

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

Eleventh meeting of the Conference of the Parties
Gigiri (Kenya), 10-20 April 2000

Interpretation and implementation of the Convention

TRADE IN TRADITIONAL MEDICINES

1. This document has been prepared by the Secretariat.

Regarding Resolution Conf. 10.19

2. Resolution Conf. 10.19 contains a number of recommendations to the Parties related to traditional medicines.
3. Through Notification to the Parties No. 1998/20 of 27 April 1998, the Secretariat requested the Parties to provide information on:
 - a) details of their legislation relating to the control of import and export of medicinal products containing parts and derivatives of species listed in the CITES appendices;
 - b) information on proven identification techniques for parts and derivatives used in traditional medicine; and
 - c) details on captive breeding and artificial propagation that may be under way in their country to supply products for traditional medicine.
4. Although the request was formulated in a general manner, the Notification was issued with the specific purpose of obtaining details needed for the Secretariat's work on bears and tigers.
5. The response from the Parties was disappointingly low, and no information was provided that would really assist the Secretariat with its work.

Regarding Decision 10.143, directed to the Secretariat

6. Decision 10.143 stipulates that the Secretariat shall:
 - a) *in implementing Resolution Conf. 8.4, conduct a review of measures included by Parties in their national legislation to control the import and export of medicinal products containing parts or derivatives of species listed in the appendices of the Convention; and*
subject to the availability of funds:
 - b) *review the need for measures to improve implementation of the Convention in relation to monitoring of trade in parts and derivatives of species listed in Appendices I and II which are traded in semi-processed form or manufactured form or as manufactured medicinal products;*
 - c) *collate information on proven identification techniques for parts and derivatives and the availability of substitutes for specimens of threatened wild species, and information on opportunities for further research;*

- d) *review the role of captive breeding and artificial propagation in the supply of products for traditional medicine; and*
- e) *report to the Standing Committee before the 11th meeting of the Conference of the Parties.*

Regarding legislation

7. Regarding the charge outlined in paragraph a) of Decision 10.143, one of the conclusions of the national legislation project is that many Parties do not have adequate legislation to fully implement the provisions of the Convention, in particular with regard to the control of readily recognizable parts and derivatives, as defined in Resolution Conf. 9.6. The review under phase III of the national legislation project is already largely completed and the work requested under this decision would require additional manpower and funding.

Regarding the number of taxa used for medicinal purposes

- 8. Regarding the charges outlined in the other paragraphs, the Secretariat has found itself in a difficult position to initiate the work, irrespective of the availability of funds. This is because the number of species used for traditional medicines that may or may not be involved in international trade is very large, a choice must be made regarding which taxa should be studied, and to which taxa priority should be given, other than the ones that are already extensively discussed (e.g. bears, tigers, rhinoceroses).
- 9. In order to determine the full scope of the trade in plants and animals for medicinal purposes, the Secretariat has tried to establish an initial list of species in trade. Two Notifications on this subject have been sent to the Parties.
- 10. Notification to the Parties No. 1999/25 of 12 March 1999 contained a list of animal species used in medicines. This list was prepared by TRAFFIC International under contract with the CITES Secretariat. The list of taxa was also discussed by the Animals Committee at its 15th meeting (Antananarivo, Madagascar, July 1999). The Committee decided to form a small working group, co-ordinated by the Secretariat, to further evaluate this list of species.
- 11. Notification to the Parties No. 1999/26 of 12 March 1999 contained a list of plant species used in medicines. This list was based on the work done by the Scientific Authority of Germany in relation to the import into Europe of medicines containing CITES species of plants. (See also 'Checklist of medicinal and aromatic plants and their trade names, covered by CITES and EU Regulation 2307/97; Bfn Skripten 8, 1999).
- 12. In both Notifications it was clearly indicated that the information contained in these lists was not complete (information from certain CITES regions for instance was very scarce) and the Parties were invited to provide comments and most importantly additional information on species traded for their medicinal properties.
- 13. The response received was extremely disappointing. Only one Party provided some additional information regarding the Notification on fauna species in trade for medicinal purposes.
- 14. The Secretariat hopes that the information contained in these two Notifications has been distributed to Customs and other CITES enforcement agencies to assist with their work.
- 15. In view of the apparently low interest of the Parties in the subject, and because of its heavy workload, the Secretariat has been unable to do much to implement this very broadly formulated Decision of the Conference of the Parties.
- 16. These concerns, as well as information on some of the activities mentioned below, were communicated to the Standing Committee in document Doc. SC.42.16, which was accepted by the Committee.
- 17. However, some specific activities in the context of the above-mentioned decision have been undertaken or promoted by the Secretariat or by others.

Regarding implementation

18. As part of the work on the review of significant trade in plant species, TRAFFIC International was contracted to evaluate the implementation of the Convention in relation to *Nardostachys grandiflora* and *Pricrorhiza kurrooa*. For these two species, only roots and parts of roots are subject to the provisions of the Convention. (See also the Annex to document Doc. 11.11.2.)
19. One of the conclusions of this study was that the controls on international trade in specimens of these species were, at least, inadequate, even by the Party that obtained the inclusion of these species in Appendix II at the ninth meeting of the Conference of the Parties.
20. This lack of enforcement of controls for the trade in parts and derivatives seems to be common in many Parties, but any improvement will strongly depend on the will of individual Parties to implement all the requirements of the Convention.
21. Various Parties have initiated activities to improve CITES enforcement of trade in medicinal products containing derivatives of Appendix-I species.
22. During its work, the CITES Tiger Missions Technical Team noted that whilst there is an increasing awareness among traditional medicine practitioners and manufacturers of CITES controls in relation to high-profile endangered species, such as bears, tiger and rhinoceroses, there remains widespread ignorance of the fact that many more CITES-listed specimens (especially Appendix-II species) are also used as medicinal ingredients and are subject to control.
23. The Secretariat suggests that much more work requires to be done by producing and consuming countries to raise awareness of the Convention's requirements among exporters and importers. The ability of Parties to control such trade will remain difficult, however, until more countries incorporate into their domestic law provisions with regard to readily recognizable parts and derivatives, as defined in Resolution Conf. 9.6.

Regarding activities by others

24. The 3rd International Symposium on the Trade in Bear Parts was held from 26-28 October 1999, in Seoul, Republic of Korea and was organized by the Ministry of Environment, Republic of Korea, TRAFFIC East Asia and the IUCN/SSC Bear Specialist Group. There was good representation from the traditional medicine community at the event.
25. "Healthy People, Healthy Planet: A Conference on Traditional Chinese Medicine and Wildlife Conservation" was held in Beijing, China from 30 October – 1 November 1999. This event was organized by the Department of International Collaboration of the State Administration for Traditional Medicine, National Centre of Traditional Chinese Medicine, World Wildlife Fund and the American College of Traditional Chinese Medicine. Delegates discussed public awareness campaigns, alternative and substitute ingredients for endangered species and sustainable use of fauna and flora.
26. The Secretariat was represented at both of the above events and believes such seminars and conferences are excellent venues for the exchange of information and for raising awareness of the Convention.

Regarding identification materials

27. As mentioned above, implementation of the Convention for Appendix-II species used in medicines still requires improvement. One only has to review the information contained in annual reports to note that this kind of trade still seems to escape the attention of those implementing the Convention at the international borders.
28. One reason for this can, of course, be the difficulty in recognizing the contents of packages supposedly containing medicines when these contain text in a language with which the inspectors are not familiar.

29. The CITES team of the Customs service at Heathrow Airport, London, United Kingdom, in co-operation with TRAFFIC International, has been compiling a large number of illustrations of medicines containing derivatives of CITES-listed animals, and some plants as well. With financial support from the Secretariat and WWF-UK, this manual is expected to be published in the form of an illustrated colour guide.
30. It is the Secretariat's intention, in co-operation with the Heathrow team and other interested agencies, to regularly produce additional sheets and to distribute these to the Parties through Notifications.
31. The German Scientific Authority is currently finalizing a training package on medicinal plants.
32. It is well known that identification of many parts to the species level is possible using sophisticated DNA-identification techniques and on the condition that sufficient base line data are available. For derivatives this is probably not possible. Either the particles concerned are too small and therefore unidentifiable, or preparation techniques have discarded the DNA.

Regarding artificial propagation and captive breeding

33. It is known that a number of Appendix-I species (fauna and flora) are captive-bred and artificially propagated for use in traditional medicines, but the Secretariat has not yet reviewed this in great detail.
34. The project on the trade in orchids of China (see the Annex to document Doc. 11.11.2) will provide interesting information on the artificial propagation of various orchid species used in medicines.

Regarding the review of significant trade

35. Decision 10.82 instructs the Animals Committee to review the trade in animal species for use in traditional medicine to assess the implications for wild populations.
36. Several species used for this purpose have been included in phase 4 of the review of significant trade (see Annex 1 to document Doc. 11.41.1)
37. An equivalent decision regarding trade in plants has not been taken by the 10th meeting of the Conference of the Parties. However, some of the projects that are part of the working programme of the Plants Committee on the review of significant trade, do relate to trade in traditional medicine. One of these projects is already referred to in paragraph 21 above.
38. In the context of CITES project S-103, the Scientific Authority of Germany submitted a large report on trade in 17 medicinal Plant Species to the Plants Committee at its ninth meeting (Darwin, Australia, June 1999). It was agreed that the Secretariat would circulate the information sheets on the various species to the range States concerned. The report would be further discussed at the next Plants Committee meeting, using the comments and information provided by the Parties concerned.

New decision of the Conference of the Parties

39. In its report to the Standing Committee (see paragraph 19 above), the Secretariat suggested that the current text of this decision be redrafted to better target the work that it is expected to do on this subject.
40. The Secretariat therefore recommends that Decision 10.143 be repealed.
41. A new draft decision is proposed in the Annex to this document.
42. The first paragraph of this draft decision is aimed at making an inventory of artificial propagation and captive breeding operations, and in doing so, restricting the intent of paragraph b) of Decision 10.143 to a more specified target.

43. The paragraph b) of the draft decision refers to the possibility for the Secretariat to initiate projects on specific problems in relation to specified taxa, similar to parts of some projects the Plants Committee initiated under its programme for the review of significant trade (see paragraph 22 above, and the Annex to document Doc. 11.11.2).
44. Paragraph c) of the draft decision instructs the Secretariat to continue the work initiated in 1998, as referred to in paragraphs 9. to 15. above. However, in view of the extremely low responses from the Parties to the Notifications concerned, the Secretariat intends to contract consultants for this work using the available budget for Significant Trade Studies or external funding if available.
45. Paragraph d) of the draft decision is included to stress that it is important that this aspect is part of the training programme the Secretariat is developing (see also document Doc. 11.40). This paragraph could be deleted if document Doc. 11.40 is adopted by the Conference of the Parties.
46. The final paragraph instructs the Secretariat to report to the 12th meeting of the Conference of the Parties on the progress made using this more targeted approach.

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

Directed to the Secretariat

The Secretariat shall, in consultation with the Animals and Plants Committees:

- a) evaluate the current level of artificial propagation and captive breeding of CITES species for medicinal purposes;
- b) develop projects aimed at assisting Parties in improving CITES implementation with regard to international trade in medicinal products derived from Appendix-II species;
- c) continue developing the list of species of plants and animals traded for their medicinal properties;
- d) incorporate, where appropriate, implementation of the Convention for animals and plants traded for medicinal purposes in its programme for assisting Scientific Authorities; and
- e) report at the 12th meeting of the Conference of the Parties on the progress made with regard to the work outlined above.