



# Thailand's Ivory Trade

*By Matthew Hunt*

**P**rime Minister Yingluck Shinawatra opened the Convention on International Trade in Endangered Species (CITES) in Bangkok last month, and she highlighted Thailand's unique cultural connection to Asian elephants: "I wish to take this opportunity to focus on elephants, as they are very important for Thai culture. Throughout our history, elephants have been the pillars of development for our nation," she said. "No one cares more about elephants than the Thai People."

Elephants have indeed been integral to Thai culture for hundreds of years. Buddhists believe that the Buddha was born after his mother Maya dreamt of a white elephant. Traditionally, Thai kings would ride into battle on elephants: in a particularly famous duel, taught to all Thai children at school, King Naresuan defeated the Burmese Prince Minchit Sra in 1592. Their confrontation became known as the 'Yuddhahatthi', or the 'elephant battle'. For almost a century (before the current striped tricolour design), the Thai flag depicted a white elephant





against a red background. Even today, white elephants are still revered as symbols of royal power; the current king, Rama IX, owns ten of them.

Thailand's current association with elephants is somewhat less auspicious. The country has become one of the world's most notorious hubs for ivory smuggling. As Yingluck admitted, with significant understatement: "Unfortunately, many have used Thailand as a transit country for the illegal international ivory trade."

Yingluck vowed to crack down on illegal smuggling, and

outlined a three-step plan to deal with the issue:

- "First, the Government has enhanced intelligence and customs cooperation with foreign countries, which has helped limit the smuggling of ivory from African elephants."

- "Second, we are strictly enforcing the current legal frameworks, by limiting the supply of ivory products to only those made from domestic elephants which is legal under the current legislation... This can be done by enforcing comprehensive and system-wide registration of both the domestic elephants and ivory products

and thereby further exposing illegal ivory trade and products."

- "Third, as a next step we will work towards amending the national legislation with the goal of putting an end to the ivory trade and to be in line with international norms. This will help protect all forms of elephants including Thailand's wild and domestic elephants and those from Africa."

The Prime Minister's pledge made international headlines, though unfortunately it may not be quite as groundbreaking as it appears. Yingluck's proposal contains three steps, though two of them merely describe existing policy ("First, the Government has enhanced intelligence and customs cooperation... Second, we are strictly enforcing the current legal frameworks").

Yingluck asserts that her government "has helped limit the smuggling of ivory from African elephants," though this is at odds with Thailand's continued reputation as a centre for the illegal ivory trade. Her only commitment for future action was to "work towards amending the national legislation with the goal of putting an end to the ivory trade," though she did not indicate how or when this would be done.

Ben Janse van Rensburg, CITES head of enforcement, is pessimistic about the prospect of imminent progress from Thailand. "If there is any phasing out of their domestic market, it is likely to be a very long process," he said, after Yingluck's speech.

Dr William Schaedla, Southeast Asia Regional Director of TRAFFIC, a wildlife monitoring organisation working in partnership with CITES, is critical though hopeful. In an article about Thailand and ivory



for Al Jazeera, he writes: "Thailand is one of three countries that we believe is failing to address the global illegal trade in ivory. The other two, Nigeria and the Democratic Republic of the Congo, are ivory suppliers. Thailand is an ivory consumer, processor and re-exporter."

In his article, Dr Schaedla itemises the reasons behind Thailand's thriving black market for ivory: "Thailand lacks a credible live elephant traceability and registration system, much less one for ivory that purportedly derives from legal captive elephants. Thailand's ivory stockpiles have never been properly inventoried, and no national database of ivory objects exists. Also, Thailand's domestic elephants produce comparatively small quantities of ivory. Female Asian elephants do not have tusks, and male Asian elephants tend to have smaller tusks than their African counterparts. All of these factors make it highly doubtful that the

ivory seen on Thailand's open market is generated locally."

Dr Schaedla is ultimately optimistic: "a national ban on ivory sales could come quickly. It is the clearest means to ending decimation of Africa's elephants and it will give the world a strong message about Thailand's commitment to CITES. You have a problem Thailand, but you can fix it."

It remains to be seen whether any future crackdown on smuggling will substantially reduce the problem, though on past form this is unfortunately quite unlikely. Successive Thai governments have launched periodic crackdowns on corruption, the sex industry, counterfeiting, traffic violations, and other perennial problems, though - after an initial publicity blitz and a few token arrests - the status quo invariably continues.

CITES instigated a worldwide ban on African ivory in 1989, and Thailand is one of 178

countries that recognise and enforce the ban. Ivory from domestic Thai elephants, however, can currently be legally sold within Thailand, provided that the elephant died of natural causes. Smugglers exploit this law by passing off illegal African ivory as Thai.

Elephants have been a legally protected species in Thailand since 1921, when the Wild Elephant Protection Act banned the killing of wild elephants. The Draught Animal Act of 1939 permits the sale of domesticated elephants and their ivory.

TRAFFIC has carried out several large-scale surveys of Thailand's ivory industry. Their 2009 report by Daniel Stiles, titled *The Elephant And Ivory Trade In Thailand*, observed that "Thailand still has one of the largest and most active ivory industries seen anywhere in the world."

In 2001, TRAFFIC identified 88,000 ivory ornaments on sale



Photo by: Sakchai Lalit, The Associated Press





within Thailand, though by 2007 that number had shrunk to 23,000. This was a substantial reduction, though TRAFFIC noted that “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.”

CITES maintains two programmes specifically dedicated to uncovering and preventing the ivory trade, Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS). They released a report on the illegal ivory industry, titled *Elephants In The Dust: The African Elephant Crisis*, published in co-operation with the United Nations Environment Programme (UNEP), the International Union for Conservation of Nature (IUCN), and TRAFFIC (the wildlife trade monitoring network).

The report, edited by Christian Nellemann, repeatedly names and shames China and Thailand as the two main centres for illegal ivory:

“Poaching is spreading primarily as a result of a rising demand for illegal ivory in the rapidly growing economies of Asia, particularly China and Thailand, which are the two major end-use markets globally... The two primary final destinations for this illicit trade are China and Thailand... The two countries most heavily implicated as destinations for illicit trade in ivory are China and Thailand.”

The CITES report is particularly damning about the Thai ivory trade: “Bangkok, Thailand, has one of the largest illegal ivory markets in the world.” It also notes Thailand’s role in the sale of live elephants: “There is also concern about the growing illegal international trade in live Asian elephants, particularly involving Thailand and Myanmar.”

Thailand is given limited credit in the report, following successful customs seizures of imported ivory. However, the report highlights the problem created by Thailand’s continued tolerance of the domestic ivory trade: “improved law enforcement action at Thailand’s ports of entry demonstrates important progress, but loopholes in Thai

legislation remain a serious impediment to effective control of its ivory retail market.”

The World Wildlife Fund (WWF) has petitioned Yingluck, urging her to ban domestic ivory sales in Thailand. WWF claims that Thailand is “the biggest unregulated market for ivory in the world... massive quantities of illegal African ivory are being laundered through Thai shops. To save Africa’s elephants it is essential that Thailand closes this legal loophole.”

WWF’s petition states: “Dear Prime Minister Shinawatra... Demand for illegal ivory products could drive the species to extinction in Africa, and Thailand’s elephants could be next. You can save them. We urge you to ban all ivory trade in Thailand to give elephants their best chance of survival.”

Leonardo DiCaprio, who filmed *The Beach* in Thailand, has lent his support to an ivory ban. A WWF commercial quotes him as saying: “I am joining WWF and others calling on Thailand’s government to show leadership on elephant conservation by shutting down its ivory market.”

The WWF petition with 500,000 signatures (only half of WWF’s one million target) was presented to the Prime Minister, though her response was rather dismissive. She implied that current legislation was sufficient: “We already have the existing laws to protect wildlife, and elephants are culturally important to Thailand.” She then vaguely agreed to “take the issues raised by WWF into consideration,” which unfortunately seems like a euphemism for kicking the can down the road.



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