

Case at a Glance:
U.S.-Royal Thai Police Ivory Investigation

- A cooperative investigation of wildlife trafficking conducted by U.S. Fish and Wildlife Service special agents and investigators with the Royal Thai Police has exposed illegal trade in African elephant ivory spanning three continents.
- This investigation identified high-level Thai traders funneling ivory from Africa to Thailand to be carved and sold to consumers in Thailand, the United States, and all over the world. The Thai-U.S. trade involved internet-based ivory smuggling by mid-level Thai operatives to U.S. clients; both parties used eBay and PayPal to buy and sell tusk tips and other ivory items online.
- The case to date has secured the U.S. indictment of two individuals and four criminal arrests in Thailand as well as seizures of elephant tusks and carved ivory in both countries.

U.S. Indictments

- In the United States, the investigation resulted in the seizure of dozens of raw ivory pieces and ivory products from a Los Angeles area business as well as the 11-count indictment of the owner of that enterprise and a resident of Thailand by a Federal grand jury in that city on January 19, 2010.
- Specifically, Moun Chau of Montclair, California, was charged with one count of conspiracy and one count of smuggling (both Federal felonies) for conspiring with his Thai co-defendant and others to unlawfully import elephant ivory into the United States and for smuggling that contraband into this country.

Samart Chokchoyma of Bangkok, Thailand, was charged with 10 counts:

- Conspiracy (a count charging both defendants)
 - Violating the U.S. Endangered Species Act by knowingly offering endangered wildlife for sale in interstate and international commerce (six counts)
 - Making false statements to arrange the entry of goods into the United States
 - Smuggling (two counts)
- Working out of Thailand, Chokchoyma advertised ivory for sale on eBay. The two defendants conducted their business transactions via that auction site and PayPal in what comprised an online conspiracy to smuggle protected wildlife.

- Undercover agents also negotiated ivory “deals” with Chokchoyma via the Internet. In some instances, the defendant smuggled African elephant ivory from Thailand into the United States by falsely declaring his shipments as “gifts” containing toys.
- Dozens of ivory items (including some from other sources and other species) were seized from Chau’s Claremont, California, donut shop when Service special agents searched the premises after making a “controlled delivery” of ivory that the California businessman had illegally bought and imported.
- The United States generally prohibits the importation of ivory, and trade of elephant ivory from Thailand would require permits from both the United States and Thailand under the Convention on International Trade in Endangered Species (CITES). Both the United States and Thailand are among the 175 nations worldwide that uphold this global treaty, which regulates international trade in animal and plant species threatened with extinction.
- Conspiracy, smuggling, and making false statements to arrange the entry of goods are all felony crimes with significant prison sentences and fines attached. An individual convicted of smuggling, for example, faces a maximum penalty of 20 years in prison and a fine as high as \$250,000. The maximum penalty for conspiracy involves five years in prison and a similar fine, while someone convicted of making false statements in connection with an import faces up to two years in prison.
- If convicted on all charges, prison terms for both defendants could collectively total 78 years.

Thai Arrests and Charges

- The Thai defendant indicted in the United States had already been arrested in November 2009 in Thailand along with another Thai national.
- Both have been charged under Thailand’s Wild Animal Reservation and Preservation Act (which protects species listed under the CITES treaty) for illegally trading African elephant ivory and with violating Thailand’s Customs Act by exporting illegal goods.
- In January 2010, Thai police followed up on information obtained after November’s arrests, raiding ivory shops in Nakhon Sawan Province, Thailand. Officers arrested two ivory dealers and recovered six whole, raw elephant tusks weighing some 70 pounds and valued at more than \$30,000.
- Both of the defendants arrested in January are believed to be part of a web of higher level traders directly engaged in procuring raw ivory that has been smuggled out of Africa. The ivory is then carved in Thailand, and the carvings are sold in that country and the United States.
- Customs authorities in Southeast Asia reported the seizure of nearly 10 tons of African elephant ivory in 2009 alone. This cooperative Thai-U.S. investigation, however, secured the first arrests of ivory traffickers in the region.
- Both Thai and U.S. investigators working this cooperative case benefited from information uncovered by a parallel Service investigation involving illegal trade in ivory.

- In 2006, a special agent with the Service's Special Operations Unit, began an undercover probe of internet ivory trafficking. Samart Chokchoyma (who was arrested in Thailand and indicted in the United States) was among the global dealers found selling ivory on eBay.
- The covert agent completed several transactions with this individual to secure information that could assist Thai authorities in investigating ivory trafficking and enforcing CITES in that country. (This Service investigation also helped secure the successful prosecution of an eBay ivory trafficker in the United Kingdom and an arrest in the Congo.)

Investigative Partnerships

- Service and Thai investigators routinely shared information and worked in close cooperation on both sides of the Pacific. Investigators from the Service's Los Angeles Law Enforcement office and from the Royal Thai Police traveled to their counterparts' country in the process of pursuing the case.
- Forensics scientists at the Service's National Fish and Wildlife Forensics Laboratory in Ashland, Oregon, supported this international investigation by using DNA testing to confirm that ivory purchased from Thai dealers was of African origin – information that helped substantiate that the ivory had first been smuggled from Africa into Thailand. They also trained a Thai geneticist in DNA analysis, allowing this work to be done in Thailand as well as at the Service Laboratory.
- The joint investigation received substantive support in Thailand from the Freeland Foundation for Human Rights and Wildlife (an international non-profit organization that works throughout Asia to end illegal wildlife trade, conserve natural habitats, and protect human rights) and the Association of Southeast Asian Nations Wildlife Enforcement Network (ASEAN-WEN), which facilitates cross-border collaboration in combating illegal wildlife trade in the region.
- Service special agents completing assignments in Bangkok as a liaison to ASEAN-WEN also provided significant assistance for both the Thai and U.S. portions of the investigation.
- U.S. Customs and Border Protection officers originally detected a package of raw ivory at the international mail facility in Carson, California, in November 2006; they referred the case to the Service, helping to set the investigation by Service agents in Los Angeles in motion.
- The U.S. Immigration and Customs Enforcement's (ICE) Attache Office in Bangkok, Thailand, provided substantial assistance to investigators in Thailand, while the ICE Cybercrime Center worked closely with the Service undercover agent who first encountered two of the Thai defendants online several years ago.
- The U.S. portion of this case is being prosecuted by the United States Attorney's Office for the Central District of California.
- Assistance in this case was also provided by eBay/PayPal. The company, for example, sent a representative to Los Angeles at its own expense to provide testimony to a Thai investigator who had come to the United States as part of the cooperative work on the case.