

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA



Sixty-second meeting of the Standing Committee  
Geneva (Switzerland), 23-27 July 2012

Interpretation and implementation of the Convention

Species trade and conservation

Elephants

IVORY TRADE CONTROL IN THAILAND

1. This document has been submitted by Thailand\*.
2. Report on implementation of the Resolution Conf. 10.10 (Rev. CoP15) Control of trade in elephant specimens.
3. Thailand was requested by SC61 to submit a written report at SC62 describing progress in regulating internal trade in ivory and combating illegal trade in ivory in response to Resolution Conf. 10.10 (Rev. CoP15) regarding control of internal ivory trade.

Measures taken by Thailand

- a) *register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products;*
4. As recommended by the Resolution, using the Commercial Registration Act of the Ministry of Commerce, ivory business is now one of thirteen business types required to register under the law. That is, all ivory traders which include retailers, wholesalers and carving businesses shall register their businesses with designated offices. Additionally, trade in raw ivory is needed to be permitted by Department of Livestock Development. By this law, officers may examine legal acquisition of raw ivory.
  - 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*
2. Thai government continually informs tourists not to purchase ivory from Thailand. Raising public awareness campaigns have been carried out in many tourist attraction areas such as the Chatuchak weekend market, as well as Suvarnabhumi international airport. A semi-permanent booth set up and has been operating every weekend days at the Chatuchak weekend market to promote understanding of wildlife conservation, and against illicit trade in wildlife. Events were conducted occasionally along with routine public relation program. Information on ivory trade control was introduced in various ways in order to make sure it will be accessible by target tourists. Tourists visiting ivory shops were acknowledged of warning message posted within the shops. Simultaneously, ivory entrepreneurs have been informed provisions of trade in ivory must be done domestically. Warning message was also conveyed to non-nationals via Thai embassies and consulates around the world. Printing media are available at international airport as routine manner.

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\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

- 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;*
5. By registration under the Commercial Registration Act, the ivory entrepreneurs are directed to record and keep their accounts and documents relevant for examination by designated officers. The accounts conducted by the entrepreneurs include stock account to be kept along with documents used in the entry of account. The record thus would reflect source and flow of ivory. Coupled with the provisions, DNP officials are designated to be inspector under this law in order to have power to examine the accounts and business. Workshops to raising understanding roles and authorities as inspectors have been held in Surin province and Nakornsawan province where are ivory hotspot sites in Thailand. While ivory traders have been trained to conduct the accounts required by law. In order to follow the flow of raw ivory, movement permit of raw ivory is requested to be granted by Department of Livestock Development. Examination of source of raw ivory may be conducted by officials.

#### Legislation amendment

6. While using existing laws and legislations regulating ivory trade, Thailand does recognize that the most effective measure to control internal trade in ivory needs a principal law to empower officials to carry out complete enforcement activities. At present, two new acts, Wildlife Conservation Act and Elephant Act, are in process of amending and, due to logistic and legal issues, would take at least a year for accomplishing necessary processes. Both acts covering arrays of conservation and management needed a certain period of time to be approved by public and legal process in comply with the Constitution of the Kingdom of Thailand.
7. To dealing with urgent problems of illegal ivory trade, DNP has approved to list African elephant as “protected species” under the existing Wildlife act. Examples of protected species under the law are tiger, bears, Asian elephant, crocodiles, turtles and hornbills. Listing as protected species, all kinds of uses are strictly limited in analogous to provisions of trade in CITES appendix I species. Import and export, as well as domestic trade and possession of specimens of African elephant are not allowed for commercial purposes, including ivory and products thereof. The process in listing a species as protected species can be addressed by authority of Ministry of Natural Resources and Environment with approval of the Wildlife Conservation National Committee. Once the Ministerial Regulation listing African elephant enacts, enforcement will be practically more effective.

#### Supports to combat illegal trade in ivory

8. Ivory identification is an important problem obstructing effectiveness of enforcement. A team of DNP scientist now succeeds in identifying elephant species from confiscated ivory products. By using mitochondrial DNA sequence of Cytochrome b gene, samples of ivory can be identified into elephant species and subspecies of African elephants. This achievement would greatly support enforcement activities in Thailand.
9. Thai authorities confiscated 1,122 elephant tusks during years 2009-2011 in total. Seized ivory are belong to government and has been under taken care by DNP and Customs. DNA extraction from certain seized shipment has being conducted to examine origin of the elephant tusks with collaboration of Lusaka Agreement and University of Washington. Seizures of ivory are successful with close-cooperation among enforcement authorities in particular Customs, Police and DNP.

#### Conclusion

10. With combination of enacted law and regulations, measures of ivory trade control include establishing registration system, raising public awareness, and introducing record and inspection procedures. Thailand therefore would assure our measures being taken would fulfill requirements needed for regulating domestic ivory trade under Resolution Conf.10.10. Furthermore, efforts to improve effectiveness of enforcement by appointing African elephant as “protected species” is prioritized approaching to enable Thailand to strengthen its effectiveness to curb illicit trade of ivory in Thailand. In this occasion, we would like to assist its attempt to implement all measures to strictly regulate domestic ivory trade. Additionally the coming into force of the two new acts, Wildlife Conservation Act and Elephant Act, once the legislation process is completed, shall provide Thailand with the legal instruments necessary to a full compliance in CITES requirements. Thailand authorities are working expeditiously in that respect.