

A Study on the International Legislation of Traditional Chinese Medicine: Progress and Trend

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Abstract—In recent decades, more and more countries have commenced to highly value the development of traditional Chinese medicine (TCM) in their societies. Great progress of legislation work has been made during the rapid spread of TCM overseas. Based on the progress of TCM legislation in different countries in the world by the measurements of the start time, finish time, driving force for legislation, established management departments etc., this paper focuses on the achievement of TCM legislation internationally and the trend of its development through some cases.

Keywords—international legislation; traditional Chinese medicine; progress; trend

I. INTRODUCTION

As is well known, traditional Chinese medicine (TCM) has experienced a long history of development in foreign countries. In the recent years, TCM has witnessed broader prospect both at home and abroad. In China, Chinese national leaders and the general public are attaching greater importance to the development of TCM. President Xi Jinping has reiterated that, "Traditional Chinese medicine is the key to opening the treasures of Chinese civilizations". At 2017 Belt and Road Forum for International Cooperation, Wang Guoqiang, Director-general of the State Administration of TCM then had systematically introduced the work progress of the industry of TCM under the guidance of the "Belt and Road" and the key works on the agenda about how to better serve the 'Belt and Road' Initiative in the future. According to the official statistics, TCM has already been spread to 183 countries and areas, and 16 overseas TCM centers have been established in

the countries along 'Belt and Road' to date [1]. With the rapid spread of TCM abroad, more and more countries are thinking about how to put TCM legalized locally. Although there is still a long way to go during the course of international legislation of TCM, great progress has been made in quite a few countries, especially in some developed countries. In this sense, it's worth going back to the whole process of TCM legislation internationally to better perceive the progress and the trend of development in the future.

II. THE PROGRESS OF TCM LEGISLATION OVERSEAS

In modern society, TCM has developed at a high speed in foreign countries. More and more foreigners begin to recognize the unique value of TCM and benefit from the effective methods and treatments of TCM. To guarantee the safety of the overseas users and regulate the medical behaviors of TCM in each country, the overseas legislation of TCM has become an irreversible trend.

Due to the differences which lie in the national conditions, cultural traditions, medical systems, etc., TCM develops at varying paces in different countries. So does the legislation of TCM in these countries. In some countries, TCM legislation was proposed very early and sound laws and regulations had been enforced years ago. In some other countries, although TCM-related legislation was discussed very late but great advance has been already achieved. However, TCM has undergone a long history of development in foreign countries, and TCM legislation has been through ups and downs in the recent years.

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TABLE I. PROGRESS OF TCM LEGISLATION IN DIFFERENT COUNTRIES [2-4]

Country	Start Time	Finish Time	Driving Force for Legislation	Features of Legislation	Established Management Department
France	1962	1987	French Academy of Medical Sciences	Acupuncture Legislation	French Academy of Medical Sciences
India	1970	2001	Indian Traditional Medical Center	TCM Legislation	Indian Central Council for Medicine
Austria	1972	1987	Austrian Acupuncture Association	Acupuncture Legislation	Austrian Supreme Committee of Health
the United Arab Emirates	1978	2000	Ministry of Health of the United Arab Emirates	TCM Legislation	Alternative Medicine Office Affiliated to Ministry of Health
Republic of Korea (ROC)	1980	2003	ROC's Medical Administration	TCM Legislation	ROC's Medical Development Review Commission under the Ministry of Civil Affairs
America	1980	2016	American State Governments	Acupuncture Legislation	American State Departments of Health Administration
Brazil	1984	1988	Acupuncture Association of Brazil	Acupuncture Legislation	Brazilian Ministry of Health
Sweden	1984	2010	Swedish Health Agency	TCM Legislation	Swedish Health Agency
Canada	1985	2004	Federal Parliamentary of Canada	Overall Legislation	Canadian Ministry of Health
Thailand	1987	2002	Thailand Government	TCM Legislation	Thailand Ministry of Health
Ghana	1988	2000	Ghanaian Government	TCM Legislation	Ghanaian Food and Drug Administration
New Zealand	1990	1990	New Zealand Government	Acupuncture Legislation	New Zealand Government
Mexico	1990	2002	Acupuncture Association of Mexico	Acupuncture Legislation	Mexican Ministry of Health
Germany	1991	2007	German Practitioners Association	Acupuncture Legislation	German Ministry of Health
Singapore	1992	2000	Singapore's Parliament	TCM Legislation	Chinese Medicine Council of Singapore
Myanmar	1996	1996	Ministry of Health of Myanmar	TCM Legislation	Traditional Medicine Administration
Vietnam	1997	2003	Vietnamese Parliament	TCM Legislation	Vietnamese Traditional Medicine Administration
Australia	1998	2012	National TCM Association of Australia	Overall Legislation	Australian Bureau of TCM
Columbia	1998	1998	Colombian Government	Acupuncture Legislation	Colombian Government
Switzerland	1999	1999	Swiss Confederation Government	Acupuncture Legislation	Swiss Ministry of Health and Food
Belgium	1999	1999	Belgian Ministry of Health	Acupuncture Legislation	Belgian Ministry of Health
Nepal	1999	1999	Nepalese Ministry of Health	TCM Legislation	Nepalese Traditional Medicine Administration under the Ministry of Health
Italy	1999	2002	Italian Society of Physicians	Acupuncture Legislation	Italian Ministry of Health
Britain	2000	2010	TCM Group in Britain	TCM Legislation	British Ministry of Health
South Africa	2000	2004	South African Government	Acupuncture Legislation	South African Joint Committee of Health
Israel	2000	2000	Israeli Chinese Medicine Association	Acupuncture Legislation	Israeli Ministry of Health
Hungary	2013	2015	Hungarian Parliament	TCM Legislation	Hungarian Human Resources Department
Chile	2016	2016	Chilean Ministry of Health	Acupuncture Legislation	Chilean Ministry of Health
Bahamas	/	/	/	Acupuncture Legislation	/
Zimbabwe	/	/	Zimbabwean Government	TCM Legislation	Zimbabwean Government
Namibia	/	/	Namibian Government	TCM Legislation	Namibian Government

As can be clearly seen from the table above, more than thirty countries in our world have passed TCM-related legislation with different focuses. TCM legislation has witnessed different development momenta at different stages

of history. Among those countries, most have passed TCM legislation or acupuncture legislation respectively. However, in Australia and Canada, the overall legislation including both TCM and acupuncture have taken into effect. In the second

place, governments of the relevant countries have been playing a dominant part in promoting TCM legislation. An easy conclusion to be made is, it is important to be valued and authorized by the mainstream society and government in order to push forward the development of TCM legislation globally.

III. THE TREND OF TCM LEGISLATION OVERSEAS

According to the chart we have mapped in our research, the international legislation work has been started as early as

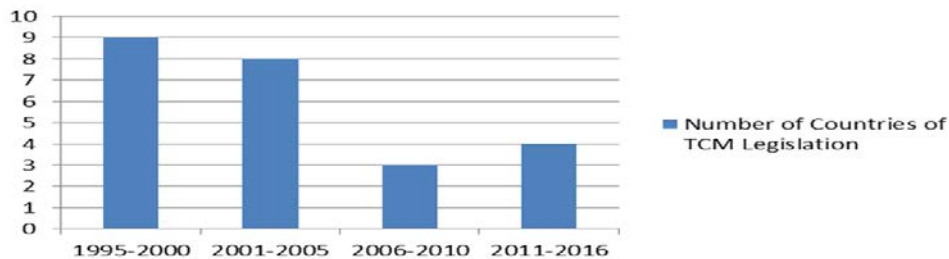


Fig. 1. Development Momentum of TCM Legislation in Different Countries

IV. CONCLUSION

More than three hundred years ago, three Hollanders brought the Chinese acupuncture to Europe for the first time. However, TCM has not begun to rapidly develop in the western world until the 1990s. So far, some countries have already admitted the legal position of TCM and they have set specific departments to regulate the TCM-related affairs. The countries and regions that have successfully passed legislation for acupuncture include the state of Victoria of Australia [5], Singapore, and the provinces of Quebec, Ontario, Terre-Nuevo of Canada, etc. The completion of legislation provides highly advantageous environment for the development of TCM in these places.

Take Singapore as an example. Here, the legislation for TCM has been being discussed since 1995 and progress was made a few years later. In 2000, the Singaporean Congress issued the Management Act of TCM Doctors. The main content of the act is the establishment of the administration council and registration institute of TCM. This act has an epoch-making significance in the history of medical management in Singapore. It does not only guarantee the legal status of TCM, but also installs a set of criterion for TCM [6]. However, it's still difficult to get most developed countries readily and entirely to accept TCM. A very urgent thing we need to do is to urge more countries to protect the development of TCM under the banner of TCM legal position in the future.

in the 1960s in the western world, though it had not been attached as much importance to as it is today. The number of countries that have launched TCM-related legislation has increased noticeably during 1995-2005, the total number is 17. While from 2006 to 2016, the number of countries that have successfully issued TCM-related laws and regulations is 7. A solid foundation has been laid while development momentum is not as satisfying as expected for TCM has become a hot topic all over the world in recent years. Noticeably, greater efforts should be made in the legislative work in the future.

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REFERENCES

- [1] Gong Xiaoqian, TCM highlights the Belt and Road Forum for International Cooperation, http://news.xinhuanet.com/health/2017-05/15/c_1120974007.htm, 2017-05-15. (In Chinese)
- [2] Overseas Chinese TCM Groups, Development and Overview of the International TCM, TCM Newspaper, 2016-05-22, pp.1-5.(In Chinese)
- [3] Xiao Shiyong, Liu Tonghua, Regulations and Solutions of International Market on TCM, Beijing: Technology of TCM Press of China, 2013, pp.18-104. (In Chinese)
- [4] Yan Liang, Road to Revive- the Pandect of World Traditional Medicine and Nationalization of TCM, Beijing: TCM Ancient Books Publishing House, 2012. (In Chinese)
- [5] Xiaoshu Zhu, Anne-Louise Carlton, and Alan Bensoussan, Development in and Challenge for Traditional Chinese Medicine in Australia, Journal of Alternative & Complementary Medicine, 2009, vol.15, 06, pp.685-688.
- [6] Sang Binsheng, Liu Xiaoting, Self- witness of the Birth of TCM Law of PRC, http://www.worldtcm.org/170325/c161150E.shtml?from=time_line&isappinstalled=0, 2017-03-25.(In Chinese)