

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

TRADE IN TRADITIONAL MEDICINES

1. This document has been submitted by Australia with the support of New Zealand.
2. The trade in traditional medicines continues to generate a significant commercial demand for specimens of many highly endangered CITES-listed species. In many countries, traditional medicines constitute a common (if not the most common) form in which listed species are illegally traded.
3. The scarcity and consequent high market value of several listed species commonly encountered as traditional medicine ingredients, such as the tiger, rhinoceroses, and certain bear and musk deer species, provide a strong motivation to those who engage in illegal taking and killing of, and trading in specimens of these species.
4. A number of Parties have made progress in addressing these issues including a number of well-publicized enforcement successes in recent times. However, more needs to be done if the illegal trade is to be substantially reduced.
5. While recognizing the importance of traditional medicines to many communities and economies, Parties to CITES are reminded of their obligations to ensure that international trade in listed species is not detrimental to their survival in the wild.
6. In order for a captive-breeding or artificial propagation regime to be considered "not detrimental to the survival of the species", consideration should be given not only to the degree of augmentation required from wild populations, but also to the effect the regime will have on opportunities to launder illegally acquired specimens into the CITES permitting system. This is particularly relevant in the case of many listed species commonly encountered as ingredients in traditional medicines.
7. Parties are strongly encouraged to make every effort to ensure that listed species are protected by appropriate conservation, management, compliance and enforcement measures.

Recommendation

8. Australia recommends that Parties adopt the draft amendments to Resolution Conf. 10.19 (Rev. CoP12) on Traditional medicines in the Annex.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat does not recommend the adoption of the proposed Resolution for the following reasons.
- B. The suggested addition to Resolution Conf. 10.19 (Rev. CoP12) under RESOLVES is to promote the use of alternative ingredients of medicines in preference to meeting the needs of the market through breeding in captivity for commercial purposes of Appendix-I species. However, this Resolution already promotes the use of alternatives and recommends the use of captive breeding only where appropriate and with sufficient safeguards, and in certain circumstances where this would relieve pressure on wild populations of species and be in accordance with national legislation.
- C. The urging that all traditional medicines destined for domestic use be marked and not allowed to be exported would require the Parties to adopt a definition of 'traditional medicine'. At the present time, any export of traditional medicines containing derivatives of Appendix I or Appendix II species would have to be authorized by the exporting Party. Therefore the Secretariat believes that the marking of traditional medicines to preclude their possible export is an unnecessary step. Furthermore, this requirement would encompass all specimens, including those that are personal effect of species included in Appendix II or III and for which no export permit is required under the Convention.
- D. Urging Parties to apply provisions under Article VII fully and consistently is unnecessary. Article XIV makes clear the right of Parties to adopt stricter domestic measures regarding the conditions for trade in and taking, possession or transport of specimens of species included in Appendices I, II and III, or not included in the Appendices, or the complete prohibition thereof.. If extra actions need to be taken in the interests of conserving the species, it is preferable that these be clearly defined so that Parties can harmonize their stricter domestic measures in this regard. Therefore, the Secretariat does not believe it is necessary to further acknowledge the rights of Parties in a general way in the Resolution.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Draft amendments to Resolution Conf. 10.19 (Rev. CoP124)

Traditional medicines

NB: Text to be deleted is ~~crossed out~~. Proposed new text is underlined.

RECOGNIZING that wild fauna and flora are used in many forms of traditional medicine and that continued and uncontrolled use of several endangered species in traditional medicine has been the subject of concern among range States and consumer countries in view of the potential threat to the long-term survival of these species and the development of traditional medicines on a sustainable basis;

RECOGNIZING that most traditional-medicine systems in East Asia were derived from traditional Chinese medicine which is a rational system of thought and practice developed over several millennia and involving extensive clinical observation and testing;

AWARE that the World Health Organization has acknowledged the importance of traditional medicines to the world's medicinal security and that millions of people depend on these medicines for primary health care;

CONVINCED of the need to improve understanding about the significance of traditional medicines in the world's health care systems whilst addressing the problems of over-exploitation of certain wild species;

ACKNOWLEDGING that many forms of traditional medicine depend on the sustainable harvesting of wild species;

~~RECALLING Resolution Conf. 9.19, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994) which acknowledges that pressure on wild populations may be relieved by captive breeding and artificial propagation;~~

NOTING that there has been considerable debate in CITES fora over the positive and negative effects on wild populations of artificial propagation and breeding in captivity for commercial purposes, and a corresponding general acceptance that such effects vary considerably and are dependent on biological, social and economic considerations;

RECOGNIZING the importance of research into the use of substitutes for specimens of endangered species;

BELIEVING that adequate measures should be taken to conserve wild species at risk of over-exploitation to avoid their becoming threatened to the point where more severe measures may be necessary as in the case of the rhinoceroses and the tiger;

NOTING that the total volume of traditional medicines traded as personal effects under Article VII, paragraph 3, of the Convention may have a negative impact on the conservation of certain species;

CONVINCED of the importance of comprehensive national legislation and its effective enforcement for the implementation of the Convention in all party States;

RECALLING that Resolutions Conf. 9.14 (Rev. CoP13), Conf. 10.8 (Rev. CoP12), Conf. 11.7 and Conf. 12.5 refer to various measures to be taken in relation to the conservation of and trade in specific taxa commonly encountered as ingredients in traditional medicines;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that the Parties:

- a) work closely with groups of traditional-medicine practitioners and consumers in developing public education and awareness programmes towards the ~~reduction and eventual~~ elimination of illegal use of endangered species, and developing awareness of the need to avoid over-exploitation of other wild species;
- b) promote the development of techniques, including the application of forensic science, for identifying parts and derivatives used in traditional medicines;
- c) facilitate, encourage and investigate the potential for further use in traditional medicines of substitutes for alternative ingredients to specimens of threatened wild species, such as synthetic compounds and derivatives of less threatened species, ensuring that this does not lead to other species becoming threatened; and
- d) consider, where appropriate and with sufficient safeguards, the application of artificial propagation and, in certain circumstances, captive breeding, to meet the needs of traditional medicines where this would relieve pressure on wild populations of species and is in accordance with their national legislation; ~~and~~

RESOLVES that Parties should pursue the development and use of appropriate alternative ingredients in preference to the breeding in captivity for commercial purposes of Appendix-I species such as big cats, bears, rhinoceroses and musk deer, that are commonly encountered as ingredients in traditional medicines;

URGES Parties to ensure that traditional medicines intended for domestic use are clearly marked as such and effectively prevented from being exported;

URGES Parties to ensure that Article VII, paragraph 3, of the Convention is implemented fully and consistently in relation to traditional medicines, to ensure that traditional medicines containing Appendix-I ingredients are not exported by tourists and visitors unless accompanied by appropriate documentation;

ACKNOWLEDGES that in order to protect effectively listed species that are commonly encountered as ingredients in traditional medicines, it may be necessary for Parties to apply stricter domestic measures in relation to personal and household effects; and

URGES potential donors to assist with funding actions to implement the measures in this Resolution.