

THE ELEPHANT AND IVORY TRADE IN THAILAND

DANIEL STILES

A TRAFFIC SOUTHEAST ASIA REPORT



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Cover: Thai-style ivory Buddhas are a popular item for tourists and Thais alike

Photograph credit: Daniel Stiles/TRAFFIC Southeast Asia

The elephant and ivory trade in Thailand

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Daniel Stiles



Daniel Stiles/TRAFFIC Southeast Asia

An example of early 20th century Thai carving, for sale in River City

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GLOSSARY OF TERMS AND ACRONYMS

| | |
|-----------|--|
| ASEAN-WEN | Association of South East Asian Nations-Wildlife Enforcement Network |
| CITES | Convention on International Trade in Endangered Species of Wild Fauna and Flora |
| CITES MA | CITES Management Authority |
| CoP | Meeting of the Conference of the Parties (to CITES) |
| DLD | Department of Livestock Development (Government of Thailand) |
| DNPWP | Department of National Parks, Wildlife and Plant Conservation (Government of Thailand) |
| DOR | Division of Registration (Government of Thailand) |
| ETIS | Elephant Trade Information System |
| IUCN | The International Union of Conservation of Nature |
| MIKE | Monitoring the Illegal Killing of Elephants |
| MoNRE | Ministry of Natural Resources and Environment (Government of Thailand) |
| OTOP | One Tambon One Product |
| SAR | Special Administrative Region |
| TRAFFIC | The wildlife trade monitoring network, a joint programme of WWF and IUCN |
| UNEP | United Nations Environment Programme |
| WARPA | <i>Wild Animal Reservation and Protection Act 1992</i> |
| WCMC | Wildlife Conservation Monitoring Centre (now referred to as UNEP-WCMC) |
| WWF | The global conservation organization |

EXECUTIVE SUMMARY

Asian Elephants and the ivory they carry have been important elements of Thailand's history and culture for centuries. Since the latter part of the 20th century the future of Thailand's wild and captive elephants has increasingly looked uncertain. Human population growth, forest clearance, wild capture for domestication and poaching for ivory have all contributed to the elephant's wild population decline. The elephant is of crucial conservation importance because of the species' contribution to forest ecology, national identity and tourism. This report aims to contribute to elephant conservation in Thailand and throughout all elephant range States by presenting the status and trends of elephant and ivory trading in the country.

The demand for ivory as a result of rapid economic development during the 1970s and 1980s, particularly in East Asia, led to rampant poaching and the serious decline of elephants in many Asian and African range countries. Various measures were introduced under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in the hope of reducing threats to elephant populations through the regulation of international ivory trade. The Asian Elephant *Elephas maximus* was put in Appendix I and the African Elephant *Loxodonta africana* in Appendix II at the first meeting of the Conference of the Parties (CoP) in 1976. By 1989, because of the serious decline in many African Elephant populations, the Parties agreed to transfer the species to Appendix I. This decision of the 7th meeting of the Conference of the Parties to CITES effectively constituted a ban on all commercial international trade in elephants and elephant products, including ivory, except under certain exceptional circumstances.

The internal trade of wild elephants and their products from Thailand, and from international sources, is illegal under the *Wild Animal Reservation and Protection Act of 1992* (WARPA). Wild elephants are classified as totally protected animals. WARPA and the *Wild Elephant Protection Act of 1921* prohibit the killing of wild elephants or their capture without official permission from the government. Domesticated Thai elephants, however, fall under the *Draught Animal Act of 1939* (along with cows, water buffalo and other livestock); this Act does not ban the trade of domesticated elephants nor the possession or sale of ivory from domesticated elephants of Thai origin.

The field work for this report was carried out in Bangkok, Chiang Mai and the Phayuha Kiri and Uthai Thani area south of Nakhon Sawan from 2 to 23 December 2006 and in Bangkok from 16 to 25 February 2007. A follow-up monitoring and assessment survey was carried out in the same areas from 14 January to 9 February 2008. TRAFFIC recorded the number and types of ivory items seen for sale and obtained a representative set of prices. The vendors were interviewed to ask them where they obtained the ivory, how well it was selling in order to assess turnover, who the main buyers were and if they knew where any ivory carving workshops were located. TRAFFIC then visited ivory craftsmen who could be located and interviewed them in an attempt to find out where they obtained their raw ivory, what prices they paid for different weight and type classes and where they sold their products. They were also asked if they exported their products anywhere or if they sold on the Internet.

This study of Thailand's ivory trade raises similar issues to those discussed at the 54th meeting of the CITES Standing Committee in 2006 concerning the Thai government's commitment to CITES regulations and resolutions. The illegal trade in live elephants and ivory still flourishes in Thailand in spite of efforts by both the international community and local authorities to address problems in law enforcement and compliance with existing laws and CITES regulations.

The following summary results derive from this research on the current status of Thailand's trade in elephants and elephant products:

- Although the quantity of worked ivory seen openly for sale has decreased substantially from approximately 88 000+ specimens observed in 2001 to 23 000+ specimens found in the 2006/2007 survey, Thailand still has one of the largest and most active ivory industries seen anywhere in the world. The illegal portion is probably exceeded only by China-Hong Kong SAR.
- The total number of retail outlets surveyed in Thailand was 201 and the number of ivory items observed was 23 258 during the research period in 2006/2007. Of all locations visited, Bangkok had the largest observable ivory trade with 151 outlets and 12 517 items; Phayuha Kiri was next with eight outlets and at least 7611 items; followed by Chiang Mai with 26 outlets containing 2323 pieces; and the Uthai Thani area with eight ivory workshop-outlets selling 361 items in five of the outlets visited.
- In 2008, TRAFFIC found 69 additional outlets to the number in 2006/2007 selling ivory in Thailand with 3019 items. Bangkok had 63 additional outlets with 2901 items, Chiang Mai had three more outlets with 73 pieces, and Phayuha Kiri had three additional outlets with 145 items.
- There were fewer hotels selling smaller amounts of ivory items in 2007 than in 2003. In 2003, 17 hotels were found selling 5355 pieces and in 2007 this had declined to seven hotels with 1352 items. One of these hotel shops had ceased selling ivory in 2008.
- Raw ivory prices increased on average over 300% between 2001 and 2008 in Thailand. Ivory seizures in various parts of Asia and Africa, including Thailand, in recent years appear to have severely reduced the availability of African raw ivory for craftsmen. The scarcity of ivory has caused the wholesale price of tusk tips weighing less than one kilogramme, likely obtained from domesticated Asian Elephants, to rise considerably from less than USD100/kg in 2001 to USD350-1200/kg in early 2008. Small tusks less than 5 kg cost from USD286-429/kg in early 2008, up from USD91-182/kg in early 2001.
- From an estimated minimum of 100 active ivory craftsmen in Thailand in 2001, there appeared to be no more than 60 active craftsmen in early 2008. A previously unreported jewellery, belt buckle and knife/sword handle ivory industry was documented for the first time by this survey, with at least eight workshops in Uthai Thani, one in Chai Nat and three workshops in Bangkok employing at least 45 carvers. This sector of the ivory industry seems to be expanding. The former ivory carving centre of Phayuha Kiri appeared to be considerably less active than previously, most likely as a result of government pressure and the scarcity of raw ivory for carving.
- Thai Customs and CITES Management Authority officials do not always comply with national and CITES regulations with respect to the export of live elephants. Over one quarter of all elephant exports between 1980 and 2005 appeared to be illegal judging by the declarations made on the CITES forms concerning the source and/or purpose of the exported specimen(s). In many cases the CITES export forms were not filled out completely and accurately and Thai authorities apparently do not compel exporters to do so.
- The exports of nine Asian Elephants to Australia and five to Germany since the Commercial Proclamation of 17 March 2006 prohibiting such exports also calls into question the clarity of Thailand's own policies on trade in elephant specimens.

- Thailand illegally imports many elephants every year for use in the tourism industry from Myanmar.

In early 2007, Thailand submitted a report to the CITES Secretariat in which it summarized measures that have been taken in the recent past to address the problems of elephant and ivory trade, and illegal wildlife trade in general (Anon., 2007a). The report also included measures that the Government plans to undertake in the short and long term to control illegal wildlife trade, both at the national level and within the context of Thailand's participation in the ASEAN Wildlife Enforcement Network (ASEAN-WEN). As such, it is the most up-to-date self-assessment by Thailand of its compliance with *Resolution Conf. 10.10 (Rev. CoP12/Rev. CoP14)* and its efforts to control the internal trade in ivory.

Based on Thailand's report in CoP14 Doc. 53.1 Annex 2 (Anon., 2007a), as well as consultations with the Thailand CITES Management Authority following the results of this present research, certain conclusions can be drawn.

In terms of complying with *Resolution. Conf 10.10 (Rev. CoP14)* recommendations, Thailand has only recently begun to address these considerations and very limited progress has been made.

Overall, the efforts by the Thai Government to interdict illegal raw ivory imports and to control ivory manufacture and sale seem to be showing some success in terms of a reduction in the observable numbers of ivory products on sale. On the other hand, the number of retail outlets selling ivory appears to be more than in previous surveys. While the number of carvers seems to be on the decline, it will take some time to observe any lasting impact of the provisions now identified as priorities for market control and enforcement by the Government of Thailand.

The following recommendations are made:

International

- Thailand should enhance its leadership role with respect to the ASEAN Wildlife Enforcement Network (ASEAN-WEN) by increasing national efforts to control the illicit trade in wildlife, especially live elephants and ivory. Strict regulation of Thailand's domestic ivory market would provide an excellent example to other countries in the region, as well as send a global signal, concerning Thailand's commitment to combating international trade in illicit wildlife products.
- Thailand should make a concerted effort to comply with the requirements and recommendations contained in CITES resolutions, specifically, the implementation of the requirements for internal trade in ivory demanded under *Resolution Conf. 10.10 (Rev. CoP14)* ("*Trade in elephant specimens*"). In addition, Thailand should ensure accurate and timely reporting to Elephant Trade Information System (ETIS).
- Thailand, together with the main importers of live elephants from Thailand, China and Japan, should practice greater diligence to ensure that any future live elephant exports are thoroughly assessed for possible negative effects on Thai wild elephant populations.

National

- The *Wild Animal Reservation and Protection Act of 1992* should be comprehensively amended to include specific legislative provisions relating to the control of internal and international trade in live elephants and other elephant products, particularly ivory. Loopholes in existing Thai law, such as allowing the legal commercialization of ivory obtained from domesticated elephants, should be closed and the CITES requirements for internal trade in ivory articulated in *Resolution Conf. 10.10 (Rev. CoP14)* should be codified.
- The drafting of any legislation that aims to rationalize under one new law all provisions relating to elephants and ivory in existing legislation should be coordinated with the WARPA revision in order to avoid any contradictions or conflicts, particularly in the area of internal and international movements and trade.
- The new law should also include provisions requiring domesticated elephants to be registered at birth, possibly using microchips, and that a computerized national database of registered elephants using DNA identification be established in order that the movements of live elephants and ivory can be tracked in the future.
- Thai Customs Department officials should be trained in the identification of ivory, and comprehensive methods for scrutinizing CITES permits for accuracy and compliance in order to reduce the likelihood of fraudulent documents being used to legalise illicit wildlife exports and imports. Customs officials should ensure that imported items at airports and ports correspond correctly with import declarations in the expectation that illegal raw ivory shipments from Africa will be attempted in the future.
- Thai authorities knowledgeable about ivory trade issues and competent in ivory identification should visit known workshops and retail outlets dealing with ivory and confiscate any specimens whose age and provenance cannot be proven to be in compliance with CITES and national regulations.
- The Thai Government should ensure that Thailand's multi-agency National Task Force under ASEAN-WEN is able to carry out a programme of continuous monitoring of elephant and elephant product trade as one of its ongoing priorities.
- It would be useful for the Thai Government to sponsor a study on the usage of elephants in the tourist industry, as the extent of current practices has not been assessed as to whether it encourages the capture of wild elephants from Thailand or neighbouring countries. In general, the tourist industry's impacts on wild elephant populations in Thailand is poorly understood.

BACKGROUND

Asian Elephants *Elephas maximus* and their ivory have been important attributes of Thailand's history and culture for centuries. Since the latter part of the 20th century, the future of Thailand's wild and domesticated elephants has increasingly become uncertain. Human population growth, forest clearance, wild capture for domestication and poaching for ivory have all contributed to the decline of wild Asian Elephant populations in Thailand. The elephant is of crucial conservation importance because of the species' contribution to forest ecology, national identity and tourism. This report aims to contribute to elephant conservation in Thailand by presenting the status and trends of the elephant and ivory trade in the country.

The first known use of captive elephants was during the Sukhothai period (1238-1376 A.D.). By King Narai's time in the 17th century Louis XIV of France's envoy to Siam reported that there were about 20 000 captive elephants in the country. Most of these were used in warfare, but some were used for transport. Because of the beast's great strength, by the late 19th century under King Rama V the main use of elephants was in the logging industry. In the Chiang Mai region alone it was estimated that there were 20 000 elephants engaged in logging (Bock, 1986; Carter, 1904), and Tipprasert (2002) states that a century ago there were 100 000 domesticated elephants in Thailand, most of them employed in logging. In 1965 the Department of Livestock Development (DLD) reported that the number had dropped to 11 192, decreasing to 3381 in 1985 and 2257 in 1998. The number seems to have risen since then, however, as the Thai Government reported that there were 3074 in late 2005 (Dublin *et al.*, 2006).

In 1989 the Thai Government banned logging in an attempt to conserve forest land, which had been rapidly diminishing from land clearance for agriculture and timber production. In 1961 the forested area of Thailand was estimated to measure 27.36 million ha (Phantumvanit, 1987), but by 2007, forest cover had dropped to 14.54 million ha, or 28% of Thailand (FAO, 2007). The country loses an average of 59 000 ha of forest every year (FAO, 2007).



Daniel Stiles/TRAFFIC Southeast Asia

Modern Thai ivory carving began under King Rama V in the 19th century and included a variety of boxes and containers used by the aristocracy

The logging ban effectively left about 70% of Thailand’s domesticated elephants unemployed. The owners of many of these animals eventually moved them into various tourism-related activities, or took them to cities to become “street elephants”, where the mahouts can obtain money by begging. In early 2001, Tipprasert (2002) estimated that there were still between 1200 and 1400 unemployed elephants, over 1000 tourism elephants and about 100 street elephants. What has happened and is happening to these elephants will be discussed in more detail under the Elephant Trade section of this report.

No comprehensive wild elephant count has been carried out in Thailand, but the population appears to have remained stable at around 1650 animals from the late 1980s (Santiapillai and Jackson, 1990) to the year 2000 (Kemf and Santiapillai, 2000). On the other hand, Lohan (2002) believes that there are fewer than 1000 elephants in the country based on carcass finds and sighting reports. Blake and Hedges (2004) are somewhat more optimistic and give a figure of between 2500 and 3200 wild elephants, with the caveat that no reliable population estimate is possible in the absence of a systematic count. Looking at things from an historical perspective, the National Elephant Institute stated that there were 200 000 elephants in Thailand in 1782 and 100 000 in 1900, indicating that the situation has deteriorated significantly in the 21st century (Kanwanich, 2003).



Daniel Stiles/TRAFFIC Southeast Asia

Elephants were used as war mounts as early as the 13th century in Thailand

INTRODUCTION

The demand for ivory as a result of rapid economic development during the 1970s and 1980s, particularly in East Asia, led to rampant poaching and the serious decline of elephant populations in many Asian and African range countries. Various measures were introduced under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in the hope of reducing threats to elephant populations through the regulation of international ivory trade. The first of these actions was to include the Asian Elephant *Elephas maximus* in Appendix I and the African Elephant *Loxodonta africana* in Appendix II at the first meeting of the Conference of the Parties in 1976. In 1989, in recognition of a serious decline in many African Elephant populations, the Parties agreed to transfer *L. africana* to Appendix I. This decision of the 7th meeting of the Conference of the Parties to CITES constituted a ban on all commercial international trade in all elephants and elephant products, including ivory (Dublin *et al.*, 1995; Nash, 1997).

The 1989 ban initially served to reduce ivory demand significantly in Europe, the USA and Japan, which led to a decline in elephant poaching in many parts of Africa (Martin and Stiles, 2003, 2005, 2008; Dublin *et al.*, 1995). There is evidence, however, that the trade ban might have had the opposite affect on Asian Elephants in some countries, as Asian ivory traders attempted to replace African ivory with Asian ivory (Stiles, 2004a). In countries with weak law enforcement, such as Cambodia, Lao PDR and Viet Nam, wild elephant numbers for the three countries dropped from an estimated total of 6250 in the late 1980s to 1510 in 2000 (Santiapillai and Jackson, 1990; Kemf and Santiapillai, 2000; Martin and Stiles, 2002; Stiles, 2004a).

In the late 1980s and 1990s local ivory demand grew significantly in China and Thailand as a result of a rising standard of living putting more discretionary money into the hands of growing middle and upper classes, and concomitantly rising tourist numbers. However, overall demand was lower in 2002 than in 1989 in China because of the drop in ivory exports to the West (Martin and Stiles, 2002, 2003). Tourism is the main driving factor behind the ivory market in Thailand and the country enjoys continued growth in this sector. The Office of Tourism Development of Thailand reported that there were 13.82 million visitors in 2006 and 14.46 million in 2007 (Anon., 2008).

The 10th meeting of the Conference of the Parties to CITES (CoP10) devised a specific *Resolution on Trade in Elephant Specimens*, which was subsequently revised at the 12th and 14th meetings of the Conference of the Parties [*Resolution Conf. 10.10 (Rev. CoP12 and CoP14)*]. Regarding control of internal ivory trade, this Resolution recommended to those Parties in whose jurisdiction there is an ivory carving industry that is not yet structured, organized or controlled that comprehensive internal legislative, regulatory and enforcement measures be adopted to:

- a) register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products;
- b) establish a nationwide procedure, particularly in retail outlets, informing tourists and other non-nationals that they should not purchase ivory in cases where it is illegal for them to import it into their own home countries; and
- c) introduce recording and inspection procedures to enable the Management Authority and other

appropriate government agencies to monitor the flow of ivory within the State, particularly by means of:

- i) compulsory trade controls over raw ivory; and
- ii) a comprehensive and demonstrably effective reporting and enforcement system for worked ivory.

The Resolution also directed the CITES Secretariat to seek information from each Party identified as having sufficient controls over internal ivory “indicating the procedures, action and time frames that are needed in order to establish the measures necessary to properly effect the recommendations regarding internal ivory trade”.

The Secretariat was also directed to report back to the CITES Standing Committee on its findings, recommendations or progress, which shall in turn consider appropriate measures, including restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties. The Resolution also directs the CITES Secretariat, dependent on available resources, to provide technical assistance to Parties to develop practical measures to regulate their internal ivory trade.

In 1997, *Resolution Conf. 10.10* mandated the development of two monitoring systems for elephants: Monitoring the Illegal Killing of Elephants (MIKE) and Elephant Trade Information System (ETIS). MIKE provides a site-based system in elephant range states for tracking the illegal killing of elephants, while ETIS tracks illegal trade in elephant through analysis of elephant product seizure records.



Daniel Stiles/TRAFFIC Southeast Asia

This domesticated elephant is used as a tourist attraction in an elephant camp

Comprehensive analyses of ETIS records have been provided to the Parties at each meeting of the Conference of the Parties in 2002, 2004 and 2007 as a formal agenda item. The first ETIS analysis in 2002 demonstrated that illegal trade in ivory was most directly correlated to the presence of large-scale domestic ivory markets that exhibit poor law enforcement. Thailand was identified as a problematic country under *Decision 12.39* and therefore a priority for ensuring compliance with the CITES requirements noted under *Resolution Conf. 10.10 (Rev. CoP12)* for internal trade in ivory.

At CoP13, *Decision 12.39* was replaced by *Decision 13.26*, which established an “*action plan for the control of trade in African elephant ivory*”. This action plan calls for all African Elephant range States:

- *to prohibit unregulated domestic sale of ivory, whether raw, semi-worked, or worked;*
- *to instruct all law enforcement and border control agencies to enforce such laws; and*
- *to engage in public awareness campaigns to publicise these prohibitions.*

The “action plan” clearly targets Africa’s unregulated domestic ivory markets by obliging all elephant range States to comply with CITES requirements for internal trade in ivory outlined in *Resolution Conf. 10.10 (Rev. CoP12)* or face the imposition of punitive sanctions, including the possible suspension of all international trade in CITES-listed species.

However, *Decision 13.26* also calls for the continued monitoring of “*all domestic ivory markets outside Africa to ensure that internal controls are adequate and comply with the relevant provisions of Resolution Conf. 10.10 (Rev. CoP12) on trade in elephant specimens*” and that “*priority should be given to China, Japan and Thailand*” in this regard.

Each of the ETIS reports issued to date have demonstrated that illicit trade in ivory is most directly correlated to the presence of large-scale, poorly regulated, domestic ivory markets in Asia and Africa. On the basis of cluster analysis, Thailand has consistently been identified as one of the countries most heavily implicated in the illicit trade in ivory. According to the latest ETIS analysis in 2007, Thailand has made only modest efforts since 2002 to deal with outstanding issues, and further progress is needed. Thailand’s future actions to regulate its internal ivory market, however, may be inhibited by an inadequate legal framework from which to act. In any case, at CoP14 in June 2007, Thailand and China in Asia, and Cameroon, Democratic Republic of the Congo and Nigeria in Africa, were once again identified as the most important countries driving illegal trade in ivory (Milliken *et al.*, 2007).

Since CoP13 in 2004, the CITES authorities in Thailand have engaged with their counterparts in the Association of South East Asian Nations (ASEAN) to create a regional network to combat illegal trade in wild animals and plants. This led to the ASEAN Wildlife Enforcement Network (ASEAN-WEN) being formally launched by ASEAN Ministers on 1 December 2005 at a meeting in Bangkok, Thailand. Officials from a range of agencies, including CITES Management Authorities, Customs, immigration services and the police, came together for the first regional ASEAN-WEN meeting in Bangkok in May 2006, and the second meeting in Bogor, Indonesia in May 2007. This was followed in 2008 by the third regional meeting in Vientiane, Lao PDR, in May/June 2008.

The enforcement network aims to facilitate the establishment of national task forces or committees to bring a multi-agency response to wildlife crime. In turn, national ASEAN-WEN focal points will help coordinate a sub-regional response to illicit activity. ASEAN-WEN has also begun to liaise with law enforcement

agencies in other parts of the world, the CITES Secretariat, and regional and international law enforcement networks and organizations, such as ICPO-Interpol and the World Customs Organization. The CITES Secretariat congratulated the Government of Thailand for bringing an idea first raised at CoP13 to fruition and has expressed hope that other regions or sub-regions will follow this example. Thailand's leadership in this initiative, and the hosting of the network's Programme Co-ordination Unit (PCU), brings incumbent responsibility to set a good example in controlling wildlife trade, especially in such high-profile commodities as elephant ivory.

Since 1997, TRAFFIC has been carrying out country surveys of trade in ivory and, in some cases, live elephants. In 2006/2007, TRAFFIC set out to compile existing and new information on the trade in elephants and elephant products in Thailand in consultation with relevant experts and stakeholders, including carvers, traders, retailers and government regulators. This study examines the legislative framework governing trade in elephants and elephant products, documenting the continuing availability of ivory products in key locations, and analyses the current situation in Thailand relative to the requirements under *Resolution Conf. 10.10 (Rev. CoP14)*.

METHODS

Field research was carried out in Bangkok, Chiang Mai and the Phayuha Kiri / Uthai Thani area south of Nakhon Sawan from 2-23 December 2006 and again in Bangkok from 16-25 February 2007. The results of a TRAFFIC ivory market survey carried out in January 2006 in Mae Sai on the Thai-Myanmar border has been included in this report. A follow-up monitoring ivory survey was carried out in Bangkok, Chiang Mai and Nakhon Sawan area from 14 January-9 February 2008 to evaluate the impact of actions on the retail trade taken by the Thai Government during the intervening year.

The methodology consisted of visiting locations where ivory was known or thought to be sold from previous studies (Martin and Stiles, 2002; Stiles, 2004b; Mather, undated) and from a review of guidebooks, the Yellow Pages of local telephone directories and the Internet. A native Thai speaker accompanied the principal investigator on some of the survey. Vendors were interviewed to ascertain where they obtained the ivory, how well it was selling in order to assess turnover, what the nationality of the main buyers was, and if vendors knew where any ivory carving workshops were located. As a result of ivory confiscations and increased government surveillance of ivory workshops and retail outlets since 2002, particularly in advance of the CITES CoP13 in Bangkok in October 2004, most ivory vendors were not very forthcoming with information. In spite of the general reluctance of vendors to co-operate, some did provide useful information as to the whereabouts of ivory craftsmen.

Ivory craftsmen who could be located were visited and interviewed in an attempt to find out where they obtained their raw ivory, what prices they paid for different weight and type classes of ivory and where they sold their products. They were also asked if they exported their products anywhere or if they sold on the Internet.

Photographs were taken whenever possible; in most shops this proved to be difficult, although in the more open-air localities such as Chatuchak Weekend Market and the Tha Prachan Amulet Market in Bangkok most vendors did not object.



These bits of ivory have been accumulated at an elephant camp, but will not be sold for spiritual reasons

The presence and type of ivory substitute items were also noted (mammoth ivory, resins, bone, etc.). The word ivory in this report always refers to elephant ivory unless otherwise stated.

These data were analysed and the counts, types and prices of ivory items were broken down for display in tables following the system developed by Martin and Stiles (2002, 2003, 2005, 2008) to allow for standardized comparisons of the indicators between place and time. The retail prices used are the asking prices, but this indicator is of limited value since prices for the same type item vary considerably based on many factors, for example, type of outlet (e.g. luxury hotel, open market), appearance of the buyer (e.g. nationality/ethnicity, young-old, how well dressed), how eager for a sale the vendor is, quality of carving, age of item, etc.). For this reason, only common and simple types were used in the comparative price table (Table 19).

The exchange rate varied during the survey period, but in all instances in this report the rate used is THB35 = USD1 (December 2006).

Subsequent to the field research, TRAFFIC consulted with officials from Thailand's CITES Management Authority, the Department of National Parks, Wildlife and Plant Conservation to encourage the government to take action to implement recommendations of *CITES Resolution Conf. 10.10 (Rev. CoP14)*.

LEGAL POSITION OF TRADE IN ELEPHANTS AND IVORY

Trade

Thailand acceded to CITES on 21 April 1983 and since then the international trade of elephants and their products has theoretically been subject to CITES regulations. The internal trade in Thai and foreign wild elephants and their products is illegal according to the *Wild Animal Reservation and Protection Act of 1992* (WARPA). Wild elephants are classified as protected animals. WARPA, along with the *Wild Elephant Protection Act of 1921*, prohibit the killing of wild elephants or their capture without official permission from the government.

Domesticated Thai elephants, however, come under the Draught Animal Act of 1939 (along with cows, water buffalo and other livestock); this Act does not ban the trade of domesticated elephants nor the possession or sale of ivory from Thai domesticated elephants (Lair, 1997). According to a former Director of the CITES Division in the Royal Forest Department, if an official tries to arrest an ivory trader or shopkeeper he will state that his ivory came from domesticated Thai elephants. Since government officers are generally unable to distinguish the ivory types, the government cannot successfully prosecute. The majority of legal raw ivory in Thailand comes from domesticated elephants that have had their tusks pruned (former Director of the CITES Division quoted in the *Bangkok Post*, Anon., 2001).

The Draught Animal Act of 1939 also requires that elephant owners register them at eight years of age with the District Office of the Local Administration Department and obtain an elephant identification card. If the elephant is moved to another district the owner should report to the new district authorities within 30 days. Elephants found without proper identification can be confiscated and it is up to the owner to prove ownership (Pimmanrojngool and Wanghonga, 2002).



Photo by The Nation newspaper, Bangkok

This seizure of 500 kg of African ivory was made at the Bangkok airport in 2003

The *Animal Epidemics Act of 1956* requires an elephant owner to obtain official permission in writing before moving an elephant out of a province or trading a live elephant or its carcass.

The *Customs Act of 1926*, the *Commercial Registration Act of 1956*, and the *Export and Import of Goods Act of 1979* are also all applied to CITES implementation. For example, the Ministry of Commerce ordered in 2007 that all wildlife entrepreneurs be registered, a process that is being carried out by the Market Control Authority (Anon., 2007a).

The possession of an illegally imported wildlife specimen is not an offence itself under WARPA. In order for a prosecution to be possible, the accused must be shown to have been personally responsible for an illegal import, export or re-export.

This, of course, may not be easy to demonstrate, particularly if the specimen in question has been in the country for some time or if the owner has changed (Anon., 2006a).

The Government of Thailand has indicated its intention to revise WARPA in order to modernize and revise the articles to improve domestic wildlife management and implement international agreements such as CITES. The Government was working on the revision, but the CITES MA could not confirm when the new Act will be finalized (Anon., 2007a).

As a Party to CITES, Thailand has certain trade monitoring and reporting obligations in order to comply with this international convention, particularly in respect of *Resolution Conf. 10.10 (Rev. CoP14)*. See Appendix 1 for an analysis of Thailand's record in respect of ETIS and the country's international position in illegal ivory trading.

Management

From 1992 to 2002, management of wild elephants and ivory were the responsibility of the National Committee on Wild Animal Reservation. The Committee chair was the Minister of Agriculture and Cooperatives and the secretary was the Director-General of the Royal Forest Department. Members included Permanent Secretaries of Agriculture and Cooperatives, of Interior and of Foreign Affairs; Director-Generals of the Departments of Local Administration, of Land, of Fisheries, of Livestock Development, of Customs and of Foreign Trade; and up to 10 distinguished members appointed by the Cabinet. The Committee was charged with carrying out and managing the provisions of the *Wild Animal Reservation and Protection Act of 1992* (WARPA).

In October 2002, as part of a major restructuring of the Thai government system, a new Ministry of Natural Resources and Environment (MoNRE) was established, including a new Department of National Parks, Wildlife and Plant Conservation (DNPWP). In February 2003, WWF Thailand met with the Director General and 17 senior staff of the DNPWP; the Director General instructed his Department's CITES Office and the Extension and Promotion Office to develop a joint CITES/Ivory enforcement team to start working on the problem of ivory in hotels (Mather, undated). The tasks of this team would be:

- inspection and identification of ivory souvenirs/products on sale in hotels;
- informing hotels about the law, and the penalties for breaking the law;
- public relations about strict enforcement which will be implemented in the near future;
- confiscations, arrests and prosecutions.

The results of the team's efforts in 2003-04 will be presented under the Retail Outlets and Prices section below.

Two ministries are responsible for managing domesticated elephants in Thailand, the Department of Livestock Development (DLD) under the Ministry of Agriculture and Cooperatives and the Division of Registration (DOR) under the Ministry of Interior. The former deals principally with elephant care and health, and the latter with registration and movements within the country.

Chapter 4, Sections 23 through 28, of WARPA relate to the internal movements and import or export of protected live wild animals or carcasses. “Carcass” is interpreted here as referring to any specimen derived from an elephant’s body, including its tusks. The Director General of DNPWP must approve in writing any internal movements or import or export of live wild animals or specimens. Section 24 states that the importation, exportation and transitory movement of wild animals and specimens that require permits in accordance with CITES are permissible only with authorization by the Director General.

However, Section 26 of WARPA states that the above stipulations do not apply to the hunting, breeding, possession, transport, importation or exportation of wild animals or specimens if the activity is for the purpose of wildlife survey, study, research, protection, breeding or for use in a zoo carried out by the government sector with written permission of the Director General of DNPWP and with the rules and conditions set by the Minister. The Minister in question is not specified in the WARPA, but presumably would now refer to the Minister of the MoNRE.

The CITES Management Authority (and Scientific Authority) responsible for managing international trade in elephants and ivory is the DNPWP within the MoNRE. Law enforcement authorities relevant to elephants are the CITES Office within the DNPWP, the Royal Thai Customs and the Natural Resources and Environmental Crimes Suppression Division of the Royal Thai Police.

The Thailand CITES Management Authority has confirmed the intention of the WARPA revisions to update and re-categorize the articles of legislation for better implementation of wildlife management, conservation and CITES.

In April 2007, the revised WARPA legislation remained under consideration by the Legal Affairs Division of the Department of National Parks, Wildlife and Plant Conservation, pending re-submission to the Ministry of Natural Resources and Environment, for subsequent proposal to the government for approval (Thailand CITES Management Authority, *in litt.* to TRAFFIC Southeast Asia, 1 May 2007). Due to the political changes in Thailand with the December 2007 elections and the changes in government in 2008, the law is still pending for review.

RESULTS

Live elephant trade

It is legal to sell domesticated elephants within Thailand. Existing laws deal only with registration and movement of elephants from one district or province to another, as explained above. Demand for domesticated elephants exists both within Thailand and abroad for use in zoos, circuses and the “eco-tourism” industry as mounts and pack animals (Anon., 2003; Lair, 1997; Sakamoto *et al.*, 2004; Tipprasert, 2002). Most of the elephants that were rendered unemployed with the logging ban in 1989 are unsuitable for entertainment or tourism as they are too old to be trained appropriately. This demand for tourism elephants and lack of supply has allegedly led to illegal capture of young elephants in the wild. Export of suitable elephants to other countries for use in entertainment facilities and zoos has also been recorded.

No legal capture of wild elephants has been allowed in Thailand since the 1970s, but illegal capture of infant wild elephants has been reported to occur (Sakamoto *et al.*, 2004; Anon, 2006a; Burke, 2008; Wipatayotin, 2008). Doubts over the legality of the Australian Taronga Zoo’s importation of nine Asian



Calves like this one are worth up to THB250,000 (USD 7140) on the open market now

elephants in 2006 have been raised overseas, with claims that documents from Thailand suggest that up to half may have been taken from the wild. Moreover, it has been alleged that the registration certificate for one elephant showed she was just six years and nine months old – despite an animal welfare requirement that the zoo not use any elephant under the age of 12 for breeding (Burke, 2008).

Traders have been reported to buy elephant calves from elephant-catchers in Thailand and take them with adults to Bangkok to beg on the streets, or sell them to elephant camps or entertainment parks (Sakamoto *et al.*, 2004). Since domesticated elephants do not have to be registered until eight years of age these captures usually go undetected by the authorities. Because the capture of baby wild elephants is done secretly there is no way to estimate how many animals are involved per year, but there have been assertions that many calves seen in Thailand, especially those under one year of age, originate in the wild (Sakamoto *et al.*, 2004). The Elephant Conservation Network in Kanchanaburi supported this assessment and stated that certain elephant camps are complicit in “laundering” baby elephants from Myanmar into the Thai tourism sector (Elephant Conservation Network director, pers. comm. to TRAFFIC, 2007).

In 2006, TRAFFIC spoke with a Myanmar government officer on the Myanmar-Thailand border who stated that he had allowed the illegal export of 240 live elephants to Thailand via Three Pagoda Pass over the previous 18 months in exchange for bribe money. The officer said that the elephants were destined for named tourist resorts (Shepherd and Nijman, 2008). In addition, a senior official in the Thai DNPWP was quoted in the media stating that at least five Thai elephant calves had been smuggled to Germany, alleging the complicity of government officials (Anon., 2007b).

There are many elephant camps throughout Thailand where elephants are bred in captivity and thus become eligible for legal export, or they might simply be used in the camps, hired out or sold to Thai amusement parks. Tipprasert (2002) documented 39 such camps with 1008 elephants (Table 1).

Table 1.
Elephant camps used in tourism activities in Thailand, 2002

| Province and camp | No. of elephants | Status of elephants | No. of mahouts |
|---------------------------------------|------------------|--------------------------------------|---------------------------|
| Chiang Mai | | | |
| 1. Maesa | 85 | All belong to the camp | 90 |
| 2. Maetaman | 35 | All belong to the camp | 40 |
| 3. Taeng Dao | 40 | All belong to the camp | 40 |
| 4. Mae Taeng | 35 | 25 belong to the camp, 10 hired | 40 |
| 5. Jungle Raft | 25 | 3 belong to the camp, 22 hired | 25 |
| 6. Pong Yaeng Nai | 45 | 10 belong to the camp, 35 hired | 45 |
| 7. Mae Ping | 45 | All are hired | 45 |
| 8. Mae Wang | 50 | All belong to camp | 50 elephant owners |
| 9. Other | 30 | All belong to camp | 30 elephant owners |
| Lampang | | | |
| 10. Thai Elephant Conservation Centre | 48 | All belong to Thai Government | 110 |
| Chiang Rai | | | |
| 11. Karen Ruam Mitra | 30 | Owned by cooperative | 15 elephant owner/mahouts |
| 12. Mae Yao | 18 | Owned by businessmen | 18 |
| Mae Hong Son | | | |
| 13. Ban Pha Bong | 30 | ? | 30 |
| 14. Pai | 20 | ? | 30 |
| Ayutthaya | | | |
| 15. Ayutthaya Elephant Palace | 35 | 16 belong to camp and 19 are hired | 35-40 |
| Nakhon Pathan | | | |
| 16. Rose Garden | 9 | All are hired | 14 |
| Samut Prakan | | | |
| 17. Crocodile Farm | 9 | All belong to the farm | 12 |
| Chonburi | | | |
| 18. Khao Kaew Open Zoo | 8 | All are hired | 8 |
| 19. Sriraja Zoo | 15 | 2 belong to the zoo and 13 are hired | 15 |
| 20. Pariat Chang | 30 | 22 belong to camp and 8 are hired | 30 |

Table 1. (continued)
Elephant camps used in tourism activities in Thailand, 2002

| Province and camp | No. of elephants | Status of elephants | No. of mahouts |
|---|------------------|------------------------------------|------------------|
| 21. Suan Nong Nuch | 18 | All belong to the camp | 18 |
| 22. Moo Ban Chang Pattaya | 30 | 20 belong to camp and 10 are hired | 30 |
| 23. Suan Chang Pattaya | 28 | 5 belong to camp and 23 are hired | 28 |
| Kanchanaburi | | | |
| 24. Maesah | 30 | 16 belong to camp and 14 are hired | 25 |
| 25. Pu Tong | 26 | 6 belong to camp and 19 are hired | 26 |
| 26. Sai Yoke | 25 | 8 belong to camp and 17 are hired | 25 |
| 27. Ban Mai Pattana | 12 | Belong to different Karen owners | 12 |
| 28. Som Nek | 5 | All are hired | 5 |
| 29. Sang Kla | 18 | All are hired | 18 |
| Phuket | | | |
| 30. Siam Safari | 35 | All are hired | 35 |
| 31. Phuket Fantasy | 35 | All belong to the business | 35 |
| 32. Karen Lagoon Elephant Trekking Club | 28 | All are hired | 28 |
| 33. Elephant Safari Trekking | 15 | All are hired | 15 |
| 35. Tour Chang Pathong | 5 | All are hired | 5 |
| 36. Phuket Water Ski | 5 | All are hired | 5 |
| 37. Sun Nature Tour Company | 13 | All are hired | 13 |
| 38. Viking FoodCenter | 8 | All are hired | 8 |
| 39. Phuket Snake Farm | 5 | All are hired | 5 |
| TOTAL 39 | 1008 | 553 owned, 389 hired | 1058-1063 |

Source: Tipprasert, 2002

Based on these figures, the tourism sector utilized approximately 1000 elephants, with well over 1000 mahouts and the hundreds of people who worked in subsidiary jobs related to the elephants employed. Many of the mahouts are ethnic Karen or Thais from Surin in the east of Thailand, an area known for its elephant traditions.

Domesticated elephants are also imported to and exported from Thailand. Historically, the main sources of imported elephants have been Myanmar followed by Lao PDR (Lair, 1997; Shepherd, 2002). Before 1990, adult elephants would be brought in to work in the logging industry, but these are no longer needed due to the logging ban. Demand has now shifted to calves under two years of age. They are used mainly in amusement parks and are trained to perform various stunts for tourists. In the mid 1990s, about 50 calves

entered Thailand annually from Myanmar, where Thai traders purchased them at the border for THB125 000-150 000 (USD 5000-6000 at 1997 rates) (Lair, 1997). The Thai Elephant Conservation Centre in Lampang confirmed to TRAFFIC in 2007 that this practice continues. It is possible that baby elephants from Myanmar and Lao PDR are used in the Thai tourism/street elephant business for a few years, then re-sold back to Myanmar where they can be used in logging when young adults (Richard Lair, *in litt.* to TRAFFIC, 2007).

The Thai Wildlife Protection Network alleged that at least 50 elephants, mainly calves, are smuggled into Thailand annually from Myanmar via five border districts – Mae Sariang, Mae La Noi, Sop Moie, Umphang and Phop Phra (Wipatayotin, 2008).

The smugglers then apply for registration documents from authorities to certify they are captive elephants. The documents enable wildlife traders to legally move their animals to elephant shelters where they are trained for three years before being sent to foreign zoos. Friends of the Asian Elephant, based in Thailand, claimed that China ordered 300 captive elephants from Thailand to entertain visitors at the 2008 Olympic Games (Wipatayotin, 2008). The Thai government needs to enact procedures to enable it to distinguish legal from illegal captive elephants.

The export of live elephants from Thailand and other South-East Asian countries has become a contentious issue in recent years. There are many good sources claiming that this trade is happening, but little direct observational evidence. The alleged practice also poses a dilemma for CITES, as there are ambiguities in the way CITES regulations can be interpreted, and there are tactics unscrupulous traders can employ that seem to conform to CITES regulations and Thai laws. See Box 1 for a discussion of CITES regulations.

CITES Resolution Conf. 12.3 (Rev. CoP13) attempts to prevent fraud in the export of Appendix I specimens through codifying descriptions of both the purposes of transaction and source of specimens, which should be recorded on relevant CITES documents. Those relevant to elephants are:

Purpose of Transaction Codes:

- T Commercial
- Z Zoos
- Q Circuses and travelling exhibitions
- S Scientific
- H Hunting trophies
- P Personal
- M Medical
- E Educational
- N Reintroduction or introduction to the wild
- B Breeding in captivity or artificial propagation
- L Law enforcement/judicial/forensic

Source of the Specimens Codes:

- W Specimens taken from the wild
- R Specimens originating from a ranching operation

- D Appendix-I specimens bred in captivity for commercial purposes
- C Animals bred in captivity in accordance with *Resolution Conf. 10.16 (Rev.)*.
- F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of “bred in captivity” in *Resolution Conf. 10.16 (Rev.)*
- U Source unknown
- I Confiscated or seized specimens
- O Pre-convention specimens

Table 2 presents a condensed version of the live Asian Elephant export data regarding Thailand between 1980 and 2005 in the CITES Trade Database maintained by the United Nations Environment Programme’s World Conservation Monitoring Centre (UNEP-WCMC). This comparative data table includes the data reported to CITES by the export country (Thailand) and by the 15 countries which have imported elephants from Thailand, and as such gives insight into the accuracy of reporting. Thailand declared exporting a total of 178 elephants while the importing countries declared receiving only 134 elephants.

Box 1.

CITES regulations concerning trade in specimens listed in Appendix I

CITES specifies that international trade in specimens of species listed in Appendix I must only be authorized in exceptional circumstances (Article II) and that the import permit for any Appendix I-listed species, required before an export may take place, shall only be granted when a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes (Article III, paragraph 3 c).

Article VII of the Convention allows Parties to make certain exemptions to the general principle of not allowing the international trade of an Appendix I species for commercial purposes. Paragraph VII.2 states that if the specimen (i.e. live elephant in this case) was acquired before the Convention came into effect in 1976 it was exempt from the articles prohibiting export. Paragraph VII.5 states that a specimen bred in captivity accompanied by a Management Authority certificate so stating can be exported. Article VII.7 allows the export of any specimen that is in either category specified in paragraphs 2 or 5 of this Article, which forms part of a travelling zoo, circus, menagerie or other travelling exhibition.

Ambiguities arise in defining ‘for commercial purposes’ and ‘bred in captivity’. These ambiguities were addressed in subsequent resolutions at Conferences of the Parties.

Resolution Conf. 5.10 (Definition of ‘primarily commercial purposes’), recommends that ‘an activity can generally be described as ‘commercial’ if its purpose is to obtain economic benefit, including profit (whether in cash or in kind) and is directed toward resale, exchange, provision of a service or other form of economic use or benefit’. The resolution also recommends that Parties define ‘commercial purposes’ as broadly as possible so that any transaction that is not wholly ‘non-commercial’ will be regarded as ‘commercial’. The Annex attached to *Resolution Conf. 5.10* provides examples of transactions where an importation of specimens of Appendix-I species could be found to be not ‘for primarily commercial purposes’, and includes scientific purposes, education or training and captive breeding. The display of animals at zoos/safari parks can fall within the category of education although difficulties arise in defining these operations as ‘non-commercial’ when there is clearly a commercial aspect to the display of animals to a fee-paying public.

Resolution Conf. 10.16 (Rev.) (‘Specimens of animals bred in captivity’) more strictly defines ‘bred in captivity’ to refer to specimens in which both parents were also bred in captivity (F1) in a controlled environment. Specimens eligible for export would therefore be second generation (F2) or subsequent generation (F3, F4, etc.).

Table 2.
Live Asian Elephant trade from Thailand, 1980-2005*

| UNEP-WCMC CITES Trade Database | | | | | | | | |
|--------------------------------|----------|----------|-----------------|----------------|---------------|-----------------------|----------------------|---------------------|
| Comparative Tabulation Report | | | | | | | | |
| Year | Importer | Exporter | Import Quantity | Import Purpose | Import Source | (Re-) Export Quantity | (Re-) Export Purpose | (Re-) Export Source |
| 1980 | US | TH | 1 | Z | | | | |
| 1981 | US | TH | 2 | Q | | | | |
| 1981 | US | TH | 1 | Z | C | | | |
| 1982 | JP | TH | 2 | Z | C | | | |
| 1986 | ID | TH | 2 | T | | | | |
| 1986 | JP | TH | 1 | T | C | | | |
| 1987 | DE | TH | 1 | Z | C | | | |
| 1987 | JP | TH | 1 | T | C | | | |
| 1988 | JP | TH | 4 | S | C | | | |
| 1989 | JP | TH | 3 | E | C | | | |
| 1990 | HK | TH | 2 | Z | C | | | |
| 1991 | HK | TH | 2 | Z | C | | | |
| 1993 | JP | TH | 2 | Q | C | | | |
| 1993 | JP | TH | | | | 2 | Q | W |
| 1994 | JP | TH | | | | 2 | E | C |
| 1994 | US | TH | | | | 1 | Q | W |
| 1995 | CN | TH | 3 | Q | C | 3 | Q | C |
| 1995 | IL | TH | 12 | Z | C | 2 | Z | C |
| 1995 | JP | TH | 4 | Q | C | 4 | Q | C |
| 1995 | MY | TH | 1 | Z | W | | | |
| 1995 | US | TH | 1 | | W | | | |
| 1996 | CN | TH | 3 | Q | C | | | |
| 1996 | CN | TH | 5 | E | C | | | |
| 1996 | JP | TH | 12 | Q | C | | | |
| 1996 | MY | TH | 2 | Z | C | | | |
| 1997 | ID | TH | 12 | E | C | | | |
| 1997 | IL | TH | | | | 2 | Z | C |
| 1997 | JP | TH | 2 | Q | C | | | |
| 1997 | MY | TH | 1 | Z | C | 1 | Z | C |
| 1998 | CH | TH | | | | 6 | Q | C |
| 1998 | CN | TH | 6 | Q | C | | | |
| 1998 | JP | TH | 4 | Q | C | 4 | Q | C |

Table 2. (continued)
Live Asian Elephant trade from Thailand, 1980-2005*

| UNEP-WCMC CITES Trade Database | | | | | | | | |
|--------------------------------|----------|----------|-----------------|----------------|---------------|-----------------------|----------------------|---------------------|
| Comparative Tabulation Report | | | | | | | | |
| Year | Importer | Exporter | Import Quantity | Import Purpose | Import Source | (Re-) Export Quantity | (Re-) Export Purpose | (Re-) Export Source |
| 1999 | CA | TH | 1 | B | W | | | |
| 1999 | CN | TH | 6 | Q | F | 6 | Q | F |
| 1999 | JP | TH | 1 | Q | F | | | |
| 1999 | KR | TH | 2 | Q | C | | | |
| 1999 | KR | TH | | | | 2 | Q | F |
| 2000 | CN | TH | | | | 12 | Q | F |
| 2000 | JP | TH | 3 | Q | F | 3 | Q | F |
| 2000 | LK | TH | 2 | Z | C | | | |
| 2001 | DK | TH | 3 | Z | C | | | |
| 2001 | DK | TH | | | | 3 | Q | C |
| 2001 | KR | TH | | | | 9 | Q | C |
| 2001 | LK | TH | | | | 2 | Q | C |
| 2002 | JP | TH | 1 | Z | C | 2 | Z | C |
| 2002 | JP | TH | 7 | Q | F | 14 | Q | F |
| 2002 | JP | TH | | | | 3 | Q | C |
| 2002 | PH | TH | 10 | Q | F | 10 | Q | F |
| 2003 | JP | TH | 2 | Q | F | 2 | Q | F |
| 2003 | MY | TH | 12 | Q | C | | | |
| 2003 | MY | TH | | | | 1 | Q | W |
| 2004 | CN | TH | 18 | Q | C | 8 | Q | C |
| 2004 | JP | TH | 6 | T | O | | | |
| 2004 | JP | TH | | | | 6 | Q | O |
| 2004 | MY | TH | | | | 10 | Q | C |
| 2004 | SE | TH | 2 | Z | C | 2 | Z | C |
| 2005 | CN | TH | 10 | Q | C | 10 | Q | C |
| 2005 | JP | TH | | | | 2 | Z | C |
| TOTAL | | | 178 | | | 134 | | |

Source: CITES Trade Database, UNEP-WCMC, 2006

* Appendix 2 presents the country code identifications.

The UNEP-WCMC Gross Export Trade table indicates that a total of 235 elephants was exported from Thailand between 1980 and 2005. The full table shows that in 2001 nine elephants from Lao PDR were re-exported to South Korea and in 2003 one elephant from Malaysia was re-exported back to Malaysia. Therefore, a total of 225 of the reported exported elephants originated in Thailand.

Japan reportedly imported the most elephants from Thailand with 70, followed by China with 63. The most commonly declared purposes were circuses and travelling exhibitions (code Q) and zoos (code Z). Using both the import and (re-) export declarations, and omitting duplications, the reporting shows that the great majority of elephants were exported for the purpose of circuses and travelling exhibitions, followed by zoos (Table 3). Those with a Purpose code of Q were for use in a travelling circus or exhibition so were supposed to have returned to the country of origin.

Table 3.
The declared purpose of export of elephants from Thailand, 1980-2005 (Derived from Table 2)

| Purpose | Q | Z | E | S | T | B | Unknown | Total |
|---------|-----|----|----|---|---|---|---------|-------|
| Number | 136 | 38 | 22 | 4 | 4 | 1 | 1 | 206 |

Three commercial (Purpose Code T) exports from 1986 and 1987 would appear to represent trade that is inconsistent for specimens listed in Appendix I of the Convention. One transaction did not declare any purpose and Thai authorities were perhaps remiss in allowing the export. The source of two other exports was stated to be captive bred (Source Code C), in other words in compliance with *CITES Resolution Conf. 10.16*. The fourth export, made in 2004, declared that the elephant was acquired prior to 1976, and thus if factual the export would have been legal under Article VII if the animal's age was ascertained to be older than 28 years. In 1999 one wild elephant (Source Code W) was exported to Canada for captive breeding purposes. The legality of the other exported elephants can be assessed by the stated sources of the specimens.

Table 4 presents the data for the declared source of the exported elephants. The large total of 247 exceeds the numbers shown in Table 2 as well as the UNEP-WCMC Gross Export Trade table (235 elephants). Not surprisingly, most of the elephants were said to have been born in captivity (code C) in accordance with *CITES Resolution Conf. 10.16 (Rev. CoP11)*. However, 50 were declared to be born in captivity, but not in accordance with the F2 definition of captive breeding (Source Code F), mostly F1 calves, and seven were taken from the wild (Source Code W).

The legal status of some of these exports is therefore uncertain. In addition, five of the elephant exports had no stated Source code, rendering the documentation incomplete. The 12 that were declared to have been acquired before CITES came into effect in 1976 (Source Code O) would have been legal exports. The oldest of these elephants, the one exported in 2003, would have been at least 27 years old, so it is at least possible that these declarations were valid. It is unknown what proof of age and ownership was provided.

Table 4.
The declared source of elephants for export from Thailand, 1980-2005 (Derived from Table 2).

| Source | C | F | O | W | Unknown | Total |
|--------|-----|----|----|---|---------|-------|
| Number | 173 | 50 | 12 | 7 | 5 | 247 |

In all, at least 66 of the 235 (28%) exported and re-exported elephants were questionable under Article III.3c, Article VII or one of the resolutions described in Box 1.

Ivory trade

Sources and Prices of Raw Ivory

Thailand has a long history of trading ivory, both as an exporter and importer. Exports to China and Japan date back several centuries. In the 13th century Thailand exported tusk tips and tusks weighing from about seven kilogrammes up to 20 kg to Fukien Province, China (Hirth and Rockhill, 1911) and in the 19th century there is a record of Thailand exporting 18 tonnes of tusks to China (Srikachang and Jaisomkom, 2001). Records show that by at least the 17th century Thailand was exporting tusks to Japan in large quantities, and in the late 1880s Thailand and other South-East Asian countries supplied almost 90% of Japan's ivory.

Thailand only began to import raw ivory after the Second World War as the internal ivory manufacturing industry developed. This suggests the local elephant population was no longer large enough to satisfy the demand for ivory. Between 1957 and 1987 Thailand imported at least 43.5 tonnes of raw ivory, approximately 1.45 tonnes per annum on average, based on statistics from Royal Thai Customs (Luxmoore, 1989; Srikachang and Jaisomkom, 2001). It is probable that the actual amounts were considerably larger,



Daniel Stiles/TRAFFIC Southeast Asia

The number of hotel shops selling ivory has dropped significantly over the past five years

as many importers underreport quantities to lessen the tax burden, and ivory smuggling from neighbouring Asian countries no doubt took place, according to informants interviewed in the Nakhon Sawan area between 2003 and 2008.

Most of the declared ivory originated in African countries (72%), led by Sudan and Kenya, but Hong Kong and Lao PDR were also listed as sources of supply. From interviews with ivory shopkeepers it is also known that raw ivory was brought in from Myanmar (Luxmoore, 1989). An ivory carver in Phayuha Kiri recalled that in the early 1960s, tusks were smuggled in from Myanmar and Lao PDR, one thousand pairs at a time of all sizes, up to two metres long. The price was THB190-200/kg. This practice continued until the recent past, but the quantities and sizes of tusks were greatly reduced (ivory carver, pers. comm. to Daniel Stiles, 2003). While Thailand acceded to CITES in 1983, it was not until 1997 that Myanmar followed suit and Lao PDR later still in 2004. Thus these countries did not need to comply with CITES regulations prior to those respective dates.

Since 1990, when the CITES trade ban on African Elephants *Loxodonta africana* came into effect, there have been several seizures of illegal ivory imports made in Thailand by the General Post Office, the Royal Thai Customs and by the Royal Thai Police. Table 5 presents a summary of these seizures.

Table 5.
Seizures of illegal ivory in Thailand, 1992-2003

| Date | No. of Pieces | Weight kg |
|----------------|---------------|-----------|
| 1992 | 14 | 513 |
| 1993 | 51 | 440 |
| January 1994 | | 75 |
| January 1994 | 21,128 | |
| February 1994 | 20 | |
| February 1994 | 739 | |
| March 1994 | | 7 |
| May 1994 | 9 | |
| September 1994 | | 226 |
| September 1994 | 81 | |
| 1995 | 169 | |
| May 1995 | 578 | |
| May 1995 | 6 | |
| July 1995 | 153 | |
| March 1996 | 26 | 221 |
| July 1996 | 4 | |
| 1997 | 148 | 10 |
| March 1998 | 455 | |
| 1999 | 5 | 1 |

Table 5. (continued)
Seizures of illegal ivory in Thailand, 1992-2003

| Date | No. of Pieces | Weight kg |
|---------------|---------------|--------------|
| April 2000 | 112 | 496 |
| January 2001 | 2 | |
| November 2001 | 30 | 203 |
| March 2002 | | 396 |
| May 2002 | 60 | 195 |
| May 2002 | 56 | 194 |
| August 2002 | 56 | 160 |
| August 2002 | 121 | 362 |
| July 2003 | 65 | 501 |
| Total | 24 088 | 4 000 |

Sources: Mather, undated; Martin and Stiles, 2002

In addition, 91 tusks, weighing 213 kg, were seized at Entebbe International Airport in Uganda in June 2001 bound for Thailand (Anon., 2007c). The 24 000+ items and four tonnes of ivory seized were a mixture of raw and worked ivory. Although Thailand has an active ivory carving industry, worked ivory of Chinese origin is commonly sold in shops, and pieces from Myanmar, Lao PDR and Cambodia also enter the country illegally (Martin and Stiles, 2002; Shepherd, 2002; Shepherd and Nijman, 2008). Raw ivory usually enters Thailand from Myanmar at the border crossing of Tachilek-Mae Sai in the north (Shepherd, 2002; Shepherd and Nijman, 2008). It is notable that in 2002 after WWF-Thailand, in collaboration with other stakeholders, provided training to several hundred Royal Thai Customs officers, that several large ivory seizures were made (Mather, undated). Table 5 does not include eight additional ivory seizures made in 2004 reported to ETIS, because the ETIS report does not provide numbers or weights (Milliken *et al.*, 2007). Most recently, in March 2008, two boxes containing ivory destined for Bangkok were seized in Ethiopia. The ivory was shipped by air from Malawi (Chipofya, 2008).

In general, the seized raw ivory originates from Africa while the worked ivory is sourced from mainland China or Hong Kong, though most of the raw ivory used in the Chinese carving industry is African in origin (O'Connell-Rodwell and Parry-Jones, 2002; Martin and Stiles, 2003).

The ETIS report to the CITES CoP14 contained a detailed analysis of the ivory seizures reported to it by Party governments (Milliken *et al.*, 2007). The report noted that between 1989 and 2007 Thailand declared only 55 ivory seizures, a record thought to be incomplete. In addition, Thailand has not provided any information to ETIS for 2005, 2006 and 2007 for the CoP15 report (ETIS, *in litt.*, to TRAFFIC, 2008). Thai government officials have stated orally to TRAFFIC that this was because no seizures had been made. The ETIS report observed that Thailand remains one of the key countries in both unregulated domestic ivory markets and in illegal ivory imports and stated that most of the ivory originated in Africa (see Appendix 1).

Tusks from Thai poached elephants also enter the market. Between 1992 and 1997 at least 24 male elephants were killed for their tusks (Srikrachang and Jaisomkom, 1999). Two sites now exist in Thailand

(Salakphra and Kuibiri) to monitor elephant poaching under the Monitoring of the Illegal Killing of Elephants (MIKE) programme, for which initial baseline data have been recorded (Anon., 2007d).

Domesticated elephants provide legal ivory to craftsmen and vendors in the form of tusk tips. These rarely weigh more than one kilogramme each. Tuskers commonly have their tusks pruned every few years or so, but not all enter the market. Some elephant camp owners believe it is unpropitious to sell pruned ivory (Director of the Ayutthaya Elephant Palace and Kraal, pers. comm. to Daniel Stiles, 2003).

The large captive population of elephants produces increasing volumes of ivory and on average approximately 300 to 400 kg of ivory is produced a year from the captive population. Owners cut the tusks as short as possible because they fear that their elephants will be stolen. Tusks are cut every two to three years after an animal reaches the age of 15 years. Ivory that is cut from captive elephants is not (and need not be) registered with the government. The Royal Forest Department conducted a raw ivory registration in 1992/93 to legalize its possession for owners. Bangkok registered 8315 tusks and the rest of the country declared a total of 7184 tusks, 9519 pieces of tusks and 673 kg (Srikrachang and Jaisomkom, 1999, 2001). In 2005 the registered ivory stock consisted of 16 127 whole tusks and 9519 pieces of cut ivory. Of this total, the government held only 488 whole tusks and no cut pieces (Dublin *et al.*, 2006). This raises a question, as in 2002 the government seized 1554 kg of raw and worked ivory in Phayuha Kiri in two raids conducted by the Forestry Police and Royal Forest Department (Mather, undated). The disposition of the seized worked ivory is not recorded. TRAFFIC could not ascertain whether any of the seized ivory was subsequently made available to traders or craftsmen.

The price of raw ivory has been rising in recent years, apparently as a result of persistent demand combined with diminishing supply as a result of seizures and increased vigilance on the part of the Thai authorities. In 1979 the price for a tusk weighing one to five kilogrammes averaged USD99/kg. This price had risen

to USD159/kg in 2001. In early 2003 prices for African ivory of this size tusk ranged from USD140 to USD209 in Phayuha Kiri, while an Asian Elephant tusk this size could fetch USD280/kg (Martin and Stiles, 2002). A 5-10 kg tusk of good quality commanded a price of up to USD500/kg in Bangkok in 2003 (Stiles, 2004b).

In late 2006 during TRAFFIC's research for this report only



Daniel Stiles/TRAFFIC Southeast Asia

This Uthai Thani factory employed only two craftsmen in 2003. In 2006 eight craftsmen worked in this expanded workshop

one craftsman working near Khao San Road in Bangkok stated that he still bought raw ivory. All other craftsmen and vendors interviewed said that they no longer bought raw ivory and therefore they did not know the price. They claimed they were using old stocks. The price the one craftsman gave was for a tusk tip that weighed 450 grams. He said he paid THB20 000 for it, (USD 1269/kg). This high price is unlikely to be a representative price for wholesale raw ivory. However, a 20-cm tusk tip weighing about 400 grams was found in the Chiang Mai Night Bazaar priced at THB35 000, an even more expensive USD2500/kg. Conversely, a 16cm tusk tip weighing about 400 g was found in Bangkok's Chatuchak Market priced at only THB4900, or USD350/kg, perhaps a more representative price that carvers would pay to middlemen for raw ivory of this size.

A pair of polished tusks 90cm long, each weighing 4kg, was found for sale in a café in Bangkok's River City complex selling for THB20 000/kg (USD571/kg). The tusks were Asian Elephant ivory, worked to a certain degree by polishing, and were being sold in an expensive locality.

In February 2007, the craftsman near Khao San Road was revisited. He had finished the tusk tip seen in December 2006 making belt buckles and had bought a new one weighing 200g for THB6500 (USD929/kg). He said that raw ivory was not sold by weight, but rather by size and quality through negotiation. He maintained that most of his clients supplied the raw ivory themselves and that he rarely purchased it. The ivory purchased was always tusk tips from Asian elephants. All informants who were asked about the origin of the tusk tips replied that they came from Surin or "the north". The outlet in Chatuchak Market that had the THB4900 tusk tip was also revisited. A vendor said that the tip had been sold for between THB5000 and THB6000, he could not remember the exact price. He stated that the average price for small tusks (one-three kilogrammes) at the time was THB10 000-12 000/kg, or USD286-343/kg.

In late January 2008 an ivory carver in Manorom, near Phayuha Kiri, stated that tusks under five kilogrammes in weight sold for between THB10 000 and 15 000/kg, or USD 286 to 429/kg, but that they were difficult to find. He claimed that the African tusks that used to come directly from Africa to Bangkok now came via China, Hong



Gong Yagthan, 85 years old in 2003, was the second person to work ivory in Phayuha Kiri

Daniel Stiles/TRAFFIC Southeast Asia

Kong or Japan. This seems unlikely, as raw ivory demand is high in those places and similar, or higher, prices could be obtained locally without the risks associated with illegal transport. The craftsman also said that tusks from Cambodia and Lao PDR no longer were available, and only the occasional small raw ivory piece came in from Myanmar. He said that the main middleman that used to bring African tusks from Bangkok to sell to Phayuha Kiri carvers had died. Some of his family had now taken up the job, but they were not very active.

It is clear that the wholesale price of raw ivory is variable, ranging from about USD 300/kg to well over USD 1000/kg, depending on various factors such as demand, quality and size. The greatly increased prices in 2006/2007 and 2008 compared to previous surveys made in 2001 and 2003 suggest that there was most likely a severe ivory supply constraint in 2006-2008 (Martin and Stiles, 2002; Stiles, 2004b).

Ivory Workshops in Thailand

There is no evidence of commercial ivory carving outside of Bangkok before the 1930s. The only craftsmen in Thailand were the royal carvers, who seem to have ceased work after Rama V's death in 1910. In the 1930s art teachers at the Fine Arts School in Bangkok taught ivory carving and Chinese ivory carvers began working in Chinatown by at least the 1950s (National Museum Fine Arts Department, pers. comm. to Daniel Stiles, 2003; 85-year old ivory carver in Manorum, pers. comm. to Daniel Stiles, 2003). Luxmoore (1989) and Mather (undated) both believe that ivory carving began in Phayuha Kiri over 200 years ago, but research in 2003 proved this view to be unfounded (Stiles, 2003). Ivory carving began in Phayuha Kiri in the late 1930s (see Appendix 3 and Stiles, 2003).

Luxmoore (1989) estimated there were 50-100 ivory carvers in Phayuha Kiri. He found no ivory carvers in Bangkok, but he located two workshops in Chiang Mai with a total of seven craftsmen at work in 1989. He was told that there were other contract workers carving ivory at home, but the number was not specified.

Martin estimated there to be 50-100 ivory carvers in Phayuha Kiri in early 2001 (Martin and Stiles, 2002). He estimated that there were about 20 ivory carvers in Bangkok in 2001, but this number was based on vendor informants and no carvers were actually found, except for one man who engraved hallmarks on name seals. Martin found no ivory carvers active in Chiang Mai, and informants there said that the last ivory carving was done in 1996 (Martin and Stiles, 2002). No ivory carvers were found in Chiang Mai during this investigation in 2006 and 2008.

In 2002, before ivory seizures were made in Phayuha Kiri by Thai authorities (Mather, 2003), there were about 100 ivory carvers active in 20 workshops (Stiles, 2004b). They manufactured jewellery items, human and animal figurines of all sizes (Buddha, Rama V and elephants being common), elephant trains and other types of carved tusks, mounted polished tusk pairs, cigarette holders, chopsticks, name seals, ritual knives (*meedsan*), good luck idols (*nanggwak*), Thai lions (*singha*) and small phalluses (*paladkit*) worn as protective charms (see Appendix 3). Following the ivory seizures in 2002, the Thai government brought all of the carvers of Phayuha Kiri together into an association, which is supposed to meet three times a year to discuss various issues. There were about 100 members (ivory carvers in Phayuha Kiri, pers. comm. to Daniel Stiles, 2003). No information on the status of this association in 2006/2008 could be ascertained, as the Phayuha Kiri carvers were uncooperative.

The visit to Phayuha Kiri to interview ivory carvers in December 2006 yielded little information. A craftsman who was very helpful in 2003 was found, but in 2006 he would provide no other information than to say no-one worked ivory any longer. Another carver, who also had been helpful in 2003, was not available but his wife was interviewed and she also said that ivory carving had ceased and that only bone and wood were now being carved. Neither person was willing to provide directions to any workshops that were currently operational, and both said the craftsmen would not allow visitors. Another workshop that was visited in 2003 was closed in 2006.

The retail shops along Phayuha Kiri's main street were visited in 2006 and 2008 and a surprisingly large amount of ivory was found for sale, but the vendors would not talk about ivory workshops and some were openly hostile. It is not possible, therefore, to provide information about ivory carving in Phayuha Kiri other than to say that some craftsmen are likely to be still working ivory, based on what was seen for sale in the shops. Carved hippo and pig teeth and mammoth ivory items were also seen, but whether these were worked in Phayuha Kiri or imported could not be ascertained. There were almost certainly fewer ivory carvers in 2006/2008 than seen 1985-2003 (Table 6), likely as a result of the ivory seizures and sporadic visits by investigators, which has no doubt discouraged the craftsmen from operating as openly as they had done prior to 2003. The ivory carver in Manorom, near Phayuha Kiri, stated in 2008 that a few craftsmen still worked ivory in Phayuha Kiri, but would provide no details.

In addition to the Phayuha Kiri trinket carving aimed at the tourist market, a specialized industry of knives and swords with ivory handles and silver and ivory belt buckles, bracelets, pendants and rings had developed in workshops located along the road leading to Uthai Thani, not far from Phayuha Kiri, and elsewhere nearby. Informants in the two largest factories both said that they started up in the early 1980s, and the others started up later as the buckles, knives and jewellery gained popularity. A man of Thai-Pakistani origin owns one of the larger workshops. He has close ties with European knife makers and has in the past taken his products, including ivory trinkets, to exhibitions in Italy and Switzerland to sell. In 2008 he was planning on attending a knife exhibition in France, at which he would sell various ivory items. This would be in contravention of CITES and Thai and European Union law. He claimed to own



Daniel Siles/TRAFFIC Southeast Asia

Typical good luck pieces carved in Thailand today. The first four on the left are Buddhas, then a singha (lion), Nanggwak, and on the far right is Luang Paw Derm, a revered monk now deceased

another ivory workshop “in the jungle” that manufactured trinkets of the kind found in Phayuha Kiri, which he also sold at the Uthai Thani workshop-outlet. One of the other Uthai Thani workshops sent various ivory and steel or silver items to the USA for sale in gun shops.

The equipment used in Uthai Thani to make these items is different from that employed to make the Phayuha Kiri type items, thus there is a division of labour between the two types of craftsmen. The high-quality steel used for the knives and swords is imported from Germany and Sweden and the two largest factories sell from websites on the Internet.

Only one of the buckle/knife/jewellery factories was found during a study in 2003, which at the time employed only two craftsmen. During this survey in 2006, eight craftsmen were seen at work in a greatly expanded workshop area and in 2008 the number had grown to 12. In total, eight similar workshops were found in Uthai Thani, one in Chai Nat, one in Phayuha Kiri and three more were found in Bangkok. All 13 together employ approximately 45 craftsmen. One ivory carver works in Manorom, manufacturing elaborate *singhas* and other items for Buddhist monks. Another jewellery workshop using ivory and gold alloy was found in Bangkok, which supplied at least one shop in the Old Siam department store. All of the ivory workshops supply retail shops in Bangkok, Chiang Mai, Pattaya, Phuket and other tourist centres.

Three informants in Bangkok working in shops selling ivory confirmed that they could no longer obtain worked ivory items from the craftsmen who supplied them in the past, as they had ceased working ivory. When asked where these craftsmen worked they replied “Nakhon Sawan”, a term commonly employed for Phayuha Kiri, which is in Nakhon Sawan Province. Other informants, both vendors and Bangkok ivory craftsmen, stated that African ivory was either not available currently or was almost finished. This information, if accurate, would indicate that ivory imports from Africa had ceased for some time and that ivory stocks were running low. Whether all or most Phayuha Kiri craftsmen have stopped working ivory due to a lack of raw material or other causes cannot presently be determined. One other ivory carver was found at the Tha Prachan amulet market in Bangkok in 2008. He crafted small figurines and jewellery and thought that he was currently the only one to do so in Bangkok.

In addition to the ivory workshops enumerated above, informants reported that there were ivory workshops in Ayutthaya, Sukhotai and in Chantaburi on the eastern coast, but these locations were not visited.

Table 6 presents a summary of what is known about the development of ivory carving in Thailand.

On the basis of selective surveys and consultations, it was estimated that there were 50 to 60 ivory carvers likely to have been active in February 2008, most of them in the Phayuha Kiri/Uthai Thani area.

Table 6.
Number of ivory carvers and workshops in Thailand

| Place | Year | No. of Workshops | No. of Carvers |
|--------------------------|-------------|------------------|----------------|
| Bangkok | 1880-1910 | ? | 10? |
| | 1930s | ? | 10? |
| | 1960s | ? | 20? |
| | 2001 | ? | 20? |
| | 2008 | 5 | 7-9 |
| Chiang Mai | 1989 | >2 | ~10-15 |
| | 2001 | 0 | 0 |
| | 2008 | 0 | 0 |
| | 2008 | 0 | 0 |
| Phayuha Kiri | 1937 | 1 | 1 |
| | 1940 | 2 | 3 |
| | 1960s | ? | 10-12 |
| | 1985 | ? | 50-70 |
| | 1989 | ? | 50-100 |
| | 2001 | ? | >50 |
| | 2003 | ~20 | ~100 |
| | 2008 | 2-3? | 3-6? |
| Uthai Thani ¹ | 2008 | 10 | 40-45 |
| Total | 2008 | 17-18 | 50-60 |

¹ Includes one workshop in Chai Nat, south of Uthai Thani, and the workshop in Manorom.
Source: Martin and Stiles (2002), Stiles (2003, 2004b) and interviews by Stiles.

Retail worked ivory outlets and prices

Prior to the CITES ivory trade ban in 1989, Thailand was an active importer and exporter of worked ivory. Thai Customs statistics show that Hong Kong was by far the most important source of Thailand's imported worked ivory, followed by South Africa and then Japan (Luxmoore, 1989, Table 3).

Thailand also (re-)exported large quantities of worked ivory in the late 1970s and early 1980s, but the amounts tapered off significantly in the late 1980s. In 1978, the former West Germany and the UK were the main destination countries (Anon., 1978). Table 7 presents a summary of the weights of worked ivory imported and exported 1978-1988.

Table 7.
Imports and exports of worked ivory to Thailand, 1978-1988, in kg

| | 1978 | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1987 | 1988 |
|----------------|------|------|------|------|------|------|------|------|------|------|------|
| Imports | 9079 | 4316 | 3642 | 1983 | 4819 | 1570 | 172 | 202 | 196 | 120 | 5 |
| Exports | 3530 | 1821 | 825 | 192 | 315 | 190 | 63 | 38 | 44 | 14 | 3262 |

Source: Royal Thai Customs

There was an enormous spike in exported worked ivory in 1988, no doubt in anticipation of the CITES ivory trade ban.

Martin carried out a brief wildlife trade survey of Bangkok in 1979, including ivory, and he recorded the prices of several items. He noted that there was a wide variety of ivory items in curio shops and that the main buyers were Japanese and Europeans, particularly [West] Germans (Martin and Stiles, 2002). Luxmoore (1989) conducted the next recorded ivory survey of Thailand and found several Bangkok shops with more than 200kg each of ivory on display. Interestingly, he concluded based on style that most of it was imported from Hong Kong or China, though the vendors did not wish to admit it, claiming that the pieces were carved in Thailand.

Luxmoore (1989) visited five shops in Chiang Mai with substantial amounts of ivory and was told that all of the raw ivory was Burmese (Myanmar) in origin and carved in their own factories in Chiang Mai. He concluded that this was untrue and he estimated that 30-50% came from Hong Kong or China, 20-35% was from Phayuha Kiri and only 20-40% came from local carvers. He stated that Thais bought little ivory, mainly the smaller amulets and other charms, and if wealthy, the occasional mounted polished tusks to display as status symbols. He concluded that tourists bought most of the ivory.

Chen Hin Keong (cited in Nash, 1997) conducted an ivory survey in 1997 in Thailand as part of a general undertaking carried out by TRAFFIC to assess how well the CITES ivory trade ban was faring in Asia. In the report he also presented details about a limited 1993 TRAFFIC survey that looked only at name seals and cigarette holders in Bangkok, assuming these would be likely items for tourists to carry illegally out of the country. They found approximately 1916 name seals and 545 cigarette holders in 39 jewellery, gem and souvenir shops in 1993, numbers much higher than seen in the 2001 and 2006/2008 surveys for a comparable number of outlets. The 1997 survey was not complete enough to draw any other comparative conclusions.

WWF-Thailand conducted two ivory surveys of 111 hotels and shops in Bangkok in 2000 and 2003 (Mather, undated). Table 8 presents the results.

Table 8.
Ivory trade in Bangkok hotels and shops, 2000 and 2003

| | Hotels (n=111) | Shops (n=78) | Total |
|---------------------------|----------------|---------------|----------------|
| Survey 1 (12/2000) | 35 with ivory | 78 with ivory | 113 with ivory |
| No. of pieces | 15 465 | 11 424 | 26 889 |
| | | | |
| Survey 2 (10/2003) | 17 with ivory | 78 with ivory | 95 with ivory |
| No. of pieces | 5 355 | 13 612 | 18 967 |

Source: WWF-Thailand

Efforts by the CITES/Ivory enforcement team under MoNRE, inspired by WWF-Thailand, cut the number of hotels selling ivory by 50% and the number of ivory pieces the hotels sold by almost two-thirds. The amount of ivory sold by the non-hotel shops increased slightly, but they were not targeted by the campaign. The operation continued in advance of CITES CoP13 held in Bangkok in October 2004. By August 2004, only one of the hotels was still selling ivory.



Most of these belt buckles and knives use ivory and are manufactured in workshops in Uthai Thani

Table 9.
Number of ivory outlets and pieces in Thailand, 2001

| Place | No. of outlets with ivory | No. of pieces |
|--------------|---------------------------|---------------|
| Bangkok | 164 | 38 510 |
| Phayuha Kiri | 12 | 39 649 |
| Chiang Mai | 18 | 10 020 |
| Total | 194 | 88 179 |

Source: Martin and Stiles, 2002

In February-March 2001 Martin (Martin and Stiles, 2002) carried out an ivory survey of Thailand under the auspices of Save the Elephants, an elephant conservation NGO based in the UK and Kenya. Martin visited Bangkok, Chiang Mai and Phayuha Kiri. Table 9 presents the results.

Thailand had in 2001 the largest number of ivory items seen for sale in the surveys carried out by Martin and Stiles in 34 countries and territories (Martin and Stiles, 2000, 2002, 2003, 2005, 2008).

Results of the December 2006/February 2007 survey

A total of 179 outlets selling a minimum of 19 529 items of ivory was found in Thailand in December 2006 and February 2007. In addition, a further 14 outlets with 2669 ivory pieces in Bangkok and eight outlets with 446 pieces in Mae Sai, on the Myanmar border in the north, were documented by TRAFFIC between January and March 2006 (Shepherd and Nijman, 2008). The total number observed for Thailand was therefore 201 outlets and 23 258 ivory items in this period. Table 10 presents a breakdown of the outlets and items by locality.

Table 10.**Number of outlets and ivory items seen for sale in Thailand in 2006/2007**

| Locality | Number of outlets | Number of items |
|--------------|-------------------|-----------------|
| Bangkok | 151 | 12 517 |
| Chiang Mai | 26 | 2323 |
| Phayuha Kiri | 8 | 7611 |
| Uthai Thani | 8 | 361 |
| Mae Sai | 8 | 446 |
| Total | 201 | 23 258 |

Bangkok

The main areas where worked ivory was found for sale in Bangkok were the Chatuchak Weekend Market, Charoen Krung (New) Road/Chinatown, the river front shopping complexes, the Tha Prachan Amulet Market, Sukhumvit Road, and the Silom/Suriwongse Roads (see Table 11). In addition, ivory was found for sale in shops associated with seven hotels and at a One Tambon One Product (OTOP) exhibition at the Impact Centre in the Bangkok suburb of Nonthaburi, held 15-17 December 2006.

Table 11.**Main areas in Bangkok where ivory was found for sale 2006/2007**

| Area | Number of outlets | Number of items |
|-------------------------------|-------------------|-----------------|
| Chatuchak Market | 31 | 2566 |
| Charoen Krung Road/China Town | 32 | 2042 |
| OTOP exhibition | 11 | 1266 |
| Amulet Market | 8 | 2193 |
| River front | 20 | 531 |
| Sukhumvit Road | 7 | 498 |
| Silom/Suriwongse Road | 15 | 254 |

Chatuchak (Jatujak) Market – This huge market, open only on Saturdays and Sundays, has long been known as a centre for illegal wildlife and wildlife product trade. WWF Thailand, Wildlife Alliance Thailand (now known as Freeland Foundation) and TRAFFIC have been assisting the Thai government in monitoring and reporting on the illegal trade activities here over recent years, which has resulted in a number of seizures of illicit specimens. Nevertheless, ivory continues to be sold here in great quantity. The vendors here were more forthcoming than elsewhere and answered questions freely. One shop displayed only five ivory items, but the owner admitted that he had more than 100 more at home, some of them quite large. He did not want to display them for fear of a police raid, but he said he would bring some in if the investigator was interested. He said that one pair of tribal ear-plugs supposed to be antique was recently manufactured in Viet Nam and imported to Thailand. He also stated that he had recently exported a large



Daniel Stiles/TRAFFIC Southeast Asia

Ivory is sold in great quantity and openly at Jatujak Market

Chinese-carved tusk to the USA. He fabricated a certificate that stated the piece was mammoth ivory to enable export and subsequent import to the USA. He said that he did this often and that it was easy to do. This is just one example of what occurs commonly here.

Another shop that in December 2006 had the largest quantity of ivory had many fewer items in February 2007. Evidently sales had been good over the Western and Chinese New Year periods, but no replacement of ivory stock had taken place. Many of the larger items were gone. Most of the ivory items seen in the market were jewellery and smaller figurines and there were virtually no large pieces. Several of the shops in Section 1 (Antiques) of the market were selling ivory beads in wholesale fashion.

Charoen Krung Road/Chinatown – Charoen Krung (New) Road was surveyed from Sathorn Road into Chinatown to its terminus at the Klong Lod canal. Eighteen outlets selling 1243 ivory items were found in shops along the road itself. Yaowarat Road had only two outlets with 336 items. One was an ivory specialty shop and the other was in a hotel. The owner of the long-established ivory speciality shop maintained that he was the only shop left selling ivory in Chinatown, which turned out not to be the case. He also said that no ivory craftsmen were still working in Chinatown, which did seem to be true, as none could be found. The Nakhon Kasem (Thieves Market) had three outlets selling 81 ivory items, plus a number of resin, bone and mammoth ivory items being sold as elephant ivory. The Old Siam department store contained 10 shops selling 569 ivory items, mostly jewellery.



Daniel Stiles/TRAFFIC Southeast Asia

This Phayuha Kiri workshop exhibit at the OTOP exhibition in Bangkok shows the types of trinkets that are produced there. The callipers are used to measure the thickness of bangles, which are sold at THB150 per mm. Notice the two small *meedsan* knife good luck charms in the tray next to the ivory tiger tooth

OTOP – The One Tambon (“village”) One Product initiative is promulgated by the Thai Government as a way to stimulate the manufacture of traditional Thai crafts and other home products as a form of rural development. That ivory carving is one of these crafts would appear incongruous from a government policy standpoint, except for the fact that tusk tips pruned from domesticated elephants used as the carving material are legal under Thai law. The exhibition attracted thousands of exhibitors from all over Thailand selling a great diversity of products. All nine ivory workshops operational in Uthai Thani/Chai Nat displayed their products at OTOP, along with one from Bangkok, totalling 923 items, and a workshop from Phayuha Kiri was selling 277 items. The Uthai Thani exhibits displayed only ivory and silver belt buckles, jewellery and knife handles. The Phayuha Kiri exhibit sold belt buckles, but most of the items were small pendants, bangles and other tourist trinkets. The Bangkok workshop display included two ivory gun handle sets and a 14 cm high bust of an African woman and a 16 cm African owl figurine. The vendor first said that the African pieces were carved in Thailand, but after discussion admitted that they came from Africa and that she had about five more at home, sold to her by travellers returning from Africa.

Several countries from South-East Asia displayed products in a special area of the exhibition. Surprisingly, ivory was being sold in the Lao PDR and Cambodia exhibits. The Myanmar and Indonesia exhibitions, both known worked-ivory producing countries, displayed no ivory. The Lao PDR display had 25 items consisting mainly of small ivory pendants (shaped in forms including Buddha, Tiger tooth, elephant) along with bangles, ear-plugs and chopsticks. Cambodia’s exhibit was selling 41 ivory pieces, primarily three to nine centimetres Buddha figurines and pens. Vendors at both exhibits were asked if items such as these were normally imported to Thailand for sale and both replied in the affirmative. Since the Thai Government sponsors OTOP, the import and commercialization of ivory from neighbouring countries



These ivory Buddhas and pens were illegally imported from Cambodia and were being sold at the OTOP exhibition. The Thai Government officially supports this

would appear to be a further indication that inter-agency work with Customs and Trade officials is required to improve implementation and enforcement of CITES and Thai law.

Tha Prachan Amulet Market – The Amulet Market consists of perhaps 200 or more shops of various kinds strung along a few, narrow pathways clustered near the Sanam Luang grounds in the Old City. Eight of these shops were found selling ivory, with two of them displaying considerable amounts (1660 and 380 items respectively). Common items were jewellery (mainly beads), Buddha and Ganesh figurines, *singhas*, phallic charms and votive tablets engraved with images of the Buddha or revered Buddhist monks.



These *meedsan* knives, phallic charms and various religious pendants and figurines are typical of the Amulet Market in Bangkok

River Front – This linear area runs from the Menam River Hotel up to the River City antiques shopping complex on Bangkok's Chao Phraya river. The largest amount of ivory was found in a shop (614 pieces) located in the street in front of the Menam Riverside Hotel. One shop in a luxury hotel was selling 198 ivory trinkets and jewellery and a shop in another 5-star hotel was displaying eight old *samisen bacchi* (Japanese musical instrument plectrum) and two antique signature stamps shaped like stupas. A tourist shopping centre contained four shops selling 69 antique ivory pieces while

a large antiques/souvenirs centre had 16 outlets with 462 ivory items, mostly antiques. One of the outlets in this centre was a temporary auction that included 25 antique ivory items.

Sukhumvit Road – This long road is a main shopping area for tourists, business visitors and Thais, but only seven outlets were found with ivory. Most were jewellery shops and two were so-called antique shops, though few of the items appeared to be genuinely old.

Silom/Suriwongse Roads – Seven of the outlets with 51 ivory items were found in a tourist plaza located in front of the Montien Hotel. These outlets consisted of small amulet and antique shops. A shop in a luxury hotel displayed a polished tusk and a Thai Buddha, but the vendor said that these were not for sale. A shopping galleria next to the Holiday Inn contained four outlets selling 98 ivory items, but many of the shops were closed for the King’s birthday holiday during the time of the survey, so more might be found there on a normal working day. The other four outlets were jewellery shops.

Hotels – A total of 66 four- and five-star hotels were surveyed. Of these, seven (11%) hotels had eight shops associated with them that contained 1352 ivory items. One hotel, the Intercontinental, had two shops selling ivory in the President’s Tower shopping arcade. Table 12 presents a breakdown of the ivory found in hotel shops.

Table 12.
Retail ivory found in Bangkok hotel shops, 2006/2007

| Hotel | Shop name | Number of items |
|------------------|---------------------|------------------------|
| Indra Regent | Mona Lisa | 48 |
| Intercontinental | Best Souvenir | 75 |
| | CLV | 1 |
| Menam | Good Service | 614 |
| Shangri-la | Pat’s Arts & Crafts | 198 |
| Oriental | Lamont | 8 |
| Tawana | Sandy | 21 |
| White Orchid | Sirichai | 189 |
| TOTAL | 8 | 1352 |

Siam Centre – Several large department stores in the large shopping area around Siam Centre and the Narai Phand market contained five ivory outlets selling 56 ivory items, mainly belt buckles and knife handles.

Of the 8756 items (out of 11 333 total in Bangkok) that could be attributed to place of manufacture, the overwhelming majority were made in Thailand (7880 pieces, 90%), followed by China (608 pieces, 7%), other South-East Asian countries (159 pieces, 2%), India (73 pieces, 0.8%), Europe (17 pieces), Japan (13 pieces) and Africa (six pieces). Table 13 presents a price list of the main types of ivory items seen in Bangkok.

There was quite remarkable variability in the prices of similar type items, determined primarily by where the ivory was sold and the age of the item. For example, a plain bangle measuring one centimetre in diameter varied in price from USD51-USD229. In wholesale circumstances, shops in Chatuchak Market or at the OTOP exhibit determined the price of a bangle by measuring the diameter with calipers. Prices ranged from THB150-200/mm (USD4.30-5.70/mm), or USD43-57 for a one-cm diameter bangle. A similar one-cm bangle in a jewellery store in the Old Siam department store was priced at USD229, though in most shops this bangle ranged from USD100-150. The most expensive item found in Bangkok was a 77-cm long Thai-style reclining Buddha set on a magnificent gilded wooden stand priced at one million THB (USD28 170). The piece was in a River City antique shop, and said to have been created in the 19th century. The quality of the ivory workmanship was mediocre; age seemed to be the determining factor.

Table 13.
Prices for ivory items in Bangkok, 2006/2007

| Type | Size (cm) | Price USD |
|----------------------|-----------|------------|
| JEWELLERY | | |
| Bangle | 0.5 | 20-486 |
| | 1 | 51-229 |
| | 2 | 214-257 |
| | 3 | 200 |
| Earring, pair | | 31-90 |
| Necklace, small bead | 70-80 | 69-343 |
| Necklace, large bead | 45 | 63-77 |
| Pendant | 1 | 3-14 |
| | 2-4 | 6-71 |
| | 5-7 | 69-114 |
| Ring, plain | | 3-20 |
| FIGURINE | | |
| Human | 5-10 | 129-1000 |
| | 11-20 | 514-5714 |
| | 21-30 | 929-10 000 |
| | 31-40 | 1375-8571 |
| | 50 | 1 371 |
| Animal | 5-10 | 51-140 |
| | 11-20 | 457-879 |
| Netsuke | 3 | 100 |
| | 5-9 | 286 |
| Phallus | 6-7 | 20-109 |
| | 12-18 | 43-257 |

Table 13. (continued)
Prices for ivory items in Bangkok, 2006/2007

| Type | Size (cm) | Price USD |
|----------------------------|-----------|-----------|
| TUSK | | |
| Carved | 62 | 5143 |
| Hollow, carved | 17 | 1286 |
| Polished, pair | 90 | 9143 |
| Tip, raw | 16-22 | 140-1289 |
| MISC. | | |
| Belt buckle | 6x4 | 43-243 |
| Chopsticks, pair | 15 | 54-57 |
| | 18 | 66 |
| Cigarette holder | 10-13 | 34-51 |
| Ear pick | | 2-3 |
| Ivory tiger tooth | 10 | 86 |
| Knife with ivory handle | 10 | 200-257 |
| Knife with tusk tip handle | 10-12 | 429-571 |
| Name seal | 4-7 x 1 | 23-57 |
| | 7 x 2 | 100-114 |
| Paper knife | 20 | 514 |

Exchange rate: USD1 = THB35

Two item types that have been manufactured in Phayuha Kiri for over 50 years seem to be becoming more popular and are now being made in a greater variety of sizes: the *meedsan* (knife) and the *paladkit* (phallus) good luck/protective charms. These types were seen in greater numbers and in more shops than in previous surveys. *Meedsan* varied in size from 6-30 cm, though it is smaller ones that are more commonly carried for luck. A six centimetres *meedsan* commonly costs about USD14.30 up to USD260 for a 25 cm model. The blade is usually low-grade iron, while the scabbard could be either ivory or bone and the handle ivory. The cheapest *paladkit* found in Bangkok during this survey was 6 cm long and cost USD20 sold on the sidewalk near Chatuchak Market. A similar one in the Amulet Market cost USD28.57, and its twin in River City was priced at USD57.14. The most expensive charm was an elaborately carved phallic dragon 25 cm long priced at USD1029 found in the Amulet Market.

The prices in Table 13 are asking prices and it should be understood that with a little bargaining the higher prices could be brought down substantially.

Chiang Mai

A total of 26 outlets selling 2323 ivory pieces was found in Chiang Mai. Well over half the ivory was found in seven large tourist shops along the Sankamphaeng Road outside the city, followed by four outlets on Tha Pae Road and then eight outlets in the Night Bazaar. Table 14 presents a breakdown.

Table 14.
Main areas in Chiang Mai where ivory was found for sale 2006/2007

| Area | Number of outlets | Number of items |
|-------------------|-------------------|-----------------|
| Sankamphaeng Road | 7 | 1932 |
| Tha Pae Road | 4 | 141 |
| Night Bazaar | 8 | 113 |
| Loi Kroh Road | 2 | 11 |

In addition, a few ivory pieces were found at three other antique shops and at two shops in the domestic departure lounge at the Chiang Mai airport.

Of the 2317 pieces that could be attributed to place of origin, 2139 (92%) were Thai, 171 (7%) were Chinese, five were from Myanmar and two were Japanese. In general, the price ranges were similar to those surveyed in Bangkok.



Daniel Stiles/TRAFFIC Southeast Asia

These pieces displayed in Chiang Mai contain a mixture of genuine ivory and resin items, probably to mislead government inspectors

Phayuha Kiri

Eight outlets with at least 7611 ivory pieces were found in shops along the main street. There were probably many more ivory pieces than this as several shops had packaged bundles of small white pendants, beads and figurines in cabinets, but since bone is also carved in Phayuha Kiri these were not assumed to be ivory. Those vendors who would respond to questioning said that the pendants were made of bone, though it is likely that not all were, especially the beads.

One man owned the two shops with the most ivory and the greatest variety of types. In 2003, he was the head of the local Carvers' Association. He was identified in 2003 as one of the best ivory craftsmen in Phayuha Kiri. His two shops contained at least 3400 ivory items, mostly smaller jewellery items, figurines, *meedsan*, *paladkit*, *singha* and other trinkets. He also had five pairs of mounted, polished hippo tusks.

In another shop a female vendor was found making a type of jewellery now common in Bangkok and Chiang Mai, consisting of tiny ivory beads interspersed with 1cm elephants to make a charm bracelet. She said that the beads were imported from Hong Kong as the local craftsmen could not make such tiny beads, but the elephant charms were manufactured locally. Plain tiny bead necklaces were also made from these beads. A few belt buckles and knives of the type seen in Uthai Thani were seen in some of the shops, but whether they were manufactured in Phayuha Kiri is unknown as vendors would not reply to questions on the subject.

All of the items seen in Phayuha Kiri were manufactured in Thailand and the starting prices were about 60% of those seen in Bangkok. The tiny bead charm bracelets could be purchased here for as little as



Daniel Stiles/TRAFFIC Southeast Asia

This Japanese style short sword with ivory handle and scabbard will be priced at THB280 000 (USD 2286) when finished. It was being made in Uthai Thani

THB150 (USD4.30), while in Bangkok a typical price was THB300 (USD8.60), or even more. At one shop, beads 5mm in diameter cost THB10 (USD0.29), 1cm diameter were THB45 (USD1.29) and two centimetres beads were THB70 (USD2) each. The one Phayuha Kiri workshop displaying ivory items at the OTOP exhibition sold one centimetre beads for the same price, THB45 (USD1.29).

Uthai Thani/Chai Nat

Each of the nine workshops had display cases for selling finished ivory pieces, but stocking the OTOP exhibition in Bangkok had depleted the numbers considerably at the time of the survey in December 2006. Some workshops had no ivory items for sale. Only 361 ivory items were found for sale at five workshops. All of the pieces seen in Uthai Thani/Chai Nat were made in Thailand.

Most of the pieces with ivory were belt buckles, belt buckles with concealed steel blades in them and knives or swords with ivory handles. Some of the belt buckles and knife handles had scrimshawed figures on them. The workshop owned by a Thai-Pakistani man also had a display case full of typical Phayuha Kiri type trinkets for sale. When asked where they were made, the informant replied evasively that they had another factory elsewhere, but he did not know where. A certain amount of exchange, perhaps on a bartering basis, is assumed to go on between Uthai Thani and Phayuha Kiri shops.

An unfinished Japanese-style short sword 38 cm long with ivory scabbard and handle was going to be priced at THB80 000 (USD2286) when finished. The bangles were selling for THB200/mm (USD5.71/mm), while in Phayuha Kiri they sold for THB150/mm (USD4.29/mm). Ivory belt buckles without a concealed blade in one shop were as cheap as THB1200 (USD34), and buckles with blade were THB2000 (USD57), about half the price seen in Bangkok.

Results of the 2008 survey

The January-February 2008 follow-up monitoring survey sampled 68 of the 151 outlets found in Bangkok in 2006/2007, 19 of the 26 outlets in Chiang Mai, all eight outlets in Phayuha Kiri and all five workshop-outlets visited in Uthai Thani, for a total of 100 out of the original 201 outlets. These 100 outlets contained 20 304 items in 2006/2007, or 87% of all ivory items seen during that time. Therefore, the sample size was more than adequate for monitoring and evaluation purposes. Eleven of these outlets with 317 items in 2006/2007 in Bangkok were gone or could not be identified in 2008 and were not included in the data analysis. Those still open but no longer selling ivory were included in the assessment analysis.

In addition, 63 new outlets not surveyed in 2006/2007 in Bangkok, three in Chiang Mai and three new outlets in Phayuha Kiri were surveyed in 2008. One additional ivory workshop in Bangkok and one in Manorom (Nakhon Sawan area) were also visited. Some of these new outlets and workshops existed in 2006/2007 and were not found, and others have opened since then.

Table 15 presents a summary comparing what was found in 2008 with what was found in 2006/2007 for the same outlets.

Table 15.

Locations still open from 2006/2007 that were re-surveyed in 2008.

| Location | No. of outlets | No. of items | | Comments |
|--------------------------|----------------|---------------|---------------|---------------------------|
| | | '07 | '08 | |
| Bangkok | | | | |
| Sukhumvit-Ploenchit | 6 | 538 | 561 | One stopped selling ivory |
| Silom-Suriwongse | 3 | 1009 | 722 | One stopped selling ivory |
| Chinatown | 7 | 1359 | 1372 | Unchanged |
| Old Siam | 10 | 569 | 0 | All stopped selling ivory |
| River City | 11 | 405 | 581 | Many changes in shops |
| River hotels | 2 | 812 | 468 | Big decrease in one |
| Tha Prachan Amulet Mart | 7 | 2085 | 4713 | Big increase |
| Chatuchak Market | 11 | 2220 | 2853 | Many changes in shops |
| Sub-total | 57 | 8997 | 11 270 | 25% increase |
| (gone or not found) | 11 | (317) | | |
| | 68 | | | |
| Chiang Mai | | | | |
| Night Bazaar | 6 | 104 | 82 | 2 stopped selling ivory |
| Tha Pae Rd. | 3 | 139 | 229 | Increase |
| Sankamphaeng Rd. | 6 | 1930 | 2488 | Increase |
| Airport | 2 | 11 | 14 | Unchanged |
| Other | 2 | 56 | 64 | Slight increase |
| Sub-total | 19 | 2240 | 2877 | 22% increase |
| Nakhon Sawan area | | | | |
| Phayuha Kiri | 8 | 7611 | 4310 | 3 stopped selling ivory |
| Uthai Thani | 5 | 361 | 446 | 24% increase |
| Sub-total | 13 | 7972 | 4621 | 42% decrease |
| TOTAL | 89 | 19 209 | 18 768 | 2% decrease |
| | (100) | | | |

There had been a noticeable shift away from large carved items towards smaller pieces, mainly jewellery (particularly beads and pendants) and protective charms aimed primarily at the local Thai market (amulets, *singhas*, ritual knives and phalluses). There were also many fewer unworked tusk tips seen for sale,

supporting the view of informants who said that raw ivory was becoming even scarcer in Thailand than previously. This was especially evident in Phayuha Kiri, where large ivory items had disappeared from shops. This trend from large to small was noticed between 2003 and 2006/2007 and is continuing. The total weight of the ivory seen for sale in 2008 was substantially less than seen in 2006/2007, even though the total number was only 2% less than seen in 2006/2007 in those shops surveyed at that time.

The 42% decrease of worked ivory pieces seen for sale in Phayuha Kiri and 26% increase in Bangkok and Chiang Mai (in previously surveyed outlets) reinforces TRAFFIC's estimation that Phayuha Kiri ivory carvers and traders were no longer selling the larger more expensive items in Phayuha Kiri, probably due to a fear that they could be confiscated by the authorities. Most of the ivory was most likely hidden in the workshop homes of the carvers or it had been sent elsewhere to be sold.

The main markets for worked ivory were Bangkok, Chiang Mai, Pattaya, Phuket, Ayutthaya and Sukhothai, i.e. the tourist centres. Craftsmen in Sukhothai use worked ivory from Phayuha Kiri, or supplied by customers, to be decorated with gold and jewels. The main items were jewellery and Ganesh figurines. These ivory and gold pieces were seen in Chatuchak Market, the Tha Prachan amulet market and in several jewellery shops in Bangkok and Chiang Mai. Several jewellery shops in the Old Siam Department Store used to sell these items, but they were no longer selling ivory in 2008. The jewellery shop selling the most ivory in Old Siam had closed.

The ivory-working factories near Uthai Thani that manufacture mainly belt buckles, knives and silver and ivory jewellery continued to thrive. At least two of them had contacts with Europe and the USA and openly exported their products there, including those made with ivory. For example, TRAFFIC was shown photographs of one workshop owner at an exhibition in Italy standing with a diplomat next to a table covered in recently made ivory items from Thailand. The carver planned to take ivory pieces to a knife exhibition in France in May 2008. Most of the Uthai Thani ivory items are sold at import-export exhibitions in Thailand and abroad, though many are also sold at shops in Thailand.

About 80% of the ivory seen for sale appeared to be recently made, i.e. within the last 15 years. There was a noticeable trend towards staining new items to make them appear as antiques, perhaps reflecting awareness on the part of craftsmen and traders that the authorities could confiscate new ivory.

Many new shops selling ivory were found in 2008, located mainly in the River City shopping complex and Chatuchak Market in Bangkok (see Table 16).

The 69 additional outlets carrying 3125 ivory items surveyed in 2008 indicate that little is being done in Thailand to curtail the internal sale of ivory. At least 50 out these outlets did not exist or were not selling ivory in 2006/2007.

Several ivory vendors were asked if they had licenses or permits of any kind to sell ivory. Only one workshop owner, said that he had a permit, though the Thai survey assistant said that it appeared to be a simple business license.

Table 16.

Additional ivory outlets surveyed in 2008

| Location | | No. of outlets | No. of items | Comments |
|---------------------|------------------|----------------|--------------|-------------------------|
| Bangkok | | | | |
| Chinatown | | 2 | 252 | |
| Old Siam | | 1 | 2 | |
| River City | | 30 | 749 | New floor and arcade |
| Tha Prachan Street | | 5 | 744 | All were closed in 2006 |
| Chatuchak Market | | 21 | 654 | |
| Other | | 4 | 506 | |
| | Sub-total | 63 | 2907 | |
| Chiang Mai | | | | |
| Night Bazaar | | 3 | 73 | |
| Phayuha Kiri | | 3 | 145 | |
| TOTAL | | 69 | 3125 | |

DISCUSSION AND CONCLUSIONS

Compliance with CITES

In recent years the CITES Standing Committee has noted that the Thai Government has been unable to comply with recommendations concerning the regulation of internal ivory markets or the international trade in ivory as specified under *Resolution Conf. 10.10 (Rev. CoP12)* on Trade in Elephant specimens (Anon., 2004; Anon., 2006a).

In May 2006 the CITES Secretariat, together with an officer from Interpol, noted that ivory was readily available for sale in Bangkok and that it appeared that the reduction in displayed ivory around the time of CoP13 in October 2004 was only temporary (Anon., 2006b). The Standing Committee also noted that the illegal cross-border trade in live elephants is occurring within the context of general illegal wildlife trade (Anon., 2006a).

Furthermore, TRAFFIC and WWF issued a joint briefing document at the 54th meeting of the CITES Standing Committee held in Geneva, 2-6 October, 2006 in which they noted, *inter alia*, that Thailand had been singled out in *Decision 12.39* regarding *Elephants – Control of Internal Ivory Trade* as one of 10 target countries in the illicit trade in ivory, and that Thailand was also specifically noted in *Decision 13.26* as a “priority country” outside of Africa with respect to its domestic ivory market.

The TRAFFIC/WWF briefing document to SC54 also recalled that at the 50th meeting of the Standing Committee in March 2004, it was reported in SC50 Doc. 21.1 (Rev. 1) that the CITES Secretariat had asked Thailand to provide an action plan concerning implementation of the requirements for internal trade in ivory demanded under *Decision 12.39* and that no response had yet been received. The TRAFFIC/WWF briefing to SC54 noted that it was difficult to identify any tangible signs of progress (Anon., 2006b).

In early 2007, Thailand submitted a report to the CITES Secretariat in which it summarized measures that have been taken in the recent past to address the problems of elephant and ivory trade, and illegal wildlife trade in general (Anon., 2007a). The report also included measures that the Government plans to undertake in the short and long term to control illegal wildlife trade, both at the national level and within the context of Thailand's participation in the ASEAN Wildlife Enforcement Network (ASEAN-WEN). As such, it is the most up-to-date self-assessment by Thailand of its compliance with *Resolution Conf. 10.10 (Rev. CoP12)* and its efforts to control the internal trade in ivory.

Based on Thailand's report in CoP14 Doc53.1 Annex 2 (Anon., 2007a), as well as consultations with the Thailand CITES Management Authority following the results of TRAFFIC's survey, the following conclusions can be drawn.

In terms of the complying with *Resolution Conf 10.10 (Rev CoP12/ Rev CoP14)* instruction to “*register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi worked or worked ivory products*”, Thailand has recently begun to act.

Thailand has specified the issuance of a notification from the Ministry of Commerce under the Commercial Act B.E. 2499 (1956) requiring “concerned entrepreneurs” to apply for registration (Anon., 2007a). Following further discussions with TRAFFIC, the CITES Management Authority of Thailand provided additional detail regarding 48 outlets which have already registered with the Ministry of Commerce's Department of Business Development (DBD). Sixteen outlets are registered in Bangkok, while 32 outlets are registered outside Bangkok. The registered outlets are in the process of being inspected by an inter-agency team consisting of staff from the CITES Management Authority, DBD, Royal Thai Customs, and the Natural Resources and Environmental Crime Suppression Division of the Royal Thai Police. As of 30 April, 2007, 16 outlets had been visited by this inter-agency team, and the target was to visit all remaining locations by the end of September 2007. Co-operation has also been sought from the traders to support the government's work to curb illegal ivory trade, including the exchange of information that will lead to further investigation and identification the hotspots of illegal smuggling to and from Thailand (Thailand CITES Management Authority, *in litt.* to TRAFFIC Southeast Asia, 1 May 2007).

In terms of the complying with *Resolution Conf 10.10 (Rev CoP12/Rev CoP14)* instruction to “*establish a nationwide procedure, particularly in retail outlets, informing tourists and other non-nationals that they should not purchase ivory in cases where it is illegal for them to import it into their own home countries*”, Thailand government authorities have begun liaising with ivory retail outlets as part of the registration process and a general public awareness campaign. This campaign was reported to have begun in December 2006, aimed at hotels, local markets and airports to build public understanding of illegal wildlife trade (Anon., 2007a).

DNPWP CITES officers stated that in 2007 20 000 leaflets have been published and distributed not only to the 16 ivory retail outlets they had visited thus far but also to tourist spots as well (Thailand CITES

Management Authority, *in litt.* to TRAFFIC Southeast Asia, 1 May 2007), though no evidence of this campaign was observed by TRAFFIC during its surveys from December 2006 onwards.

In terms of the complying with *Resolution Conf 10.10 (Rev CoP12/ CoP14)* instruction to “introduce recording and inspection procedures to enable the Management Authority and other appropriate government agencies to monitor the flow of ivory within the State, particularly by means of:

- *compulsory trade controls over raw ivory; and,*
- *a comprehensive and demonstrably effective reporting and enforcement system for worked ivory”,*

Thailand has made only recent progress.

It is understood that in addition to the ongoing registration process for entrepreneurs, all businesses involved in ivory trade registered as a “Company” under the definition of the Ministry of Commerce will have to provide an inventory of their current ivory stock. The CITES Management Authority of Thailand is currently working to extend this provision to all individuals dealing with ivory, to enable comprehensive recording and inspection procedures to monitor the flow of ivory in Thailand (CITES Management Authority of Thailand, pers. comm. to TRAFFIC Southeast Asia, 2007).

In December 2006, the DNPWP sent out to relevant provincial and national government offices a notification urging staff to take effective action to control illicit ivory trading (Anon., 2007a). To aid in ivory identification, the CITES Management and Scientific Authorities within the DNPWP have begun a project in co-operation with Kasetsart University to develop technology to distinguish Asian ivory from African ivory (Anon., 2007a).

In addition, Thailand’s report to CoP14 includes a list of complementary activities to bolster general implementation and enforcement of CITES, including the control of domestic ivory markets and trade in elephant products.

- The Ministry of Commerce issued a Commercial Proclamation on 17 March 2006 prohibiting, *inter alia*, the export of live Asian Elephants or specimens thereof. Contravention of the law carries severe penalties.
- Thailand designated the DNPWP as the focal point of ASEAN-WEN and it established the National Wildlife Law Enforcement Network Committee by MoNRE executive order 316/2548 on 29 August 2005. The network committee consists of 22 Thai government organizations.
- Thailand has offered to host a Programme Coordination Unit for ASEAN-WEN within MoNRE to coordinate regional communications and action to control illegal wildlife trade.
- The Government is engaged in various training activities in cooperation with international organizations and the private sector to instruct government officers on CITES implementation.
- On 10 November 2006 the DNPWP issued executive order 1717/2549 establishing a wildlife task force. Members are the Thai CITES Management Authority, the Forest Fire and Protection Office and the Wildlife Conservation Office. Elephant conservation issues are included in task force responsibilities.

Despite the efforts detailed in Thailand's report to CoP14 (Anon., 2007a) and in subsequent communications with TRAFFIC, the CITES Standing Committee and CITES Secretariat's reservations about the Thai government's commitment to comply with CITES regulations and resolutions have been largely confirmed by TRAFFIC's surveys in 2006/07 and 2008.

The facts alone that the Phayuha Kiri shops continue to display thousands of ivory items for sale after the seizures of late 2002 and that at least 50 new shops began selling ivory between 2007 and 2008 illustrate that Thailand remains a "priority country" in the illicit ivory trade. The exports of nine Asian Elephants to Australia and five to Germany since the Commercial Proclamation of 17 March 2006 prohibiting such exports also calls into question the clarity of Thailand's own policies on trade in elephant specimens.

One encouraging fact is that Thailand has taken the lead in the establishment of the ASEAN Wildlife Enforcement Network in December 2005, which has resulted in enhanced law enforcement coordination and effectiveness and several illicit wildlife product seizures (Anon., 2006b). However, none of these seizures are known to have involved elephants or elephant products.

Trade

The illegal trade of live elephants and ivory still flourishes in Thailand in spite of efforts by both the international community and some local authorities to address problems in law enforcement and compliance with existing laws and CITES regulations.

Live Elephant Trade

There are several areas of concern in respect of the trade of live elephants in Thailand.

Internal trade – WARPA and the *Draught Animal Act* do not have provisions regulating what types of elephants and for what purposes internal trade is carried out. With the growth of the eco-tourism industry and the proliferation of entertainment parks that employ elephants, there is motivation to capture young elephants in the wild and sell them to buyers who pose them as the offspring of domesticated elephants. The current age of eight years for the registration of elephants is too old to be able to control this practice, and there currently are no laws for the notification of pregnant domesticated females to the authorities to allow for the monitoring of legal births.

Registration and identification – The use of bodily markings to identify elephants is inadequate and it allows the perpetration of fraud in the movements and sale of elephants.

International trade – There are several problematic issues that need attention:

There is reason to believe that elephants, both captured in the wild and domesticated, are illegally imported from Myanmar and Lao PDR to supply the Thai tourism industry. Because of the current elephant identification and registration deficiencies foreign-born elephants can be integrated into elephant camps and entertainment parks with little trouble.

Customs and CITES Management Authority officials do not always comply with local and CITES regulations in respect of the export of live elephants. Over a quarter (66 of 235) of all elephant exports between 1980 and 2005 appeared to be illegal based on declarations made on the CITES forms of the source and/or purpose of the exported specimen(s). Three elephants were allowed to be exported for commercial purposes (Code T) in 1986-1987, seven wild elephants (Code W) were exported, and 50 elephants born in captivity (Code C), but not in compliance with *Resolution Conf. 10.16 (Rev. CoP13)*, were permitted to be exported.

Five elephants were exported to Germany and nine were exported to Australia under questionable circumstances subsequent to the Commercial Proclamation of 17 March 2006 prohibiting such exports.

As Table 2 demonstrates, there are discrepancies between reports submitted by Thailand (as the country of export) and countries of import to the UNEP-WCMC CITES Trade Database. Many CITES export forms were not filled out completely and accurately and Thai authorities apparently do not compel exporters to do so.

In spite of *CITES Resolution Conf. 5.10*, there are still issues concerning the export of elephants for use in circuses and other public entertainment facilities. If a fee-paying public views the elephants performing, this would seem clearly to be a commercial circumstance. Asian Elephant conservation is being negatively affected by an increasing demand for young elephants, of both wild and domesticated origin, to train for use as entertainment animals in foreign facilities.

Japan and China take a disproportionate number of exported Thai elephants, compared to other countries, for use in entertainment and zoos. If these countries continue to purchase elephants at the current rate, or even increase the practice, this could have deleterious consequences for the Thai elephant population.

The Ivory Trade

Although the quantity of worked ivory seen openly for sale was substantially lower from that seen in 2001 (Martin and Stiles, 2002), Thailand still has one of the largest and most active ivory industries seen anywhere in the world. The illegal portion is probably exceeded only by China-Hong Kong SAR.

Sources and prices of raw ivory

Ivory seizures in various parts of Asia and Africa, including Thailand, in recent years appear to have severely reduced the availability of African raw ivory for craftsmen. Several ivory craftsmen and retail vendors stated that there was a raw ivory shortage, and greatly increased prices of raw ivory since 2001 support this assertion. It is likely that those involved in smuggling African raw ivory to Thailand have temporarily halted activities in hopes that vigilance will decrease, in which case they will resume operations. The scarcity of African ivory has caused the wholesale price of tusk tips weighing less than one kilogramme obtained from domesticated elephants to rise considerably from less than USD100/kg in 2001 to USD350-1200/kg in early 2008.

Tusk tips are solid ivory and although small in size are more expensive than small whole tusks that include the hollow base, which usually makes up about one-third the length of a tusk. Small tusks less than five

kilogrammes cost from USD286-429/kg in early 2008, up from USD91-182/kg in early 2001. No price for tusks weighing 5-10 kg could be obtained because few or none seem to be on the market. Even in 2003 a Thai informant in Chatuchak Market said that a 10-kg tusk was almost impossible to find. Raw ivory prices have increased on average over 300% between 2001 and 2008 in Thailand.

Data were not available to indicate whether this shortage of African ivory has led to increased poaching of Asian Elephants to replace supply, as seemed to be the case immediately after the CITES ban in 1989.

Workshops and carvers

From an estimated minimum of 100 active ivory craftsmen in Thailand in 2001, new estimates indicated there were no more than 60 active in early 2008. However, this survey uncovered a previously unreported jewellery, belt buckle and knife/sword handle ivory industry with at least eight workshops in Uthai Thani, one in Chai Nat and three workshops in Bangkok employing at least 45 carvers. This segment of the ivory industry seems to be expanding, based on the fact that one of these workshops visited in 2003 had increased its employment from two to 12 craftsmen in less than five years, and many more retail outlets in the locations surveyed carried their merchandise than in 2001.

The former ivory carving centre of Phayuha Kiri appeared to be considerably less active than previously, as a result of government ivory seizures and efforts made by the Thai authorities with carvers to reduce illegal ivory manufacturing and trading. The scarcity of ivory raw material may also be reducing ivory carving activity.

Retail outlets and prices

Table 17 compares the number of ivory outlets and pieces of ivory seen for sale in the 2001 and 2006/2007 surveys.

Table 17.
Ivory outlets and items seen in Thailand in 2001 and 2006/2007

| Place | No. of outlets with ivory | | No. of pieces | |
|--------------|---------------------------|------------|---------------|---------------|
| | 2001 | 2006/2007 | 2001 | 2006/2007 |
| Bangkok | 164 | 151 | 38 510 | 12 517 |
| Phayuha Kiri | 12 | 8 | 39 649 | 7611 |
| Chiang Mai | 18 | 26 | 10 020 | 2323 |
| Uthai Thani | N/A | 8 | N/A | 361 |
| Mai Sae | N/A | 8 | N/A | 446 |
| Total | 194 | 201 | 88 179 | 23 258 |

Source: Martin and Stiles, 2002

The apparent change in the number of outlets seen selling ivory in Bangkok, Phayuha Kiri and Chiang Mai between 2001 and 2006/2007 could simply be artefacts of sampling differences rather than any real increase or decrease in outlet numbers. In 2008, three more of the outlets in Phayuha Kiri had ceased selling ivory, though three new outlets were also found, leaving the total at eight. The three additional outlets were probably also selling ivory in 2006 and simply were missed, as they were in a different part of the main street from the others and that street section was not surveyed in 2006. Bangkok added a significant number of new outlets selling ivory between 2006/2007 and 2008 (Table 16), indicating that controls over the internal ivory market have been inadequate.

More apparent was the lower number of ivory pieces seen for sale in this study. Between 2006/2007 and 2001 Bangkok decreased by 70%, Phayuha Kiri had 82% fewer pieces, and Chiang Mai was reduced by 77%. Overall, there were almost 77% fewer ivory items seen for sale in the three localities in 2006/2007 than in 2001. The 2008 survey showed, however, that the quantities of worked ivory had increased from 2006/2007 in the sampled outlets by 25% in Bangkok, 22% in Chiang Mai and 24% in Uthai Thani. Only Phayuha Kiri showed a continuing decrease in displayed ivory (Table 15). Whether the cause was lower demand, lack of raw material to manufacture new pieces or vendor reaction to Thai Government actions, or a combination of factors, cannot be ascertained without more detailed research. However, increased raw ivory prices and the high turnover in ivory pieces seen in shops suggest that lower demand was not a significant factor.

Also significant, the average size of ivory pieces for sale has been steadily decreasing, meaning that the total weight of ivory observed for sale decreased dramatically between 2001 and 2008. This supports the hypothesis that lack of raw material is a major factor in the reduction of worked ivory seen for sale.

Table 18 presents the results of the 2006/2007 hotel shop ivory survey with the data collected by WWF-Thailand (2000-2004). The WWF sample size was 111 hotels while the present sample size was 66 hotels, but there were few tourist hotels of any consequence that were missed in 2006/2007, except hotels near both airports, which were not visited.

Table 18.
Number of ivory items seen in Bangkok hotels between 2000 and 2007

| Survey Date | No. of hotels with ivory | No. of ivory items |
|----------------|--------------------------|--------------------|
| 12/2000 | 35 | 15 465 |
| 10/2003 | 17 | 5355 |
| 10/2004 | 1 | ? |
| 12/2006-2/2007 | 7 | 1352 |

Source: Mather (2003 and undated)

As the CITES Standing Committee suspected (Anon., 2006a), some hotels have allowed ivory to be sold on their premises after CoP13 in Bangkok, but the level is still significantly below the level seen prior to late 2003. One of the seven hotel shops stopped selling ivory between 2007 and 2008.

Table 19 presents a comparison of retail prices of fairly standard worked ivory items between 1979 and 2007 in Bangkok. It is extremely difficult to compare worked ivory items to assess price trends as so many factors influence the price of a worked ivory item – including age, quality of craftsmanship, and type of retail premise. The product types selected as indicators are fairly basic and age and quality of these product types are much less important than with other more complex product types. The Gross Domestic Product Deflator Index was applied to past prices to render them comparable to 2006 prices in USD terms.

Table 19.
Retail worked ivory prices in Bangkok since

| Item | Year | Price in USD | GDP Deflator Index Inflation Price in USD |
|-------------------------|------|--------------|--|
| Bangle, 1-1.5 cm | 1979 | 11 | 24.83 |
| | 1997 | 33-63 | 38-72.60 |
| | 2001 | 56 | 60.30 |
| | 2007 | 100-150 | 100-150 |
| Buddha figurine, 2.5 cm | 1979 | 1.10 | 2.48 |
| | 1997 | - | - |
| | 2001 | 11 | 11.85 |
| | 2007 | 34-70 | 34-70 |
| Pair chopsticks | 1979 | 8 | 18.06 |
| | 1997 | 38-63 | 43.80-72.60 |
| | 2001 | 80 | 86.15 |
| | 2007 | 54-66 | 54-66 |
| Cigarette holder, 10 cm | 1979 | 15 | 33.86 |
| | 1997 | 13-19 | 15-21.90 |
| | 2001 | 41 | 44.15 |
| | 2007 | 34 | 34 |
| Name seal, 6-8 cm | 1979 | - | - |
| | 1997 | 17 | 19.60 |
| | 2001 | 41 | 44.15 |
| | 2007 | 100 | 100 |

Sources: Martin and Stiles, 2007; Nash, 1997 and <http://cost.jsc.nasa.gov/inflateGDP.html> for the GDP Deflator Index

The retail prices of bangles, Buddha figurines and name seals have gone up over time as one would expect, but oddly the prices of chopsticks and cigarette holders seem to have decreased between 2001 and 2007. A pair of chopsticks found in Chiang Mai, however, was priced at USD80, narrowing the price gap in that product type.

Buyers

In past years the main buyers of Thai worked ivory have been European, American, ethnic Chinese (from Malaysia, Singapore, Taiwan, Hong Kong and mainland China) and Japanese visitors, in that order (Luxmoore, 1989; Martin and Stiles, 2002). Information from vendors during this survey, and observations of business cards displayed in glass counters selling ivory, suggest that Thai citizens, both ethnic Thai and Chinese Thai, are beginning to buy more worked ivory. The ethnic Thais tend to purchase the amulets and good luck charms, including Buddha figurines, while the Chinese Thais buy Chinese style figurines (e.g. Guan Yin, Long Life, Happy Buddha, Fu Lu Zo), chopsticks, and mounted polished tusks.

Without a detailed study it is not possible to say what proportion of the ivory market Thais are now buying, but the trend echoes what is being seen in China as economic prosperity spreads to a new, larger middle class. Most of the ivory product types that Thais acquire relate to ensuring good luck and divine protection, and ivory has always been considered a propitious material in East Asia, so perhaps the recent increase in interest of this type of ivory is partially a result of the political and economic uncertainties seen in present day Thailand.

Market Turnover

Worked ivory is selling at a fairly brisk rate, particularly the small, less expensive items. Several shops in Chatuchak Market and along the Sukhumvit-Silom-Suriwongse Roads, and one in Chinatown, were visited in December 2006, February 2007 and January-February 2008. Much ivory had been sold in Chatuchak and the Chinatown shops, but less had been sold in the Sukhumvit/Silom/Suriwongse shops between 2006 and 2007, and 2007 and 2008. There was high turnover of the tusk tips seen for sale in December 2006 when the same outlets were surveyed again in February 2007. There were only two tiny tusk tips found in 2008.

Ivory Substitutes

There are no quantitative data on the amount of mammoth ivory items sold in Thailand in earlier years, but a subjective assessment from this survey strongly suggests that there was considerably more worked mammoth ivory imported from China for sale in 2006/2008 than previously. There also seemed to be more bone and painted resin imitation ivory pieces. It was observed now for shopkeepers commonly to mix elephant ivory with the non-ivory substitutes in displays, probably to make it difficult for wildlife enforcement officials to determine if illegal ivory was being sold.

Legality of the worked ivory

The great majority of the worked ivory seen was most likely illegal under CITES and Thai law because it was African in origin and imported after 1990. Perhaps 25% of observed ivory items were legal: either made from domesticated Thai elephant tusk tips, or ivory imported prior to 1989, or were genuine antiques. Most of the belt buckles, knives and silver and ivory jewellery currently are made from Thai Asian Elephant ivory, or that smuggled in from neighbouring countries. Some of this ivory is legal under current

law, but the proportion cannot be estimated. Virtually all of the ivory items in Phayuha Kiri and items supplied from that town to be sold elsewhere in the country is made from ivory of African origin, and therefore likely to be illegal. No pre-1989 African raw ivory stocks remain, according to informants.

RECOMMENDATIONS

International

- The Government of Thailand should continue to play a leading role with respect to the ASEAN-WEN initiative and increase efforts to control the illicit international trade of wildlife, including live elephants and ivory. Ideally, the proposed clean-up of Thailand's domestic ivory market would provide an excellent example to other countries in the region, and globally, about Thailand's leadership in combating international trade in illicit wildlife products.
- The Government of Thailand should make a concerted effort to comply with the requirements and recommendations contained in CITES resolutions. Specifically, the Government should put into practice their implementation of the requirements for internal trade in ivory demanded under *Resolution Conf. 10.10 (Rev CoP14) "Trade in Elephant Specimens"*. In addition, Thailand should report to ETIS in a timely fashion and continue its participation in the MIKE programme.
- Thailand should ensure that comprehensive investigations are carried out on Thai wild elephant populations prior to authorising any future live elephant exports. Additionally, monitoring of possible illegal cross-border movements of live elephants from Myanmar and Lao PDR is necessary.

National

- The *Wild Animal Reservation and Protection Act of 1992* should be comprehensively amended to include specific legislative provisions relating to the control of internal and international trade in live elephants and other elephant products, particularly ivory. Loopholes in the existing law, such as allowing the legal commercialization of ivory obtained from domesticated elephants, should be closed and the CITES requirements for internal trade in ivory articulated in *Resolution Conf. 10.10 (Rev CoP14)* should be codified.
- The drafting of the new legislation under consideration should be coordinated with the WARPA revision in order to avoid any contradictions or conflicts in the implementation of the respective provisions, particularly in the area of movements and trade, both internal and international.
 - The new law should also include provisions requiring that domesticated elephants be registered at birth, possibly using microchips, and that a computerized national database of registered elephants using DNA identification be established in order that the movements of live elephants and ivory can be tracked in the future.
- Royal Thai Customs officials should be trained in the identification of ivory, and comprehensive methods for scrutinizing CITES permits for accuracy and compliance in order to reduce the likelihood of

fraudulent documents being used to legalise illicit wildlife exports. Customs officials should ensure that imported items at airports and ports correspond correctly with import declarations in the expectation that illegal raw ivory import shipments from Africa will be attempted in the future. All relevant law enforcement authorities should be alerted to the importance of timely and comprehensive reporting to ETIS.

- In view of the scale of the internal ivory market, Thai authorities knowledgeable about ivory trade issues and competent in ivory identification should visit the workshops and retail outlets marketing ivory products and confiscate those items whose age and provenance cannot be proven to be in compliance with CITES and local regulations.
- The Thai Government should ensure that Thailand's inter-agency National Task Force under ASEAN-WEN is able to carry out the continuous monitoring of elephant and elephant product trade as one of its ongoing priorities.
- It would be useful for the Thai Government to sponsor a study on the employment of elephants in the tourist industry, as it is currently unknown to what degree the practice encourages wild elephant capture or the industry's effects on wild elephant populations in Thailand.

Appendix 1. Thailand and the Elephant Trade Information System (ETIS)

By Tom Milliken, TRAFFIC

The Thai government's participation in the Elephant Trade Information System (ETIS), one of the two formal monitoring systems for elephants under CITES, has been rather erratic and incomplete overall. Through *Resolution Conf. 10.10 (Rev. CoP12)*, CITES Parties have been obligated to report the details of elephant product seizures to the CITES Secretariat or to TRAFFIC directly for inclusion in ETIS since 1997. As of 15 April 2008, the ETIS data set for Thailand comprised 55 seizure cases, but most of these cases were received from credible NGO sources in the country rather than from reports submitted directly by the government agencies themselves. Further, since 2004, no seizure cases have been reported by any sources at all. Consequently, the rate of reporting elephant product seizure data to ETIS remains rather poor. In the meantime, over the period 1989-2006, Thailand was identified as either a source country (the exporter or re-exporter), or the destination country in 314 other ivory seizure cases that were made in other countries around the world. Collectively, these seizures represent 15 660 kg of ivory, most of which is believed to have originated from African Elephants.

To understand and interpret the data in ETIS correctly, it is necessary to assess not only the rates of reporting of individual countries, but also to have some means to measure law enforcement effort with respect to policing ivory trade at the national level. In this regard, as a proxy measure, ETIS looks at the ratio of the number of seizures a country itself makes in relation to the total number of seizures in which the country is implicated. The current data set gives Thailand a law enforcement effort ratio of only 14.9%, meaning that other countries are seizing ivory from Thailand over six times more frequently than Thailand is seizing ivory itself. In ETIS, Thailand's law enforcement effort ratio comparatively continues to reflect rather ineffective law enforcement effort overall. Another means to assess law enforcement effort and efficiency in ETIS, is the use of the Corruption Perception Index (CPI) produced by the Transparency International. Using a one to ten scale, this index is a comparative annual assessment of the perception of corruption in various countries around the world. High scores are indicative of low levels of corruption while low scores are indicative of a greater perception of corruption. Thailand's CPI scores range from 1.9 in the years 1989-1992 to 3.8 in 2006, indicating progressive improvement over time but nonetheless suggesting that high levels of corruption may be an important issue affecting implementation of CITES in the country. And finally, ETIS uses a comparative measure of the scale of individual ivory markets and the degree of their regulation to produce a market score. Using the data included in the ETIS analysis to CoP14, Thailand's domestic market score in ETIS has improved over earlier iterations, but nonetheless it remains extremely high reflecting a large-scale, poorly regulated ivory market in the country. As a percentage of the total possible score for the domestic ivory market score in the three ETIS analyses to date, Thailand scored 100% in 2002 (13 out of 13), 92% in 2004 (16.5 out of 18) and 85% in 2007 (17 out of 20). This demonstrates some margin of improvement, but the overwhelming fact is that Thailand still has the greatest composite domestic market score of any country assessed by ETIS.

With these variables, Thailand has remained a country of concern in three successive comprehensive analyses of the ETIS data which have been reported to the CITES Conference of the Parties (see CoP12 Doc. 34.1 Annex 1; CoP13 Doc. 29.2 Annex; and CoP14 Doc. 53.2 Annex 1). Using a statistical technique known as cluster analysis to group countries in terms of their roles and characteristics in the illicit trade in ivory, Thailand has continually been amongst the most prominent problematic countries. To illustrate, in the ETIS report to CITES CoP14, the following description was given for Thailand:

Group 1 – Democratic Republic of the Congo (CD) and Thailand (TH): *For the third consecutive time, these two countries, both of which are elephant range States, fall in the same cluster with extremely problematic variables. In terms of frequency and scale, this cluster ranks in the middle range, indicating fairly regular involvement in the illicit trade in ivory. It should be noted, however, that the governments of the Democratic Republic of the Congo and Thailand are not regularly submitting elephant product seizure data to ETIS. To some degree, poor participation in ETIS serves to obscure the measures for frequency and scale, and actual values are certainly higher than indicated. In terms of period of activity, these two countries were more active in the recent period, 1998-2006, with two-thirds of the trade occurring during these years. Effective law enforcement continues to be a very serious issue in both countries as noted by the low CPI and law enforcement effort scores. These scores indicate a very high perception of corruption and extremely lax law enforcement effort. Equally, the domestic ivory market score is the greatest of any cluster, indicating a potent internal trade dynamic. For its part, Thailand clearly remains the undisputed, largest ivory market in Southeast Asia, although the scale of the market appears to have contracted to some extent in recent years. Regardless, over 23 000 ivory products in over 200 outlets and an active, but declining, carving industry were observed in the most recent survey conducted in 2006/2007. These findings indicate that legal loopholes in the country's legislation continue to provide an open avenue for fairly open trade in ivory products at the retail level and that law enforcement has been sporadic at best. With one of the largest tourist industries in the world, the negative impact of Thailand's ivory trade on Africa's elephants continues to be great. In summary, the same general description of these countries characterized previous ETIS analyses in 2002 and 2004. Since then, little progress appears to have been made in these countries in implementing Resolution Conf. 10.10 (Rev. CoP12) requirements for internal trade in ivory or the CITES action plan pursuant to Decision 13.26.*

The ETIS analysis to CoP14 goes on to conclude that:

Regrettably, it appears that the Democratic Republic of the Congo, Thailand, Cameroon and Nigeria have done very little to mitigate their roles as major entrepôt suppliers, transit countries, manufacturers and/or end-use markets in the illicit ivory trade. ...Subjected to Decision 12.39 in 2002 and Decision 13.26 in 2004, these countries have been under notice to demonstrate compliance with the requirements for internal trade in ivory found in Resolution Conf. 10.10 (Rev. Cop12) for at least four and half years now. With this analysis, it is once again evident that the situation in these countries remains a serious impediment to effective elephant conservation under the Convention.

In view of the lack of progress, the final recommendation of the 2007 ETIS analysis is: “As four of the countries most heavily implicated in illicit ivory trade, Cameroon, the Democratic Republic of the Congo, Nigeria and Thailand have shown little evidence of effective implementation of the provisions for internal ivory trade in Resolution Conf. 10.10 (Rev. CoP12) since CoP12. These countries should be considered as priorities with respect to the implementation of Decision 13.26.”

It is very clear that Thailand needs to seriously address a range of ivory trade issues and ensure that it is able to demonstrate compliance with CITES requirements for the allowance of internal trade in ivory.

Table 1:

ETIS records for number of elephant product seizure cases reported by Thailand compared to number of elephant product seizure cases reported by other countries which implicate Thailand (15 April 2008)

| Year | Thailand | Other Countries |
|--------------|-----------|-----------------|
| 1989 | - | 1 |
| 1990 | - | 40 |
| 1991 | - | 20 |
| 1992 | 3 | 20 |
| 1993 | 3 | 9 |
| 1994 | 9 | 5 |
| 1995 | 5 | 18 |
| 1996 | 4 | 21 |
| 1997 | 1 | 17 |
| 1998 | 1 | 33 |
| 1999 | 1 | 15 |
| 2000 | 1 | 21 |
| 2001 | 2 | 18 |
| 2002 | 16 | 13 |
| 2003 | 1 | 17 |
| 2004 | 8 | 13 |
| 2005 | - | 12 |
| 2006 | - | 15 |
| 2007 | - | 6 |
| Total | 55 | 314 |

Note: Zero (0) indicates no seizures, dashes (-) indicate no reports

* As at 05 March 2007

Table 2:

Ivory seizure data in ETIS relating to Thailand

| Country | Seizures In Country (No) | Seizures Out Country (No) | Weight In Country (Kg) | Weight Out Country (Kg) | Law Enforcement Effort Ratio* |
|------------------------|--------------------------|---------------------------|------------------------|-------------------------|-------------------------------|
| Thailand (March 2007) | 55 | 300 | 12 305 | 3310 | 15.5% |
| Thailand (April 2008)# | 0 | 14 | 0 | 45 | |
| Total | 55 | 314 | 0 | 3365 | 14.9% |

* (Seizures in-country) / (Seizures in country + Seizures out country) = Law Enforcement Effort Ratio

New cases added between 05 March 2007 and 15 April 2008

Appendix 2. ISO Country Codes used in Table 2

| | |
|----|---|
| CA | Canada |
| CH | Switzerland |
| CN | China |
| DE | Germany |
| DK | Denmark |
| HK | Hong Kong (Hong Kong Special Administrative Region in the Peoples' Republic of China) |
| ID | Indonesia |
| IL | Israel |
| JP | Japan |
| KR | Republic of Korea (South Korea) |
| LK | Sri Lanka |
| MY | Malaysia |
| PH | Philippines |
| SE | Sweden |
| US | USA |

Appendix 3. History of Ivory Carving in Phayuha Kiri

The following account is based on interviews made in 2003 with 85-year old (in 2003) Gong Yangthan, his 46-year old son Somkit Yangthan in Manorom near Nakhon Sawan, and Boonyoung Hoonpah, a community leader in Phayuha Kiri who started carving ivory in 1957.

The first person to carve ivory commercially outside of Bangkok was Boonrod Lohartrakool. He came from Roi Et Province in the north-east of Thailand. He was a Buddhist monk for nine years in Manorom. When he was a monk he carved temple doors, painted temple walls and made clay sculptures of Buddha. Luang Paw Derm (“Senior Monk Derm”), a famous monk in Chai Nat Province about 25 km from Manorom, accumulated a large quantity of tusks from temple elephants that had died. He requested that the artistically gifted monk Boonrod carve Buddhas from the tusks. Boonrod taught himself to carve ivory and carried out the senior monk’s request.

When Boonrod left the monkhood he married Gong Yangthan’s sister and they started farming, but he still received orders to carve ivory from monks. Farming paid little so he moved to Phayuha Kiri in 1937 to stay with his wife’s sister’s family (Gong’s sister) to carve ivory full time. There were no other ivory carvers in the small village at that time. Gong moved there in 1939 when he was 18 and learned ivory carving from Boonrod. The main customers were Buddhist monks, who bought the items to give as gifts and sell in the temples. The only other people carving ivory in Thailand at this time were in fine arts schools in Bangkok. Gong was a Ramayana dancer and Khon mask maker (worn in the Ramayana dance) and eventually taught that craft to students, as well as ivory carving. As more monks requested ivory Boonrod’s wife learned to carve as well, and then during World War II they taught others to carve, mainly the Ramayana students, to satisfy increasing demand.

Boonyoung Hoonpah moved to Phayuha Kiri in 1953 to set up a printing shop, but switched to ivory carving in 1957 because it was more lucrative. Boonrod taught him to carve. The monks wanted mainly

Buddhas, Nanggwak and singhas. Boonyoung said that Nanggwak was a *thep* (angel), daughter of Boojao Khao Keaw, who is the spirit of Khao Keaw (Green Mountain) in Nakhon Sawan Province. Nanggwaks can be found in businesses all over the country, as her figurine is believed to bring in customers. (There are similar good luck figurines with the same function seen in China and Myanmar and it is likely that Nanggwak originated from a Chinese source. The Chinese version resembles a cat sitting on its haunches with one or both paws in the air. Sometimes the paw swings, as if beckoning customers to enter the shop.)

World War II sparked a big demand for Buddhas to be blessed by Luang Paw Derm that were purchased by soldiers, as they believed bullets then could not kill them. Ivory supply was no problem then as every temple had elephants and most farms had one elephant as a work animal and the tusks could be pruned. Luang Paw Derm also gave ideas for other subjects to be carved, like knife sheaths and handles. He and other respected monks would bless these *meedsan* to provide protection and good luck to the bearer. Two sons of knife and sword makers, named Chim and Són, specialized in the 1940s and 1950s in carving ivory for handles and sheathes.

In the early 1960s there were only 10 to 12 ivory carvers in Phayuha Kiri. In the early 1970s some Phayuha Kiri carvers moved to Chiang Mai to work there in response to growing tourist numbers. Currently most of the Chiang Mai ivory comes from Phayuha Kiri as there are no longer ivory carvers in the north of Thailand. The number in Phayuha Kiri increased to between 50 and 70 carvers by 1985, but many of these also worked with bone, wood and marble. Luxmoore (1989) only found two ivory workshops in Phayuha Kiri, but most of the workshops were located in peoples' homes and they are not sign-posted, thus one needs a knowledgeable guide to find them.

In the 1960s and especially the 1970s the main buyers of Phayuha Kiri worked ivory shifted from monks to tourists, which led to a broadening of the types of items they carved. Thai and Chinese tourists and shop owners from Bangkok began to frequent Phayuha Kiri to buy worked ivory. The ivory industry expanded in the 1980s with increased tourism and economic development in South-East Asia, which resulted in more ivory craftsmen in Phayuha Kiri to meet demand.

Boonrod worked up to the day of his death at age 90 in 1999. Somkit, Gong's son, is the only person in Manorom carving ivory today.

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TRAFFIC, the wildlife trade monitoring network, works to ensure that trade in wild plants and animals is not a threat to the conservation of nature. It has offices covering most parts of the world and works in close co-operation with the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

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