

## VII. THE MANILA DECLARATION

concerning

### THE ETHICAL UTILIZATION OF ASIAN BIOLOGICAL RESOURCES

Developed at the Seventh Asian Symposium on Medicinal Plants and other Natural Products (ASOMPS VII), which was held in Manila, Philippines from February 2 to 7, 1992 and was attended by 280 scientists from 37 countries.

#### Given that:

- the maintenance of biological and cultural diversity is of global concern
- developing countries are major centres of biological and cultural diversity
- there is increased interest in biological material with medicinal and other economic values
- indigenous peoples frequently possess knowledge that provides a key to natural products of economic value

#### Recognizing that:

- all regional or national governments have sovereignty over their biological resources
- current practices of exploitation of biological resources and indigenous knowledge are frequently inequitable, favouring technologically advanced organizations often based in developed countries, to the disadvantage of both conservation and development in the country or region of origin
- until there is further investment in training and technology, partnerships with developed countries are an effective way of developing new natural products from biological material
- there has been insufficient recognition of the essential role that indigenous knowledge (i.e. intellectual property) plays in identifying important natural products

#### Thus, it is recommended that:

- regional or national governments develop adequate legislation to control the collection and export of biological material with advice from appropriate professional organizations within the region
- as a high priority, governments, international agencies, multinational corporations and academic institutions, through training, laboratory construction and technology transfer, should support the development of human and material resources needed for all aspects of local biological evaluation of indigenous materials
- in cases where collection is required for non-commercial purpose, an agreement should include provision for any subsequent commercial development that may eventually arise
- professional societies develop a code of ethics that facilitates the development of equitable partnerships in the development of new natural products from biological material
- mandatory royalty or license agreements be established to ensure fair and equitable distribution of benefits to the region or origin
- supply agreements should only be made by the appropriate country organization and not with individuals within that country
- in order to avoid over-exploitation of promising species, the country organization should adopt methods to protect the identity and provenance of its biological material

- specific regulations be established to ensure that the collection and export of biological material is adequately monitored and controlled. These should include the requirements that:
  - collections are made together with local counterparts appointed by the country organization involved
  - adequately annotated preserved voucher specimens of biological material are lodged in appropriate national institutions
  - sufficient funds are provided by the external organization to cover the short costs which may be incurred
  - if there is a threat of destructive harvesting provision must be made for sustainable harvesting or development of alternative uses
  - the traditional knowledge of local participants contributing to development of new natural products must be recognized as research partners

A code of ethics for foreign plant collectors and guidelines for contracts are appended.

### **Appendix 1**

#### **CODE OF ETHICS FOR FOREIGN PLANT COLLECTORS**

Developed at the Botany 2000 Herbarium Curation workshop held in Perth, Western Australia,  
October 13 to 19, 1990.

1. Arrange to work with a local botanist/scientist and institute.
2. Respect regulations of the country you are visiting. E. g. enter on a research/collecting visitor visum, not a tourist visum. Observe regulations for export of plants/parts of plant-quarantine, CITES etc.
3. Obtain permission when you want to collect in National Parks or protected areas.
4. In some countries, items used in botanical work are difficult to obtain. Ascertain whether you can contribute them.
5. When you apply for a travel/study grant, include a small amount to cover the cost of processing your herbarium specimens or other costs your visit to the institution may incur, and equal travel expenses for your counterpart.
6. Leave a good and complete set of duplicates, preferably with labels with the Institute before you leave the country.
7. Ensure that Types of species you describe are deposited in the country's National Herbarium and Herbaria of the region.
8. Inform the Institute where the other duplicates are to be deposited and deposit some in Asian herbaria.
9. Do not exploit other countries' natural resources by removing high value plant products by collecting wild plants. E. g. plants with potential horticultural, medicinal, cultural or other economic value.
10. Obtain a list of rare and endangered plants of the country you visit. Do not collect these species without permission.
11. Collect no more specimens than is strictly necessary. For live specimens collect cuttings or seeds rather than uprooting plants.

12. Leave copies of photographs/slides for the institute where you studied.
13. Inform the institute/appropriate organization of new localities of rare/endangered species you find.
14. Remember to send copies of reprints/research reports to your collaborator(s)/Institute.
15. Acknowledge institute/collaborator(s) in your research reports/publications etc.
16. Collect identified reference herbarium specimens for all plant products to be exported.

## **Appendix 2**

### **CONTRACT GUIDELINES**

ASOMPS VII recognizes that there is considerable variation in the levels of technical expertise for the development of new natural products in the region. There is also recognition that every effort should be made to reduce dependency by developing countries on technology hold by developed countries. However, a short efficient development of new natural products may involve sharing of biological resources and technology between developing and developed countries.

In order to avoid contracts which do not achieve equity in partnerships between developed and developing countries, there are suggested minimum standards which should be used:

- the amount of material collected for initial screening should not usually exceed 100–500 grams (dry weight);
- payments should include all handling expenses and infrastructure costs;
- where screening of extracts is carried out with the aid of partner organization in the developed world, a minimum of 60% of any income arising from the supply of extracts to commercial organizations should be returned to the appropriate country organization;
- the country organization should receive a minimum of 51% of any royalties arising from external collaboration that result in marketable products. Since a fair royalty would be of the order of 3–5%, the appropriate country organization should receive a minimum royalty of 1.5–2.5%;
- the country organization should not sign agreements that give indefinite exclusive rights to any external party. Exclusivity should be limited to no more than a two-year period;
- complete evaluation of results of any screening should be reported to the supplying country organization within 6–9 months;
- if there is a threat of destructive harvesting, costs of sustainable harvesting or development of alternative supplies must be borne by the external organization;
- the contribution of research participants should be recognized through co-authorship in publications
- wherever possible initial preparation of extracts and screening should be done in the country of origin and assistance to develop this expertise should be provided wherever possible.

The reader may consult the summary of the Workshop on Drug Development, Biological Diversity, and Economic Growth by J. Schweitzer. et al. in the National Cancer Institute 83/18, September 18, 1991.