

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Interpretation and implementation of the Convention

Species trade and conservation issues

Elephants

TRADE IN ELEPHANT SPECIMENS

1. This document has been prepared by the Secretariat.

Background

2. Resolution Conf. 10.10 (Rev. CoP12) (Trade in elephant specimens) directs the Secretariat to:

- a) *to identify those Parties with an ivory carving industry and internal ivory trade whose domestic measures do not provide them with the authority to:*
 - i) *register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products;*
 - ii) *assert compulsory trade controls over raw ivory; and*
 - iii) *establish a comprehensive and demonstrably effective reporting and enforcement system for worked ivory;*
- b) *to seek from each Party so identified information 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; and*
- c) *to report its findings, recommendations or progress to the Standing Committee, which shall consider appropriate measures, including restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties; and*

DIRECTS the Secretariat, dependent on available resources, to provide technical assistance to Parties to develop practical measures to regulate their internal ivory trade.

3. The Secretariat reported on this subject at the 53rd (Geneva, June – July 2005) and 54th (Geneva, October 2006) meetings of the Standing Committee in documents SC53 Doc. 20.1 and SC54 Doc. 26.1 (Rev. 1) respectively.
4. At its 13th meeting (Bangkok, 2004), the Conference of the Parties adopted the Action plan for the control of trade in African elephant ivory (see Annex 1). This action plan was drafted by the Secretariat in response to increasing concern regarding the presence of unregulated ivory markets in many countries in Africa, which were responsible for the consumption of large quantities of ivory

from illegally killed elephants. It also reflected an agreement by the Standing Committee that a continent-wide approach should be taken to eliminating unregulated domestic ivory markets.

5. It is important to note that the Action plan was firstly presented at the sixth dialogue meeting of African elephant range States, which was convened in Bangkok immediately prior to CoP13, and that the plan was endorsed by the participants in the meeting and forwarded for consideration by the Conference of the Parties.

Implementation of the Action plan

6. Documents SC53 Doc. 20.1 and SC54 Doc. 26.1 (Rev. 1) describe the work that has been undertaken to implement the Action plan. Many range States (Botswana, Cameroon, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Gabon, Kenya, Malawi, Mozambique, Namibia, Rwanda, Senegal, Sierra Leone, South Africa, the Sudan, Togo, the United Republic of Tanzania, Zambia and Zimbabwe) have reported on their activities but others have not. The following countries have not submitted progress reports: Benin, Burkina Faso, the Central African Republic, Chad, the Congo, Djibouti, Equatorial Guinea, Eritrea, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Somalia, Swaziland and Uganda.
7. For its part, the Secretariat has attempted to fulfil its obligations under the plan by carrying out the following activities among others: providing technical assistance by way of seminars and workshops in three range States; conducting market surveys in a number of range States; communicating with all Customs and police authorities in Africa and supplying them with awareness-raising material; publicizing the Action plan at relevant regional and international meetings; supplying intelligence and other information regarding illicit trade to relevant Parties; and issuing Alerts relating to illegal trade in ivory.
8. The Secretariat was tasked by the Conference of the Parties with giving priority to Cameroon, the Democratic Republic of the Congo, Djibouti and Nigeria.
9. Cameroon has responded in a positive fashion and has undertaken a number of enforcement activities. It has also cooperated effectively with other countries and international law enforcement organizations, where ports in Cameroon have been identified as the export point for illegal ivory shipments leaving Africa. The Democratic Republic of the Congo has also undertaken enforcement work and has received technical assistance from the Secretariat and the Lusaka Agreement Task Force. The Secretariat finds it extremely difficult to communicate with Djibouti and, when messages appear to be delivered, they go unanswered by the CITES Management Authority. Nigeria does not appear, at present, to be able to implement the Convention and it is currently the subject of a recommendation for a suspension of trade, issued by the Standing Committee in June 2005.
10. The Secretariat has also liaised with other countries where illicit trade in ivory appears to be active and these have included, in particular, Egypt and Thailand. The Standing Committee has asked both countries to report to the Secretariat on their efforts to combat such trade and, at the time of writing (January 2007), the report from Egypt was awaited. Thailand's report is attached as Annex 2. The Secretariat will report orally at the present meeting on progress and, if necessary, will recommend additional measures. The Secretariat is aware that the United States of America continues to be a significant destination for illegally obtained ivory and awaits information from its CITES Management Authority as to the steps that are to be taken to address this matter.
11. Point 2 of the Action plan requests range States to submit progress reports. Some have submitted very detailed information. The Secretariat has, to date, regarded any submission of information as an indication of progress. Its intention, when drafting the plan and incorporating reporting, was to enable it to obtain an overview of the types of activities that countries were undertaking. It did not intend reporting to be a compliance measure. In Point 8 of the plan, the Conference at CoP13 took the unusual step of providing the Secretariat with the authority to issue a recommendation for a suspension of trade where it was found that Parties or non-Parties were found not to implement the plan or where ivory was found to be illegally sold.
12. Point 8 reflected the views of the Conference, and the range States, that illegal trade in ivory is a serious matter for the Convention and the Secretariat believed that it should make use of this

authority only in cases where it had evidence of serious non-compliance, for example, significant illicit trade and lack of response by national authorities. On two occasions, it warned Parties that it would invoke Point 8 if enforcement action was not taken. This resulted in appropriate action.

13. The Secretariat believes its approach to this matter has been the correct one and that it would not be appropriate to issue a recommendation for suspension of trade based solely on a failure to submit a progress report or, indeed, based upon information that has not been verified by the Secretariat. For example, the Secretariat was aware of one country that had, historically, an important carving industry and appeared to be both a source country and transit point for illicit trade. Media reports and information from non-governmental sources would have suggested that this could have been a country where Point 8 might have been invoked. However, *in situ* verification work by the Secretariat, assisted by TRAFFIC, showed that the availability of ivory in domestic markets was not at the serious levels that had been described. This experience demonstrates the importance of the *in situ* verification activities referred to in Point 7 of the Action plan.
14. It must be acknowledged, however, that the Secretariat's ability to provide assistance and to monitor implementation of the Action plan has been severely restricted by a lack of resources (both human and financial). This situation seems unlikely to change in the near future. More positively, substantial funding has been identified in the new five-year MIKE programme that will assist TRAFFIC to continue its work in relation to ETIS (the Elephant Trade Information System) and to engage in further work related to domestic ivory markets. Such work, overseen by the Secretariat, should provide important information that can help guide and prioritize the Secretariat's input with regard to the Action plan.
15. It is disappointing that there has not been more widespread engagement by all African elephant range States in implementing the Action plan. Since a dialogue meeting of the States will be held prior to CoP14, the Secretariat intends to use it as an opportunity to liaise directly with these countries to seek their views on how the plan may best be carried forward. In the meantime, the Secretariat is issuing reminders to those States that have not reported progress.
16. Should it appear that a greater voluntary engagement is unlikely to be forthcoming, then alternative strategies may have to be developed. If it is the Conference's wish that the Secretariat should continue to have the primary role in monitoring implementation, then funds will require to be identified to enable it to conduct such work effectively, either using its own staff or by employing consultants. The activities funded through MIKE, referred to above, may allow the assessment of implementation to be improved but this remains to be seen.

Potential ivory trading partners

17. The Secretariat has also reported to the Standing Committee on its work in relation to the annotation, adopted at CoP12 (Santiago, 2002), which authorizes Botswana, Namibia and South Africa to allow international trade from government-owned ivory stocks, if certain conditions are in place.
18. One of the conditions is that the ivory may only be traded "to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP12) concerning domestic manufacturing and trade".
19. The Secretariat, on its own and in conjunction with the World Customs Organization and TRAFFIC, has conducted verification missions to China and Japan, as these countries requested they be considered as countries of import for commercial trade in ivory. These missions have been described in reports submitted to the Standing Committee in documents SC53 Doc. 20.1 and SC54 Doc. 26.1 (Rev. 1) respectively. At SC54, the Committee designated Japan as a trading partner but also requested that the Secretariat submit an updated report concerning Japan at the 55th meeting of the Standing Committee, which will be held immediately prior to CoP14. The Secretariat also hopes to be in a position to make a recommendation at that meeting regarding China's position as a potential trading partner.

Zimbabwe

20. At SC54, the Secretariat expressed its concerns regarding the adequacy of the implementation of ivory trade controls in Zimbabwe. This country is presently the only CITES Party that engages in legal non-commercial exports of ivory carvings. The concerns were prompted by two instances that came to the attention of the Secretariat where unscrupulous traders had legally acquired raw ivory from government-owned stocks but had subsequently supplied it to persons in violation of Zimbabwe's national legislation. Some of this ivory had subsequently been exported from the country.
21. Zimbabwe advised the Secretariat that it was reviewing its control system and invited the Secretariat to visit Zimbabwe to assess the situation and assist in the review. At its 54th meeting, the Standing Committee endorsed this proposal.
22. A mission to Zimbabwe was conducted from 6 to 10 December 2006. During the mission, the two-person Secretariat staff team met with the Minister of Environment and Tourism (who is the senior government official responsible for the CITES Management Authority), the Chairman of the Board of the Authority, Board members, the Director General of the Authority, and the Directors of Operations and Commercial and Finance Divisions. The team also met with a wide range of other Authority officials from its operations, scientific, licence and permit and investigations sections and examined the files and databases maintained by the Authority. Several visits were made to the central ivory store.
23. The team met with a prosecutor from the Attorney General's Office and a senior police detective, responsible for the investigation into a significant case of illicit trade. The team visited several ivory manufacturers and retail stores and examined the documentation such persons are required to keep and the ivory stocks on their premises. It also met with representatives of the recently-formed Zimbabwe Ivory Manufacturers Association.
24. The team found no evidence that staff of the Authority had colluded with the suspects involved in illicit trade or evidence of corruption in the Authority. Neither did it find evidence that any ivory of an illegal origin was entering the domestic markets in Zimbabwe. The team was of the opinion that the control system in Zimbabwe was basically sound but that a degree of complacency in its implementation had enabled unscrupulous individuals to circumvent the controls.
25. The team made a number of suggestions for improvements in the system and its enforcement, together with possible legislative changes. It was impressed by the responses that the Authority had taken and was satisfied that it was taking adequate steps to prevent further illicit trade. It was also impressed by the recently-formed Zimbabwe Ivory Manufacturers Association, which appears determined to work closely with the Authority to combat illicit trade and to bring a degree of self-regulation that was not present in the system before.
26. The Secretariat believes that no additional measures require to be taken by the Conference of the Parties in relation to trade in ivory from Zimbabwe. It will, however, closely monitor the situation and the progress made in implementing improvements. The Secretariat has been invited to conduct a further mission to Zimbabwe to assess implementation. Both the CITES Management Authority, and particularly the ivory traders, have been made aware of the serious implications that could result, i.e. a recommendation for suspension of trade, should further illicit trade occur.
27. During its meeting with the Minister of Environment and Tourism, the team was interested to learn that Zimbabwe has decided not to allow any further international trade in raw ivory, i.e. from its government-owned stocks. Instead, a policy has been adopted to permit export of carved ivory only, thereby ensuring maximum value to its citizens from this natural resource.

Illegal trade in ivory

28. A report, to be prepared by TRAFFIC, describing the statistical analysis of data entered in ETIS will be presented at CoP14. The analysis will no doubt assist the Conference in its decision-making regarding measures to combat illicit trade in ivory. However, the Secretariat, through its enforcement-related activities, has noted that illegal trade continues to occur at serious levels. It is

aware, for example, of seizures that have taken place in the last 18 months that total well over 20 tonnes of ivory. In each case, the ivory appears to be of African origin.

29. It is difficult to determine whether these seizures reflect an increase in illicit trade, more accurate reporting of seizures, greater awareness of smuggling among enforcement agencies or increased efficiency of anti-smuggling measures. The analysis of ETIS data may provide a clearer insight.
30. The majority of large-scale seizures continue to be made in Asia. The Customs authority of Hong Kong S.A.R., China, (a previous recipient of the Secretary-General's Certificate of Commendation) continues to deserve special praise for its work in detecting the smuggling of ivory. China continues to be the country where most illicit ivory appears to be destined. However, Japan has also seen significant seizures.
31. The Philippines, previously regarded as a transit country for illicit shipments, has recently emerged as perhaps also a consumer country. Three major seizures took place at ports there in 2005 but, unfortunately, the ivory was subsequently stolen. Some has since been recovered and a number of officials are being prosecuted. Enforcement agencies have indicated their willingness for the Secretariat to visit the Philippines to examine ivory trade there more closely and it hopes to do so.
32. Some residents of Taiwan, Province of China, appear to play a significant role in the illegal trade in ivory. Such persons have been identified in several cases and seizures have also taken place in Taiwan.
33. It is noticeable that relatively few interceptions are made of illegal ivory shipments before they leave Africa. It is clear, aside from work to deal with unregulated domestic markets, that increased targeting must also take place at border control points, especially air and sea ports. The World Customs Organization and the UN Office on Drugs and Crime are engaging in the training of staff at major container ports around the world, including Africa, which is primarily aimed at combating the smuggling of narcotics or terrorist-related items. The Secretariat has provided awareness-raising material related to the smuggling of wildlife, and particularly ivory, for use at appropriate locations and both organizations have agreed to use this.
34. The volume of illegal trade in ivory, the sophisticated concealment, shipment and routing techniques that are employed, together with the potential profits to be made and the travel patterns of suspects, demonstrate that some of these activities are being coordinated in a highly organized manner. The response of the law enforcement community requires to be sophisticated and coordinated too. It has been noted that, even where suspects are identified, difficulties are experienced in bringing them before courts as they may flee from the country where the offence occurs. Extradition for ivory smuggling is not easy to achieve, as it is seldom a crime that will be identified in existing bilateral agreements and the often low penalties available to courts do not make it financially viable for many prosecution authorities.
35. The Secretariat has noted a marked increase in the exchange of information between countries and law enforcement agencies following seizures of illicitly-traded wildlife and this is true in relation to ivory smuggling. This results in more individuals responsible for illegal trade being identified and important intelligence being gathered. The Secretariat applauds the efforts of the Interpol General Secretariat that will organize a meeting in January 2007, assisted by the Kenya Wildlife Service, where countries with experience of significant ivory seizures will gather to exchange information and consider future strategies. Interpol will also provide crime analysis support to this meeting.
36. The Secretariat continues to encourage the use of 'controlled deliveries' when smuggling is detected, so that those responsible can be identified and arrested. As it prepared this document, such an operation was taking place involving countries in Asia, using information provided by the Lusaka Agreement Task Force and with coordination support being provided by Interpol. It may be no coincidence that those responsible chose to ship illicit ivory a few days before the Christmas holiday period, probably hoping that reduced border control staff would be on duty.

Conclusion

37. The Secretariat will provide an oral update on this subject at CoP14 and may make specific recommendations once it has had an opportunity to review the ETIS analysis.
38. If the Conference decides that the present Action plan for the control of trade in African elephant ivory should continue to be implemented, the wording will require to be updated and it should thereafter be adopted as a decision of CoP14.

ACTION PLAN FOR THE CONTROL OF TRADE IN AFRICAN ELEPHANT IVORY

1. All African elephant range States¹ should urgently:
 - a) prohibit the unregulated domestic sale of ivory (raw, semi-worked or worked). Legislation should include a provision which places the onus of proof of lawful possession upon any person found in possession of ivory in circumstances from which it can reasonably be inferred that such possession was for the purpose of unauthorized transfer, sale, offer for sale, exchange or export or any person transporting ivory for such purposes;
 - b) issue instructions to all law enforcement and border control agencies to enforce existing or new legislation rigorously; and
 - c) engage in public awareness campaigns publicizing existing or new prohibitions on ivory sales.
2. Parties should, by 31 March 2005, report to the Secretariat on progress made. Such reports should include details of seizures, copies of new legislation, copies of administrative instructions or orders to enforcement agencies and details of awareness campaigns. The Secretariat should report on Parties' progress at the 53rd meeting of the Standing Committee.
3. In the interim, the Secretariat should work with the relevant countries in Africa to provide any technical assistance that may be necessary to aid the implementation of this action plan.
4. The Secretariat should also engage in efforts to publicize the present action plan and the subsequent halting of domestic ivory sales in individual African countries through contacting relevant organizations such as airlines and IATA. It should also, via ICPO-Interpol and the World Customs Organization, communicate with the heads of police and Customs authorities in Africa, advising them of this initiative. Furthermore the Secretariat should request all Parties worldwide to publicize the action plan, particularly to discourage persons who are travelling to Africa from purchasing raw, semi-worked or worked² ivory and to encourage border control authorities to be alert to illegal imports of ivory and to make every effort to intercept illicit movements of ivory.
5. All elephant range States are recommended to cooperate with existing research projects studying the identification of ivory, especially by supplying relevant samples for DNA and other forensic science profiling.
6. The Secretariat should seek the assistance of Governments, international organizations and non-governmental organizations in supporting the work to eradicate illegal exports of ivory from the African continent and the unregulated domestic markets that contribute to illicit trade.
7. At the 13th meeting of the Conference of the Parties, the Secretariat should seek the agreement of the Parties that it would, from 1 June 2005, ensure that work is undertaken, including *in situ* verification missions where appropriate, to assess, on a country-by-country basis, progress made with the implementation of the action plan. Priority should be given to those Parties that are identified during research by the Secretariat and through other appropriate sources of information to have active and unregulated internal markets for ivory. Priority should be given to Cameroon, the Democratic Republic of the Congo, Djibouti, Nigeria and any other country identified through ETIS.
8. In cases where Parties or non-Parties are found not to implement the action plan, or where ivory is found to be illegally sold, the Secretariat should issue a Notification to the Parties advising them that the Conference of the Parties recommends that Parties should not engage in commercial trade in specimens of CITES-listed species with the country in question.

¹ Except any Party for which an annotation in the Appendices authorizes trade in worked ivory.

² Except Parties where the export of worked ivory for non-commercial purposes is lawful.

9. The Secretariat should continue to monitor 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. Priority should be given to China, Japan and Thailand, with particular attention being paid to any Party that has notified the Secretariat that it wishes to authorize imports of ivory for commercial purposes.
10. The Secretariat should report upon the implementation of the action plan at each meeting of the Standing Committee.

REPORT SUBMITTED BY THAILAND
FOR THE 14TH MEETING OF THE CONFERENCE OF THE PARTIES

In accordance with the decision of the 54th Standing Committee meeting, below is the report submitted by Thailand for the 14th meeting of the Conference of the Party. It is noted that the information and activities mentioned are mainly from the 2005 fiscal year (October 1, 2005 – September 31, 2006), except when indicated otherwise.

1. Legislation

- a) In order to fully meet the requirements of CITES by using two principle laws, WARPA and Plant Act (No.2) B.E.2535, Thailand has made efforts to improve its national legislation for CITES implementation. The WARPA amended in 1992 was then intended to comply with CITES. Though this WARPA is fully implemented, supported legislations such as the Custom Act B.E. 2469 (1926), the Commercial Registration Act, B.E. 2499 (1956), and the Animal Epidemics Act B.E. 2499 (1956), and Export and Import of Goods Act B.E. 2522(1979) are also applied to CITES implementation.
- b) Despite WARPA legislation is fully implemented, with other laws mentioned above, the previous government initiated the policy to update laws all over the country. Because of this opportunity, in the last couple of years the Department of National Parks, Wildlife and Plant Conservation (DoNP) proposed to improve WARPA as one of the natural resources laws to protect Thailand's natural resources. This revised legislation aims to modernize and re-categorize the articles to be better in implementing not only for domestic wildlife management, but for compliance with international agreements as well. The new revision has also provided significant roles of people participation in helping the government sector to protect Thailand's wildlife habitats and species, i.e., the committee at local levels. This new revision will provide significant mechanisms in managing and researching Thailand wildlife resources. As of December 2006, the new revision was at the secretariat office of the Prime Minister office. The revised legislation is still there since the political change in Thailand on September 19, 2006. This new revision may need to wait until the new elected-government comes to office to make a decision. However, it should be further noted that the timelines described for Cabinet consideration and Parliament ruling from the up coming government can only be approximate. The approvals depend on other pending, unrelated legislation, and day to day business of Cabinet and Parliament.

2. Law Enforcement Activities

To comply with the article 8 and 14 of the convention, as well as recommended in Resolutions Conference 11.8 (Review CoP13), Thailand by 3 Management Authorities, DoNP, Department of Agriculture, and Fisheries department, has made significant progress in implementing CITES. Principle Laws such as Wild Reservation and Protection Act B.E. 2535 (1992) or WARPA and Plant Act (No.2) B.E.2535 are implemented. Support Acts such as the Custom Act B.E. 2469 (1926), Pant Act (No.2) B.E.2535, the Commercial Registration Act, B.E. 2499 (1956), the Animal Epidemics Act B.E. 2499 (1956), and Export and Import of Goods Act B.E. 2522(1979) are also applied to CITES implementation. Ministerial regulations have been applied; checking points are set up along the border with neighboring countries, and at international sea and air ports. With efforts from these 3 Authorities, together with their partners from the Thai police, customs and relevant governmental organizations, as well as the support from Non-Governmental Organizations, the following activities were implemented.

2.1 CITES activities at the national level

- a) Thailand cracks down on illegal trade in CITES and endangered species. According to statistics from October 1, 2005 to September 31, 2006, DoNP, with cooperation from governmental counterparts (i.e., police, customs) and related non-governmental organization (i.e., TRAFFIC), intercepted 36 cases with confiscating 48 endangered species (3,241 animals) and parts or derivatives of 28 endangered species (734 animals). During 2005-

2006, The Department of Agriculture confiscated 9 cases, with 7,181 plants/species (Orchid, Cycas, Cactus and Succulents combined) and Fisheries Department confiscated 39 cases. In 2006, The Customs Department seized 11 cases (1,623 individuals). This statistics do not include the cases operated by the Thai Police.

- b) In order to build capacity and strengthen cooperation on CITES enforcement by expanding networks among CITES authorities and related parties, the CITES Management Authorities has organized several trainings, seminars, and meetings at national level as follows:
- 3 CITES Management Authorities meetings on March 7, 2006, at DoNP
 - The Seminar on Law Enforcement on Thailand and CITES Wild fauna and Flora Species, February 19-21, 2006, Khao Yai National Park, Thailand (Funded by WildAid)
 - The Thai national network committee on ASEAN Wildlife Network Enforcement Network meeting on May 17, 2006, at Ministry of Natural Resources and Environment (MoNRE)
 - Laws and CITES Training on June 22-24, 2006, at Khao Yai Training Center, Khao Yai National Park
 - Introduction to CITES/Controlling Illegal Wildlife Trade Training Workshop on August 9 to 11, 2006, at International Laws Enforcement Academy (ILEA), Bangkok, funded by TRAFFIC
 - CITES Species Identification Training on August 21-23, 2006, at Chaum Training Center, Petchaburi Province
 - MIKE Training, August 8-12 and September 5-9, 2006 at MIKE sites, western Thailand
 - MIKE IT Training, July 17-21, 2006, Kasetsart University, Bangkok, Thailand
 - MIKE GIS Training, December 18-22, Forestry Lab, Kasetsart University, Bangkok, Thailand.
- c) Network:
- To support the ASEAN Wildlife Law Enforcement Network (ASEAN-WEN), Thailand designated DoNP as the focal point of the network. The National Wildlife Law Network Committee was set up by MoNRE executive no.316/2548, dated August 29, 2005. The network consists of 22 organizations such as DoNP, Department of Agriculture, Fisheries Department, Thai Police, Thai Police, Custom Department, Air and Sea Port Authorities, Thai Airways International, Forestry Department, Department of Live Stock Development, Public Relations Department, Tourism Authority of Thailand.
 - As the lead country on the objective 2 of the ASEAN Regional Action Plan on Trade in Wild Fauna and Flora (2005-2010) to promote networking among relevant law enforcement authorities in ASEAN countries to curb illegal trade in wild fauna and flora, Thailand set up the office of Programme Coordination Unit of ASEAN Wildlife Enforcement Network located at DoNP. This office will be the center for information exchange and coordination of enforcement work in the region.
 - To improve communication by networking among related agencies, Thailand, by DoNP with support from the Department of Agriculture and Fisheries Department, organized National Interagency Training Workshop at ILEA as mentioned above. Participants attending the workshop were from various governmental (i.e., customs, police) and non-governmental organizations (i.e., TRAFFIC, WCS), including private sectors (i.e., Fed-ex) to learn about CITES. This Training Workshop provided the opportunity to improve communications among CITES and non-CITES agencies. Many cases on CITES recently intercepted in Thailand were the results from this network.
- d) To build up public awareness on CITES, especially among sellers, DoNP, Department of Agriculture, Fisheries Department, and Thai police organized a seminar on CITES issues at Chatuchak market in Bangkok on August 4, 2006. DoNP also set up the wildlife campaign project in December 2006. This project aims to build awareness on wildlife illegal trade. It will be conducted domestically (both local issues targets through mass media and printed matters, i.e., signs, brochures, leaflets. Domestic airports, local markets, and hotels will be targeted for domestic public relations.

2.2 Activities at the international level

Many actions have been undertaken to promote regional or sub-regional coordination and cooperation in enforcement and implementation of CITES. These are listed below:

- a) To implement CITES, the repatriation of orangutans was conducted under ASEAN- WEN. Several meetings between the representatives from Thailand and Indonesia were conducted.
- b) Many cases of communication between 3 CITES MA of Thailand and MA of CITES members, among the countries in the network, or between the networks, have been contacted, e.g., validate the permits, passing information on illegal cases.
- c) In order to enhance the cooperation on the conservation and trade with neighboring countries, a possibility of exchange between officials working in the field of CITES was discussed, i.e., between Thailand and Lao, Thailand and Cambodia. Further discussion is needed to get funding support. These mutual visits are expected to start soon when funding is available.
- d) To strengthen the cooperation at the regional level, Thailand organized several international trainings, seminars, and meetings at national level as the following:
 - ASEAN Regional Law Enforcement Network, 17-21 October 2005, Khao Yai National Park, Thailand.
 - The Special Meeting of the ASEAN Ministers Responsible for the Implementation of CITES held on November 31 and 1 December 1, 2005, Bangkok
 - The repatriation of the orangutan meeting, on April 21-22, 2006, at Rama Gardens Hotel, Bangkok.
 - International Executive Seminar on Implementing the ASEAN-WEN, May 22-25, 2006, Bangkok, Thailand.
- e) To improve communications, building capacity, and expand the network, Thailand sent CITES staff to attend international workshops, meetings, trainings and seminars as the following:
 - The second Mekong sub-regional CITES implementation and enforcement workshop, July 4-7, 2006, Kunming, Yunnan, China
 - CITES and Livelihoods Workshop, Kirstenbosch Botanical Gardens, September 5-7, Cape Town, South Africa
 - The 54th Standing Committee meeting, on October 2-6, 2006, Geneva, Switzerland
 - The 3rd Australia Environmental Law Enforcement and Regulators Network (AELERT) annual meeting, November 22-24, 2006, Sydney, Australia
 - Coalition Against Wildlife Trafficking (CAWT), November 20-21, London, England
 - CITES Law Enforcement Seminar: Learning from Each Other, November 21-23, 2006, Hong Kong
 - The 4th Meeting of the ASEAN Experts Group on CITES, November 28-29, 2006, Manila, Philippines

3. Illicit Trade in Ivory

To comply with the convention as well as the Resolutions Conference 10.10 (Rev.CoP 12): Trade in elephant specimens, Thailand has put its efforts to combat illegal trade in ivory by submitting the action plan to comply with the above-mentioned resolution and part of Decision 12.39 at the 50th Standing Committee meeting, and report the progress at the 53th and 54th Standing Committee meetings. This includes:

- 3.1 Provisional measures by (a) reviewing and using extended law within Thailand such as the Commercial registration Act, B.E. 2499 (1952) controlled by the Department of Business Development, which could be used for registration of ivory and ivory traders, and the Animal Epidemics Act, B.E. 2499 (1956) controlled by the Department of Livestock Development; (b) Raising public awareness such as notify the public that possession or trade of the carcasses of wild animals is illegal.

3.2 Long term measures by amending the legislation for integrative administration and enforcement such as WARPA.

The progresses made up-to-date are:

a) Provisional measures

- i) The Ministry of Commerce issued the notification under the commercial Act B.E. 2499 (1956) requiring concerned entrepreneurs to apply for registration.
- ii) Thailand by the Ministry of Commerce recently extended the new regulation under the Export and Import of Goods Act B.E. 2522 (1979) by declaring on March 17, 2006, the Commercial Proclamation on exporting goods such as rice, ivory, and timbers. This new regulation include prohibition on exporting ASIAN Elephant (*Elephas maximus*), whether live or dead, including ivory, sperm, embryo, hair, meat, skin, teeth, nail, bone, blood, DNA, parts or derivatives extracted from the elephant. The penalty for the offender is jail for 10 years, or a fine five times of the price of the goods, or getting both jail and fine. This is the new development for DoNP to apply regulations to control ivory export from the country.
- iii) The new wildlife task force has been established by DoNP executive order no. 1717/2549, dated November 10, 2006. The task force consists of the staff from CITES MA of Thailand, Forest Fire and Protection Office, Wildlife Conservation Office, and related staff deal with wildlife issues. One of the responsibilities of this task force is to dealing with elephant issues.
- iv) Since Thailand has domestic and wild elephants, one of the difficulties to work on combating illicit trade in ivory is ivory identification. Despite this difficulty, from 2000 to 2004 Thailand made great efforts and arrested 28 cases, with 7,768 pieces of ivory weight 3,316 kilograms (the weigh figure includes raw ivory, semi-worked ivory, and worked ivory) This information has been sent to ETIS. Recently after setting up the new wildlife task force, in December 2006 Thailand seize 9 cases with 13 elephants in central Thailand.
- v) The research on ivory identification is in the process to establish emthod to identify ivory or ivory products whether they are made from ASEAN or African ivory. This is the cooperation project between DoNP (CITES MA and SA Authorities) and Kasetsart University. This project is an attempt of CITES Thailand to investigate the technical issues related to law enforcement.
- vi) DoNP sent notification on December 22, 2006, to the governors throughout the country asking for their cooperation in taking serious actions on illicit trade in ivory. The actions include investigate sources of ivory of entrepreneurs, seize ivory, and public relation. With other notifications sent to Ministry of Commerce (Department of Business Development) and Department of Livestock Development, the department ask both departments to consider improving their legislations (if necessary), inspect ivory cases, and provide information on ivory cases from concerned entrepreneurs to DoNP. More importantly, the department sent other notifications to its counterparts, Thai police and Customs Department, to take similar serious actions and work closely with DoNP in investigating cases on ivory trades and stop the international illicit trade in ivory. Moreover, DoNP also ordered it organizations i.e., 16 Protected Area Administration Offices, to work closely with other governmental and non-governmental organizations as well as local authorities to combat illegal use of ivory. DoNP uses the wildlife task force mentioned above to take action and publicize elephant issues to the public.
- vii) DoNP also works through the MIKE project, which has two pilot sites in Thailand. By collecting the MIKE data, DoNP will have an opportunity to apply information from the MIKE database as the reference to combat illicit Ivory Trade.

- viii) Since 2004, public awareness has been done by NGO and the department at the hotels in Bangkok. Now DoNP is taking over this work by continuing public relation on combating illegal ivory trade as part of the package of wildlife campaign project submitted to DoNP in December 2006. The project will build awareness through mass media such as printed matter, i.e., brochures, leaflets, notifications through signboards. The airports, tourist spots, and the hotel will be targeted. Wildlife checking points, as well as the border checking points of the Department of Agriculture, Fisheries Department, Police, and Customs Department, will also be targeted. This campaign will also be publicized through mass media to the general public.
 - ix) Thailand will take the ivory trade issue to discuss with its neighboring countries to combat wildlife trades along the borders. Some ideas about mutual visits were explored with its counterparts from Laos and Cambodia. This will work through ASEAN-WEN initiatives and other projects that are going in Thailand such as World Heritage management project and Greater Mekong-subregional Biological Conservation Corridor Initiative.
- b) Long term measures
- i) As it is mentioned above in the legislation topic, if the WARPA, which will be the integrative and enforcement one, is revised by the up coming government, this revised legislation will be the tool to account for control of the internal ivory trade to satisfy the Resolution conf. 10.10 (Rev. CoP 12) and to the technical advice provided by the Secretariat. However, as mentioned above, the legislation will depend largely on the considerations of Cabinet and Parliament of the up coming government.
 - ii) In 2006 Thailand by the Ministry of Natural Resources and Environment took initiative in discussing the possibility to enact a new elephant legislation. The ideas were explored, but because of political change in Thailand on September 19, 2006, the discussion was suspended.