USAID REDUCING DEMAND FOR WILDLIFE

POLITICAL ECONOMY ASSESSMENT: REGIONAL COOPERATION IN COUNTER WILDLIFE TRAFFICKING IN SOUTHEAST ASIA

SUMMARY

OCTOBER 2022
Political Economy Analysis: Regional Cooperation in Counter Wildlife Trafficking in Southeast Asia

Summary

October 12, 2022
In 2016, the United States Agency for International Development (USAID) Wildlife Asia Activity conducted a regional political economy analysis (PEA) including data and analysis for Cambodia, Lao People’s Democratic Republic (Lao PDR), Thailand, and Vietnam. The primary focus of that foundational PEA was to critically investigate efforts toward regional cooperation on counter wildlife trafficking (CWT) with emphasis on law enforcement, investigative capacity, rule of law, and prosecution of wildlife crimes in the Mekong Subregion and the Association of Southeast Asian Nations (ASEAN) more broadly. A specific question on the value and efficacy of regional platforms such as the USAID-sponsored ASEAN Wildlife Enforcement Network (WEN) was a central component of the research.

To build on the prior PEA, new research questions pose inquiry about regional cooperation and this study investigates evidence of progress, stasis, or decline in formal and informal effort to enhance regional cooperation on CWT. The main research questions include:

- What evidence exists of improvements in regional cooperation on CWT and illegal wildlife trade (IWT)?
- What windows of opportunities and challenges did coronavirus disease 2019 (COVID-19) and/or the fear of other zoonotic transmitted diseases create to advance harmonized efforts to CWT?
- Has political will changed since 2017?

At the formal level, ASEAN is the apex organization representing the highest level of ministerial cooperation. The most observable change over time is the concrete evidence of regional cooperation exemplified in the adoption of key conventions and declarations on CWT/IWT that include the Chiang Mai Declaration of 2019, the ASEAN Working Group on Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and Wildlife Enforcement (AWG-CITES-WE), and the Working Group on Illicit Trafficking in Wildlife and Timber, which was formed in 2017 under the framework of the ASEAN Senior Officials Meeting on Transnational Crime. As one respondent summarized, “From five years ago until now, I think there are a lot more discussions at the regional level than in 2016-17 and I have to give credit to Thailand. When they were ASEAN Chair, they organized a special Ministerial meeting on IWT and the ASEAN Ministers agreed on the Chiang Mai Statement. They also agreed that the ASEAN Expert Group on CITES and Wildlife Enforcement (ASEAN WEN did not die, that’s absurd, it morphed and is now part of ASEAN in this working group!) developed the five-year working plan and the ten-year strategic plan on CWT and the forest plan.”

This PEA recognizes the significant progress that has been achieved in encouraging formal regional cooperation since the launch of the USAID Wildlife Asia Activity while recognizing that gaps in implementation, effective coordination, and consistent enforcement regimes at the national level remain areas for strengthening. This report advocates for an increased focus on governance over natural resources, strengthening institutions, and more direct stance by donors in unison on the exogenous drivers of the wildlife trade – these are not criminal networks alone but the enabling environment in which such syndicates continue to gain purchase. A collective avoidance of addressing the declining space for civil society to carry out its role to hold governments accountable to their commitments – evidenced by non-government organization (NGO) registration laws in Cambodia, Lao PDR, Thailand (under review), and Vietnam – contributes to over-reliance by conservation organizations on government partners.

While China remains the largest market for wildlife products there are important changes at the policy level that merit recognition such as President Xi Jinping’s February 2020 ban on wildlife trade
and consumption that seemed highly unlikely only a few years ago. The relatively swift and decisive actions offer insight into what triggers change in high-level political will. Definitive action on the wildlife trade is perceived to be a response to COVID-19 and to public scrutiny of the origin of the COVID-19 virus.

Restoration of economic growth is the top priority of decision-makers at all levels of government consulted. It is imperative to align CWT programming with sustainable economic recovery and not ignore or oppose these efforts.

An important endogenous change in regional dynamics between 2017 and 2022 is the declining democracy across ASEAN. Cambodia, Lao PDR, and Vietnam have entrenched one-party systems that now claim legitimacy by using China as a model of social and economic development. Dynastic politics in the Philippines continues and now includes deft manipulation of narratives about both the United States and China that are used to legitimize suppression of media and encourage nationalist viewpoints that can interfere with information sharing and cooperation on IWT. Across the region, a suite of NGO registration, cyber-security, and national security laws have been introduced in recent years, making it challenging for civil society organizations (CSOs) and international non-governmental organizations (INGOs) to work directly with communities. Journalists are also less able to report on environmental issues including IWT if it entails collusion or corruption with officials. This contributes to self-censorship in terms of CWT/IWT programs that want to avoid government scrutiny or to be able to operate in the host country without fear of reprisal to local staff.

The new challenges introduced by COVID-19 and the current imperative for ASEAN countries to accelerate economic recovery merit closer consideration of existing CWT and IWT activities. For example, the increase in online wildlife trade and use of digital markets require specialized investigative capacities that are underdeveloped in the region. Only Thailand has a specialized cyber investigative unit with the Department of National Parks, Wildlife and Plant Conservation (DNP) but this form of transaction supersedes borders.

As ASEAN countries lift remaining COVID-19-related travel restrictions and seek to restore the tourism sector, the risk of countries turning a blind eye to wild meat consumption by returning tourists from China and elsewhere increases, which adds to the consumption from the population within those same countries. This suggests that USAID and its partners will need to recalibrate investments to address these specific new challenges while also taking into consideration the exogenous and structural drivers of the wildlife trade: continued demand from China, inequalities at the source of animal supply chains, biodiversity loss due to unsustainable land use and management practices, and weak environmental governance.

Finally, the economic consequences of the pandemic have short-term and long-term implications for regional policy planners that confront pressure to “restart” growth while balancing risk of future zoonotic disease episodes as a result of returning to accelerated growth models (Table 1).

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Table 1. Growth Rate of Gross Domestic Product (GDP) per Capita (% per year)

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<tbody>
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<td>7.5</td>
<td>7.1</td>
<td>-3.1</td>
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<td>2.3</td>
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<td>4.2</td>
<td>4.2</td>
<td>2.2</td>
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<td>2.9</td>
<td>2.6</td>
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Source: Asian Development Bank, Asian Development Outlook 2022
Note: Percentages for 2022 and 2023 are projected.

Political will is a complex question to address from a regional perspective. On the basis of formal cooperation as evidenced in treaties, declarations, and plans of action to address CWT, the evidence of high-level political will to engage with an issue that has been taken less seriously in the past is strong. Vietnam and China took important, concrete steps to reduce wildlife trade and consumption of wild meat through introduction of national bans. This study suggests that the gains achieved as a result of changes in executive-level political will may be receding. Restoration of economic growth is found to be the top priority of decision-makers at all levels of government consulted. It is imperative to align CWT programming with sustainable economic recovery and not ignore or oppose these efforts. Opportunities to reignite political will do exist but in the context of projects that are perceived to advance economic recovery activities, like the ASEAN Comprehensive Recovery Framework.  

Avoiding a reactive response to new and anticipated challenges will be critical to advancing regional progress on CWT and not losing the gains of the last six years. The adoption of holistic frameworks such as One Health could confer opportunities for regional cooperation with new dialogue partners including the public health and biodiversity communities if operational challenges are considered and addressed now.

HIGH-LEVEL FINDINGS

This study found that progress on formal regional cooperation, particularly ASEAN’s engagement on CWT, has been made since 2017. At the same time, the emergence of the One Health framework creates potential new opportunities in the long-term for systemic change. Political constraints and weak governance continue to pose barriers for comprehensive CWT strategies at the regional and national levels. Notably, digital markets and social media platforms present new challenges and opportunities to authorities and are reshaping market dynamics. Finally, uncertainties regarding China’s role in the region, geopolitical changes, and economic recovery now capture the attention of governments in the region.

These and other findings are discussed next and through the document.

PROGRESS HAS BEEN MADE ON FORMAL REGIONAL/SUBREGIONAL MECHANISMS ON WILDLIFE TRADE

Evidence for progress on formal regional cooperation is supported in this research; progress at the ASEAN level and by national governments in advancing formal mechanisms for regional and subregional cooperation, like the Chiang Mai Statement of ASEAN Ministers Responsible for CITES and Wildlife Enforcement on Illegal Wildlife Trade signed in 2019, which is considered a high-level political commitment addressing wildlife trafficking. Other examples of regional cooperation include the Counter Wildlife Trafficking Executive Leadership Consultation meeting (June 8, 2021) co-hosted by the Association of Southeast Asian National Police (ASEANAPOL) Secretariat and high-level police law enforcement leaders from across the region, in which ASEAN’s top law enforcement leaders highlighted the importance of tackling wildlife crime as a serious transnational crime that necessitates a multi-agency and multinational approach; the Working Group on Illicit Trafficking in Wildlife and Timber, which was formed in 2017 under the framework of the ASEAN Senior Officials Meeting on Transnational Crime; the replacement of ASEAN WEN by the ASEAN Working Group on CITES and Wildlife Enforcement which falls under the ASEAN Senior Officials on Forestry; the updated ASEAN Handbook on Legal Cooperation to Combat Illegal Wildlife Trade 2021; the drafting of conventions/regional consultation on ASEAN One Health mechanism; and the Second ASEAN Environmental Law Enforcement Conference. Similarly at the subregional level, there have been important developments, like the recent online meeting between the Supreme Courts of Cambodia, Laos, and Vietnam to discuss wildlife crimes in the region, and strengthen law enforcement, prosecution, and conviction rates. Given these developments, one respondent stated, “slowly but surely, governments are moving.”

ONE HEALTH OFFERS A WINDOW OF OPPORTUNITY FOR REGIONAL COOPERATION ON COMBATING THE WILDLIFE TRADE AND DEMAND REDUCTION

The majority of respondents (outside of One Health or Public health experts) agree that One Health could provide secondary benefits to regional CWT, but not directly. Most concur that taking a planetary health approach that includes but does not lead with IWT/CWT is an important distinction in framing zoonotic transmission concerns.

The window of opportunity to advance a One Health framework, however, is closing as ASEAN countries enter a recovery phase and political will fades. Urgency to act on the zoonotic link between handling and consumption of wild animals is now a lower priority for decision-makers than it was at the height of the crisis. Prioritization of economic recovery as outlined in the ASEAN Comprehensive Recovery Framework (ACRF) places emphasis on returning to pre-pandemic growth. The ACRF does not include a provision for reduction in wild meat consumption, behavior change, or banning the sale and consumption of wild animals. In addition, current donor funding models do not support the level of multi-sector and internal cooperation required at the national level to support a regional One Health framework. Experts also highlighted different bottlenecks that make it difficult to operationalize CWT as part of the One Health framework.

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POLITICAL CONSTRAINTS ON OPERATING ENVIRONMENT FOR CONSERVATION ORGANIZATIONS AND OTHER CSOS HAVE INCREASED

Over the last seven years, governments in the ASEAN region have implemented restrictive NGO laws that constrain the work of conservation organizations and broader civil society alike. In particular, the NGO registration laws (Cambodia, Lao PDR, Thailand, Vietnam) and regulatory scrutiny of foreign organizations: foreign organizations working within civil society are often subject to complex registration and reporting requirements in Asian countries. A notable example is the 2016 Chinese law on the management of overseas NGOs, which places the registration and supervision of foreign NGOs with the Ministry of Public Security. There is also increasing scrutiny over the flow of foreign funding into Asian countries, as demonstrated by the Overseas NGO Law in China and as part of Thailand’s 2021 Operation of Not-for-Profit Organizations Act which threatens to obstruct community, national, and international organizations that use Thailand as a hub for regional work. Work on CWT and IWT is often part of broader environmental and conservation efforts by local and regional networks and is subject to increasing scrutiny.

WEAK GOVERNANCE CONTINUES TO HAMPER PROGRESS ON CWT EFFORTS

The principles of good governance, including transparency, accountability, and participation in decision making over resources and policy, are in decline. Wildlife crime and the wildlife trade exist in a system where well-crafted laws and regional treaties are not sufficient to counter poor enforcement and weak prosecution. Government accountability mechanisms remain a significant gap in advancing CWT goals. Upholding obligations inherent in key laws and treaties includes accountability and transparency as well as inclusion of stakeholders outside of law enforcement. Community, sub-national, and national government actors also need to work in concert to close gaps that facilitate wildlife crimes.

GEOPOLITICAL AND ECONOMIC UNCERTAINTIES IN KEY SECTORS CONTINUE

Widespread loss of employment, increased poverty and inequality, and fiscal constraints in ASEAN countries have shifted government attention to economic recovery, which is now the top priority. In some cases, government driven CWT projects and initiatives are experiencing budget constraints, a situation that threatens the job security and livelihoods of law enforcement officials working on conservation efforts. In contrast, the research for the Civil Society and Social Inclusion assessment found park rangers reporting that their salaries were adequate. It should be noted that conditions in national parks vary and that opportunities for rent-seeking exist but did not emerge as a finding despite reporting by Conservation organizations that corruption is a persistent challenge.

Important economic sectors that could be part of a CWT strategy, like tourism and ecotourism, were heavily hit by border lockdowns and travel restrictions as the region was among the more heavily affected by the decline in tourists. In addition, recent geopolitical developments in Ukraine are creating new challenges by putting additional pressure on global economic recovery, while capturing most of the international community’s attention.

COVID-19 HAS ACCELERATED THE TRANSITION TO DIGITAL MARKETS FOR WILDLIFE TRAFFICKING

Contrary to initial predictions about a decline in IWT resulting from COVID-19 induced border closures and travel restrictions, the wildlife trade did not decline for a sustained period. IWT and legal trade adapted and moved their operations to digital markets where they continue to thrive.

The region is not fully prepared to address the rise of cyber-crime. Only Sabah in Malaysia, the Philippines, and Thailand have dedicated wildlife crime cyber investigative units. Thailand’s Yieow Dong Task Force, within the DNP is perhaps the best among these but each needs support. The shift to online trade also introduced new actors into the supply chain in the form of local and international couriers and additional brokers that drive up the cost and value of wildlife products and live animals. Data sharing at the regional level and with different social media and marketplace platforms is complicated by confusing or inadequate cyber security laws specifically targeting wildlife crime and related criminal activities, like money laundering. At the same time, China can offer insight into the use of machine learning and artificial intelligence for IWT to monitor and reduce digital trades. USAID has also invested in use of a range of technologies including geo-spatial mapping through the SERVIR project and has rewarded innovative science and technology solutions that tackle specific wildlife trafficking issues through the Wildlife Crime Tech Challenge, which could provide valuable lessons for future regional CWT programming.

SOCIAL MEDIA CAMPAIGNS ON CWT OFFER POTENTIAL FOR BEHAVIORAL CHANGE IF SUSTAINED

Focus on demand reduction through social and behavior change campaigns elicits support but with caveats. Evidence to support sustained and scalable campaigns is mainly drawn from the public health sector. Advocates believe success can be achieved through longer-term investment and scalability as well as the capacity to tailor and micro-target specific communities. Skeptics cite concerns over costs, sustainability, and an overemphasis on a narrowly focused dimension of demand (consumption). More novel approaches may need to be piloted outside of traditional social and behavior change communication (SBCC). The International Fund for Animal Welfare (IFAW) uses quotes from Chuang Tzu to good effect. TikTok and “gamifying” are pathways to youth (not only urban elites, but in rural communities as well). To build on the success of the Reducing Demand for Wildlife (RDW) SBCC activities, future regional CWT programming can be expanded to include greater emphasis on advocacy and social mobilization. This could combine efforts to improve social inclusion with youth and indigenous peoples in CWT efforts and allow for greater experimentation with messaging. For example, youth and IP networks engaged in the arts can use an array of mediums for SBCC outside of social media.

UNCERTAINTY PERSISTS ABOUT CHINA’S INTENTIONS ON CWT

There is a strong recognition that China demonstrated regional leadership with the ban on wildlife trade and consumption. After initial optimism about China continuing toward positive actions on CWT, there is now pessimism and uncertainty about the country’s intentions given that it remains as the key demand market in the region. Uncertainty is joined to exogenous concerns over China’s geopolitical interests in the region and with ASEAN. However, there is consensus that China remains the region’s central actor and therefore should be included in any relevant discussion on CWT. Respondents consulted for this study indicate that the polarization between the governments of the United States and China complicates collaboration on areas of mutual interest.

RECOMMENDATIONS

The following recommendations focus on areas that require regional cooperation and coordination. The regional dimension is obvious in recommendations seven and nine, as both will require RDMA to play a leadership role. For example, initiating a Regional Green Finance Fund and investing in policy-relevant, collaborative research might be difficult for country-level Missions to support. Accountability strengthening at the regional level is also critical to transforming ASEAN’s regional commitments into action. Recommendation one calls for support of third-party monitoring to
strengthen accountability of regional institutions. The regional decline in democratic progress should also be addressed through RDMA’s role as an apex institution in the region, and recommendation two outlines how the Mission can encourage greater independence by INGOs and CSOs to rebalance their reliance on government stakeholders and increase the voice and participation of community stakeholders. RDMA has a long and favorable relationship with the government of Thailand and is uniquely positioned to increase support for Thailand’s leadership in the area of CWT. Finally, strengthening coordination of the many small grants programs operating at the national level requires capacity and resources. As outlined in this study, a successful One Health strategy will require access to regional funding and support but must also be integrated with national-level approaches.

Recommendation 1. Support third-party monitoring and evaluation of regional cooperation mechanisms on CWT.

To strengthen implementation of key treaties and conventions and improve accountability, ASEAN-level commitments on CWT/IWT and possible new One Health, need third-party oversight not inter-alia, voluntary review. A non-politically affiliated third-party monitor could be multilateral such as the United Nations Environment Programme (UNEP) or a private sector auditor such as Ernst & Young or Deloitte in partnership with a regional CWT task force.

Recommendation 2. Under the One Health framework, invest in the creation of a multilateral green finance instrument to support recovery in key economic sectors directly related to wildlife trade (commercial agriculture, eco-tourism, food supply chains).

In the ASEAN region, it has long been evidenced by government decisions that economic growth is the top priority. In the COVID-19 aftermath, political will has moved to support key economic sectors directly related with economic recovery. The restoration of the tourism and ecotourism sector, securing supply chains (especially in the food industry), and the improvement of commercial agriculture intersect with government recovery plans and wildlife considerations to the extent that CWT will contribute and not detract from the economic recovery. A regional One Health framework, if paired with multilateral green finance instruments to support recovery in key sectors could offer the opportunity to build back better and renew interest and action to reduce risk of zoonosis from both legal and illegal wildlife trade. Instruments like green bonds, green banking, or blended finance could be used to allocate resources from philanthropic donors, governments, and multilateral organizations to initiatives directly related with the improvement of environmental and biodiversity sustainability in economically sustainable industries. Some of these instruments (e.g., Green, Social and Sustainability Bonds) are already being used by countries like Thailand, the Philippines, and Vietnam, among others in the region, and work is underway to establish a green taxonomy to provide a clear and common definition of sustainable activities in ASEAN.7 8

Recommendation 3. Support One Health approach emphasizing biodiversity as a pathway to coordinate with new partners and funding sources (e.g., health community, private sector).

The funding and communication channels between biodiversity and CWT/IWT are better developed than between the health sector and CWT/IWT communities. A holistic, systems level approach is one of the most valuable contributions of the One Health approach, as it aligns with a planetary health framing that includes a range of interrelated environmental issues (e.g., landscape protection considerations that encompass the protection of wildlife habitats). This framing may also leverage

existing complementary frameworks such as UNEP’s Triple Threat Crisis (i.e., climate change, biodiversity loss, and pollution).

**Recommendation 4. Invest in the adaptation of scientific/academic knowledge into policy-relevant information for decision makers (e.g., data visualization).**

In collaboration with a One Health activity, support development of accessible, policy-relevant briefs and visualizations to underscore the importance of combating the illegal wildlife trade as a risk reduction strategy that supports human health and mitigates risk of emergence of new zoonotic diseases. Evidence of the specific high-risk behaviors that can be prevented (handling live, wild animals in open markets or along the supply chain to the market) needs to be given to decision makers and policy shapers to strengthen their understanding of potential risks to the food supply chain and economic recovery. Campaigns and Public Service Announcements (PSAs) could easily be created to raise awareness not through fear mongering but through practical arguments that underscore the region’s desire to rebound from the pandemic.

**Recommendation 5. Leverage the power of donor support to require governance criteria (e.g., voice and participation of civil society, accountability, and transparency of duty holders) when developing new regional CWT programming.**

Governance has declined in recent years and unrelated to the pandemic, the region’s governments have turned away from democracy and moved toward more authoritarian models of governance. Ignoring rollbacks on civil liberties that constrain INGOs and CSOs threatens to undermine independent and at times novel programming for IWT/CWT that may be construed as running counter to the government’s viewpoint. Donors acting in concert can incentivize improved performance in natural resource governance and in government accountability and transparency if programming includes a governance dimension. The European Union and Swedish International Development Agency are natural partners for work on strengthening governance as part of overall CWT approaches.

**Recommendation 6. Strengthen regional cooperation through vertical integration with community small grants or novel SMEs in ecotourism.**

Donors acting in unison should use the power of their resources and voice to advocate for direct funding of community- and network-led initiatives that support the principles of regional cooperation. Smaller, local organizations at the intersection of supply and demand of wildlife products are especially vulnerable to a range of risks associated with the wildlife trade. Regionally focused programs and initiatives, particularly as these relate to formal ASEAN treaties and Conventions, need to include more voices in not only policy consultation but in determining the specific supply-side interventions that create meaningful alternative livelihoods. USAID can pair demand reduction SBCC campaigns with increased small grants programs and community development funds. Other examples include piloting eco-tourism in wildlife trafficking hotspots to counter criminal activity and partnering with the private sector to offer alternatives to those skilled in animal tracking to become expert guides. It is clear that successful ecotourism and not “greenwashing” should include provision of jobs in these hotspots as viable economic alternatives.

**Recommendation 7. Invest in strengthening cyber investigative capacity to address the increasing challenges in digital illegal wildlife trade markets.**

Experts consulted indicate that the rise in IWT taking place in social media and marketplace platforms is unlikely to decline regardless of the waning pandemic. Instead, it is more likely to increase because it has proven efficient and more difficult to trace and has expanded market reach.
and access. The capacity of wildlife enforcement agencies to keep pace with the growth of this channel is inadequate, something that is not only specific to wildlife, but also extends to other areas of crime as well. Investment in strengthening the specialized investigative capacity of wildlife cyber-crime units to effectively address online wildlife crimes and other cyber-crimes and advocating for more of them in the region is still needed. USAID together with other regional bodies such as the United Nations Office on Drugs and Crime (UNODC) should consider if environmental police (e.g., police, customs, and forestry officials) are the appropriate target group for this specialized, technical training. In addition, cooperation and information exchange with social media platforms and online marketplaces being used by criminal organizations to trade wildlife and launder money is scarce, which makes things more complicated. The anti-money laundering units (where available) may be a better fit because they are positioned to use more impactful laws and crackdown on organizations trading wildlife by seizing their assets. Investment should be conditioned on commitment to share data - following which capacity building and new tools can be introduced.

**Recommendation 8. Invest in scaling and sustaining efforts on CWT using social media campaigns targeting demand reduction of wild meat.**

To achieve regional gains on demand reduction, a substantial and sustained campaign will need to be designed and implemented over a five- to ten-year period. This timeline exceeds USAID’s typical funding cycle. Economies of scale may be gained if USAID led the design of the long-term campaign but invited other development partners to assume responsibility for phases of the long-term cycle (three cycles of three years, and one year to prepare the design, scope, and monitoring, evaluation, and learning). USAID RDW has an evidence base for targeted campaigns in urban areas but could outsource the scaling and the micro-targeting to different partners.

**Recommendation 9. Strengthen Thailand’s regional leadership on CWT.**

Thailand emerges as the continued regional leader in CWT/IWT efforts. Invest in encouraging Thailand to take a more active and vocal role in the region even if it is no longer the ASEAN Chair; partner with Thai DNP and other officials from within the Ministry of Natural Resources and the Environment (MONRE) officials on convening both formal and informal regional dialogue; and begin discussion on encouraging greater regional ownership (including funding) of CWT and IWT programs. Continue to support broader multiagency leadership efforts within Thailand involving other sectors that support CWT efforts such as the judiciary, transport, and health. Expand informal dialogue to include China on enforcement and technical assistance to leverage their strengths outside of official ASEAN channels to avoid political sensitivities.