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International Outlook for Privately Protected Areas

Country Profile: THAILAND

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Introduction:

This country profile is part of a study by the International Land Conservation Network (ILCN) and United Nations Development Program (UNDP) summarizing the **legal, policy, and institutional mechanisms used to establish and incentivize privately protected areas (PPAs) in 30 understudied countries.**

PPAs contribute to the achievement of global conservation goals and biodiversity targets by contributing to landscape-scale conservation, connectivity and ecological-representativeness of protected areas.

For the purposes of this profile, an area is considered a PPA if it conforms to the definition agreed upon by the International Union for the Conservation of Nature (IUCN). Generally speaking, a PPA's protection must be recognized and durable (with long term conservation intent); it must be governed by a private or non-governmental entity; and it must be governed and managed to meet the general conservation standards of a protected area (PA) as laid out by the IUCN.^{1,2} **Note: Alongside currently existing mechanisms in these countries, this study also references mechanisms that represent *potential opportunities for the creation of PPAs.***

The data in this profile is based on a 2018 desk review of law and policy documents, government reports, publications by multi-lateral organizations, scholarly literature, and other sources. For 28 of the 30 country profiles, data was reviewed by a volunteer in-country expert. We are grateful to these experts, whose names and the profiles they reviewed are listed in the appendix to the [International Outlook for Privately Protected Areas summary report](#).

Finally, this profile is intended to be a living document, which will be updated periodically as more information is submitted and time and resources allow. If you have a contribution, please contact the authors at landconservation@lincolninst.edu.

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¹ Mitchell, B.A., Stolton, S., Bezaury-Creel, J., Bingham, H.C., Cumming, T.L., Dudley, N., Fitzsimons, J.A., Malleret-King, D., Redford, K.H. and Solano, P. (2018). *Guidelines for privately protected areas*. Best Practice Protected Area Guidelines Series No. 29. Gland, Switzerland: IUCN. xii + 100pp.

² Dudley, N. (ed.) (2008). *Guidelines for Applying Protected Area Management Categories*. Gland, Switzerland: IUCN. x + 86pp. WITH Stolton, S., Shadie, P. and Dudley, N. (2013). *IUCN WCPA Best Practice Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types*, Best Practice Protected Area Guidelines Series No. 21. Gland, Switzerland: IUCN

THAILAND (*ประเทศไทย* or *Kingdom of Thailand*)

Outlook for Privately Protected Areas

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1. Dr. Robert Mather, Technical Assistance Team Leader, Biodiversity Conservation and Management of Protected Areas Project, ASEAN Centre for Biodiversity
2. Petch Manopawitr, Independent conservation scientist, former Deputy Head of IUCN Southeast Asia Group

I. Country Overview

Land Area

Thailand's total land area is approximately 51,089,000 hectares (ha).³ In 2014, about 22,110,000 ha of the land areas was in agriculture (~43 per cent)⁴ and 16,220,000 ha (~31.6 per cent) was forested.⁵

Thailand is ranked 16th in the world for its biodiversity. It overlaps with three floristic biogeographic regions and three zoogeographical regions, as well as is home to 15 kinds of forests, which contributes to its high biodiversity. However, forest cover has dramatically decreased since 1961 and, today, forests in Thailand are lost at a rate of 256,000 ha per year.⁶

Land Ownership and Tenure

The Thai land titling system is considered highly effective and has provided secure tenure to many of its citizens.⁷ Private landholding was introduced by royal decree in 1872 and was effectively codified in 1901, then again in the *1954 Land Code*. Strides were made toward widespread tenure security through the Land Titling Program of 1984-2004, which issued freehold title deeds to land users with customary claims and partial titles. By the program's end, 3.7 million ha of public land had been retitled to 1.5 million beneficiaries, who became full owners.⁸

The *1954 Land Code* continues to govern land ownership and titling.⁹ The exact amount of land that may be held varies depending on the intended land-use; conservation is not listed among the regulated uses. In 1994, approximately 40 per cent of land was privately owned, and the remaining 60 per cent was in

³ Food and Agriculture Organization of the United Nations. 2014. "Thailand." Accessed June 2017. <http://www.fao.org/countryprofiles/index/en/?iso3=THA>.

⁴ Ibid.

⁵ Office of Natural Resources and Environmental Policy and Planning, Ministry of Natural Resources and Environment, Thailand. 2014. National Report on the Implementation of the Convention on Biological Diversity, Thailand. <https://www.cbd.int/doc/world/th/th-nr-05-en.pdf>.

⁶ Ibid.

⁷ US Agency for International Development. 2006. "Thailand-Property Rights and Resource Governance Profile." Accessed June 2017. https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Thailand_Profile.pdf.

⁸ Ibid., 4.

⁹ National Legislative Assembly of Thailand. 1954. Act promulgating the Land Code B.E. 2497. Section 58. <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC033176/>.

some form of public control.¹⁰ Agricultural land is generally not owned by the government, with at least 71 per cent of cultivated area under private ownership.¹¹

Approximately half of Thailand's territory is officially designated as *forest land*. However, not all officially-designated forest land is forested today, and not all of Thailand's forested areas are officially designated as forest land. Official forest land—including both the land area and trees thereon—is officially the property of the state.¹² Commercial logging on state forest land, formerly permitted by license or concession, has been banned since 1989.¹³ Neither residential nor agricultural use are officially deemed suitable uses for forest land, but an estimated 12-13 million people live on these lands.¹⁴ Where land is forested but is not officially designated as forest land, it may be privately held, in which case the trees thereon are the property of the landholder.¹⁵

Protected Areas

The Thai government recognizes several forms of protected area (PA), seven of which are managed by the Ministry of Natural Resources and Environment (MONRE), through the Department of National Parks, Wildlife and Plant Conservation (DNP): national parks, forest parks, wildlife sanctuaries, non-hunting areas, botanical gardens, and arboreta.¹⁶ These protected area categories are defined under the *National Park Act of 1961* and the *Wild Animals Reservation and Protected Act of 1962*, updated in 1992.¹⁷

The remainder of Thailand's forest land estate (that which is not designated as protected areas managed by DNP but is state forest land) is managed by the Royal Forest Department (RFD) as National Reserve Forest through the *National Forest Reserve Act of 1964*. A national watershed classification scheme assigns different levels of importance of different parts of this national forest reserve estate according to their watershed function – the most critical watershed areas been given the highest priority for protection.¹⁸ In addition, forests reserves are broken into zones – the conservation zone, the economic zone, and the agriculture zone – which dictate suitable uses.

Finally, through the Office of the Natural Resources and Environmental Policy and Planning (ONEP), Thailand has designated 14 Ramsar Sites – wetlands of international importance.¹⁹ Some of these overlap in area either partially or wholly with parts of national parks, wildlife sanctuaries and non-hunting areas, but others are “stand-alone” areas managed by local communities and local authorities.²⁰ (Note: there are marine and coastal protected areas efforts, but these are outside the scope of this report).

As of 2011, Thailand had 421 protected areas, covering 10,271,900 ha, or 20.02 per cent of the total land area.²¹ (Note: The World Database on Protected Areas shows 9,739,100 ha of land – 18.8 per cent of the

¹⁰ US Agency for International Development, 2006. p. 6.

¹¹ Ibid..

¹² Burns, Anthony. 2004. "Thailand's 20 year program to title rural land." P. 9. Accessed online at http://siteresources.worldbank.org/INTWDR2005/Resources/burns_thailand_land_titling.pdf on July 10, 2017.

¹³ ICEM. 2003. Thailand National Report on Protected Areas and Development. Review of Protected Areas and Development in the Lower Mekong River Region, Indooroopilly, Queensland, Australia. 131 pp. P. 48. http://www.mekong-protected-areas.org/thailand/docs/thailand_nr.pdf.

¹⁴ Burns, Anthony. 2004. "Thailand's 20 year program to title rural land". 1 Background paper prepared for the World Development Report 2005. P. 9. http://siteresources.worldbank.org/INTWDR2005/Resources/burns_thailand_land_titling.pdf.

¹⁵ US Agency for International Development, 2006. P. 15.

¹⁶ Office of Natural Resources and Environmental Policy and Planning, Ministry of Natural Resources and Environment, Thailand. 2014.

¹⁷ ICEM, 2003.

¹⁸ Ibid.

¹⁹ Ramsar. 2014. "Thailand." Accessed July 2017. <https://www.ramsar.org/wetland/thailand>.

²⁰ Personal communication, Dr. Robert Mather, September 13, 2018.

²¹ Office of Natural Resources and Environmental Policy and Planning, Ministry of Natural Resources and Environment, Thailand. 2014.

country – protected through 238 protected areas.²² Differences between statistics may be due to differences in methodologies or out of date reporting).

Community Forest Areas

A crucial dimension of protected area policy is the status of groups living in and around forested protected areas, and their role in accessing and managing natural resources within protected area boundaries. Thailand's most recent constitution, ratified in 2007, emphasizes the importance of community participation in resource management. Sections 46, 56, and 79 clarify the rights and responsibilities of citizens in the area of natural resource management and helped to pave the way for implementation of the 2008 *Community Forest Bill*.²³

Many community forest areas (CFs) are now well-established, and more are in the process of registration. In 2012, there were approximately 8,000 registered CFs, and as many as 2,500 additional, unregistered CFs, including 20 million people and about 1.2 per cent of Thailand's forested area.²⁴

II. Law and Policy for Private Land Conservation

Privately Protected Areas

Thai legislation provides no formal definition for a private protected area (PPA). However, some private wildlife sanctuaries, such as in the case study below, operate like protected areas without any formal designation. To the knowledge of this study, no entity is currently collecting information on the status of PPAs in the Country.

However, there are a handful of examples of private land owned and managed for conservation, including as ecotourism efforts, see case studies below.

National Biodiversity Strategy and Action Plan (NBSAP)

Thailand's most recent National Biodiversity Strategy and Action Plan (NBSAP, 2015), submitted to the Convention on Biological Diversity, highlights the importance of engaging private and civic sector actors in implementing the plan.²⁵ The private sector is called on to "Promote and support conservation and sustainable utilization of biodiversity; and awareness raising and education;" and NGOs are called on to "Cooperate with public and private sectors, individuals and other organizations in promoting and supporting conservation and sustainable utilization of biodiversity." However, privately protected areas are not explicitly mentioned.

²² UNEP-WCMC. 2018. "Protected Area Profile for Thailand from the World Database of Protected Areas." Accessed November 2018. <https://www.protectedplanet.net/country/THA>.

²³ National Legislative Assembly of Thailand. 2007. Constitution of Thailand, 2007. <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC132850/>.

²⁴ Arpornsilp, Ratchada and Zaw Win Myint. 2015. The role of Community Forests in REDD+ Implementation: Cases of Thailand and Myanmar. Presentation at the 3rd DAAD Workshop on forests in climate change research and policy. <http://www.burmalibrary.org/docs17/Community-forestry-in-REDD+.pdf>.

²⁵ Office of Natural Resources and Environmental Policy and Planning, Thailand. 2015. Master Plan for Integrated Biodiversity Management B.E. 2558-2564: 2015-2021. P. 23. <https://www.cbd.int/doc/world/th/th-nbsap-v4-en.pdf>.

III. Financial Incentives for Privately Protected Areas

To the knowledge of this study, the Thai government has no legislation for tax-based or other financial incentives to support the creation or management of PPAs in the Country. External funding sources are an alternative.

UN REDD+

The UN-REDD+ (Reducing Emissions from Deforestation and Forest Degradation) program, which makes its payments through the support of foreign governments and through international markets for carbon credits, is a potential source of funding for private land conservation efforts. Thailand began a REDD+ readiness process in 2009, sponsored largely by the Swiss government.²⁶

Payment for Ecosystem Services

Payment for Ecosystem Services (PES) programs use financial markets to incentivize conservation action, directly valuating the environmental functions of biodiverse areas. Thailand is presently developing these opportunities, in line with the 2015 NBSAP, which requires “pushing for ways to assess the economic value of ecosystems and income creation from conservation.”²⁷

No PES projects have yet been launched in Thailand, but 16 projects were in varying stages of development as of 2016.²⁸ These projects focus on water quality and mangrove forest health/regeneration. Support for PES in Thailand comes from the National Economic and Social Development Board (NESDB) and the Office of Natural Resources Environmental Policy and Planning (ONEP), an office of MONRE.

Tourism and Protected Areas

Tourism is a vital dimension of the Thai economy, and protected areas are at the heart of tourism’s success. Many communities derive income from tourism and ecotourism to Thailand’s national parks and wildlife sanctuaries, which drive the economy in many rural areas.²⁹ Large tourism and hospitality companies also benefit. Some have shown their support for conservation; for example, Marriott Hotels and Resorts, which operates a number of locations in Thailand, partnered with the IUCN in 2013 on a climate change resilience and mangrove restoration project.

Many species-based tourism initiatives double as conservation initiatives, and vice versa. Elephants are particularly important in this regard; numerous elephant refuges have been initiated to protect these animals. Such operations often retain a small-scale forested reserve to support their elephant population.

²⁶ Forest Carbon Partnership. 2016. “Thailand.” Accessed July 2017. <https://www.forestcarbonpartnership.org/thailand>.

²⁷ Office of Natural Resources and Environmental Policy and Planning, Thailand. 2015

²⁸ Jarungrattanapong, Rawadee, Phumsith Mahasuweerachai, and Orapan Nabangchang. 2016. Payment for Ecosystem Services in Thailand and Lao PDR. EEPSEA SRG Report No. 2016-SRG3. Economy and Environment Program for Southeast Asia, Laguna, Philippines. P. 3. <http://www.eepseapartners.org/payment-for-ecosystem-services-in-thailand-and-lao-pdr/>.

²⁹ Emphandhu, Dachanee and Surachet Chettamart. 2004. “Thailand’s Experience in Protected Area Management.” Paper presented at Vth IUCN World Park Congress, Durban, South Africa, 8-17, September 2003.

https://www.researchgate.net/publication/265540858_THAILAND_EXPERIENCE_IN_PROTECTED_AREA_MANAGEMENT_1.

IV. Organizations for Private Land Conservation

Government

- The National Committee on Conservation and Utilization of Biodiversity (NCB) brings together government and non-governmental stakeholders to address conservation actions in light of the Convention on Biological Diversity. The subcommittee most closely associated with the potential for PPAs is the Subcommittee on Promotion of Business Sectors' Biodiversity Conservation and Sustainable Utilization, which coordinates private sector activities with state action to achieve biodiversity goals.³⁰
- The Department of National Parks, Wildlife, and Plant Conservation (DNP) is the primary authority on the protected areas network.³¹
- The Royal Forest Department (RFD),³² established in 1896, was initially responsible for all state forest land, including protected areas. Since the creation of DNP in 2002, DNP took over responsibility for protected areas and RFD is now only responsible for state forest land outside of the protected areas managed by DNP.³³
- The Department of Marine and Coastal Resources (DMCR) was established in 2002, and under the Coastal Resources Law of 2015, has responsibility for mangrove forests, and has the authority to designate certain types of coastal protected area.³⁴
- DNP and DMCR are both part of the Ministry of Natural Resources and Environment (MONRE) which was formed in 2002.³⁵

Non-governmental

- The Bird Conservation Society of Thailand is the country affiliate of BirdLife International.³⁶
- Mangroves for the Future (MFF) was launched in 2006 as a partnership between the International Union for the Conservation of Nature (IUCN) and the United Nations Development Program (UNDP). MFF supports integrated management plans for coastal communities, including mangrove reforestation and other stewardship actions. Current funding (phase III) ends in 2019.³⁷
- The IUCN also operates a self-standing national program in Thailand, and cooperates with other partners, such as Marriott Hotels & Resorts.³⁸
- The Bangkok-based non-profit Freeland Foundation supports conservation activities through multiple programs. Through the PROTECT program, Freeland trains and supports protected area staff and managers throughout the region.³⁹
- Thailand Environment Institute works on a range of environmental projects in the country, and has supported protected area projects in the past, including an effort to establish a community buffer zone around Phu Khieo Wildlife Sanctuary.⁴⁰

³⁰ Office of Natural Resources and Environmental Policy and Planning (Thailand), 2015. P. 31.

³¹ See their website: http://www.dnp.go.th/index_eng.asp.

³² See their website: <http://www.forest.go.th/index.php?lang=en>.

³³ ICEM, 2003. P. 75.

³⁴ See their website: <https://www.dmcg.go.th/home>.

³⁵ See their website: <http://www.mnre.go.th/en/index>.

³⁶ See their website: <http://www.birdlife.org/asia/partners/thailand-bird-conservation-society-thailand-bcst>.

³⁷ See their website: <https://www.mangrovesforthefuture.org/countries/members/thailand/>.

³⁸ See their website: <https://www.iucn.org/asia/thailand/countries/thailand>.

³⁹ See their website: <http://www.freeland.org/programs/protect/>.

⁴⁰ McQuistan, Colin and Arthur G. Wright. 2000. "The Phu Khieo Buffer Zone Project: Sustainable rural development through community management." pp 359-377. Blakesley, D., K. Hardwick, J. Kerby, K. Woods, and V. Anusarnsunthron (Eds), *Forest Restoration for Wildlife Conservation*. International Tropical Timber Organization and The Forest Restoration Research Unit, Chiang Mai University, Thailand. P. 359. [www.itto.int/files/user/pdf/publications/PD%2028%2099/pd28-99%20rev2\(F\).pdf](http://www.itto.int/files/user/pdf/publications/PD%2028%2099/pd28-99%20rev2(F).pdf).

- The Seub Nakhasathien Foundation was founded in 1990 to carry on the work of renowned Thai conservationist Seub Nakhasathien after his death. The Foundation's projects include networking among environmental organizations in the area, monitoring threats to forests and wildlife, and activating communities for conservation work.⁴¹
- Wildlife Conservation Society Thailand has many projects related to protected area management, including patrols and patrol training, elephant protection programs, and coordination between entities involved in the Western Forest Complex (WEFCOM) Thailand's most important remaining biodiversity corridor.⁴²
- WWF Thailand is working to strengthen and improve management and planning for the terrestrial Protected Area system, promote sustainable management and utilisation of production forests and will explore ways to reverse the loss and degradation of forests to restore their ecological, economic and social roles and functions.⁴³
- Numerous private tourism companies include visits to Thailand's national parks.

V. Case Studies

*Nam Kham Nature Reserve*⁴⁴

A privately-owned wetland reserve in Chiang Saen, Chiang Rai province covers an area of 16 ha of reedbeds, a shallow pond and two small oxbow lakes. It is situated almost at the northernmost part of Thailand near the Mekong River and the large Chiang Seen Lake and Nong Lom Wetland Area.

Wetlands is one the fastest disappearing habitat in Thailand. Having seen and been impressed by successful wetland reserves abroad, such as those of the Royal Society for the Protection of Birds' (RSPB) in the UK and WWF's Mai Po in Hong Kong, Dr. Rungsrit Kanjanavanit, a cardiologist and renowned Thai conservationist, wanted to start something similar in Thailand. He acquired the reserve land, which had formally been used for intensive agriculture, in 2005.

The reserve is managed by Lanna Bird and Nature Conservation Club, with advice from the RSPB. Reeds (*Phragmites* sp.) were replanted and natural regeneration was allowed to reclaim the land to its former natural habitat. Currently there is one resident warden who takes care the reserve, and visiting ornithologists work on species inventory and monitor migratory birds through bird banding activities. There are four main observation hides, two along the large pond and other two among the reedbed with small waterholes to attract birds. The reserve attracts a range of bird species, including the first Firethroat, Chiffchaff and Spotted Bush Warbler recorded in Thailand.

The challenge for this privately-owned protected area is how to make the project sustainable for future generations. Thai Law has yet to recognize private land designated for conservation and there is no incentive for creating such privately managed protected area.

*Koh Talu Island Reserve*⁴⁵

Koh Talu is a small forested island of about 1.6 km² surrounded coral reefs in Bang Saphan Noi District, Prachaubkhirikhan. It is situated in the western Gulf of Thailand about 400 km South of Bangkok. At present, the island is divided into three areas, i) a privately own land, ii) an area under

⁴¹ See their website: <http://www.seub.or.th/>.

⁴² See their website: <https://thailand.wcs.org/>.

⁴³ See their website: <http://www.wwf.or.th/en/>.

⁴⁴ This case study was provided by Petch Manopawitr. Personal communication, December 3, 2018.

⁴⁵ This case study was provided by Petch Manopawitr. Personal communication, December 14, 2018.

the Royal project and iii) an area part of Ao Siam National Park, a newly established protected area. The island is a popular tourist destination and visited by more than 12,000 people annually.

Mr Preecha Charoenpak who owned a small coastal resort in Bang Saphan and some fishing vessels back in 1970s bought the land on Koh Talu in 1981. He was alarmed by widespread illegal and destructive fishing practices especially blast fishing with dynamite that caused rapid degradation of marine resources. He pioneered conservation activities around the island and cooperated with Department of Fisheries to set up Coastal Resource Conservation Project to promote fishing rights for local communities. Early activities included training communities on responsible fishing, setting up artificial reefs to serve as deterrent for trawlers and resolve conflicts among resource users. The situation gradually improved over the years and once again become an important nesting site for endangered hawksbill turtles.

He opened Baan Maprao resort on the island in 1996 and become known as Koh Talu Island Resort a decade later. The resort has about 20 low rising bangalow that blend in with surrounding environment. The carrying capacity of tourists has also been capped at 250 visitors per day. Most of activities on the island focuses on low impact activities such as snorkeling, scuba diving, forest trekking and sailing.

Koh Talu Island Resort has supported a number of conservation activities and been instrumental in coral restoration initiatives, turtle hatchling program and environmental education and conservation. A royal visit by Princess Maha Chakri Sirindhorn to see marine turtle hatching program in 2010 prompted Mr Preeda to set up a foundation to implement these conservation activities in the long run. Siam Marine Rehabilitation Foundation has then been set up in 2013 and Mr Preeda serves as its chairperson. Currently, the foundation emphasizes on cooperation with different stakeholders both government and private sector and support effective management of Ao Siam National Park.