

WORKSHOP PROCEEDING

INTERACTION WITH ENFORCEMENT AGENCIES ON ILLEGAL TRADE AND SUSTAINABLE USE OF MEDICINAL ORCHIDS OF NEPAL



Gorkha, Nepal

23 March 2022



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Section 1

Introduction

Background

Orchids are among the most traded wildlife in the world and represent >70% of CITES-listed species. Many species are also used medicinally, including in Ayurvedic and Chinese pharmacopeia. This includes many rural communities in Nepal. We do know that many orchids are highly sensitive to over-harvest and that illegal trade has led to concerns globally. This is detrimental not only to biodiversity but also to the livelihoods of rural communities and local involvement in resource management. Moreover, this is also challenging to enforcement as well as local level management bodies.

In response, with the support of the Illegal Wildlife Trade (IWT) Challenge Fund, Greenhood Nepal and its partners Lancaster University, University of Oxford, IUCN SSC Orchid Specialist Group, and University of Hawaii are exploring the trade and conservation of wild orchids in Nepal with the financial support of the UK government.



As a part of the same activity, a half-day workshop on "Controlling illegal orchid trade in Gorkha" was organized on 23 March 2022 at Hotel Satyam, in Gorkha, Nepal. It was a closed group event where members of the Wildlife Crime Control Bureau (WCCB) of Gorkha District participated. There were 21 participants including the Chief District Administration Officer, officials from Division Forest Office (including District Forest Officer, Assistant Forest Officer, and other officials), the District attorney general, Nepal Police, Armed Police Force, Nepal Army, FECOFUN, and press.

Welcome Remarks

With the permission from Chief District Administration Officer, Mr. Mahesh Poudel (Assistant Forest Officer, Gorkha) kicked off the program. He welcomed the participants and explained the overall objective of this event. Mr. Poudel also took the charge of overall moderation of the event.

Following this, all the participants introduced themselves.



The District Forest Officer (DFO, Gorkha), Mr. Ashok Kumar Shrestha, on his official note, highlighted that orchids are important both in horticulture and medicinal usage and hence are highly traded globally, including from Gorkha. He talked about CITES appendices and the procedures for the trade of CITES-listed species.

Ms. Reshu Bashyal (Program Manager at Greenhood Nepal) shared the objectives of the project, and orchid conservation challenges and opportunities for the stakeholders of Gorkha, including key points to discuss during the event. She said that there are many challenges: legal ambiguities; scientific uncertainty about the sustainability of different harvest regimes; species identification; and illegal trade. She asked the participants to discuss the challenges faced by authorities in controlling the IWT of orchids and how Greenhood can help to better support them.

Mr. Kumar Paudel (Director of Greenhood Nepal) said that Nepal despite being rich in orchid resources, we are yet to explore sustainable uses of orchids, and ways to protect them in the wild. Mr. Paudel clarified the CITES appendices and how enlisting in Appendix II does not mean a complete ban of species. He explained the need for research to explore the viability of sustainable orchid use and how to implement the CITES act at the local level.

Section 2

Key Points Discussed

Orchid trade dynamics



Nepal hosts over 500 orchid species but they hardly get into any formal discussion. As of now, these are protected under CITES Appendix-II but it is barely implemented on the ground. There is no detailed assessment for most of these species -- most of them are endemic, and other species too may be at greater extinction risks. There should be a detailed assessment of high-value species, their trade possibilities, and prospects for conservation.

The species, be it orchids or other medicinal and aromatic plants (MAPs), get priority at the policy level only when they have market demands legally (domestic and international). Orchids do not get prioritized simply because there is no legal market demand. It is for the same reason, that there is no management plan to facilitate the trade.

One of the participants quoted, "As there is a high demand for Spikenard (*Nardostachys grandiflora*), the quota has been allocated for its harvest and trade. If things come through legal demand, there are several provisions to work further."

A majority of locals from highland communities including Gorkha rely on the trade of MAPs. Those people get a significant part of their income from the harvest and trade of such high-valued species and the money contributes not only to their socio-economic status but also to their daily subsistence.

There are rare cases of seizures that occur when there is a dispute among collectors. >75 kilograms of protected species, *Dactylorhiza hatagirea* (locally called, Paanchaunle) was seized in Gorkha from a poor harvester in 2017; authorities had to discuss to decide a fair fine for the offense as he was very poor. The real traders are hard to find and arrest.

Species identification issues

Species identification is a major problem. The majority of the implementation authorities do not recognize orchids except for some taxonomists. Orchids are being traded in the name of tea and as another lookalike species; and, the Customs Department does not have the expertise to distinguish the species from the tradable parts.



This misidentification can threaten wild orchids due to unsustainable and overharvest— there is a need for targeted capacity development programs at least to the district level line agencies. We need a clear distinction between which species of orchids can be traded and which species should not be touched. The population viability analysis at least for those species that are in high demand could help a lot if the government decides on a sustainable harvest in the future.

A participant shared his experience, “The Department of Commerce is selling highly-priced species like *Dendrobium* by taking revenue equal to that of tea!” This has created two major problems: a) the valuable orchids are widely harvested, and exploited in the wild, and b) we are losing revenue.



CITES management plans

Nepal is a signatory of CITES whose aim is to regulate trade. Orchids were traded widely before the CITES Act in 2017 however the lack of management plans and proper strategies to regulate their trade is perceived as 'trade is banned'. Orchids included in CITES Appendix II do not mean a complete ban on harvest and trade.

“Soon after the CITES Act 2017, the scientific authorities in the Department of Plant Resources should have explored and categorized tradable species and those that shouldn't be touched; and, this information should have been shared with the Department of Forest and Soil Conservation to prepare a management plan and circulated it within all districts to respective Division Forest Offices.”



“At the district level, there is a management plan of the Division Forest Office to direct the conservation and management of wildlife, which is generic and not specific to orchids. The plan indicates some orchid species but that is not based on a detailed analysis. Community Forest Users Groups also prepare an operational plan but that is also very generic.”



Section 3

Way Forward

Clarity on existing legal ambiguities

There are many issues starting from misinterpretation and generalization of important issues. There must be clarity among the stakeholders and grassroots people regarding policies. People depending on MAPs must be made well aware of what to do and what not to. Implementing agencies must have well knowledge of the policies and need to avoid existing legal ambiguities for better future of orchids.

“A proper study of which species requires immediate conservation attention is necessary and upon necessity, Department of Plant Resources should create individual units working on the identified species.”

Strengthening enforcement agencies

Enforcement agencies must be equipped with technical experts or documents regarding the trade form of species and orchid identification techniques for the layman must be produced. Also, the departments within the enforcement agencies that look after the wildlife trade must be made functional. Regular monitoring of the source areas and close coordination among the stakeholders help to strengthen enforcement agencies and control recent trade.

“Researchers, policymakers, implementation authorities, and communities, all must contribute to sustainable ways of conserving orchid wealth. The possibilities of orchid harvest must be explored and procedures for legal harvests must be adopted as soon as possible. If the harvest is possible, there should be an equal sharing of benefits among communities for ensuring the sustainability of species.”

Prospects for sustainable trade

Even those who are involved in harvest and trade (though illegal) have no idea why this is traded and at what end cost. Exploring adequate information on species, in-situ and ex-situ conservation strategies, and possibilities of harvest may form a baseline for the commercialization of species. Revisiting the existing knowledge on orchids and documenting their ethnomedicinal uses may help to plan for larger-scale commercialization plans in near future. Practical thinking on farming the species in suitable habitats may help both orchids and communities.

Section 4

Concluding Remarks



Mr. Mahesh Poudel, Assistant Forest Officer, Division Forest Office said that the orchid trade is one of the least prioritized issues in conservation in Nepal. This may be because just a handful of people are involved in trade research or maybe because very few people know that the orchid trade is devastating. Today's program has been in a way very successful to initiate the discussion. The resources from the project including the list of tradable species could really help us prioritize species for detailed inventories and other procedures.

Mr. Shankar Hari Acharya, Chief District Officer, Gorkha said that the event helped him to understand the issues of orchid conservation and trade. He added, "*we hardly prioritize orchid conservation because we simply do not know more about them. It is simply easier to not touch the issue than to get into complications!*". Nepal has lots of legal provisions including CITES to regulate the orchid trade. Though they are not regulated as implementing institutions do not have clarity of laws and are unable to retain technical experts. He suggested that local curriculum and planning should include orchid conservation issues and research, and policies should consider the importance of indigenous knowledge with their timely revisit. Also, he thanked the project for the exploration of possibilities for sustainable harvest and trade.



Greenhood Nepal is a science-driven, non-profit conservation organization focused on the human dimensions of nature conservation. Our mission is to conserve threatened wildlife and habitats in ways that respect local communities, embrace science-led action, and empower others to safeguard nature.