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

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Seventy-eighth meeting of the Standing Committee Geneva (Switzerland), 3-8 February 2025

Species conservation and trade

Flora

TRADE IN MEDICINAL AND AROMATIC PLANT SPECIES

- This document has been prepared by the Secretariat.
- 2. At its 19th meeting (CoP19; Panama City, 2022), the Conference of the Parties adopted Decisions 19.261 to 19.264 on *Trade in medicinal and aromatic plant species*, as follows:

Directed to the Secretariat, in close collaboration with the Plants Committee

- 19.261 The Secretariat shall, in close collaboration with the Plants Committee:
 - a) publish a notification inviting Parties to:
 - i) share information materials that have been developed to enhance awareness of CITES regulations and to encourage sustainable use and legal trade in CITES-listed medicinal and aromatic plants and, as far as possible, liaise with key stakeholders of medicinal and aromatic plant trade supply chains for this purpose,
 - review their non-detriment findings (NDFs) for medicinal and aromatic plants and consider sharing such with the Secretariat to be included on the NDF section of the CITES website;
 - iii) assess the utility of the Medicinal Plant Names Service (MPNS) database in their routine work to see if it can contribute to the expansion of the Species+ database; and share any experience of using the MPNS database;
 - b) make information materials for raising awareness of CITES regulations for the medicinal and aromatic plant industry stakeholders and consumers available to Parties on the CITES website;
 - c) subject to external funding, undertake an analysis of e-commerce supply chains in products of CITES-listed medicinal and aromatic plant species, exploring the applicability of using the Medicinal Plant Names Service (MPNS) database in the analysis, and including
 - a stakeholder analysis of key producers, intermediate traders, manufacturers or distribution platforms to end consumers, and of institutions influencing the demand for CITES-regulated medicinal and aromatic plant products in biomedical, traditional and alternative medical systems, cosmetic and personal care, food industries (as appropriate), and
 - ii) an assessment whether existing annotations are adequate with respect to the principles and principles recommended in Resolution Conf. 11.21 (Rev. CoP19) on Use of annotations in Appendices I and II; and

d) report to the Plants Committee on the implementation of this Decision, including suggestions, as appropriate, regarding Resolution Conf. 10.19 (Rev. CoP14) on Traditional medicines or a new Resolution in relation to medicinal and aromatic plant products.

Directed to Parties

19.262 Parties are invited to support the implementation of Decision 19.261.

Directed to the Plants Committee, in consultation with the Animals Committee, as appropriate

19.263 The Plants Committee shall:

- a) be informed and review the report of the Secretariat, and the feedback from Parties as per Decision 19.261, regarding the utility of the Medicinal Plant Names Service, with advice from the nomenclature specialist, as appropriate;
- b) taking into consideration the information in document PC25 Doc. 30, information document CoP18 Inf. 11, the report of the Secretariat as per Decision 19.261, and other relevant information, and in consultation with the Animals Committee, as appropriate, undertake a review of Resolution Conf. 10.19 (Rev. CoP14) on Traditional medicines, and prepare recommendations for a revised Resolution on traditional medicines or a new Resolution on medicinal and aromatic plant products; and
- c) submit its recommendations to the Standing Committee or the Conference of the Parties, as appropriate.

Directed to the Standing Committee

19.264 The Standing Committee shall review the report from the Plants Committee as per Decision 19.263, as appropriate, and make recommendations, as appropriate, to the Conference of the Parties

Implementation of Decision 19.261 paragraph a) and b)

- 3. The Secretariat reported on the implementation of Decision 19.261 to the Plants Committee at its 26th meeting (PC26; Geneva, June 2023) in documents PC26 Doc. 34 Add and at its 27th meeting (PC27; Geneva, July 2024) in documents PC27 Doc. 32.1 and PC27 Doc. 32.1 Add, including Annex 1. At PC26, the Plants Committee established an intersessional working group on Trade in medicinal and aromatic plant species (see summary record PC26 SR) and a report of the working group was considered by PC27 (document PC27 Doc. 32.2).
- 4. The Secretariat published Notification No. 2023/045 and a questionnaire in its Annex on 6 April 2023 in accordance with Decision 19.261, paragraphs a) and b). The questionnaire sought information on the utility of the Medicinal Plant Names Services (MPNS) database in routine CITES work and asked Parties to share information materials that have been developed to enhance awareness of CITES regulations and to encourage sustainable use and legal trade in CITES-listed medicinal and aromatic plants (MAPs), and non-detriment findings (NDFs) for MAPs. The Secretariat received responses from 13 Parties¹ and from TRAFFIC and the Medicinal Plants Specialist Group of the International Union for Conservation of Nature (joint submission).
- 5. The respondents submitted a wide range of information materials that they developed to assist Parties and stakeholders to enhance awareness of CITES regulations and to encourage sustainable use and legal trade in CITES-listed MAPs. The Secretariat published these materials in a dedicated section on the <u>page on MAPs</u> on the CITES website.
- Regarding NDFs for MAPs, Canada, Mexico and the United States of America shared information relating to assessments of MAPs. Web links to the documents shared by these Parties can be accessed in document PC26 Doc. 34 Add and the CITES NDF database.

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¹ Canada, Croatia, Germany, Jamaica, Mexico, the Netherlands, New Zealand, the Philippines, Slovakia, Switzerland, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

- 7. Six Parties reported that they are using the MPNS database in their routine work. Nine respondents suggested that it would be helpful to integrate information from the MPNS database in CITES resources. Some Parties suggested that the integration of the MPNS information in CITES databases might not be a pressing need; could require substantial consultation, expertise, and time; and would also necessitate regular updates. As an alternative, some Parties suggested that the MPNS database could be kept separate from CITES databases but could be identified as a recommended source of information when medicinal or aromatic plants are queried within CITES databases.
- 8. At PC26 (see summary record PC26 SR), the Plants Committee agreed to implement a cross-reference from CITES databases to the MPNS database with appropriate guidance, including a disclaimer that the MPNS database should be considered indicative for the need to verify the CITES-listing status of specimens in trade using appropriate CITES standard nomenclature references and identification materials. The Committee requested the Secretariat to consider concerns voiced by Parties regarding a disclaimer to be published alongside the reference to the MPNS database. These concerns included common names listed in the MPNS that may have derogatory connotations in some languages; possible misunderstanding about the common names and scientific names that could impact the implementation of the provisions of CITES relating to species included in the Appendices; and the fact that the content of the MPNS database has not been verified by CITES Parties or the Secretariat. The Secretariat noted that the recommendations have cost implications and therefore external resources will be required to implement this process. In the draft decisions on *Trade in medicinal and aromatic plants* recommended by the Plants Committee to be submitted for consideration by the 20th meeting of the Conference of the Parties (see Annex 1)., provision was made for the implementation of the Plants Committee recommendations regarding the cross-reference between the CITES databases and the MPNS database for CITES-listed MAPs.

Implementation of Decision 19.261, paragraph c)

- 9. At PC26, the Secretariat shared a draft Terms of Reference (ToR) for the analysis to be undertaken pursuant to Decision 19.261, paragraph c). The Committee made recommendations on the draft ToR (see summary record PC26 SR) that were considered by the Secretariat in finalizing the ToR. The Secretariat worked with TRAFFIC and the Royal Botanical Gardens Kew to undertake the analyses based on the ToR with funding from the European Union. The Secretariat appreciates the support provided in this regard. The Secretariat reported progress to PC27 in document PC27 Doc. 32.1 and provided a summary of the key results in an Addendum to document PC27 Doc. 32.1.
- 10. The Secretariat issued Notification to the Parties No. 2024/124 on 8 November 2024 as requested by the Plants Committee to invite Parties to provide their comments on the study through their regional representatives by 29 November 2024. The draft study was also shared with the Members of the Plants Committee, the Nomenclature Specialist of the Plants Committee, and with the United Nations Environment Programme World Conservation Monitoring Centre (UNEP-WCMC). Due to the wealth of substantive comments received, the Secretariat was not able to finalize the study by the SC78 document deadline. The following key comments and concerns were raised by Members of the Plants Committee, the Nomenclature Specialist and UNEP-WCMC:
 - The report provides a useful perspective for analysis of trade in CITES-listed MAPs and a rich and detailed analysis of e-commerce trade in products of CITES-listed MAPs, including justification for exploring the possibly of using the MPNS database to further analyse e-commerce;
 - b) Although the draft report suggests automating reviews of nomenclature used by CITES to track relevant changes in nomenclature by enabling inclusion of additional alternative scientific names, where feasible, this should be explored taking into consideration that CITES nomenclature, as outlined in Resolution Conf. 12.11 (Rev. CoP19), supports the implementation of the Convention and provides a clear framework for reviewing and updating nomenclature. Concerns were raised about the significant additional funding and resources that may be required to implement this process.
 - c) There is a need for further engagements between the Nomenclature Specialist and UNEP-WCMC to resolve nomenclature matters. The Nomenclature Specialist provided clarification and comments on several nomenclature matters, but there is some uncertainty about a number of names to be resolved, taking into consideration the *Standard Nomenclature* agreed by Parties in Resolution Conf. 12.11 (Rev. CoP19). The Secretariat notes that the draft decisions recommended by PC27 address this aspect (See Annex 1 to the present document).
 - d) The draft recommendations contained in the report relating to supply chains and annotations do not provide concrete results to understand how supply chains need to be addressed for the proper

implementation of annotations to species included in the CITES Appendices. Additionally, the recommendations do not clarify whether the current annotations effectively cover the products in trade involving medicinal plant species or whether they align with the provisions of Res. Conf. 12.21 (Rev. CoP19).

11. PC27 anticipated that it may not be feasible to finalize the study and recommended a draft decision as part of the new decisions to be submitted for consideration at CoP20 (see Annex 1 to the present document). The Secretariat is of the view that the study could be finalized in time for consideration at CoP20, which may result in a minor revision required to draft decision 20.AA paragraph a). The Secretariat therefore proposes that the Standing Committee invite the Secretariat to submit, after consultation with the Chair of the Plants Committee, a final report on CITES-listed medicinal and aromatic plant (MAP) species in international trade to CoP20, and to propose revisions to the draft decisions recommended by the Plants Committee in this regard, as appropriate.

Implementation of Decision 19.263

- 12. At PC26, the Plants Committee noted that Resolution Conf. 10.19 (Rev. CoP14) on *Traditional medicines* is focused only on traditional medicines, but medicinal and aromatic plant (MAP) materials are traded in quite different types of products (e.g. cosmetics, pharmaceuticals, aromatic products, etc.). The Committee noted that there was a preference for a new Resolution to be developed to replace Resolution Conf. 10.19 (Rev. CoP14), and to do this through an intersessional working group established by PC26 and chaired by the representative for Europe (Ms Moser).
- 13. At PC27, the Plants Committee discussed the draft resolution on Medicinal and aromatic plant species developed by the intersessional working group and contained in the Annex to document PC27 Doc. 32.2. The Chair of the intersessional working group indicated that some working group members considered the text could benefit from additional streamlining and precision. Some observer Parties highlighted the value of the work on MAPs and noted that any trade in plants entailed a transfer of genetic materials and of traditional knowledge from indigenous peoples and local communities, and thus underscored the need for greater synergies with other environmental agreements working on similar issues, in particular with the Convention on Biological Diversity. One Party reiterated the fact that the draft resolution could not be considered in isolation from the results of the study mentioned above.
- 14. In accordance with Decision 19.263, paragraph c), the Plants Committee agreed to report and propose draft decisions contained in Annex 1 to the present document to the Conference of the Parties at its 20th meeting. The draft decisions include an instruction to the Plants Committee to continue to consider the draft Resolution on *Medicinal and aromatic plant species* contained in the Annex to document PC27 Com.3 including taking into account the report on the analyses done in terms of Decision 19.261, paragraph c). A clean version of the draft resolution is included in Annex 2 to the present document for ease of reference.

Recommendations

- 15. The Standing Committee is invited to:
 - a) agree that Decisions 19.261 to 19.264 can be replaced by the draft decisions recommended by the Plants Committee for consideration at the 20th meeting of the Conference of the Parties contained in Annex 1 to the present document; and
 - b) invite the Secretariat to, after consultation with the Chair of the Plants Committee, submit a final CITESlisted medicinal and aromatic plant (MAP) species in international trade report to the Conference of the Parties.

DRAFT DECISIONS ON *TRADE IN MEDICINAL AND AROMATIC PLANTS*AGREED BY THE 27TH MEETING OF THE PLANTS COMMITTEE FOR CONSIDERATION BY THE 20TH MEETING OF THE CONFERENCE OF THE PARTIES

Directed to the Secretariat

20.AA The Secretariat shall:

- a) finalize the study developed under Decision 19.261, paragraph c), and summarized in document PC27 Doc. 32.1 Add. for the consideration of the Plants Committee:
- b) work with the nomenclature specialist of the Plants Committee and the United Nations Environment Programme-World Conservation Monitoring Centre (UNEP-WCMC) to consider the identified discrepancies listed in Annexes 2 to 4 of document PC27 Doc. 32.1 Add, and identify whether corrections or improvements to the nomenclature in CITES databases are necessary;
- c) subject to external funding, implement cross-references between CITES databases and the Medicinal Plant Names Services for CITES-listed MAPs, taking into account the technical advice of the Plants Committee agreed at its 26th meeting (see summary record PC26 SR); and
- d) report to the Plants Committee.

Directed to the Plants Committee

20.BB The Plants Committee shall

- a) review the study and the report submitted by the Secretariat in accordance with Decision 20.AA;
- b) continue to consider the draft Resolution on Medicinal and Aromatic Plants contained in the Annex to document PC27 Com. 3, including taking into account the report submitted by the Secretariat under Decision 20.AA, and make any recommendation as appropriate; and
- c) report to the Standing Committee.

Directed to the Standing Committee

20.CC The Standing Committee shall review the report of the Plants Committee and make recommendations to the Conference of the Parties, as appropriate.

Conf. 20.XX Medicinal and aromatic plant species

RECALLING that trade in CITES-listed species, including CITES-listed medicinal and aromatic plant species (MAPs), must meet the requirements specified in the Convention and may also be subject to other relevant multilateral agreements;

ACKNOWLEDGING the need for trade in wild MAP species to be biologically sustainable to ensure their survival in the wild consistent with their roles in their ecosystems;

RECALLING Decision 15/4 of the 15th meeting of the Conference of the Parties to the Convention on Biological Diversity in 2022 adopting the Kunming-Montreal Global Biodiversity Framework and, in particular, Goals A, B and C, and Targets 4, 5, 9 and 13 thereof;

ALSO RECALLING the updated Global Strategy for Plant Conservation adopted by the 15th meeting of the Conference of the Parties to the Convention on Biological Diversity in 2022;

RECOGNIZING the contribution of MAPs to human health, and the role of the sustainable management and trade of these species in a One Health approach²;

AWARE of World Health Organization reports that traditional medicine forms an integral resource for health in almost all countries, that a large share of pharmaceutical formulations is based on natural products and that landmark drugs, including aspirin and artemisinin, originated from traditional medicine³;

ACKNOWLEDING the diversity of production systems that contribute to international trade in MAPs, including traditional forms of community management and assisted production as well as novel techniques to produce specimens through biotechnology and RECALLING provisions on source codes A, D, W and Y for plants as contained in Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, Resolution Conf. 10.13 (Rev. CoP18) on *Implementation of the Convention for tree species*, and Resolution Conf. 16.10 on *Implementation of the Convention for agarwood-producing taxa*;

ALSO ACKNOWLEDGING that international trade in MAPs involves manifold specimens from live plants to highly processed extracts, parts and derivatives, some of which subject to exemptions from CITES regulation through listing annotations, and that pose particular challenges to specimens identification, traceability and regulation; and FURTHER ACKNOWLEDGING the importance of annotations of CITES-listed MAPs to align with the criteria specified in Resolution Conf. 11.21 (Rev. CoP19) on *Use of annotations in Appendices I and II*;

RECOGNIZING the requirement to make non-detriment findings (NDFs) and legal acquisition findings (LAF), as appropriate, and AWARE of the guidance contained in Annexes 1 to 3 of Resolution Conf. 18.7 (Rev. CoP19) on Legal acquisition findings to verify legal acquisition along the chain of custody;

ACKNOWLEDGING the importance of ensuring correct reporting, in their national reports, of source, quantity and units of MAPs, in line with the most recent version of the *Guidelines for the preparation and submission of CITES annual reports*;

RECOGNIZING the particular complexity of international trade in MAPs, which often is regional, informal, and increasingly taking place on online platforms; the high diversity of stakeholders and uses of medicinal and aromatic plant products; and the cultural and ecological values of MAPs that include but go beyond utilitarian or economic benefits referred to in Resolution Conf. 8.3 (Rev. CoP13) on *Recognition of the benefits of trade in wildlife*;

https://www.who.int/publications-detail-redirect/2831701368

³ https://www.who.int/initiatives/who-global-centre-for-traditional-medicine/

RECALLING that close collaboration with groups of traditional-medicine practitioners and consumers can improve public education and awareness programmes towards the elimination of illegal use, and the avoidance of overexploitation of MAPs, as recommended in Resolution Conf. 10.19 on *Traditional medicines*;

EMPHASIZING the knowledge local practitioners and communities have of MAP populations, habitats and ecology, often developed by managing MAP populations locally, as also referred to in Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and Resolution Conf. 16.6 (Rev. CoP18) on *CITES and livelihoods*;

AWARE of Resolution Conf. 19.2 on Capacity building;

RECALLING Resolution Conf. 13.2 (Rev. CoP14) on *Sustainable use of biodiversity: Addis Ababa Principles and Guidelines*, which focuses on local and national decision-making and governance structures and emphasizes benefits of systemic approaches, adaptive mechanisms and participation for managing biological resources sustainably; and

ALSO RECALLING that the sustainable management of MAPs benefits from synergies at the international level, as called for in Resolution Conf. 18.3 on the CITES Strategic Vision: 2021-2030, Resolution Conf. 18.4 on Cooperation with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, Resolution Conf. 18.5 on Cooperation and synergy with the World Heritage Convention, Resolution Conf. 16.5 on Cooperation with the Global strategy for Plant Conservation of the Convention on Biological Diversity, Resolution Conf. 16.4 on Cooperation of CITES with other biodiversity-related conventions, and Resolution Conf. 10.4 (Rev. CoP14) on Cooperation and synergy with the Convention on Biological Diversity;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding a characterization of the scope of the term medicinal and aromatic plants (MAPs)

1. AGREES that medicinal and aromatic plants (MAPs) can be characterized as the group of plant species that are used for therapeutic, aromatic and/or culinary purposes, including as components of cosmetics, foods and beverages, medicinal products, other natural health products, oils and waxes;

Regarding identification, traceability and legal acquisition findings for CITES-listed MAPs

- 2. AWARE of the guidance contained in Annexes 1 to 3 of Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings* to verify legal acquisition along the chain of custody;⁴
- ENCOURAGES Parties to develop traceability systems for medicinal and aromatic plants to verify legal
 acquisition along the chain of custody, whilst acknowledging the complexity of trade in MAPs, including largescale e-commerce;

Regarding species monitoring and management and non-detriment findings

- 4. ENCOURAGES Parties to use the information available through the Royal Botanic Gardens, Kew's Medicinal Plant Names Services⁵ on local, traditional, and trade names of MAP specimens when monitoring trade in MAPs and INVITES Parties to provide feedback to the Royal Botanic Gardens, Kew's Medicinal Plant Names Services by submitting MAPs names in various languages from referenced sources to expand and update the portal;⁶
- 5. ENCOURAGES Parties to consult with local practitioners and communities to use local and traditional knowledge in the making of non-detriment findings (NDFs) and for participatory species monitoring and management in line with guidance contained in the CITES guidance on livelihoods⁷ and relevant sections of the CITES NDF guidance⁸;

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The Secretariat notes that this paragraph should be included in the preamble.

⁵ https://www.kew.org/science/our-science/science-services/medicinal-plant-names-services

The Secretariat notes that the second part of this paragraph should be a separate paragraph 5 starting with "INVITES".

Part I: https://cites.org/sites/default/files/eng/prog/Livelihoods/Guia Parte 1 CITES eng final.pdf;
Part II: https://cites.org/sites/default/files/eng/prog/Livelihoods/Guia PART2 CITES ENG FINAL.pdf

^{8 &}lt;u>https://cites.org/eng/prog/ndf/index.php</u>

6. INVITES Parties to share non-detriment findings for CITES-listed MAPs with the Secretariat for publication on the CITES website, including NDFs that apply relevant sections of the CITES NDF guidance⁹ for CITES-listed MAPs;

Regarding capacity-building to improve CITES implementation for MAPs

- 7. URGES Parties to develop and share adequate knowledge and tools, to raise awareness, and to build capacities at national level to support regulation of trade in CITES-listed MAPs in line with the recommendations contained in the present Resolution, and to contribute financially to international capacity-building programmes such as the CITES Tree Species Programme or specific initiatives focused on MAPs, as appropriate;
- 8. ENCOURAGES Parties to share any relevant guidance to aid with the interpretation and understanding of annotations for MAPs;
- ENCOURAGES Parties to engage with all CITES MAPs trade stakeholders to create, support and strengthen collaborative platforms, including e-commerce platforms, to prevent illegal trade and to define best practices and share experiences towards sustainable and legal use and trade in CITES-listed MAPs;
- 10. INVITES the submission of best practices (case studies, conservation action plans, guidance, etc.) in the management of CITES-listed MAPs, as appropriate for the publication on the CITES website and for consideration of the Plants Committee; and
- 11. DIRECTS the Secretariat to maintain a section on MAPs on the CITES website to publish relevant information, as appropriate.

⁹ https://cites.org/eng/prog/ndf/index.php