, Pakistan, Philippines, Singapore, and Thailand. Participants included judges and environmental law professional from throughout the Asia-Pacific Region, including from the United Nations Environment Programme, Asian Development Bank, INTERPOL, U.S. Department of Justice and the Supreme Court of Thailand.

OVERALL OBJECTIVES

The activity supports Thailand and ASEAN partners' journey to self-reliance by strengthening the ability of national and regional entities to combat transnational environmental crime by improving the management of natural resources. The objectives of this activity are to support the Thai Judiciary in advancing their green benches initiative. This includes raising awareness and providing targeted continuing legal education at several levels including on foundations of environmental law and environmental crimes as well as more advanced subjects; and ensuring that wildlife crime is recognized as an integral part of environmental crime.

EXPECTED OUTCOMES

- International best practices in adjudication of environmental disputes showcased
- Leadership role of the Supreme Court of Thailand in developing jurisprudence, training and procedures for environmental law in the region highlighted
- Increased institutional knowledge and capacity of the Thai judiciary to develop its green benches, thereby positioning itself as a leader in the region

INAUGURAL SESSION

WELCOMING ADDRESS



The Symposium was opened by the Honorable Justice Punlert Boonleang, President of the Environmental Case Division of the Supreme Court of Thailand. President Boonleang welcomed the distinguished guests and delegates and introduced the work being done by Thailand on the development of a specialized jurisdiction for the resolution of environmental disputes in Thailand.

The Symposium was then addressed by Michael Heath, Chargé d’Affaires of the U.S. Embassy in Thailand. He acknowledged the long association between the United States Government and the Royal Government of Thailand. He said, “The United States government remains fully committed to its partnership with regional and national leadership across ASEAN to deter wildlife crime, conserve biodiversity, and uphold the rule of law for the regional stability that underpins a free and open Indo-Pacific. We are honored to work with the Royal Thai Government, and the Supreme Court of Thailand, to improve legal frameworks, to share among nations legal innovations and good practices, and to harmonize the penalties for wildlife crimes across all countries of the region.”

Isabelle Louis, UNEP’s Deputy Regional Director for Asia and the Pacific, also addressed the delegates. She noted that “we are confronted by a triple planetary crisis of climate change, biodiversity loss and pollution. More than ever, the judiciary must be innovative and bold when handling environmental cases. Judges should endeavor to promote environmental rights with their decisions to help address this triple crisis and ensure a sustainable future for the people they serve.”



SUMMARY OF PRESENTATIONS – DAY I

SESSION I: EFFECTIVE ENVIRONMENTAL COURTS AND ADJUDICATION

Session I was facilitated by Sallie Yang, Law and Policy Technical Lead for USAID Wildlife Asia. She introduced the distinguished judges for the session. Justice Brian Preston, the Chief Judge of the New South Wales Land and Environment Court provided a keynote address on “Improving the role and operation of environmental courts and tribunals”. Justice Preston provided an overview of the need for environmental courts and tribunals (ECTs) to constantly review procedures to ensure that the ECT is providing access to environmental justice. In a very thorough and comprehensive presentation, Justice Preston was able to draw upon the 40 years’ worth of experience of the New South Wales Land and Environment Court.

Justice Michael Wilson, from the Supreme Court of Hawai’i, then spoke of the role of environmental law in the United States. Justice Wilson commenced by highlighting the significant planetary crisis that is facing all countries. His Honor also focused on the importance of judges and the courts to effectively engage and respond to the challenges of climate change and biodiversity loss. His Honor spoke of the importance of judicial exchanges and the sharing of information and experience between judges.

Justice Winai Ruangsri, Supreme Court of Thailand, then addressed the symposium. His Honor spoke about the development of the present system of environmental law adjudication in Thailand. His Honor discussed the current proposals for the development of environmental rules of procedure.



During the question-and-answer session that followed there was discussion about the challenges in bringing environmental cases before the Courts. The panel also considered the importance of climate conscious lawyering and judges. Judges must discharge their judicial duty in accordance with the law and the principles of environmental law but can also apply these in accordance with an obligation to protect the environment.

SESSION 2: ENVIRONMENTAL RULE OF LAW

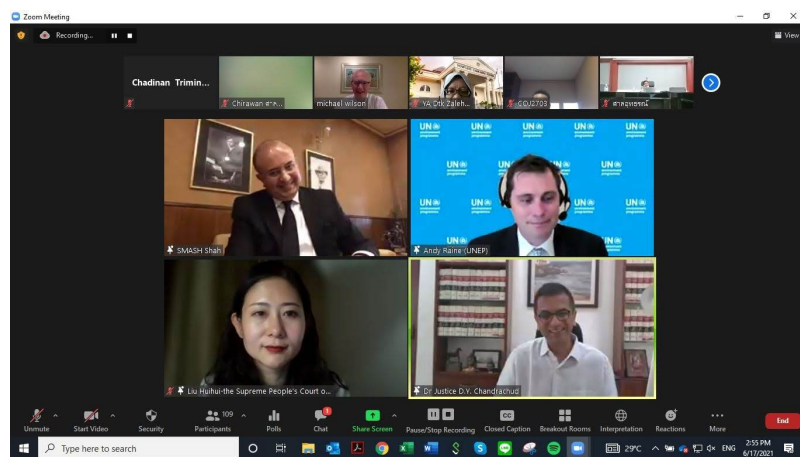
Session 2 provided an overview on environmental jurisprudence across China, India and Pakistan. Andrew Raine, Senior Legal Officer and Head of International Law Unit at UN Environment Programme moderated the session.

The first speaker was the Honorable Justice Dr. Dhananjaya Y. Chandrachud of the Supreme Court of India. Justice Chandrachud provided an insightful overview of the development of environmental law jurisprudence in India. His Honor noted that over 800 million people in India depend on climate sensitive agriculture and noted that the impacts of climate change were already being felt. His Honor spoke on the decision of the Indian Supreme Court on issues such as the right to life, the positive duties in the Indian Constitution, the precautionary principles, and the doctrine on absolute liability. His Honor also spoke about the National Green Tribunal in India, which has heard almost 32,000

cases since its establishment. His Honor also spoke about the role of the courts in developing innovative remedies, the challenges of fact finding in environmental matters and the need to apply principles of environmental justice.

Judge Liu Hui Hui Environment and Resources Division, the Supreme People’s Court of China presented on “Specialized Environmental Adjudication – a creative way towards stronger environmental justice in China.” Her Honor’s presentation focused on six topics: specialized institution of adjudication for environmental cases, centralized jurisdiction over cross-regional cases, public interest litigation, improvement in sentence enforcement rules, public participation and international cooperation. Judge Liu spoke of the three-in-one adjudicative model that includes civil, criminal and administrative rights under the one court. Her Honor also spoke of the significant amount of public interest shown for environmental litigation being conducted in China with over 10,000 cases having commenced between January 2015 and the end of 2020 (with 90% being commenced by prosecutors). Judge Liu also addressed the role of the Chinese courts in developing sentencing guidelines and international cooperation.

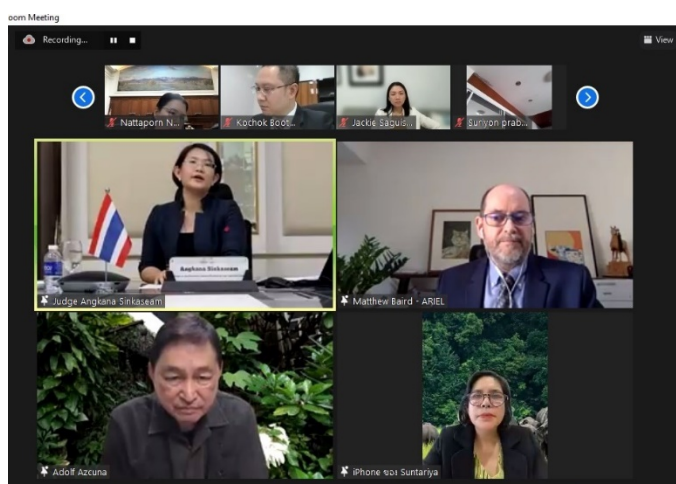
Justice Syed Mansoor Ali Shah, of the Supreme Court of Pakistan then provided an overview of the development of the environmental jurisprudence in Pakistan which his Honor said is the story of the devastating era of Anthropocene, the story of human pillaging and plundering nature and the planet. In Pakistan, environmental jurisprudence was driven by



Constitutional law and the interpretation of the constitutional provisions by the Supreme Court to put international environmental law principles and the human rights of future generations at the foundation of the Constitution. The right to a healthy environment protected the present and future generations and this was integral to a healthy democracy and advanced political, social justice and actualized the right to life and dignity, under the Constitution. His Honor observed that the great tragedy is that tomorrow's generations aren't here to challenge the pillaging of their inheritance. The great majority of future generations is rendered powerless and needs a voice. Courts should be mindful that decisions made now also adjudicate upon the rights of the future generations. It is important to question ourselves on how future generations will look back on us and what legacy we leave for them; this is intergenerational justice. The Pakistan Supreme Court has held that the courts around the globe have a role to play in reducing the effects of climate change, for this generation and for the generations to come. His Honor concluded stating that there was a need for the Courts to uphold climate justice at all times and take care of this planet. Judges need to view themselves as the judges of nature and the planet and move beyond environmental law and climate justice to planetary justice.

SESSION 3: SPECIAL RULES AND PRACTICE FOR ENVIRONMENTAL CASES

Session 3 was moderated by Matthew Baird, Director of the Asian Research Institute for Environmental Law. The first speaker was Justice Adolf S. Azcuna, Retired Justice of the Supreme Court of the Philippines and recently retired Dean of the Philippine Judicial Academy. Justice Azcuna spoke of the drafting of the Philippines Constitution which provided the Supreme Court with the power to draft its own rules and also the inclusion of the provisions of the rights in the constitution that have been interpreted by the Supreme Court to provide for the right to a clean and healthy environment for current and future generations. His Honor spoke about the constitutional writ of Amparo and the development of the Supreme Court Rules on Procedure in Environmental Matters that were promulgated in 2010 (with technical support and assistance from the Asian Development Bank). His Honor spoke about the remedies of continuing mandamus, the Writ of Kalikasan (nature), the provisions against SLAPP suits and the Temporary Environmental Protection Orders under the Rules of Procedure. He emphasized many leading judgments from the Supreme Court of the Philippines to promote environmental jurisprudence in the region.



The next presenter was Judge Angkana Sinkaseam, Judge in the Research Division of the Supreme Court of Thailand and an experience environmental law judge. Her Honor spoke about the recent developments in environmental adjudication in Thailand. The Supreme Court of Thailand established Green Benches in 2005 and then the next year in the Court of Appeal. Judge Sinkaseam explained about the current operations and jurisdiction of the Green Benches in Thailand and the

challenges being faced by the judges. Issues such as the quantification of harm and damages in environmental cases, the role of expert evidence and issues surrounding the capacity to bring cases to the Court are all relevant. The response to these challenges has been to propose a new law on environmental procedures which is currently being developed by the Court for presentation to the Government.

During the panel discussion there were many questions about damages and remedies and the challenges faced by the courts in determining environmental justice.

SUMMARY OF PRESENTATIONS – DAY 2

SESSION 4: ENVIRONMENTAL RULE OF LAW

Session 4 recommenced with an examination of the environmental rule of law. This session brought together four experienced environmental law practitioners. Matthew Baird, the moderator commenced the session by referencing the ASEAN Declaration on Human Rights, and in particular Article 28(f) the right to a safe, clean and sustainable environment, Article 3, the right to recognition as a person before the law, equality before the law, and also Article 5 that every person has the right to an effective remedy to be determined by a court or other competent authorities for acts violating the rights granted to that person by the constitution or by law.

Dr. Georgina Lloyd, Regional Coordinator, United Nations Environment Programme (UNEP), opened by providing an overview of the work of the UNEP. The UNEP promotes sound environmental governance, and the rules, policies and institutions that shape how humans interact with the environment. Environmental rule of law integrates environmental needs with the essential elements of the rule of law and provides the basis of improving environmental governance. Environmental rule of law provides the foundation for environmental rights and obligations to be exercised. Without an environment to rule, law enforcement of legal rights and obligations at environmental governance may just be discretionary, subjective and unpredictable. Good environmental governance and environmental rule of law is interlinked. Good environmental governance posted by the environmental rule of law ensures that decision making is consultative and representative giving diverse stakeholders, including children and youth and other vulnerable groups, a sense of ownership that is providing environmental policies with more legitimacy.

There are four ways UNEP advances the environmental rule of law. The first is to support the Member States to meet international environmental commitments, improving laws and regulations, through technical legal assistance. The second is assisting the strengthening of institutions, building strong transparent institutions through capacity building support. The third promotes environmental rule of law, supporting access to information, access to justice, participation in decision making and supporting the implementation of laws to assist enforcement agencies. And the fourth advances environmental rights supporting global, regional, and national recognition.

Attorney Sor Rattanamanee Polka, Community Resource Centre in Thailand then spoke of the challenges and opportunities for the courts in promoting an enabling environment to promote access to remedies in environmental cases. Khun Sor spoke of the cases brought by the Community Resource Centre. There is a need to ensure that the rules and procedures of the Court are suitable to enable the community to bring cases before the Court simply and easily. There is also a need to ensure that witnesses and experts are able to provide evidence before the Court. She discussed issues of filing fees and the value of the court attending the site of the claim to ensure that the judges could see in real terms the nature of the case. She also stated that environmental rights are human rights.

Peter Barnett, Regional Manager Asia for ClientEarth, spoke next on the role of commercial law as the next frontier in climate and environmental matters. He observed that climate change and environmental degradation present material, financial risks that trigger commercial law duties. This was illustrated last month in the decision by a Dutch court that oil major Shell must reduce emissions by 45% before 2030. Then there are the physical risks of unchecked climate change, these include the increasing costs of extreme weather events, as well as the long-term impacts of climate change, such as sea level rise, and the effect of rising temperatures on habitability and productivity. Thailand and the Asia Pacific are particularly exposed to such physical climate risks.

Commercial disputes and adjudication responding to climate and environmental harms can play an important role in driving the action that we need to see by the private sector to protect our environment and the people who depend upon it. ClientEarth argue that the best way of managing climate-related financial risks and opportunities is for businesses and financial institutions to align the business and investment decisions with the goals of the Paris Agreement, including sharply reducing emissions. There is a strong business and a strong legal case for companies to bring themselves into alignment with the goals of the Paris Agreement.

To sum up, Peter Barnett suggested four categories that we can expect to see in further legal developments on commercial law and climate litigation:

1. Continued large-scale investment and fossil fuels. Such investment, particularly in the most polluting fields like coal, carries clear financial standard asset risk. The IEA net zero report underlines that there will be no investment in new fossil fuel supply and no further investment decisions for new unabated coal plants.
2. The financing for large-scale fossil fuel investment from public and private bank asset owners, such as pension funds and asset managers.
3. Greenwashing, particularly as consumers and investors put more emphasis on sustainability. Those sustainability claims will be subject to increased legal scrutiny.
4. Financial and prudential regulation that should ensure that climate risks are properly identified and managed.

Attorney Gloria Estenzo Ramos, Vice President Oceana, Philippines, then spoke on Litigation for the Planet – Land and Water. Attorney Ramos said that environmental issues are governance issues. A lack of consensus amongst government agencies is one of the challenges for environmental and human rights defenders, including the government agencies, in the Philippines. She also reported on the SLAPP suit that had been launched against her which still took seven years before it was dismissed by the Courts. The planet is facing a crisis of biodiversity and climate change that needs to be addressed. She spoke that the environmental rule of law is essential and highlighted the importance of the Constitution and the provisions for the power of the Supreme Court to set its own rules and the provision, under Article XIII, Section 15, which provides for the rights of civil society organizations.

Her presentation also spoke about the case filed in 2007 (before the Supreme Court Rules of Procedure in Environmental Cases) on behalf of the resident marine mammals of Tanon Strait against the Department of Energy. The case was against offshore oil and gas exploration and drilling in the Tanon Strait which was going to impact both a large number of marine mammals as well as the legal rights of fisherfolk. The Supreme Court held that there was standing for the lawyers to sue on behalf of the marine mammals, including whales and dolphins. This case brought onboard all relevant impacted stakeholders, including the marine scientists. Multi-stakeholder engagement is essential to achieve effective environmental law enforcement. She concluded:

- Crises are opportunities for change and solidarity
- Multi-stakeholder collaboration is key for reforms
- Mainstream science-based and participatory decision-making in governance
- Availing of legal remedies is always an option
- Demand/ensure transparent and accountable governance
- Social media visibility matters

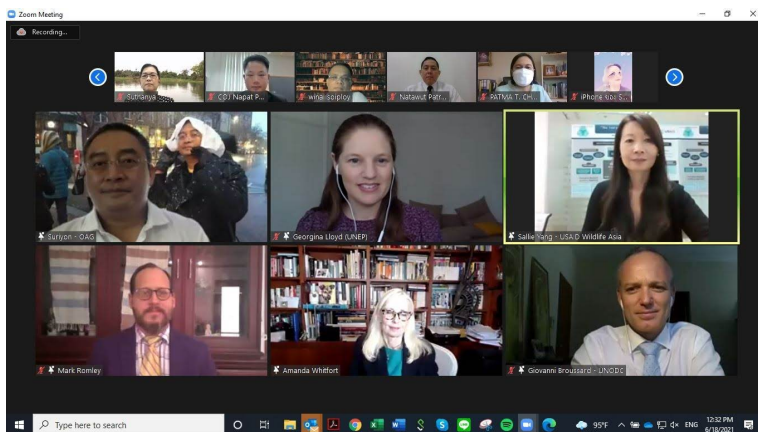
SESSION 5: BREACHES OF ENVIRONMENTAL LAW: WILDLIFE CRIME

Session 5 focused on wildlife crime in the region and was moderated by Georgina Lloyd, UNEP. The first presenter was Giovanni Broussard, Global Programme for Combating Wildlife and Forest Crime with the UN Office on Drugs and Crimes (UNODC), Regional Office for Southeast Asia and the Pacific. Mr. Broussard focused on the need to care about wildlife crime, in particular he noted that it is a form of organized crime. COVID-19 did not stop wildlife crime, rather it led to

stockpiling and changes in modus operandi. Border lockdowns did reduce the transboundary traffic but not the illegal logging or taking of wildlife. The UNODC has developed a guide to model legislation for counter wildlife trafficking, including definitions and provisions with definitions and options for assisting national authorities in the drafting of legislation to deal with wildlife crime.

Mark Romley, Regional Resident Legal Advisor for Counter Wildlife Trafficking Issues in Southeast Asia, U.S. Department of Justice, has been located in Vientiane Laos PDR since 2018. Mr. Romley provided an overview on evidence collection and prosecutions in wildlife crime in Southeast Asia and sentencing of wildlife crime in the U.S. federal system. The collection of evidence is the same in other criminal matters, especially dealing with major crime organizations. The use of DNA evidence, digital evidence (including emails, text messaging, online reports, and photographic evidence) is necessary to successfully prosecute international wildlife crime. It is also important for agencies to work together and across borders to identify the individuals and legal entities responsible. This includes looking at the financial rewards of the crime

Mr. Romley also referred to the U.S. approach to sentencing in environmental matters. The U.S. has adopted a sentencing table built around 43 offense levels and 6 criminal history categories for defendants charged with a federal offence. The higher the number (based on various criteria) leads to a higher level of penalty. He also discussed cases where a defendant was fined \$3.5 million and a jail term of 37 months.



Ms. Sallie Yang, Technical Lead Law and Policy, USAID Wildlife Asia, gave a brief overview of the policy and legal framework on countering wildlife trafficking in the ASEAN Region. She highlighted several resolutions and declarations made by ASEAN of Illegal Wildlife Trade, including the Chiang Mai Statement of ASEAN Ministers Responsible for CITES and Wildlife Enforcement on Illegal

Wildlife Trade of 2019. These focused on the strengthening on ASEAN Cooperation. ASEAN has two main bodies that deal with wildlife crime. All ten AMS are parties to CITES and the United Nations Convention against Transnational Organized Crime, but all AMS need to develop and implement national legislation and determine national criminal frameworks for wildlife trade. USAID Wildlife Asia works closely with AMS on the implementation and strengthening of the legal framework for the prosecution of illegal wildlife crime. The presentation concluded with recommendations to strengthen CWT work including training of environmental judges, appointment of specialized prosecutors, and the development of sentencing guidelines in environmental crimes.

Associate Professor Amanda Whitford, Faculty of Law, University of Hong Kong looked at an innovative approach to wildlife crime through the use of species victim impact statements (SVIS) on commonly traded endangered species. Since early 2015, Professor Whitford and the Hong Kong University has worked on developing an initiative to prepare statements for the prosecutors and the Courts on the impact of wildlife offences on the particular species. The SVIS needed to be drafted in accordance with the rules of expert evidence and in a standardized form that could be stored and updated. Over 100 SVIS have now been prepared. As part of this process the group also arranged for training of prosecutors and videos for judicial training and capacity building. Wildlife crimes

offences in Hong Kong have now been upgraded and are heard in the District Court. Admissibility of the evidence was a key requirement for the development of the SVIS. Professor Whitford identified the types of information that are included in the SVIS, including scientific data and species conservation status as well as possible impacts to ecosystems and the value of the species to the criminal organizations involved in trafficking, and the disease and pathogen risks from these species. Currently the victim charter in Hong Kong does not recognize animals as victims so these SVIS are introduced through expert evidence which is presented to the court.



The final speaker was Suriyon Prabhasavat, Senior Expert Public Prosecutor, from the Office of the Attorney General, Kingdom of Thailand. He spoke about environmental liability in Thailand, including civil, criminal and administrative. The presentation highlighted some of the challenges in the bringing of actions on environment matters, including the proof of causation or harm and the calculation of damages. For environmental crimes, the Royal Thai Police and the Office of Attorney General (OAG) have the power to prosecute. Although it is usually the OAG which is responsible for environmental prosecutions. He also discussed the modes of wildlife trafficking in Thailand and the impacts of wildlife crime to Thailand, including corruption, threats to national security, loss of tourism and growth of organized crime. Thailand is a source, transit and consumer country for wildlife crime which creates significant challenges for the enforcement and prosecution of wildlife crimes.

There was some discussion about the treatment of small-scale environmental offences, such as littering, and how this can impact the role of the courts in environmental crimes. These offences may divert resources away from other, more serious, environmental crimes.

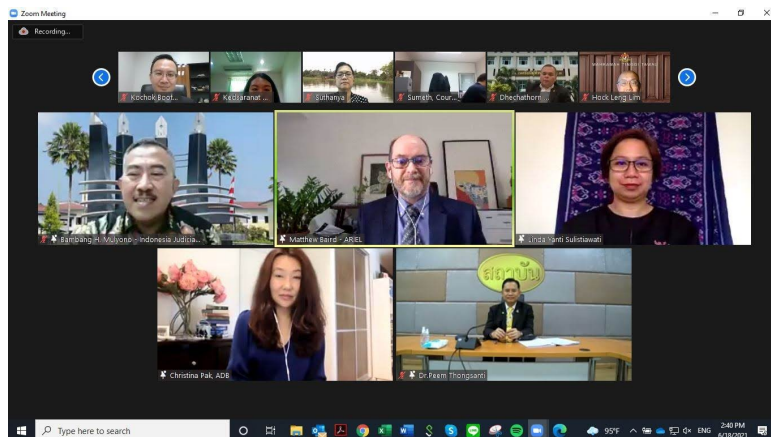
SESSION 6: PROFESSIONAL DEVELOP/CAPACITY BUILDING FOR ENVIRONMENTAL JUDGES

This Session, facilitated by Matthew Baird, examined the importance of professional development for judges in environmental matters. Justice Antonio Benjamin, Chair of the Governing Committee, Global Judicial Institute on the Environment, gave a powerful presentation and overview of the role of judges in environmental dispute resolution and the need for ongoing and continuous support for the professional development of judges.

Justice Peem Thongsunit, Secretary General, Judicial Training Institute of Thailand (JTI), provided an overview of the work of the JTI in the development of training to judges in Thailand on environmental law. First, the JTI established the environmental department under the civil court of first instance to handle specialized cases. After that the environmental department under the court of appeal and the Supreme Court were established. The court of justice has granted many scholarships for the judges to study abroad on environmental law both as their master and Ph.D. degree. In April 2021, JTI in collaboration with USAID and UNEP developed the Introductory Course on International and National Environmental Law and Governance for judges with a group of committees, which consisted of judges, who have experience dealing with environmental cases, and the experts on the environment. The objective of the course was to raise awareness of national and

international environmental law, with 10 lessons that can be studied online. Before the launch of this course, we also had another expert dialogue and review seminar for the Introductory Course on International and National Environmental Law and Governance during April 19-20, 2021, which was also done virtually via Zoom.

The JTI has established a specialized law academic college with the support from the Office of the Judicial Commission (OJC) and the Court of Justice (COJ). JTI will be the main one who manages this college with the academic standing commission managing the course delivery processes. For environmental law subjects, there will be judges who are specialized on environmental cases who manage and create the curriculum. The aim is to raise the standard of Thai judges on environmental cases and jurisprudence so that we can later share the knowledge and experience with others both in Thailand and abroad, and that Thai judgments would be internationally accepted.



Ms. Christina Pak, Principal Counsel and Team Leader, Law and Policy Reform, Asian Development Bank (ADB), gave an overview on the decades of experience of the ADB in promoting the environmental rule of law. Ms. Pak provided an overview of the Law and Policy Reform Program and enhancing environmental sustainability and tackling climate change. She

emphasized the role of the ADB in building and supporting the environmental rule of law. ADB assists countries in all areas of the law and with capacity building to help implement the laws, including with the national judiciaries. The main area of focus is in environmental law and in particular climate change. Since 2010, ADB has been working with judges, including the establishment of the Asian Judicial Network on the Environment (www.ajne.org), and it now partners with over 30 judiciaries. She also introduced the recently launched four-volume series of Climate Change Law and Litigation produced by the ADB, including a volume focusing on the Asia-Pacific. One particular area for ongoing support is the assessment of damages in environmental matters and effective legal remedies. The ADB will continue to support the AJNE and working with judicial academies and institutes.

Dr. Linda Yanti Sulistiawati, Senior Research Fellow, Asia-Pacific Centre for Environmental Law, National University of Singapore (APECL) provided an update on the UNEP Environmental Courts and Tribunals (ECTs) Guide for Policy Makers. She outlined that APCEL had been engaged to update the 2016 Guide and had conducted a review of activities of ECTs in the region. She identified that there was a need to provide more data points on environmental courts and tribunals with the Asia Pacific region. She provided an overview of the current data on the role and function of ECTs in the region.

Justice Bambang H. Mulyano, Indonesia Judicial Training Center, provided a brief intervention on the Certification and Training of Environment Judges in Indonesia. His Honor noted that there are four main roles of the court; first is as the determinants of environmental justice, second is to prevent environmental damage, third is environmental restoration and last is judicial activism. There are seven areas of competency improvement for environmental judges, which are environmental science, environmental ethics, environmental protection and management, environmental and natural

resources law, environmental law enforcement (procedural law), judicial activism and integrity. Integrity is crucial as the challenges from environmental cases are very hard. Since 2012-2021, the JTI has trained 12 batches of environmental judges, with 1,048 alumni judges – 801 of them are from general court (civil and criminal court) and 247 of them are from state administrative court. One of the most important indicators of competence achievement is that participants are able to make decisions whose legal considerations are in accordance with the principles of environmental law.

SESSION 7: FEEDBACK AND PROFESSIONAL DEVELOPMENT FOR ENVIRONMENTAL JUDGES

The final session of the Symposium was coordinated by Judge Suntariya and Judge Comwachara from the Thai Supreme Court. This included a discussion on questions from the Judicial participants and an online poll conducted via Zoom. The results of the polling are set out below.

1. How long have you been working as environmental judges?

| | |
|--------------------|-----|
| 1-3 years | 57% |
| 4-7 years | 10% |
| 8-10 years | 10% |
| More than 10 years | 18% |
| More than 20 years | 5% |

2. What do you think are the key environmental law challenges facing Asia Pacific? Mark the top five issues. (These are ranked in order of importance). The number in parenthesis is the rank in the previous poll in 2019.

| | | |
|---|-----|-----|
| Air pollution and haze | 81% | (1) |
| Climate change | 77% | (5) |
| Plastic and waste management | 66% | (2) |
| Illegal wildlife crime and habitat loss | 58% | (6) |
| Illegal logging | 56% | (3) |
| Water pollution | 53% | (4) |
| Illegal use of land | 31% | (7) |
| Clean up order/enforcement order | 27% | (8) |

3. What are the needs for environmental judges? Choose five. (Ranked in order of importance). The number in parenthesis is the rank in the previous poll in 2019.

| | | |
|--|-----|-----|
| More training for judges | 85% | (2) |
| Rules procedure in environmental cases | 82% | (5) |
| Enforcement of court orders | 77% | (4) |
| Evaluation of environmental damages | 76% | (3) |
| Rules for expert evidence | 53% | (8) |
| Law reform for stronger laws | 42% | (1) |
| Training for prosecutors/regulators | 34% | (6) |
| Certification for environmental judges | 21% | (7) |

Judge Suntariya and Judge Comwatchara responded to questions from the participants on a range of matters including the need to have further training for judges. Judge Jackie Saguisag, from the Manila Central Court (Makati) spoke on the need to provide training for judges and prosecutors to ensure that the cases coming before the courts reflect the real environmental crimes. There was also discussion of the dual system in Thailand with a need to ensure that these courts worked together. There was significant discussion among the participants on the bringing of criminal cases against directors and companies and the role played by prosecutors in this regard. Also, the calculation of damages in civil cases for environmental harm as well as criminal penalties was the subject of much discussion throughout the Symposium.

Judge Suntariya and Judge Comwatchara thanked all the Symposium participants for their attention and the many questions throughout the two days.

CLOSING SESSION

The Symposium heard closing remarks from Justice Punlert Boonleang, President, Environmental Case Division, Supreme Court of Thailand; Mr. Peter Collier, Chief of Party, USAID Wildlife Asia; and Dr. Georgina Lloyd of UNEP. The President spoke on the need to promote and support the continual development and exchange of judicial experience in environmental law.

ANNEXES

ANNEX I: AGENDA

AGENDA

Asia-Pacific Judicial Symposium on Best Practices in Environmental Courts and Adjudication

Bangkok, 17-18 June 2021

Co-organized by the Office of the President of the Supreme Court, the Supreme Court of Thailand, USAID Wildlife Asia, and UN Environment Programme with assistance from Asian Research Institute for Environmental Law

The Asia Pacific Judicial Symposium on Best Practices in Environmental Courts and Adjudication to be conducted on June 17-18, 2021 will focus on best practice for environmental courts in the practice and procedure in environmental matters. It will bring together judges, and selected environmental law practitioners, to deliver a practical and focussed program. The aim will be to show-case the leadership role of the Supreme Court of Thailand within the region.

Originally conceived as an in-person event, the Judicial Symposium will be held virtually over 2 days via zoom platform, due to COVID-19 restrictions.

The Symposium will highlight the role of the Supreme Court of Thailand in developing jurisprudence, training and procedures for environmental law in the region.

| DAY I – 17 June 2021 | |
|---|--|
| Registration and Arrival of Participants 8:00am – 8:45am | |
| On-line Arrival of Guest Speakers and VIPs 8:45am – 9:00am | |
| INAUGURAL SESSION 9:00am – 10:00am | |
| Technical Briefing on on-line meeting | |
| Welcoming Remarks for distinguished speakers | |
| Welcome Speeches (15 minutes) | Honorable Justice Punlert Boonleang , President, Environmental Case Division, Supreme Court of Thailand |
| Remarks by US Embassy, Thailand (10 minutes) | Mr. Michael Heath , US Embassy Chargé d' Affaires |
| Remarks by UNEP (10 minutes) | Ms. Isabelle Louis , Deputy Regional Director, UNEP |
| Group Photo (10 minutes) | |

DAY 1 – 17 June 2021

Coffee Break – 10:00am – 10:20am

SESSION 1: Effective Environmental Courts and Adjudication

10:20am – 12:00

Facilitator: Sallie Yang, USAID Wildlife Asia

(1) Key Note Presentation:

Role of Environmental Courts – International Experience (35 minutes) –

Hon. Justice Brian Preston SC,
Chief Judge Land and Environment
Court of New South Wales

(2) Presentation:

Effective environmental adjudication in the United States of America (20 minutes)

Hon. Justice Michael Wilson,
Associate Justice, Supreme Court of
Hawaii

(3) Presentation:

Why environmental cases need a special judicial forum, Supreme Court of Thailand (20 minutes)

Hon. Justice Winai Ruangsri,
Supreme Court of Thailand

Forum

Lunch – 12:00 – 1:30pm

SESSION 2: Environmental Rule of Law

1:30pm – 3:00 pm

Facilitator: Andy Raine, UNEP

(1) Presentation: Environmental Jurisprudence in India (20 minutes)

Hon. Justice Dr Dhananjaya Y. Chandrachud, Supreme Court of India

(2) Presentation: Effective environmental adjudication in the People's Republic of China (20 minutes)

Ms. Liu Huihui, Judge of the
Environment and Resources Department
of the Supreme People's Republic of
China

(3) Presentation: Environmental Jurisprudence in Pakistan (20 minutes)

Hon. Justice Syed Mansoor Ali Shah,
Supreme Court of Pakistan

(4) Panel discussion

Coffee Break – 3:00pm – 3:20pm

DAY 1 – 17 June 2021

SESSION 3: Special Rules and Practice for Environmental Cases

3:20 pm – 4:20 pm

Facilitator: Matthew Baird, Asian Research Institute for Environmental Law

- (1) Presentation: Through this Session, judges will:
- Consider the role of courts in environmental cases
 - Consider some guiding principles of the adjudicative process as it relates to environmental cases
 - Learn about best practices from other jurisdictions in developing special court rules
 - Learn about alternative means of resolving environmental disputes.

(2) Discussion – 20 minutes.

Presenters:

Hon. Justice Adolf S. Azcuna, Retired Justice of the Supreme Court of the Philippines (20 minutes)

Judge Angkana Sinkaseam, Judge in the Research Division of the Supreme Court, Thailand (20 minutes)

DAY 1 - WRAP UP - 4:20pm – 4:30pm

Facilitator:

Matthew Baird, Asian Research Institute for Environmental Law

DAY 2 – 18 June 2021

SESSION 4: Environmental Rule of Law

09:00 am – 10:30am

Facilitator: Matthew Baird, Asian Research Institute for Environmental Law

- (1) Brief Overview of the UNEP Environmental Rule of Law, UNEP (15 minutes)
- (2) Creating an enabling environment to promote access to remedies (15 minutes)
- (3) Presentation: Litigation for the Planet – Land and Water (15 minutes)
- (4) Presentation: Commercial law as the next frontier in climate and environmental matters (15 minutes)

Panel Discussion

Dr. Georgina Lloyd, Regional Coordinator, UN Environment Programme

Sor Rattanamanee Polkla, Attorney from Community Resource Centre (CRC)

Atty Gloria Estenzo Ramos, Oceana Philippines

Mr. Peter Barnett, ClientEarth

DAY 2 – 18 June 2021

Coffee Break – 10:30am – 10:45am

SESSION 5: Breaches of Environmental Law: Wildlife Crime

10:45 am – 12:30pm

Facilitator: Georgina Lloyd, UNEP

- (1) Presentation: Wildlife Crime in Asia (15 minutes)
- (2) Presentation: Investigating and Evidence in Transnational wildlife Crime; Sentencing guidelines and best practices (20 minutes)
- (3) Legal Framework on Wildlife Trafficking in the ASEAN region (15 minutes)
- (4) Species Victim Impact Statement (SVIS) Initiative (15 minutes)
- (5) Prosecuting Environmental Crime in Thailand (15 minutes)
- (6) Panel discussion and Q&A Session (25 minutes)

Mr. Giovanni Broussard, Global Programme for Combating Wildlife and Forest Crime United Nations Office on Drugs and Crime (UNODC) Regional Office for Southeast Asia and the Pacific

Mr. Mark Romley, Regional Resident Legal Advisor for Counter Wildlife Trafficking Issues in Southeast Asia, U.S. Department of Justice

Ms Sallie Yang, Technical Lead Law and policy, USAID Wildlife Asia

Associate Professor Amanda S Whitfort, Faculty of Law, University of Hong Kong

Mr. Suriyon Prabhasavat, Senior Expert Public Prosecutor, Deputy Secretary to the Attorney General of Thailand

Lunch 12:30 noon – 1:30pm

SESSION 6: Professional Development/Capacity Building and Certification for Environmental Judges

1:30pm – 2:30pm

Facilitator: USAID Wildlife Asia

Presentation: This Session will look at experience with judicial capacity building and certification of environmental judges:

- (1) Global Judicial Institute for the Environment
- (2) JTI and Environmental Training for Judges
- (3) The Asian Judicial Network for the Environment

Hon. Justice Antonio Benjamin, Chair Governing Committee, Global Judicial Institute on the Environment

Hon. Justice Peem Thongsunti, Judicial Training Institute of Thailand

DAY 2 – 18 June 2021

(4) Update on UNEP Environmental Courts and Tribunals Guideline for Policy Makers

Ms. Christina Pak, Principal Counsel & Team Leader, Law and Policy Reform Asian Development Bank

Dr. Linda Yanti Sulistiawati, Senior Research Fellow, Asia-Pacific Centre for Environmental Law, National University of Singapore

Coffee Break – 2:45pm - 3:15pm

SESSION 7: Feedback and Professional Development for Environmental Judges

3:15pm – 4:00pm

Facilitator: Thai Supreme Court

Feedback Session

Zoom Survey in English and Thai

Comments and Final Discussions on Best Practice in Environmental Adjudication and Professional Development

CLOSING SESSION

4:00pm – 4:15 pm

Facilitator: USAID Wildlife Asia

Closing Speeches

Hon. Justice Punlert Boonleang, President, Environment Case Division, Supreme Court of Thailand

Remarks by USAID Wildlife Asia

Mr. Peter Collier, Chief of Party, USAID Wildlife Asia

Remarks by UNEP

Dr. Georgina Lloyd, UNEP

Vote of Thanks

END OF SYMPOSIUM

ANNEX 2: SPEAKER PROFILES

Asia-Pacific Judicial Symposium on Best Practices in

Environmental Courts and Adjudication

Bangkok, 17-18 June 2021

Speakers (in the order of sessions)

Honorable Justice Brian J Preston

Chief Judge of the Land and Environment Court of New South Wales, Australia

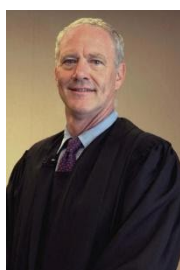


Justice Preston is the Chief Judge of the Land and Environment Court of New South Wales. Prior to being appointed in November 2005, he was a senior counsel practicing primarily in New South Wales in environmental, planning, administrative and property law. He has lectured in post-graduate environmental law for nearly 30 years. He is the author of Australia's first book on environmental litigation and 139 articles, book chapters and reviews on environmental law, administrative and criminal law. He holds numerous editorial positions in environmental law publications and has been involved in

a number of international environmental consultancies and capacity-building programs, including for judiciaries throughout Asia. Justice Preston is an Official Member of the Judicial Commission of NSW, Fellow of the Australian Academy of Law, Fellow of the Royal Society of NSW and Honorary Fellow of the Environment Institute of the Australia and New Zealand. He was awarded an honorary Doctor of Letters by Macquarie University in 2018. He is a member of various international environmental law committees and advisory boards, including the interim governing council of the Global Judicial Institute on the Environment. He is currently an Adjunct Professor at the University of Sydney, Western Sydney University and Southern Cross University. In 2019 Justice Preston was a Visiting Fellow at Corpus Christi College, University of Oxford, and in 2020 was the Robert S Campbell Jr Visiting Fellow at Magdalen College, University of Oxford.

Associate Justice Michael D. Wilson

Hawaii Supreme Court, USA



Associate Justice Michael Wilson was appointed to the Hawaii Supreme Court on April 17, 2014, after serving as a Circuit Court Judge of the First Circuit since May 10, 2000. As a Circuit Court Judge, he presided over adult drug court, adult mental health court and the felony criminal trial court. Justice Wilson served as Chair of the Environmental Court Working Group to manage the implementation of the Hawaii Environmental Court in 2015. Justice Wilson is a founding member of the Global Judicial Institute on the Environment and an adjunct faculty member of the Jindal Global University Law School in Sonapat, India. Prior to his appointment as a

Circuit Court judge, Justice Wilson was the director of the Department of Land and Natural Resources, Chair of the Board of Land and Natural Resources, Chair of the State Water Commission and a Trustee of the Kahoolawe Island Reserve Commission. He was awarded a lifetime membership in the Western Association of Fish and Wildlife agencies in 1999. Previously,

he was a partner in the law firms of Pavey Wilson & Glickstein and Hart Wolff & Wilson where he practiced civil and criminal trial and appellate law. Justice Wilson received his law degree from Antioch School of Law in Washington D.C., and bachelor's degree from the University of Wisconsin-Madison.

Justice Winai Ruangsri
Justice of the Supreme Court of Thailand, Thailand



Justice Winai Ruangsri earned his Bachelor's degree in law from Thammasat University and a Master degree of law from University of Pennsylvania, School of Law. He entered the Thai judiciary in 1984. He has been appointed as a judge and a chief judge in many different courts of first instances including a deputy chief judge of the Civil Court in Bangkok. He was also a Frequent Environmental Law Instructor/ Lecturer at Training Courses for Appellate Judges and Judge Trainee in the Court of Justice, and Thammasat University's post graduated Program. From 2005 to 2010, Justice Winai served as a Research Justice and the Secretary for the Environmental Division of the Thai

Supreme Court. As Research Justice, he was responsible for conducting legal research, examining all relevant factual and legal issues of the environmental law cases and also drafting judgments. He also serves as an Environmental Law Instructor at Judicial Training Institute in the Court of Justice. At present, Justice Winai Ruangsri is a justice of the Thai Supreme Court in the Environmental Case Division.

Justice Dhananjaya Y. Chandrachud
Justice of the Supreme Court of India, India



Dhananjaya Y. Chandrachud studied law at Delhi University in 1982 at a time when few jobs were available to young law graduates. He worked for a while, as a junior advocate assisting lawyers and judges, including drafting some briefs for Fali Nariman. After graduating from Harvard, Chandrachud first worked at the law firm Sullivan and Cromwell. He described this experience as "sheer fluke" due to the strong pecking order that existed at that time, and a strong bias against hiring Indians and similar developing countries. Upon returning to India, he practiced law at the Supreme Court of India and the Bombay High Court. He was designated a Senior Advocate by the Bombay High Court in

June 1998. That year, he was appointed an Additional Solicitor General of India, a role he held until his appointment as a Judge. He became a judge at the Bombay High Court from 29 March 2000 until his appointment as Chief Justice of the Allahabad High Court. During this time, he was also Director of the Maharashtra Judicial Academy. He was Chief Justice of the Allahabad High Court from 31 October 2013 until appointment to the Supreme Court of India on 13 May 2016. Apart from his judicial service, Chandrachud is a visiting professor of comparative constitutional law at the University of Mumbai and Oklahoma University School of Law in the United States. He has lectured at the Australian National University, Deakin University, Melbourne Law School, Harvard Law School, Yale Law School, the William S. Richardson School of Law at the University of Hawaii and the University of Witwatersrand, South Africa.

Judge Liu Huihui

Judge of the Environment and Resources Department of the Supreme People's Court of the People's Republic of China, China



Liu Huihui is a doctoral candidate at the China University of Political Science and Environmental Law and holds a Master's Degree in Civil and Commercial Law. In 2017, Research Fellow of the International Climate Protection of Alexander von Humboldt Foundation. Since 2014, she worked with the Supreme People's Court of China as An Assisting Judge of the Division of Environment and Resources. She also worked with the Supreme People's Court of China as an Assisting Judge of the Second Division for Case-Registration, from July 2009 – June 2014.

Her academic experiences included written several chapters of books, including interpretation of environmental protection law, understanding and applying the Supreme People's Court interpretations on environmental civil public interest litigation, procuratorial public interest litigation, compensation litigation for ecological environment damage, and environmental protection torts. She participated in formulating the Supreme People's Court interpretations on environmental civil public interest litigation, procuratorial public interest litigation, and compensation litigation for ecological environment damages. She also participated in the legislative suggestions of environmental tort provisions of the China Civil Code.

Justice Syed Mansoor Ali Shah

Justice of Supreme Court of Pakistan, Pakistan



Justice Shah was elevated to the bench at the Lahore High Court in 2009 and after serving as the Chief Justice of the Lahore High Court for almost two years was elevated to the Supreme Court of Pakistan in early 2018. He did his schooling at Aitchison College, Lahore and got his law degree from the University of Cambridge, UK, as well as, the University of the Punjab, where he also obtained a degree in Masters in Economics. As a corporate litigator, he was a partner at AFRID, SHAH & MINALLAH¹ and took keen interest in public interest litigation with special focus on environmental issues and sustainable development. He had a passion for teaching and taught law for almost two decades at various institutions including; Lahore University of Management Sciences (LUMS), Pakistan College of Law, Pakistan College of Law, Lahore and at the Civil Services Academy, Lahore. He was also part of the steering committee that established the law school at LUMS, now called Syed Ahmed Hassan School of Law & Policy (SAHSOL). His areas of special interest are the constitutional law, human rights, climate² and water justice, environmental sustainability, disability rights, criminology, digital surveillance, privacy and proportionality. He believes in continuous judicial reforms; as the Chief Justice of the Lahore High Court, he spearheaded the formation of Alternate Dispute Resolution Centers (ADRC) in Punjab. This was to provide an alternative to litigation in order to reduce the chronic backlog and staggering pendency of cases. He also set up the first ever Gender Based Violence Court (GBV) and a Child Court at Lahore besides Criminal and Civil Model Courts to create working coordination between stakeholders in order to speed up dispensation of justice. He introduced Case Management and Court Automation Systems in Punjab both at the

¹ All the three partners were successively elevated to the Bench and the law firm was dissolved.

² He has authored *Asghar Legahri* and *D.G.Khan Cement*.

Lahore High Court and the District Courts, installed the Enterprise IT System with the help of Punjab Information Technology Board (PITB) to sustain the IT vision of the court for the next decade and to make the judicial system open, transparent, smart and fully connected at all levels. To provide access to justice to an ordinary litigant and the lawyers, online Call Centre, Judicial Mobile App and online *Sahulat* (care) Center were established.

He underlines the need for Information Technology, Artificial Intelligence, Video Linking, Human Resource Development and Restructuring of the District Judiciary as the effective engines of change for the future and would like them to be mainstreamed to achieve state of the art judicial governance. He lays great emphasis on empowering the District Judiciary by enhancing their capacity through international and domestic training, based on performance indicators and by providing them a secure and conducive working environment, especially for the women judges. He feels that we need to increase judge per capita to improve the quality and speed of dispensation of justice in the country.

He helped restructure the curriculum at the Punjab Judicial Academy and brought it in line with the global best practices building a sustainable platform for judicial capacity building of the members of the District judiciary and the ministerial court staff. He laid special emphasis on research and played a foundational role in setting up the Lahore High Court Research Centre (LHCRC).

At the Supreme Court of Pakistan, he has helped establish e-courts by video linking the Principal Seat of the Supreme Court with the all the Provincial Registries of the Supreme Court, which has helped save travel cost to Islamabad from all over the country and has brought relief to the working schedule of the lawyers who can attend to more cases, work more efficiently by avoiding adjournments. This was done prior to COVID-19 and has attained exceptional utility during the pandemic. The new SC Judicial Mobile Application helps lawyers and litigants navigate their way through the cause lists and court rosters and have enhanced their access to justice. Research and scholarship are the hallmarks of any apex court in the country, hence Research Centre (SCRC) at the Supreme Court was established, manned by bright and promising Civil Judges from all across Pakistan. SCRC carries the vision to eventually provide and support research to all the courts in the country, thereby enriching our jurisprudence and the scholarship of our judges.

Justice Adolf Azcuna

Chancellor, Philippine Judicial Academy

Associate Justice (Ret.), Supreme Court of the Philippines, Philippines



Justice Adolfo S. Azcuna was born in Katipunan, Zamboanga Del Norte on February 16, 1939, the son of Felipe B. Azcuna and Carmen S. Sevilla. He received the degree of Bachelor of Arts, with academic honors, at the Ateneo de Manila in 1959 and the degree of Bachelor of Laws, *cum laude*, at the same institution in 1962. He was admitted to the Philippine Bar in 1963, placing 4th in the 1962 bar examinations. He forthwith embarked on a government career as Assistant Private Secretary of then Presiding Justice Jose P. Bengzon of the Court of Appeals in 1963 and, thereafter, upon the appointment of the latter to the Supreme Court in 1964, as his Private Secretary. Justice Azcuna taught International Law at his *alma mater*, Ateneo de Manila, from 1967 to 1986. In 1982, he completed post-graduate studies in International Law and Jurisprudence at the McGeorge School of Law in Salzburg, Austria. On October 17, 2002, he was appointed Associate Justice of the Supreme Court by President Gloria Macapagal-Arroyo.

In his Opening Remarks delivered at the Lecture Forum on the Writ of Amparo before the RTC judges of the NCJR on October 15, 2007, then Chief Justice Reynato S. Puno said, “In 1987, Justice Adolf Azcuna, then one of the commissioners tasked by President Corazon Aquino to draft the 1987 Constitution, embedded in its backbone a provision giving the Supreme Court the extra power to promulgate rules which would give life to the writ of *amparo* to protect the constitutional rights of our people. Through his initiative, the rule-making power of the Supreme Court was expanded to complement the awesome power of Congress to make laws. Historically, it is the parliament that protects the rights of people through its lawmaking power. Justice Azcuna allowed the Supreme Court to have a share in the exercise of this power by expanding its rule-making power.” Justice Azcuna retired from the Supreme Court on February 16, 2009 and was appointed, on June 1, 2009, Chancellor of the Philippine Judicial Academy.

On September 27, 2016, the Ateneo de Manila University during its 2016 Traditional University Awards conferred with Justice Azcuna the *Lux-in-Domino* Award. This capstone award that requires the crowning achievement of both life and work is given to an extraordinary individual who has incarnated in life, and perhaps even in death, in an outstanding and exemplary manner, the noblest ideals of the Ateneo de Manila University.³ The citation stated: “For living as a selfless public servant who puts country before self and as a man of deep faith whose devotion to his family is unchanging; for devoting more than 50 years of his life to judicial work, driven by a commitment to the delivery of justice; for ensuring the protection of every Filipino’s constitutional right to life, liberty, and security through the writ of *amparo*; for lighting a path of excellence, service, and probity that young Filipinos and Ateneans may follow.”⁴

Justice Azcuna's major publications include "International Sales of Goods," "Transnational Law Practice," "International Law Teaching in the Philippines," "Doing Business in the Philippines," "Foreign Judgment [Monetary] Enforcements in the Philippines," "Piercing the Veil of Corporate Entity: From Willets to Santos," "ASEAN Conflict of Law," "The Supreme Court and Public International Law," and his two Supreme Court books: “Seeing Reality in Today’s World” and “Seeking Justice in Today’s World.”

Justice Azcuna is married to Maria Asuncion Aunario, former Dean of Liberal Arts and Sciences at St. Scholastica's College. They are blessed with four children and four grandchildren.

Judge Angkana Sinkaseam

Judge in the Research Division of the Supreme Court of Thailand, Thailand



Judge Angkana Sinkaseam earned her Bachelor’s degree in law from Thammasat University and a Master degree in Environmental law and Policy from University College London (UCL). She entered the Thai judiciary in 2006. She has been appointed as a judge in many different courts of first instances. She has served as a research judge in the Environmental Case Division of the Thai Supreme Court for many years. As the research judge, she is responsible for conducting legal research, examining all relevant factual and legal issues of the environmental law cases and also drafting judgments. She also serves as an environmental law instructor at Judicial Training Institute in the Court of

³ <http://www.ateneo.edu/lux-domino-award>

⁴ <http://www.ateneo.edu/adolfo-s-azcuna-lux-domino>

Justice at training courses for appellate judges and judge trainees. At present, Judge Angkana Sinkaseam is the Secretary of the Environmental Case Division of the Thai Supreme Court.

Dr. Georgina Lloyd

Regional Coordinator (Asia and the Pacific) of Environmental Law and Governance for the United Nations Environment Programme (UNEP), Thailand



Dr. Georgina Lloyd Rivera is the Regional Coordinator (Asia and the Pacific) of Environmental Law and Governance for the United Nations Environment Programme (UNEP). Georgina's work covers the areas of environmental rights, environmental crime, technical assistance in environmental law and capacity building at the national and regional level. She joined the UNEP Regional Office after spending 12 years based in Siem Reap, Cambodia. During her time in Southeast Asia she has conducted research on environmental law and policy, heritage law, heritage and tourism management, and the development of good environmental governance. Georgina has been involved in capacity building for environmental law within Southeast Asia and has provided advice to government and non-government stakeholders on environmental law and policy issues.

Georgina has conducted both doctoral and postdoctoral research on heritage law and policy in Cambodia. From 2014-2019 Georgina's work in Cambodia focused on community based natural resource management, protected areas management, climate change, traditional practice and environmental governance. Georgina holds a PhD in Law, Master in Environmental Law and Bachelor in Environmental Science (Hons I) from the University of Sydney.

Sor Rattanamanee Polkla

Lawyer and Executive Coordinator, Community Resource Centre (CRC), Thailand



Sor. Rattanamanee Polkla's career spans the past twenty years of public interest lawyering in Thailand, and she has been involved in many of its most significant recent cases. After working for years as an independent public interest lawyer, in 2010 she co-founded with Prashant Singh the Community Resource Centre (CRC), a non-government organization working with communities who face the impacts of development projects.

The CRC is today a well-known and prominent registered non-governmental organization (foundation) in Thailand, which works with and represents communities who face serious negative environmental and social impacts of ill-planned and poorly regulated industrial and development projects. To date, CRC has taken on about 100 cases from over 20 communities, including on mining projects, land rights, industrial pollution, thermo power plant, biomass, irrigation schemes, pollution cases, and defended the rights of hundreds of people in local communities. Through the work of its lawyers, CRC has successfully helped set legal precedent in public interest cases involving environmental harm and environmental defenders. Sor. is a lawyer and executive coordinator of CRC who led lawyer teams to work on those cases of CRC. Her cases are across Thailand and trans-boundary cases in Mekong region. The most cases are related business and human rights and environment. She is also the coordinator of the Mekong Legal Network (MLN).

Atty Gloria Estenzo Ramos
Vice President, Oceana Philippines International



Atty. Gloria ‘Golly’ Estenzo Ramos is the Vice President of Oceana Philippines and a member of the Executive Committee of Oceana International. Oceana was founded in 2001 and is the largest international advocacy organization focused solely on ocean conservation. Its offices around the world work together to win strategic and time-bound campaigns and achieve measurable outcomes to help make our oceans more biodiverse and vibrant. Oceana Philippines works to restore fisheries abundance through sustainable management interventions such as strong enforcement of fisheries law to fight illegal and destructive fishing and protection of marine habitats.

Since 2016, Oceana, together with key decision makers in government, private and civil society sectors, strongly advocated for the protection of the Philippine Rise, including the pristine Benham Bank, which President Duterte proclaimed as a strict-protection marine resource reserve in May 15, 2018. Oceana is a key partner of the government in implementing the ban on commercial fishing in municipal waters and protected seascapes nationwide. To deter illegal commercial and destructive fishing, it has been pilot testing vessel monitoring technology for commercial fishing vessels in Tanon Strait and key fishing grounds in Visayas and Mindanao. Before leading Oceana since it established its office in the Philippines in 2014, Atty. Gloria ‘Golly’ Estenzo Ramos was a Southeast Asia representative to the IUCN Academy of Environmental Law Governing Board. She was a faculty member of the University of Cebu’s College of Law. She co-founded the Philippine Earth Justice Center, a nonprofit which institutes environmental cases and uses accountability tools to promote good governance while assisting in stakeholders’ compliance with environmental laws. Among the prominent environmental cases she was involved were stopping the offshore oil drilling project in the largest marine protected area in the country, the Tañon Strait Protected Seascape, which the Supreme Court declared in 2015 as unconstitutional. Together with other NGOs and partners, she also helped halt the indiscriminate dumping of coal ash, and a proposed destructive reclamation project within Tanon Strait. Together with five Filipino environmental champions from the government and civil society, she received the People’s Gratitude Movement or the “Pasalamat sa Katauhan” award from the United Nations Environmental Programme (UNEP) and the Institute of Governance and Sustainable Development (IGSD) based in Washington, DC during a recognition ceremony for their Outstanding Contributions to the Environment on July 25, at the UN Conference Centre in Bangkok, Thailand.

Awarded by the Globe Media Awards for Excellence in Journalism-Visayas as the ‘Columnist of the Year’ in 2017 and 2015, she maintains a weekly column on the environment and governance with Cebu Daily News, an affiliate of the Philippine Daily Inquirer.

Peter Barnett

Head of Asia Climate and Energy, ClientEarth, Singapore



Peter Barnett is the Head of Asia Climate and Energy at international environmental NGO ClientEarth. ClientEarth uses the law, backed by science and economics, to protect people and planet. Peter frequently speaks and writes on the role of corporate law in driving greater sustainability in business and investment decisions, including shareholder climate activism and litigation.

Before joining ClientEarth, Peter specialized in international arbitration and litigation at US disputes firm Boies Schiller Flexner in London and Russell McVeagh in New Zealand. He has wide-ranging experience in international investor-state and commercial arbitration in Europe, the United States and Latin America. He has also acted for government and private sector clients in high-profile commercial and public law litigation in the English and New Zealand courts. Peter holds an LLM from Harvard Law School and an LLB (Hons) and BCom (Finance) from the University of Otago. He is admitted as a barrister and solicitor in New Zealand (non-practising) and a solicitor in England and Wales.

Giovanni Broussard

Regional Coordinator (Asia) Global Programme Wildlife and Forest Crimes, UNODC, Thailand



Giovanni Broussard is the Regional Coordinator of the UNODC Global Programme for Combatting Wildlife and Forest Crimes in Southeast Asia. His work focuses on promoting a reform of the traditional conservation sector to introduce tools of the criminal justice system. In this framework he has contributed to the establishment of the working group on wildlife and timber trafficking within the ASEAN Senior Officials Meeting on Transnational Crime, he has promoted cooperation among African and Asian practitioners (police, prosecutors and customs officers) through the Wildlife Inter-Regional Enforcement (WIRE) meetings, he coordinated the delivery of numerous

training courses to more than 1,000 law enforcement officials and supported national dialogues to promote better legal frameworks, modern investigation techniques and prosecution against wildlife trafficking.

In the Greater Mekong Sub-region he has also managed the program on cooperation at land border to combat trafficking and organized crime. He has 15 years of experience in the field of project management related to criminal justice, organized crime and law enforcement. He worked in Afghanistan, Namibia, Macedonia and he is now based in Thailand.

He holds a PhD in Development studies with focus on Environment, a Master in International Relations with focus on Corruption and an undergraduate degree in Economics with focus on drug markets.

Mark Romney

Regional Resident Legal Advisor for Counter Wildlife Trafficking Issues in Southeast Asia at U.S. Department of Justice, Lao PDR

Resident Legal Advisor for Regional Counter Wildlife Trafficking Issues



Mark Romney has been a trial attorney for the United States Department of Justice (DOJ), Environment and Natural Resources Division since 2005. Since 2009, he has been a prosecutor in the Environmental Crimes Section. He began his career prosecuting pollution and wetland crimes. Since 2011, he has focused on investigating and prosecuting large-scale wildlife poaching operations in the United States. Starting in 2014, he began working in Southeast Asia on wildlife trafficking issues. For the past three years he has traveled to all of the ASEAN countries except the Philippines to work with prosecutors, law enforcement officials, and judges on developing effective counter wildlife trafficking enforcement regimes. Mark has also worked in various African countries doing similar work. Since June 2018, Mark has been posted to the U.S. Embassy in Vientiane, Laos by DOJ's Office of Overseas Prosecutorial Development, Assistance, and Training (OPDAT). Given his recent experience in the region, OPDAT chose him as the first regional resident legal advisor (RLA) on counter wildlife trafficking (CWT) issues. The chief goals of the CWT RLA program are to train prosecutors, investigators, and judges on effective wildlife enforcement; to work toward case-based mentoring of prosecutors handling wildlife trafficking cases; to share international best practices on investigating and prosecuting wildlife cases; and to encourage cross-border cooperation on wildlife trafficking cases among ASEAN countries.

Sallie C.W. Yang

Technical Lead Law and Policy, USAID Wildlife Asia, Thailand



Ms. Sallie C.W. Yang works with Freeland, an NGO working on wildlife trafficking in the regional and globally based in Bangkok, Thailand. She currently leads the law and policy component of USAID Wildlife Asia (UWA) program in which Freeland is a co-implementing partner with RTI, IFAW, TRAFFIC and FHI 360. The team supports USAID Wildlife Asia's activities to support ASEAN regional and national legislative, policy, and regulatory reforms to build political will of decision makers and increase commitment of focal countries for countering wildlife crime. This includes developing and implementing activities in policy outreach; legislation and policy analysis; judicial cooperation; and private-public partnership building portfolio in order to increase political commitments to combat illegal wildlife trade in the regional and in countries within the USAID Wildlife Asia's mandate. Prior to joining Freeland in 2014, she has had more than 18 years' experience as a litigation lawyer and in senior management roles, as head of legal departments for multi-national companies in oil and gas, infrastructure, environmental, and renewable energy sectors. Sallie is a lawyer, qualified in the UK as a barrister-at-law and Singapore as an advocate and solicitor. She holds a law degree (LLB, Hons) from the University of London, UK and a Masters (MSc) in Environment Management from the National University of Singapore (NUS). She is an appointed member of the IUCN World Commission on Environmental Law (WCEL) and an associate member of the Asia Pacific Centre for Environmental Law of the Faculty of Law, NUS.

Amanda Whitfort

Associate Professor in the Faculty of Law, The University of Hong Kong, Hong Kong



Amanda Whitfort is an Associate Professor in the Faculty of Law, The University of Hong Kong, a Solicitor and Barrister of the Supreme Court of Victoria and the High Court of Australia and a Barrister of the High Court of Hong Kong SAR. Professor Whitfort specializes in criminal law, environmental law and animal law. She is dedicated to the transfer of academic knowledge to positive law reform and since 2010 she has sat on the legal working party advising the Hong Kong Agriculture Fisheries and Conservation Department on animal management. In 2015, Whitfort founded an ongoing interdisciplinary project collaborating with the HKU Conservation Forensics Laboratory and the Kadoorie Farm and Botanical Garden to produce species victim impact statements for commonly traded endangered species: <https://www.svis.law.hku.hk/>.

The species victim impact statements are used by enforcement authorities in Hong Kong and greater China to more effectively prosecute wildlife crimes and provide the judiciary in Hong Kong with up-to-date, reliable scientific assessments of the impact of this type of offending to better inform their sentencing decisions.

Mr. Suriyon Prabhasavat

Senior Expert Public Prosecutor, Deputy Secretary to the Attorney General of Thailand



Mr. Suriyon Prabhasavat is a Senior Expert Public Prosecutor, Deputy Secretary to the Attorney General of Thailand. He received a Bachelor Degree of Law from Thammasat University, a Barrister at Law from Thai Bar Institute, and a Master Degree of Law from Chulalongkorn University, Thailand. He was Provincial Prosecutor in Nan Province before based in the headquarter. He attended the Executive Policy and Development Symposium on Transnational Organized Crime at the International Law Enforcement Academy (ILEA) in Roswell, USA, and participated in many CWT forums in the region, Indonesia, Viet Name, Lao PDR, Malaysia.

Justice Antonio Benjamin

Chair, Steering Committee Global Judicial Institute for the Environment, Brazil



Justice Benjamin of the High Court of Brazil is a former senior Assistant Attorney General of the State of São Paulo in Brazil, where he was the head of both the consumer and environmental protection divisions. Justice Benjamin is the founder of the Brazilian Consumer Law and Policy Institute and the Law for a Green Planet Institute. He was a member of the legal expert committee that drafted Brazilian statutes including the Crimes against the Environment Act. Justice Benjamin also served as a member of the UN Secretary General Legal Experts Group on Crimes Against the Environment and on the Brazilian Environmental Council (CONAMA). He is the current Chair of Steering Committee Global Judicial Institute for the Environment.

Justice Peem Thongsunti
Secretary-General of Judicial Training Institution, Thailand



Justice Peem Thongsunti is the Secretary-General of Judicial Training Institution (JTI). He received a Bachelor of Law from Thammasat University, a Barrister at Law from Thai Bar Institute, and a Master of Law from Cornell University, USA. In addition, he received a Doctorate Degree in Good Governance Development from Chandrakasem Rajabhat University, Thailand.

Before becoming a judge, he was a lawyer of the Industrial Finance Cooperation of Thailand (IFCT). He used to be the Chief Judge in the Research Justice Division of the Supreme Court Justice of the Appeal Court. He has developed many judicial courses, i.e., Research Judge Course, Executive Judge in Trial Court Course.

Christina Pak, Principal Counsel
Law and Policy Reform, Office of General Counsel, Philippines



Christina Pak specializes in international development finance and law and policy reform. She is currently a Principal Counsel of the Asian Development Bank and is responsible for managing the Office of General Counsel's Law and Policy Reform Program which designs, processes, and implements technical assistance projects directly to developing member countries relating to legal and judicial reforms. She oversees a diverse portfolio in the areas of environment protection and climate change, gender equality, private sector development, public-private partnerships and digital economy.

Christina leads ADB's judicial capacity building program on environmental and climate change adjudication (www.ajne.org) and Developing Environmental Law Champions Program (www.teachenvirolaw.asia) which aims to improve environmental legal education in Asia and the Pacific. She also co-leads the Legal Readiness for Climate Finance and Climate Investments technical assistance which has been modernizing legal frameworks to attract greater international climate finance and climate investments into ADB's developing member countries. Additionally, Christina specializes in international arbitration reform and has been assisting various countries in the South Pacific region accede to the New York Convention and put in place implementing arbitration law, including Fiji, Palau, Papua New Guinea and Tonga and assisted Uzbekistan with its new Law on International Commercial Arbitration.

Christina also serves as ADB's Accountability Mechanism Policy Counsel and is a member of ADB's Gender Equality, Climate Change and Disaster Risk Management, Environment and Governance Thematic Groups.

In her previous role as a project counsel at ADB, she worked on complex multi-sector projects across the Central West, Southeast and East Asia regions.

Christina is a Steering Committee Member of the IUCN World Commission on Environmental Law and a Member of the Chartered Institute of Arbitrators. She is a US-qualified lawyer, admitted in the States of New York and New Jersey.

Linda Yanti Sulistiawati
Senior Research Fellow, APCEL NUS Law, Singapore

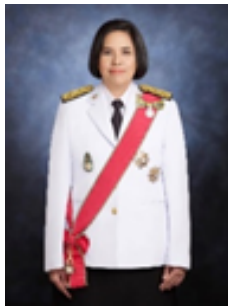


Linda is a Senior Research Fellow at APCEL and also an Associate Professor of Law in Universitas Gadjah Mada. She is an internationally recognized scholar in Indonesian international environmental law and her research has established her as a leading expert who is frequently consulted by the Indonesian government and international organizations. Her research focuses on international environmental issues, such as climate change, REDD+, land issues and customary (adat) issues. Linda was a member of the delegation leading Indonesia's negotiations of the Paris Agreement on Climate Change. From 2018 to 2021, Linda is a lead author of the Intergovernmental Panel on Climate Change's Sixth Assessment Report. Linda

was a Visiting Fellow at APCEL from 5 August 2019 to 3 September 2019 under the APCEL Visiting Fellow Programme.

Facilitators:

Justice Suntariya Muangpawong
Secretary of the Court of Appeal Region I, Thailand



Justice Suntariya Muangpawong is the Secretary of the Court of Appeal Region I. She received Bachelor and Master of Law from Thammasat University, Barrister at Law from Thai Bar Institute and Master and Doctorate Degree in public law from Muenster University, Germany.

She used to be the Secretary of the Environmental Law Division and Deputy Secretary of the Supreme Court. She was also in the administration team of the President of the Appeal Court.

Before becoming a judge, Justice Suntariya was a lawyer, a teacher in a Southeast Asian refugee camp and a legal officer in the Harbor Department. She was the first supervisor of the Judicial Research Institute, where she played a significant role in developing the accountability and responsiveness of the judiciary.

She attended various human rights programs held by international institutions. She has been a proponent of the people-oriented justice reform and has conducted many research projects on child rights protection, gender justice, prisoner rights and environmental jurisprudence.

She has joined many commissions and working groups for justice reform. She was the Secretary of the Drafting Sub-Commission for the Constitutional Rights Chapter of the Constitution of 2017.

Judge Comwatchara leng-Ong
Secretary of the Court of Appeal Region III, Thailand



Dr. Comwatchara leng-Ong is currently Secretary of the Court of Appeal Region III. He graduated with Bachelor's degree in law from Thammasat University; Master of Laws from Chulalongkorn University, Thai Barrister; Diploma in International Human Rights Law, Human Rights Law Centre, University of Nottingham, UK; and Master of Laws (LL.M) Boalt Hall School of Law, University of California, Berkeley, USA, by the Office of the Court of Justice Scholarships. He also graduated with Doctor of Public Administration program from Krikk University, Dr. Comwatchara leng-Ong used to work as a lawyer of Secretariat of the House of Representatives, was an assistant prosecutor, a judge of the provincial court, and the Chief Justice of the Office of the President of the Supreme Court, overseeing the Foreign Affairs Division. Dr. Comwatchara leng-Ong has passed the mediation course of William S. Richardson School of Law, University of Hawaii, USA, the mediation course of Strauss Institute, Pepperdine University, USA, the justice administration course of Kansai University, Japan, the course Strategies of Case Management of the Supreme Court of Singapore. Moreover, he is a visiting faculty of Chulalongkorn University, Kasetsart University and Huachiew University. He gives lectures on laws and mediation of disputes to government agencies and communities, such as giving lectures on international economic dispute resolution to a course for law enforcement at the middle level of the Office of the Council of State. Dr. Comwatchara leng-Ong received the honorary award of Outstanding Alumni, Faculty of Law, Thammasat University.

Matthew Baird
Director at Asian Research Institute for Environmental Law, Thailand



Matthew Baird has over 27 years' experience in environmental and planning law in Australia and in Asia. He was called to the NSW Bar in 1991. Matthew has consulted for a number of organizations including the Asian Development Bank, Vermont Law School, United Nations Development Program, IGES, Mekong Partnership on the Environment, and Earthrights International on environmental law issues. He has advised both the Ministry of Natural Resources and Environmental Conservation (Myanmar) and the Ministry of Environment (Cambodia) on environmental law. In September 2016, he was appointed as Visiting Scholar of the Myanmar Environmental Governance Program of Vermont Law School. He was one of the drafters for the Environmental and Natural Resources Code for Cambodia and the Guidelines for Public Participation and Access to Information in EIA in both Cambodia and Myanmar. Matthew was Chair of the Environment and Planning Law Group of the Law Council of Australia from 2008-2012. He is the deputy-chair of LAWASIA's Standing Committee on Environmental Law and a member of the International Union for the Conservation of Nature (IUCN) Commission on Environmental Law (WCEL). He has lectured part-time at University of New South Wales on Sustainable Energy Law, including teaching on Nuclear Energy Law.

Andrew David Raine

Head - International Environmental Law Unit Law Division, Kenya



Andy Raine is currently the Head of the International Environmental Law Unit in the Law Division at the United Nations Environment Programme (UN Environment). He leads a team based in Nairobi that works globally towards the progressive development and implementation of international environmental law. Andy is an Australian and UK-trained lawyer with expertise in environmental law, policy and governance at the national, regional and international levels. He has worked for over 17 years in the field, with experience gained working in private practice in international law firms (Freehills in Melbourne and Linklaters in London) and UN agencies (UNDP in New York and UN Environment in Bangkok and Nairobi). Andy is married to a fellow environmentalist and has two young children, two dogs, and four bicycles.

ANNEX 3: SPEAKERS AND PARTICIPANTS LIST

| No. | Title | Name | Designation/ position | Organization |
|-----|---------|---------------------------|---|---|
| 1. | Mr. | Punlert Boonleang | President | Environment Case Division, Supreme Court |
| 2. | Mr. | Michael G. Heath | Chargé d’Affaires | USG |
| 3. | Ms. | Isabelle Louis | Deputy Regional Director | UNEP |
| 4. | Justice | Brian J. Preston | Chief Judge | Land and Environment Court of NSW |
| 5. | Justice | Michael D. Wilson | Associate Justice | Hawaii Supreme Court |
| 6. | Justice | Dhananjaya Y. Chandrachud | Justice | Supreme Court of India |
| 7. | Ms. | LIU Huihui | Assisting Judge of the Division of Environment and Resources | The Supreme People’s Republic of China |
| 8. | Dr. | Linda Yanti Sulistiawati | Senior Research Fellow, | APCEL NUS Law, Singapore |
| 9. | Justice | Syed Mansoor Ali Shah | Justice | Supreme Court of Pakistan |
| 10. | Justice | Adolf S. Azcuna | Chancellor | Philippines Judicial Academy |
| 11. | Ms. | Christina Pak | Principal Counsel | Law and Policy Reform, Office of General Counsel Asian Development Bank |
| 12. | Justice | Antonio Benjamin | Chair | Governing Committee Global Judicial Institute on the Environment |
| 13. | Mr. | Peter Barnett | Head of Asia Climate and Energy | Client Earth |
| 14. | Atty. | Gloria Estenzo Ramos | | Oceania Philippines |
| 15. | Ms. | Sor Rattanamanee Polkla | Lawyer and Executive Coordinator | Community Resource Centre (CRC), Thailand |
| 16. | Mr. | Mark T. Romley | Regional Resident Legal Advisor for Counter Wildlife Trafficking Issues in Southeast Asia | US DOJ |
| 17. | Mr. | Giovanni Broussard | Regional Coordinator | Global Programme for Combating Wildlife and Forest Crime United Nations Office on Drugs and Crime (UNODC) |

| No. | Title | Name | Designation/ position | Organization |
|-----|---------|---|---|---|
| | | | | Regional Office for Southeast Asia and the Pacific |
| 18. | Mr. | Suriyon Prabhasavat | Expert Public Prosecutor | Office of Attorney General (Thailand) |
| 19. | Dr. | Amanda S. Whitfort | Associate Professor | Faculty of Law, The University of Hong Kong |
| 20. | Ms. | Cecille Sicangco | Senior Legal Officer | Law and Policy Reform, Office of General Counsel, Asian Development Bank |
| 21. | Ms. | Briony Eales | Judicial Capacity Building Team Leader (Environmental and Climate Change Laws) | Law and Policy Reform, Office of General Counsel, Asian Development Bank |
| 22. | Judge | CAI Chuanlei | Assisting Judge of the Division of Environment and Resources | The Supreme People's Republic of China |
| 23. | Mr. | Brian V. Gonzales | Head of Protection of Endangered Species | WWF-Hong Kong |
| 24. | Mr. | Jedsada Taweekan | Regional Illegal Wildlife Trade Program Manager | WWF |
| 25. | Ms. | Mia Signs | Communications Manager, Illegal Wildlife Trade and Closing Asia's Ivory Markets | WWF-Greater Mekong |
| 26. | Prof. | LYE Lin-Heng, Irene | Hon. Advisor & former Director | Asia-Pacific Centre for Environmental Law (APCEL), Faculty of Law, National University of Singapore |
| 27. | Ms. | Kelly Gwyn | Senior Program Manager | Mekong-Australia Partnership on Transnational Crime, Australian Embassy Bangkok |
| 28. | Ms. | Soukanlaya Rattavong | | Lao PDR |
| 29. | Ms. | Pairin Tosirikul | Investigator | HSI Bangkok, American Embassy Bangkok |
| 30. | Mr. | Abang Iskandar Bin Abang Hashim | Chief Judge of Sabah And Sarawak | Federal Court of Malaysia |
| 31. | Justice | Datuk Hajah Zaleha Rose binti Datuk Haji Pandin | Judicial Commissioner, High Court of Kuching | Malaysia |

| No. | Title | Name | Designation/ position | Organization |
|-----|---------|----------------------------------|---|--|
| 32. | Justice | Lim Hock Leng | High Court Judge of Tawau | Malaysia |
| 33. | Justice | Awang Kerisnada bin Awang Mahmud | Sessions Court Judge of Tawau | Malaysia |
| 34. | Justice | Marutin Pagan | Sessions Court Judge of Sibul | Malaysia |
| 35. | Justice | Darmafikri bin Abu Adam | Sessions Court Judge of Sandakan | Malaysia |
| 36. | Justice | Jason Juga | Sessions Court Judge of Kuching | Malaysia |
| 37. | Judge | Puan Elsie Primus | Sessions Court Judge of Kota Kinabalu | Malaysia |
| 38. | Justice | Iris Awen Jon | Sessions Court Judge of Sri Aman | Malaysia |
| 39. | Mr. | Mohd Aizuddin bin Zolkeply | Special Officer to the Chief Judge | Malaysia |
| 40. | Ms. | Penthai Siriwat | Illegal Wildlife Trade Program Senior Officer | WWF-Thailand |
| 41. | Ms. | Prapimpan Ngoentip | Illegal Wildlife Trade Program Coordinator | WWF-Thailand |
| 42. | Mr. | Gregorio Rafael Bueta | | ADB |
| 43. | Ms. | Maria Cecilia T. Sicangco | | ADB |
| 44. | Mr. | Fok Theng Fong | ECT-NUS Student Research Assistant | National University of Singapore |
| 45. | Ms. | Selene Tanne | ECT-NUS Student Research Assistant | National University of Singapore |
| 46. | Ms. | Celeste Grace A. Saniel-Gois | | ADB |
| 47. | Mr. | Teerat Limpayaraya | Public Prosecutor | International Affairs Department, Office of the Attorney General, Thailand |
| 48. | Dr. | Songkrant Pongboonchan | | Faculty of Law, Chiang Mai University |
| 49. | Dr. | Chanokporn Sumanasrethakul | Assistant Professor/Lecturer | the Faculty of Law, Ramkhamhaeng University |
| 50. | Judge | Jackie Saguisag | Presiding Judge | Metropolitan Trial Court, Makati City |
| 51. | Judge | Bambang Mulyono | Judicial Training Center | The Supreme Court of Republic of Indonesia |

| No. | Title | Name | Designation/ position | Organization |
|-----|---------|------------------------|--|---|
| 52. | Mr. | Wiwiek Awiati | Judicial Reform | Supreme Court of Indonesia |
| 53. | Dr. | Marlar Maw | Director | International Relation and Research Department, Myanmar |
| 54. | Dr. | Moe Thuzar Oo | Deputy Director | International Relation and Research Department, Myanmar |
| 55. | Mr. | Min Thant | Deputy Director | Law and Procedure Department, Myanmar |
| 56. | Justice | Winnai Ruangsri | Justice of the Supreme Court | Supreme Court of Thailand |
| 57. | Justice | Suntariya Muanpawong | Secretary of the Court of Appeal Region 1 | Court of Appeal, Thailand |
| 58. | Justice | Peem Thongsunti | Secretary General of JTI | Judicial Training Institute of Thailand |
| 59. | Judge | Angkana Sinkaseam | Judge in the Research Division of the Supreme Court | Supreme Court of Thailand |
| 60. | Judge | Comwatchara leng-Ong | Research Judge of the Court of Appeal, Region 3, acting Secretary of the Court of Appeal Region 3 | Court of Appeal, Thailand |
| 61. | Justice | Phomsouvanh PHILACHANH | Supreme Court's Justice | Lao PDR |
| 62. | Justice | Chanthanom SIRIVATH | Supreme Court's Justice | Lao PDR |
| 63. | Judge | Acksonesinh VIXAYALAI | Judge level 3 | Lao PDR |
| 64. | Mr | Khamphay XAYASOUK | Head of Division | Lao PDR |
| 65. | Mr. | Matthew Baird | Consultant | Asian Research Institute for Environmental Law |
| 66. | Dr. | Georgina Lloyd | Regional Coordinator | UNEP |
| | Mr. | Andrew Raine | | UNEP |
| | Mr. | Craig Kirkpatrick | Regional Wildlife Conservation Advisor | USAID RDMA |
| | Ms. | Rosemary Yu | U.S. Department of Justice Attaché and International Computer Hacking/Intellectual Property Attorney Advisor - Bangkok | US DOJ |
| 67. | Mr. | Rocky Guzman | Deputy Director | ARIEL |

| No. | Title | Name | Designation/ position | Organization |
|-----|-------|------------------------|------------------------------------|---------------------|
| 68. | Mr. | Paulo Burro | | ARIEL |
| 69. | Mr. | Peter Collier | Chief of Party | USAID Wildlife Asia |
| 70. | Ms. | Nives Mattich | Deputy Chief of Party | USAID Wildlife Asia |
| 71. | Ms. | Sallie Yang | Technical Lead, Law and Policy | USAID Wildlife Asia |
| 72. | Ms. | Bussara Tirakalyanapan | Policy Research Specialist | USAID Wildlife Asia |
| 73. | Mr. | Chadinan Trimingmit | Administrative Support Specialist | USAID Wildlife Asia |
| 74. | Ms. | Orraphan Sanonork | Logistics Specialist | USAID Wildlife Asia |
| 75. | Ms. | Dariya Suebkraisorn | Legal and Administrative Assistant | USAID Wildlife Asia |
| 76. | Ms. | Nichanee Wongba | Consultant | USAID Wildlife Asia |

Thai judicial participants list (per OPSC's invitation)

| No. | Title | Name | Designation/position | Organization |
|-----|-------|-------------------------|--|--|
| 1. | Mr. | Nibondh Pichayapanich | Senior Justice of the Supreme Court | The Supreme Court |
| 2. | Mr. | Sumeth Raksaphakdee | Senior Justice of the Appeal Court, Region 9 | The Appeal Court, Region 9 |
| 3. | Mr. | Panya Chomanee | Chief Justice, Region 8 | Office of the Chief Justice, Region 8 |
| 4. | Mr. | Keerati Woraputtapong | Chief Justice of the Labour Court, Region 4 | The Labour Court, Region 4 |
| 5. | Mr. | Suchart Suntreekasem | President of the Narcotics Case Division of the Court of Appeal | The Court of Appeal |
| 6. | Mr. | Sornchai Sirariyakul | President of the Consumer Case Division of the Court of Appeal, Region 8 | The Court of Appeal, Region 8 |
| 7. | Mr. | Sukhum Namwiset | Justice of the Appeal Court | The Appeal Court |
| 8. | Mr. | Dilok Sermviriyakul | Deputy Chief Justice of the Central Criminal Court for Corruption and Misconduct Cases | The Central Criminal Court for Corruption and Misconduct Cases |
| 9. | Mr. | Santi Chookitsuppaisarn | Research Justice of the Supreme Court | The Supreme Court |

| No. | Title | Name | Designation/position | Organization |
|-----|-------|--------------------------|--|---|
| 10. | Mr. | Winai Soiploy | Justice of the Court of Appeal in the Research Division | The Court of Appeal |
| 11. | Mr. | Dechathorn Dhevadej | Chief Judge of the Office of the Chief Justice, Region3 | The Office of the Chief Justice, Region3 |
| 12. | Mr. | Chaiporn Sriboran | Presiding Judge of the Central Criminal Court for Corruption and Misconduct Cases | The Central Criminal Court for Corruption and Misconduct Cases |
| 13. | Mr. | Keerati Keeratiyuti | Presiding Judge of the Central Intellectual Property and International Trade Court | The Central Intellectual Property and International Trade Court |
| 14. | Mrs. | Patma Thoomma Chanyapoon | Presiding Judge of the Central Intellectual Property and International Trade Court | The Central Intellectual Property and International Trade Court |
| 15. | Mr. | Somwang Kongjai | Presiding Judge of the Minburi Civil Court | The Minburi Civil Court |
| 16. | Mr. | Pathom Somboon | Presiding Judge of the Thanyaburi Provincial Court | The Thanyaburi Provincial Court |
| 17. | Mr. | Narong Gondee | Presiding Judge of the Minburi Civil Court | The Minburi Civil Court |
| 18. | Mr. | Thanasak Jaiharn | Presiding Judge of the Thon Buri Civil Court | The Thon Buri Civil Court |
| 19. | Mrs. | Varuntita Sirachetgosol | Research Judge of the Court of Appeal, Region 5 | The Court of Appeal, Region 5 |
| 20. | Mr. | Natawut patrakom | Presiding Judge of the Samut Prakan Provincial Court | The Samut Prakan Provincial Court |
| 21. | Mr. | Pornthep Chankitkanyont | Presiding Judge of the Bangkok South Civil Court | The Bangkok South Civil Court |
| 22. | Miss | Sirirat Sukaputi | Presiding Judge of the Civil Court | The Civil Court |
| 23. | Mr. | Adul Yarnkittgoon | Presiding Judge of the Civil Court | The Civil Court |
| 24. | Mr. | Sinad Tanangsunghoen | Chief Judge of the Yala Juvenile and Family Court | The Yala Juvenile and Family Court |

| No. | Title | Name | Designation/position | Organization |
|-----|-------|----------------------------|---|--|
| 25. | Mr. | Weerawat Petchsom | Chief Judge of the Trat Provincial Court | The Trat Provincial Court |
| 26. | Miss | Chirawan Khotcharit | Presiding Judge of the Phra Nakhon Si Ayutthaya Juvenile and Family Court | The Phra Nakhon Si Ayutthaya Juvenile and Family Court |
| 27. | Mr. | Raphee Phangsapha | Presiding Judge of the Chonburi Provincial Court | The Chonburi Provincial Court |
| 28. | Mr. | Krengsak Rodpunchoo | Presiding Judge of the Surat Thani Kwaeng Court | The Surat Thani Kwaeng Court |
| 29. | Mr. | Natthaphong Somsak | Presiding Judge of the Central Criminal Court for Corruption and Misconduct Cases | The Central Criminal Court for Corruption and Misconduct Cases |
| 30. | Mr. | Sirimongkol Kongthanasuwan | Presiding Judge of the Rayong Municipal Court | The Rayong Municipal Court |
| 31. | Miss | Jutarat Santisewee | Presiding Judge of the Phra Khanong Criminal Court | The Phra Khanong Criminal Court |
| 32. | Mrs. | Suthanya Khomwong | Presiding Judge of the Central Criminal Court for Corruption and Misconduct Cases | The Central Criminal Court for Corruption and Misconduct Cases |
| 33. | Mr. | Patcharapong Sonjai | Presiding Judge of the Chon Buri Juvenile and Family Court | The Chon Buri Juvenile and Family Court |
| 34. | Ms. | Titipat Sreerat | Judge in the Research Division of the Court of Appeal, Region 2 | The Court of Appeal, Region 2 |
| 35. | Miss | Parichart Munsgool | Presiding Judge of the Nontaburi Municipal Court | The Nontaburi Municipal Court |
| 36. | Miss | Laddawan loungard | Vice Presiding Judge of the Lom Sak Provincial Court | The Lom Sak Provincial Court |
| 37. | Mr. | Wisanutorn Taennarin | Vice Presiding Judge of the Phon Provincial Court | The Phon Provincial Court |
| 38. | Mr. | Sarit Pipatvilaikul | Secretary of the Labour Court, Region 4 | The Labour Court, Region 4 |
| 39. | Mr. | Kochok Bootchaingam | Secretary of the Minburi Provincial Court | The Minburi Provincial Court |

| No. | Title | Name | Designation/position | Organization |
|-----|-------|-------------------------------------|---|--|
| 40. | Mr. | Sombat Chowwanapoonpohn | Vice Presiding Judge of the Chiang Mai Provincial Court | The Chiang Mai Provincial Court |
| 41. | Mr. | Annop Saksiriyadakun | Secretary of the Court of Justice, Region 6 | The Court of Justice, Region 6 |
| 42. | Miss | Wanwisa Thananan | Deputy Secretary of the Court of Appeal, Region 9 | The Court of Appeal, Region 9 |
| 43. | Mrs. | Thaweechok Koothaweekool Nakvarodom | Judge in the Research Division of the Court of Appeal | The Court of Appeal |
| 44. | Miss | Tasalak Chanphutrakul | Judge of the Labour Court, Region 5 | The Labour Court, Region 5 |
| 45. | Miss | Onanong Phosri | Judge of the Office of the Judiciary of the Appeal Court Region 1 | The Appeal Court Region 1 |
| 46. | Mr. | Kabin Ekpanyaskun | Secretary of the Central Criminal Court for Corruption and Misconduct Cases, Region 9 | The Central Criminal Court for Corruption and Misconduct Cases |
| 47. | Miss | Puriwan Prasertsak | Judge of the Civil Court | The Civil Court |
| 48. | Mr. | Khajordej Direksoonthorn | Judge in the Research Division of the Court of Appeal | The Court of Appeal |
| 49. | Mr. | Narin Santisakonwut | Vice Presiding Judge of the Songkhla Provincial Court | The Songkhla Provincial Court |
| 50. | Miss | Ampassacha Disatha-Amnarj | Secretary of the Central Juvenile and Family Court | The Central Juvenile and Family Court |
| 51. | Miss | Tapanee Mahaboonpachai | Judge of the Phra Nakhon Si Ayutthaya Juvenile and Family Court | The Phra Nakhon Si Ayutthaya Juvenile and Family Court |
| 52. | Mr. | Tassayu Kulsitthichaiya | Judge of the Office of the President of the Supreme Court | The Office of the President of the Supreme Court |
| 53. | Miss | Nattaporn Nakornin | Judge of the Nakorn Patham Provincial Court | The Nakorn Patham Provincial Court |
| 54. | Miss | Katkanang emrach | Judge of the Phon Provincial Court | The Phon Provincial Court |
| 55. | Miss | Kedsaranat Wutthipornworakul | Judge of the Lang Suan Provincial Court | The Lang Suan Provincial Court |

| No. | Title | Name | Designation/position | Organization |
|------------|--------------|-----------------------------|--|---|
| 56. | Miss | Sirinuch Chotipanvittayakul | Judge of the Phra Nakhon Si Ayutthaya Provincial Court | The Phra Nakhon Si Ayutthaya Provincial Court |
| | Miss | Thanisara Vongthongson | Judge of the Bangkok North Kwaeng Court | The Bangkok North Kwaeng Court |
| | Mr. | Napat Phokai | Judge of the Prachuap Khiri Khan Provincial Court | The Prachuap Khiri Khan Provincial Court |
| 57. | Miss | Nishanara Limsuwan | Judge of the Chiang Mai Provincial Court | The Chiang Mai Provincial Court |
| 58. | Miss | Sitanan Sriworakorn | Judge of the Civil Court | |
| 59. | Mr. | Sompop Prathum | Judge of the Bangkok South Civil Court | The Bangkok South Civil Court |
| 60. | Miss | Paweena Wangwongstaporn | Judge - Trainee | |
| 61. | Mr. | Yingyos Khongborirak | Judge - Trainee | |

ANNEX 4: PRESS RELEASE

UNITED STATES BOOSTS THAILAND'S ABILITY TO FIGHT WILDLIFE CRIMES

Virtual Asia-Pacific Judicial Symposium

USAID

For Immediate Release

Friday, June 18, 2021

The U.S.-sponsored Asia-Pacific Judicial Symposium on Best Practices in Environmental Courts and Adjudication, held online from June 17 to 18, 2021, brought together dozens of regional and global judicial leaders and experts to advance environmental jurisprudence in the region.

Thailand is currently drafting its own rules of procedure for environmental cases, which will now be informed by international best practices and other countries' experiences following the Judicial Symposium. The event promoted Thailand's regional judicial leadership in ASEAN and advanced Thailand's own environment courts agenda.

"The United States government remains fully committed to its partnership with regional and national leadership across ASEAN to deter wildlife crime, conserve biodiversity, and uphold the rule of law for the regional stability that underpins a free and open Indo-Pacific. We are honored to work with the Royal Thai Government, and the Supreme Court of Thailand, to improve legal frameworks, to share among nations legal innovations and good practices, and to harmonize the penalties for wildlife crimes across all countries of the region," said Michael Heath, Chargé d'Affaires of the U.S. Embassy in Thailand.

USAID Wildlife Asia, the Office of the President of the Supreme Court (OPSC), the Supreme Court of Thailand (SCT), and the UN Environment Programme (UNEP), with assistance from Asian Research Institute for Environmental Law, organized the Symposium. At the event, the Supreme Court of Thailand and counterparts from the U.S., Australia, China, India, Indonesia, Malaysia, Pakistan, the Philippines and the larger judicial community in the region discussed best practices in environmental courts and adjudication, including handling environment crimes such as illegal wildlife trafficking.

This is the culmination of a two-year cooperative effort between USAID Wildlife Asia, the Supreme Court of Thailand, and other partners like UNEP to support the Thai Judiciary in advancing their own environment courts initiative. The cooperative effort includes raising awareness and providing targeted continuing legal education at several levels such as the development of the Introductory Course on International and National Environmental Law and Governance in Thailand, which provides the foundations of environmental law and environmental crimes, ensuring that wildlife crime is recognized as an integral part of environmental crime.

"We are confronted by a triple planetary crisis of climate change, biodiversity loss and pollution. More than ever, the judiciary must be innovative and bold when handling environmental cases. Judges should



endeavor to promote environmental rights with their decisions to help address this triple crisis and ensure a sustainable future for the people they serve.” said Isabelle Louis, UNEP’s Deputy Regional Director for Asia and the Pacific.

The U.S. Embassy has several agencies working to help Thailand and other countries in the region fight wildlife trafficking. The USAID Wildlife Asia Program is just one of the many U.S.-sponsored efforts to deter wildlife crime, protect endangered species from extinction, and reduce the demand for illegal wildlife products.

Symposium presenters and panelists included representatives from the Thai Supreme Court and Court of Appeal, Land and Environment Court of New South Wales, Australia, the Supreme Court of Hawai’i, Supreme Court of India, Supreme People’s Court of China, Supreme Court of Pakistan, U.S. Department of Justice, and justices and environmental law experts from the Asia Pacific region.

Source: <https://www.usaid.gov/asia-regional/press-releases/jun-21-2021-united-states-boosts-thailand-ability-fight-wildlife-crime>