

THE STATUS OF
THE IVORY TRADE
IN THAILAND
AND VIET NAM



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Both Thailand and Viet Nam have been identified during the past decade as centres of concern in ivory trade surveys and analyses undertaken for CITES by ETIS (Elephant Trade Information System). Thailand was one of the most important sites of illegal ivory trade at the global level (Martin and Stiles, 2002; Stiles, 2004a; Milliken et al., 2004, 2007) and Viet Nam was shown to have a moderate-sized and largely unregulated ivory market (Martin and Stiles, 2002; TRAFFIC, 2002; Stiles, 2004a). The ETIS analysis produced in 2007 for the 14th meeting of the Conference of the Parties to CITES (CoP14) revealed that Viet Nam had joined a cluster of countries that were identified as playing a secondary, though important, role in the illicit ivory trade which exhibited poor law enforcement effort and potential to become more prominent players in the illicit trade (Milliken et al., 2007) and Thailand was again identified as an important player in the trade. In view of this, TRAFFIC decided to monitor and assess the current status and trends in the ivory industries of Thailand and Viet Nam.

This article summarizes the results of two separate ivory trade surveys carried out by TRAFFIC in Thailand in three phases between late 2006 and early 2008 (Stiles, 2009), and in Viet Nam in April to May 2008 (Stiles, 2008), and aims to contribute to elephant conservation in the region by presenting the status and trends of ivory trafficking in these countries. The two countries' lack of compliance with CITES recommendations concerning the regulation of internal ivory markets or the international trade in ivory is also examined.

BACKGROUND

Asian Elephants *Elephas maximus* and the ivory they carry have for centuries performed an important role in the culture of Thailand and Viet Nam. Since the last half

of the 20th century, the future of wild and domesticated elephant populations in these countries, and elsewhere in South-east Asia, has looked increasingly uncertain. Human population growth, forest fragmentation and clearance, wild capture for domestication and poaching for ivory have all contributed to the decline of wild Asian Elephant populations. The demand for ivory as a result of rapid economic development during the 1970s and 1980s, particularly in eastern Asia, led to rampant poaching and a serious decline in elephants in many Asian and African range countries. Various measures were introduced under CITES in the hope of reducing threats to elephant populations through the regulation of international ivory trade. The first of these was to include the Asian Elephant in Appendix I and the African Elephant *Loxodonta africana* in Appendix II at the first meeting of the Conference of the Parties in 1976. By 1989, the Parties had agreed to transfer *L. africana* to Appendix I owing to the decline of populations, a decision that constituted a ban on all commercial international trade in all elephants and elephant products, including ivory.

The 1989 ban initially served to reduce ivory demand significantly in Europe, the USA and Japan, leading to a decline in elephant poaching in most parts of Africa. There is evidence, however, that the trade ban might have had the opposite effect on Asian Elephants, as Asian ivory traders attempted to replace African ivory with Asian ivory (Stiles, 2004b). 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, a loss of three-quarters of the population in a little over a decade (Santiapillai and Jackson, 1990; Kemf and Santiapillai, 2000; Stiles, 2004b).

No comprehensive wild elephant count has been carried out in Thailand, but estimates suggest the population remained stable at around 1650 from the late 1980s (Santiapillai and Jackson, 1990) to the year 2000 (Kempf and Santiapillai, 2000). Blake and Hedges (2004) are somewhat more optimistic and give a figure for 2004 of between 2500 and 3200 wild elephants, with the caveat that no reliable population estimate is possible in the absence of a systematic count. In late 2005, there were an estimated 3074 domesticated elephants in Thailand (Dublin *et al.*, 2006).

The number of wild elephants in Viet Nam was estimated to be 1500 to 2000 in the late 1980s and 300 to 600 in 1997, with estimates plummeting to 135 in 2000 (Santiapillai and Jackson, 1990; Duckworth and Hedges, 1998; Kempf and Santiapillai, 2000). Recent estimates are even lower, ranging from 59 to 81 (Heffernan and Cuong, 2004). An estimated 165 elephants were in captivity in Viet Nam in late 2005 (Dublin *et al.*, 2006).

The 10th meeting of the Conference of the Parties to CITES (CoP10) in 1997 formulated a specific Resolution on Trade in Elephant Specimens, which was subsequently revised at the 12th and 14th meetings [*Resolution Conf. 10.10 (Rev. CoP12 and CoP14)*]. 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: (1) register or license all dealers in all types of ivory products; (2) establish a system to inform non-national buyers that they should not buy illegal categories of ivory intended for export; and (3) introduce recording and inspection procedures to monitor the movement of ivory within respective countries.

In addition, 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”.

As Parties to CITES, Thailand and Viet Nam are expected to take action to implement these recommendations. With only about 6000 wild and captive elephants in total in the two countries, it is imperative that these recommendations are enforced.

The Asian Elephant is listed as Endangered in the 2009 IUCN Red List of Threatened Species and the population trend is decreasing (IUCN, 2009).

METHODS

The aim of the surveys was to gather as much quantitative data as possible on indicators that reveal the scale and nature of the ivory market and degree of local demand for ivory. The indicators—prices of raw and worked ivory, number of craftsmen engaged in working ivory, and numbers of retail outlets and worked ivory items seen for sale—were determined during visits by the author to ivory craftsmen and workshops, sometimes in the company of a native speaker to act as guide and interpreter. The locations were identified as places where ivory was known or thought to be crafted and/or sold from previous studies and from a review of guidebooks and the internet. Vendors were interviewed to ascertain where they obtained the ivory, how well it was selling in order to assess turnover, the nationality of the main buyers, whether they sold their products over the internet and if they knew where any ivory carving workshops were located. The size and type of ivory item for sale was recorded and the prices paid for different weight and grades of ivory, transport destinations and methods, were collected.

Photographs were taken whenever possible, which helped considerably in determining the number of items, especially when these proved too numerous to record on site.

The presence and type of ivory substitutes 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 number, types and prices of ivory items were broken down for display in tables to allow for standardized comparisons of the indicators between place and time. The retail prices for ivory items are based on quotes given on first enquiry rather than on any negotiated price, or in the case of raw

ivory they sometimes refer to the price the carver claimed to have paid. The exchange rate varied slightly during the survey period, but in all instances in this report the rate used in Thailand is THB35=USD1 (December 2006) and in Viet Nam VND16 100=USD1 (May 2008).

In Thailand, field research was carried out in Bangkok, Chiang Mai and the Phayuha Kiri/Uthai Thani area south of Nakhon Sawan from 2 to 23 December 2006 and again in Bangkok from 16 to 25 February 2007. The results of a separate ivory market survey carried out by TRAFFIC in January 2006 in Mae Sai on the Thai-Myanmar border (Shepherd and Nijman, 2008) has been included in this report. A follow-up ivory monitoring survey was carried out in Bangkok, Chiang Mai and Nakhon Sawan area from 14 January to 9 February 2008 to evaluate actions taken by the Thai Government during the intervening 12 months.

In Viet Nam, the following locations were surveyed between 4 April and 4 May 2008: Ho Chi Minh City, Vung Tau, Phu Quoc island, Ha Tien, Nha Trang, Hué, Ha Noi and Ha Long City.

IVORY REGULATION

Thailand: Thailand’s ratification to CITES entered into force on 21 April 1983. The CITES Management Authority (MA) is the Department of National Parks, Wildlife and Plant Conservation (DNPWP) within the Ministry of Natural Resources and Environment (MoNRE). Wild elephants are classified as protected animals. 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*) which, 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 elephants, however, come under the *Draught Animal Act* of 1939, which does not ban the trade of domesticated elephants nor the possession or sale of ivory from domesticated elephants (Lair, 1997). Since government officers are generally unable to distinguish between domesticated and wild elephant ivory, the government cannot always successfully prosecute the illegal use of wild or illicitly imported ivory. The majority of legal raw ivory in Thailand comes from domesticated elephants that have had their tusks pruned.

The possession of an illegally imported wildlife specimen is not an offence in 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 (CITES, 2006a).

The Government of Thailand is working on a revision of *WARPA* in order to improve domestic wildlife management and implement international agreements such as CITES, but the CITES MA of Thailand could not confirm when the new Act will be finalized (CITES, 2007).

Viet Nam: Viet Nam's accession to CITES came into force on 20 April 1994. The CITES MA for Viet Nam is the Forest Protection Department in the Ministry of Agriculture and Rural Development. A series of government laws and decrees prohibit the hunting of elephants and other listed wild species (Prime Minister's directive 134/TTg, 1960; Council of Minister's decree 39/CP, 1963) and the use, trade and transport of products derived from them (Ministry of Forestry decision number 276/QD, 1989; Council of Minister's decree 18/HDBT, 1992; Prime Minister's directive 359/TTg, 1996; Government Decree No. 48/2002/ND-CP, 2002; Government Decree 82/2006/ND-CP, 2006). The elephant is classed in category IB which means there is a complete ban on all trade of the species or its products. In July 2000, the Revised Criminal Code set out regulations for the prosecution of cases of illegal exploitation of rare and precious wild species, including elephants.

RESULTS

Thailand

Sources and prices of raw ivory: Ivory seizures in various parts of Africa and Asia, including Thailand, in recent years appear to have reduced severely the availability to craftsmen of African ivory in raw form. Several ivory craftsmen and retail vendors stated in December 2006 to February 2008 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 the hope that vigilance will decrease and they can 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 by weight 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 (Martin and Stiles, 2002). No price data for tusks weighing 5–10 kg could be obtained because few or none seem to be on the market. Raw ivory prices in Thailand increased on average over 300% between 2001 and 2008.

Data were not available to indicate whether this shortage of African ivory has led to increased poaching of Asian Elephants to replace supply.

Ivory workshops and craftsmen: From an estimated minimum of 100 ivory craftsmen active in Thailand in 2001 (Martin and Stiles, 2002), there were estimated to be no more than 60 in early 2008. However, this figure includes about 45 carvers previously unreported that were found during this survey to be involved in the manufacture of jewellery, belt buckles and knife/sword handles in at least eight workshops in Uthai Thani, one in Chai Nat and three in Bangkok. This segment of the 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 ivory seizures by the government and efforts made by the Thai authorities with carvers to reduce illegal ivory manufacturing and trading. The scarcity of raw ivory may also be reducing ivory carving activity.

Retail outlets and number of items for sale:

The apparent change in the number of outlets observed to be selling ivory in Bangkok, Phayuha Kiri and Chiang Mai between 2001 and 2006/2007 (see Table 1) 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. Sixty-three additional outlets selling ivory were found in Bangkok in 2008 compared to 2006/2007, indicating that controls over the internal ivory market have been inadequate.

More apparent was the lower number of ivory pieces seen for sale in 2006/2007. Bangkok had 70% fewer pieces, Phayuha Kiri 82%, and ivory items in Chiang Mai were 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



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PHAYUHA KIRI TOWN IN CENTRAL THAILAND HAS BEEN A MAJOR IVORY MANUFACTURING CENTRE FOR DECADES. THE AVERAGE SIZE OF ITEMS HAS DECREASED BECAUSE OF A RAW IVORY SHORTAGE.



THAIS AND CHINESE ARE THE MAIN BUYERS OF IVORY IN THAILAND.

PHOTOGRAPHS: D. STILES



ALTHOUGH THE MAJORITY OF IVORY IN VIET NAM WAS FOUND IN HO CHI MINH CITY (ABOVE), THE QUALITY OF CARVING WAS LOWER THAN THAT FOUND IN HA NOI.

Bangkok, 22% in Chiang Mai and 24% in Uthai Thani. Only Phayuha Kiri showed a continuing decrease in the total number of ivory items displayed. 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 is the finding that the average size of ivory pieces for sale has been steadily decreasing, and therefore the total weight of ivory seen 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.

Some 69 additional outlets in Bangkok, Chiang Mai, and Nakhon Sawan area carrying 3125 ivory items were found in 2008. At least 50, if not all, of these outlets did not exist or were not selling ivory in 2006/2007.

Buyers: In past years, the main buyers of Thai worked ivory have been Europeans, Americans, ethnic Chinese (from Malaysia, Singapore, Taiwan, Hong Kong and mainland China) and Japanese, 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 depicting Buddha/Guan Yin (a female Buddhist deity) and good luck charms, including Buddha figurines, while the Chinese Thais buy Chinese style figurines (e.g. Long Life, Happy Buddha, etc.), 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.

Market turnover: Worked ivory was 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 in Bangkok, were visited in December 2006, February 2007 and January to February 2008. Much of the ivory had been sold in Chatuchak and the Chinatown shops, but less had been sold in the Sukhumvit/Silom/Suriwongse shops. There was high turnover of tusk tips seen for sale in December 2006 when the same outlets were surveyed again in February 2007. Only two tiny tusk tips were found in 2008. The turnover assessment was based on photos of ivory displays and a comparison of the total number of pieces during the different surveys in the respective localities. To obtain valid quantitative data, a long-term study would be required in order to observe sales and replacement rates.

Trends: There was significantly less ivory for sale in fewer shops and a smaller number of ivory craftsmen in 2006/2008 than in 2001, indicating that the scale of the Thai ivory market has greatly diminished in recent years. However, the great increase in the price of raw ivory suggests that ivory demand persists and that supply is a limiting factor to market scale. If more raw ivory were to become available, the market could again increase in size.

Viet Nam

Sources and prices of raw ivory: Up to the early 1990s, Vietnamese ivory craftsmen used exclusively Asian Elephant ivory from Viet Nam and neighbouring Lao PDR and Cambodia. Before 1990, there were few tourists and the low demand for worked ivory could be supplied by domestic elephants. In 1990 there were an estimated 1459 to 1631 wild elephants in the country (Tuoc and Santiapillai, 1991). Economic liberalization and an increase in tourism raised both local and visitors' demands for worked ivory, which resulted in heavy poaching. By the late 1990s Vietnamese ivory traders and carvers were looking for new supplies of ivory, and Russia and Angola became sources.

During the conflict in Viet Nam in the 1960s and early 1970s, the Soviet Union was a close ally of North Viet Nam. A legacy of this alliance is the presence of

Place	No. of outlets with ivory			No. of pieces 2006/ 2007
	2001	2006/ 2007	2001	
Bangkok	164	151	38 510	12 517
Phayuha Kiri	12	8	39 649	7 611
Chiang Mai	18	26	10 020	2 323
Uthai Thani	n/a	8	n/a	361
Mai Sae	n/a	8	n/a	446
Total	194	201	88 179	23 258

Table 1. Retail ivory outlets and items seen in Thailand in 2001 and 2006/2007.

2001 source: Martin and Stiles, 2002

Vietnamese businessmen with enterprises in Moscow and elsewhere in present-day Russia who began exporting Russian mammoth ivory to Viet Nam in the late 1990s (ivory craftsman, pers. comm. to D. Stiles, 2002). Vietnamese people have been working in Angola since the conflict with South Africa ended in the early 1990s. Some workers brought tusks or cut ivory pieces with them when they returned home for visits (Martin and Stiles, 2002; Stiles, 2004a). That practice seems to have ceased with increased vigilance by Vietnamese law enforcement authorities, especially after a large African ivory seizure was made in Han Noi in 2004 (TRAFFIC, 2005). Informants in 2008 all said that most of the raw ivory used currently originated in Lao PDR, with a few pieces coming from domestic elephants or Cambodia. Since 2004 it appears from seizures data that Viet Nam has served only as a transit country for smuggled African ivory en route to China, where prices offered for the ivory are higher, though this could change if domestic ivory demand continues to rise. Table 2 presents a summary of raw ivory prices in 2008.

These prices were significantly higher than those seen in earlier years. Martin (1992) reported that in 1990–91 raw ivory varied in price from USD100–200/kg, depending on availability and the current rate of retail sales. A carver in Ha Noi told this author that he paid USD100/kg for raw ivory in early 1995, but that the price rapidly increased that year, which prompted him to retire from ivory carving. In 2001, most good raw ivory cost between USD300 and 500/kg (Martin and Stiles, 2002). In 2000, mammoth ivory was selling for USD300/kg (TRAFFIC, 2002).

In early 2008, in Ho Chi Minh City, a 520 g solid section of cut tusk was priced at USD769/kg and a section of cut tusk weighing 1.7 kg cost USD1059/kg. Two tusk tips weighing 150 g and 200 g, respectively, were priced at an equivalent per kg cost of USD1653–1863/kg. These were asking prices and the prices could have been negotiated down.

Ivory workshops and craftsmen: The most important ivory working area in Viet Nam is in and around Ha Noi, especially in Ha Tay Province. About 10 ivory craftsmen were found in Nhi Khe, Phu Khe and Du Du villages. One workshop was found in Ha Noi, with at least one craftsman, but he declined to state whether he worked with anyone else. Initial information about a network of ivory craftsmen, middlemen and dealers was gathered, many of them family related, but more research would be needed to unravel the full history, interrelationships and workings of the network. Parts of it seem to go back at least three generations, and there were signs that not all of the members co-operate with, or even know, one another. A number of shop owners and middlemen who deal worked ivory all use the same craftsmen both as suppliers, and as outsourced artisans.

One ivory workshop visited in Nghe Can village, about 10 km from Hué, employs two craftsmen and produces many of the painted screens made from ivory and bone that can be found in Ho Chi Minh City and Ha Noi. It also makes small Buddha carvings and other

figurines. Most of the items produced here are made of buffalo bone.

Informants in Ho Chi Minh City reported that there were ivory carvers in and around Ho Chi Minh City, but no one would provide an exact location. For example, an outlet selling ivory in An Dong market in District 5 said they had their own workshop, but would not allow a visit. Likewise, an ivory speciality shop next to An Dong market and a shop in District 1 said the same thing. This repeated the experiences of previous surveys (Martin, 1992; TRAFFIC, 2002; Martin and Stiles, 2002). There may also be craftsmen in Ban Me Thuot, according to informants, but the city was not visited.

The number of craftsmen working ivory in 2008 was one-third to one-fourth the number who were working in 1990, which was estimated to be 63 to 83 (Martin, 1992), indicating that the scale of the ivory market in Viet Nam has decreased considerably since the CITES international ivory trade ban and the formulation of more robust Vietnamese legislation. The number in 2008, at least 17, was about the same as in 2001, but craftsmen were working more ivory in 2008 than in 2001/2002.

Retail outlets and number of items for sale: A total of 669 outlets of various types that attract large numbers of national and international potential ivory buyers were surveyed in eight localities in Viet Nam. Of these, 73 (11%) had ivory for sale, totalling 2444 items (Table 3).

In 2001, Ho Chi Minh City had 37 outlets selling 2262 ivory items. In 2008, the outlets had increased to 49 while the number of ivory items found had decreased to 1776. Ha Noi had three fewer outlets in 2008 than in 2001 (13 and 10 respectively), and two of those had only one item each in 2008. A survey in 2002 found only eight outlets

Location	Weight and price in USD/kg	
	<1 kg	1–3 kg
Ho Chi Minh City	769–1863	1059
Ha Noi	787–807	500–870
Hué	745	1242

Table 2. Raw ivory prices in Viet Nam in 2008.

Place surveyed	No. outlets	No. outlets with ivory	No. of items
Ho Chi Minh City	251	49	1776
Vung Tau	17	0	0
Phu Quoc	26	1	4
Ha Tien	33	4	113
Nha Trang	27	0	0
Hué	59	8	141
Ha Noi	227	10	407
Ha Long City	29	1	3
Total	669	73	2444

Table 3. Number of ivory outlets and items, Viet Nam, 2008.

in Ha Noi selling ivory (Stiles, 2004a), so little has changed in that respect to 2008. The number of items seen for sale decreased from 777 to 407. Overall, the number of items for sale had decreased by 28% between 2001 and 2008.

Buyers: Informants said that most buyers of worked ivory were visitors from China and Thailand, though local Vietnamese bought ivory, particularly the smaller religious pendants and figurines. Chinese and Thai buyers often commission the manufacture of high quality figurines by craftsmen through middlemen or shop owners. It can take up to two months to make a figurine; buyers are often businessmen who travel regularly to Viet Nam but finished items are also sent to buyers by post. Visiting Vietnamese-Americans were also said to buy ivory pieces. European tourists bought small amounts, mainly jewellery.

Market Turnover: Vendors reported high turnover of smaller items aimed at the local market, such as amulets depicting Buddha/Guan Yin, and fairly good sales of jewellery, especially bangles. Some of the more expensive items have remained on shelves for years. Turnover is impossible to gauge without long-term observation in the ivory workshops, as commissioned pieces, mainly figurines, are sold without entering a retail outlet. Craftsmen reported increased ivory carving activity in 2008 compared to 2001/2002.

Trends: Compared to other markets globally, the scale of the ivory market in Viet Nam remains modest. Although there were 28% fewer worked pieces seen for sale in Ho Chi Minh City and Ha Noi in 2008 than in 2001, the great increase in prices of raw and worked ivory, the larger number of outlets selling ivory, and the observed upsurge in activity by individual craftsmen of working ivory between 2001 and 2008 all strongly suggest that demand for ivory is rising. Less ivory on the shelves of outlets may in fact be the result of increased sales coupled with decreased availability of raw material to enable replacement. No “under-the-counter” stocks were apparent and although carvers and middlemen had stocks that were not displayed, they were few in number. A contributing factor to fewer pieces seen in shops could be the fact that more buyers order items directly from craftsmen through middlemen, or commission items on the internet, so the ivory never enters a retail outlet.

DISCUSSION AND CONCLUSIONS

Compliance with CITES

Thailand: 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 and Rev. CoP14)* on Trade in Elephant Specimens (CITES, 2004; CITES, 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 CITES CoP13 in October 2004 was only temporary (CITES, 2006b).

In early 2007, Thailand submitted a report to the CITES Secretariat in which it summarized measures that had been taken in the recent past to address the problems of elephant and ivory trade, and illegal wildlife trade in general (CITES, 2007). 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 10.10 (Rev. CoP12)* and its efforts to control the internal trade in ivory.

In terms of complying with *Resolution Conf 10.10 (Rev. CoP12 and Rev. CoP14)*, Thailand has issued a notification from the Ministry of

LEFT: THE RAW IVORY IDENTIFIED IN VIET NAM WAS REPORTED BY TRADERSTO COME MAINLY FROM ELEPHANTS FROM LAO PDR, WITH A SMALL PORTION FROM VIET NAM AND CAMBODIA. SMALL AMOUNTS OF MAMMOTH IVORY WERE ALSO FOUND. RIGHT: PAINTED PLAQUES PRODUCED MAINLY AROUND HUÉ ARE POPULAR ITEMS THROUGHOUT VIET NAM. THEY ARE MADE ON IVORY OR BONE, WHICH CAN BE DIFFICULT TO TELL APART.



Commerce under the *Commercial Act B.E. 2499* (1956) requiring “concerned entrepreneurs” to apply for registration (CITES, 2007). The CITES MA of Thailand provided additional detail regarding 48 outlets that have already registered with the Ministry of Commerce’s Department of Business Development. 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 of the hotspots of illegal smuggling to and from Thailand (Thailand CITES MA, *in litt.* to TRAFFIC Southeast Asia, 1 May 2007).

The Thai 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 (CITES, 2007), though no signs of this campaign were seen during this investigation.

It is understood that in addition to the ongoing registration process for entrepreneurs, all businesses dealing in ivory and registered as a ‘Company’ under the definition of the Ministry of Commerce will have to provide an inventory of their current stock. The CITES MA 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 MA of Thailand, pers. comm. to TRAFFIC Southeast Asia, 2007).

In addition, Thailand’s report to CoP14 included 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.

Viet Nam: Viet Nam has enacted a series of directives and decrees that aim to structure and control the internal ivory market so that it complies with CITES *Res. Conf. 10.10 (Rev. CoP14)*. Although the possession and sale of raw and worked ivory is prohibited, there appears to be an unwritten understanding between government and shop-owners that retail outlets that carried ivory before the Council of Minister’s decree 18/HDBT 1992 ivory trade ban are allowed to sell off stock that existed at that time, a means used by some shop-owners to replace worked ivory stock that has been sold with recently made ivory items, in contravention of Vietnamese law. Also, the government has not implemented the recommendation 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” [CITES *Res. Conf. 10.10 (Rev. CoP14)*]. According to the 2007 ETIS report, Viet Nam has not fulfilled its obligation as a Party to CITES to submit annual reports on elephant product seizures to ETIS. The 1989–2007 Viet Nam ETIS record is highly erratic and incomplete (Milliken *et al.*, 2007).

Overall Assessment

Thailand: Although the ivory market has decreased considerably in scale in recent years, addressing the still sizeable unregulated ivory trade in the country remains a priority. The most recent available data relating to open markets and observable trade rank Thailand third in the world in ivory market size, behind China/Hong Kong and the USA (Martin and Stiles, 2008). The Uthai Thani area is a growing centre of ivory manufacturing, while the former principal centre, Phayuha Kiri, is decreasing in activity. The Thai Government has begun to carry out various measures to control the ivory industry, but thus far the results have not been particularly effective. The reduction in market scale appears at least in part to be due to a shortage of raw ivory rather than government action.

Viet Nam: The Vietnamese ivory industry is still at only a modest level, but there are worrying signs of increased use of ivory, mainly as a result of economic development and rising numbers of foreign visitors. Vietnamese craftsmen use ivory mainly from Lao PDR, Viet Nam and Cambodia. The government has taken steps to control the retail sale of worked ivory and the trafficking of raw ivory, but permitting the sale of worked ivory stocks obtained before the 1992 Council of Minister’s decree 18/HDBT ivory trade ban functions as a means by which more recently manufactured ivory can be ‘laundered’.

RECOMMENDATIONS

Thailand: International

- Thailand should continue its leadership role with respect to the ASEAN Wildlife Enforcement Network (ASEAN-WEN), focused on efforts to control the illicit international trade of wildlife, including live elephants and ivory.
- 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 demanded under *Resolution Conf. 10.10 (Rev. CoP14) Trade in Elephant Specimens*. In addition, Thailand should ensure accurate and timely reporting to ETIS, including updates, to verify that there have been no seizures during reporting periods.

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 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.

- Thai Customs Department officials should be trained in the identification of ivory and use of comprehensive methods for scrutinizing CITES permits for accuracy and compliance in order to reduce the likelihood of fraudulent documents being used to legalize illicit wildlife exports. Customs officials should ensure that imported items at airports and ports correspond correctly with import declarations in the expectation that more 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 the workshops and outlets dealing with ivory and confiscate those items whose age and provenance cannot be proven to be in compliance with CITES and national regulations.
- The Thai Government should ensure that Thailand's National Task Force, comprising multiple agency jurisdictions, linked to ASEAN-WEN, is able to carry out the continuous monitoring of elephant and elephant product trade as one of its priorities.

Viet Nam:
International

- Viet Nam should fully implement the recommendations contained in CITES *Resolution Conf. 10.10 (Rev. CoP14)* Trade in Elephant Specimens.
- Viet Nam's CITES MA should dedicate staff to monitor and record seizures of all elephant specimens, particularly ivory, and make timely and accurate reports to ETIS.
- Relevant government agencies, including CITES, Forest Protection Department, Customs and police, should continue its participation in ASEAN-WEN and increase efforts to control the illicit trafficking of ivory and other wildlife products to and from other countries.

National

- The government should enact or amend legislative directives to stipulate clearly that the purchase, possession, trade, transport and offer for sale of raw and worked ivory is prohibited, regardless of the date of acquisition or manufacture.
- Viet Nam should clearly identify and assign the government authorities responsible for enforcing laws that result in border seizures and internal confiscations of illegal wildlife products, including ivory, and encourage these authorities to act.
- Measures should be developed by government to enhance training and motivation of staff responsible for enforcing wildlife trade laws.
- Offenders contravening wildlife trade laws should be prosecuted and penalized according to the law.
- All ivory seen for sale in retail outlets should be confiscated by the government and destroyed to prevent the ivory re-entering the market.
- The government might consider donating the finer, more artistic pieces to museums around the country with strict prohibitions about their commercial use, other than display.



D. STILES

CHATUCHAK WEEKEND MARKET IN BANGKOK WAS A MAJOR OUTLET FOR THE SALE OF WORKED IVORY. MORE THAN 2600 IVORY ITEMS WERE FOUND THERE.

IN THAILAND THERE IS A GROWING CRAFT OF PRODUCING BELT BUCKLES AND KNIFE-HANDLES WITH IVORY. MOST IVORY WORKSHOPS ARE IN THE UTHAI THANI AREA.



D. STILES

ACKNOWLEDGEMENTS

The staff of the TRAFFIC Southeast Asia office provided essential information and backup support that assisted the project greatly, in particular Azrina Abdullah, Chris Shepherd and James Compton. Staff of TRAFFIC's Greater Mekong Programme office in Ha Noi also helped significantly in backup and field work in the Ha Noi area, particularly Sulma Warne, Nguyen Thi Bich Hien and Chris Turton. Tom Milliken contributed with elephant product trade information.

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