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DEVELOPMENT OF NATIONAL BIOSAFETY FRAMEWORKS

Mid-Term Evaluation of a Global Initiative

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We would like to express our deep appreciation to the Biosafety Team, UNEP representatives, National Project Coordinators, National Committee members, government officials and others who generously shared their time and ideas during the mission. - Hugo Navajas and James Seyani

List of Acronyms

ALCA: Free Trade Agreement of the Americas
ASEAN: Association of East Asian Nations
BCH: Biosafety Clearing House
CBD: Convention on Biological Diversity
CPB: Cartagena Protocol on Biosafety
CONAMA: National Commission for the Environment (Chile)
COP: Conference of the Parties to the Convention on Biological Diversity
ENAGOLU: European Network of GMO Laboratories
EU: European Union
FAO: Food and Agriculture Organization of the United Nations
GEF: Global Environment Facility
GMO: Genetically Modified Organism
ICCP: Intergovernmental Committee for the Cartagena Protocol on Biosafety
IUCN: International Union for the Conservation of Nature
KICA: Korean International Cooperation Agency
LMO: Living Modified Organism
NBF: National Biosafety Framework
NCC: National Coordinating Committee
NEA: National Executing Agency
NIB: National Institute of Biology (Slovenia)
NIER: National Institute for Environmental Research (Republic of Korea)
NPC: National Project Coordinator
MOCIE: Ministry of Commerce, Industry & Energy (Republic of Korea)
MOU: Memorandum of Understanding
MTE: Mid Term Evaluation
PAS: Performance Appraisal System
PIR: Project Implementation Report
SADC: Southern African Development Community
SC: Steering Committee
SIDS: Small Island Developing States
UNDP: United Nations Development Programme
UNEP: United Nations Environment Programme
UNIDO: United Nations Industrial Development Organization
Executive Summary

The mid-term evaluation for the UNEP-GEF Development of National Biosafety Frameworks Project was held during July and August 2003. The mid-term evaluation encompassed an initial series of meetings with the Geneva-based global Biosafety Team and UNEP representatives in Nairobi, and field missions to eight countries: Antigua & Barbuda, Chile, Jordan, Moldova, Republic of Korea, Slovenia, Togo and the United Republic of Tanzania.

The objective of the MTE was to evaluate progress achieved towards the original project objectives, identify constraints and suggest necessary corrections and adjustments. The evaluation focussed on eight key areas: Project design and approach; overall project performance, effectiveness and efficiency; institutional capacity; stakeholder participation; sustainability; institutional cooperation; and lessons learned. The methodology applied by the evaluators combined direct consultations at different levels – senior UNEP managers, the global Biosafety Team responsible for overall implementation, national project coordinators and committee members, other country-level stakeholders – with a comprehensive desk review of project documents and workplans, country reports, minutes from Steering Committee meetings, newsletters, publications and other relevant data. In addition, an e-mail circular was sent to members of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) requesting their views on the project. The qualitative analysis contained in the report is complemented by quantitative data, which includes a numerical rating of project performance under the first annex. Direct quotes and testimonies by different stakeholders have been included throughout the text to illustrate the various perceptions encountered during the evaluation.

The Development of National Biosafety Frameworks project is a US$ 38.4 million global initiative that is implemented by the United Nations Environment Programme (UNEP) and currently supports national sub-projects in 120 countries, in addition to regional and sub-regional activities. The Global Environment Facility (GEF) funds the project with additional co-financing provided by UNEP and participating governments; there are also in-kind government contributions from the national executing agencies (NEAs) that are responsible for country activities. The project commenced in June 2001 and has duration of three and a half years. The Geneva-based global Biosafety Team, led by a Task Manager and four regional coordinators, manages the project.

The project’s fundamental objective is to assist countries in developing national biosafety frameworks (NBFs) in order to comply with the Cartagena Protocol on Biosafety, which enters into force on 11 September this year. The Cartagena Protocol addresses the transboundary movement of living modified organisms (LMOs) resulting from modern biotechnology that may have an adverse effect on the conservation and sustainable use of biological diversity, taking also into account risks to human health. To date, the Protocol has been ratified by 56 countries, of which 34 participate in the project.

Project activities are grouped under two major components:

Component I: Promoting regional and sub-regional collaboration and exchanges of experience. This includes sub-regional training workshops for national stakeholders, as well as the production of supplementary documents and “toolkits” to guide national implementation.

Component II: Assisting countries in preparing NBFs by applying a three-phase workplan that combines baseline surveys, stakeholder consultations, the harmonization of legal and regulatory instruments and design of the actual framework. Currently 120 countries are implementing sub-projects for which they receive between US$ 100,000 – 200,000 from GEF/UNEP. All have organized National Coordinating Committees (NCC) that include representatives from the NEA, key line ministries and academic/research institutions; NGOs are often included as well as (to a lesser extent) the private sector.
In addition, the global Biosafety Team supports other activities including the development of national databases for the storage of information. This initiative aims to help countries in setting a proper base for future development of national components of the BCH. An additional US$ 4 million project has been recently submitted to GEF for a BCH capacity-building project that will be part of this overall UNEP-GEF project.

Project design is well conceived and has benefited from the experience of an earlier pilot initiative as well as from a cumulative process of discussion and consensus, as reflected in the Initial Biosafety Strategy and decisions of COP-3\(^1\) and the GEF Council that have guided the project’s development. Although global in scope, the project design addresses country needs and 80% of the budget is allocated to national sub-projects that are based on a model workplan and budget. The use of ‘templates’ for the design of national sub-projects ensures a degree of consistency, which in turn facilitates the management of the global initiative; the model workplan and budget are appreciated and have helped many countries with limited biosafety experience get started. Countries have also had flexibility to adjust activities within the prescribed workplan structure. As a result, implementation does not follow a linear process and most countries combine activities from different phases according to their needs, yet all are heading in the same direction. There is also a balance between ‘process’ and ‘product’: Knowledge is developed through surveys and broad consultations, different stakeholders develop a strategic vision and guide the process through National Coordinating Committees, and public awareness is promoted. On the other hand, the project has very specific success indicators and benchmarks - legal and regulatory instruments are to be in place, databases created and risk assessment procedures harmonized.

In spite of the overall quality of project design, there are flaws that could affect performance and outcome: The 18-month timeframe for national sub-projects is proving to be insufficient and a number of countries will need extensions to finish the workplan. The project’s primary success indicator – legal and regulatory instruments for the NBF “in place” – is excessively ambitious given the limited time provision and influence of factors that are outside the project’s control; in practice, countries are now expected only to draft the legal revisions instead, although this change has not been formalized. Regional and sub-regional collaboration is presented as a major component of the project, yet receives funding equivalent to one-sixteenth of the amount allocated to national sub-projects. Although countries are clearly the primary clients of the global project, this imbalance has weakened performance despite the demand and opportunities for such support.

Evaluation findings indicate that overall project performance is satisfactory and in several respects highly satisfactory. Although implementation is at an intermediate stage and a number of countries are still new to the process, the project has the makings of a very successful initiative. The initial target of 100 countries has been surpassed and the 120 currently participating in the project represent 93% of the eligible countries worldwide. The project is contributing decisively to the ratification of the Cartagena Protocol: Governments must either have already signed the Cartagena Protocol or formalize their intent to ratify the Protocol in order to qualify for assistance; as of July 2003, 34 of the 56 ratifying countries were in the project. Implementation is advancing without critical gaps or disruptions, which is an achievement in itself given the project’s global scale: As of July, 36% of participating countries were working within the first phase of the workplan, 49% had entered the second phase and 15% were into the third and final phase. A total of 797 participants and 497 participants from NEAs, line ministries and NGOs have attended regional and sub-regional workshops respectively. These events have focussed on issues of fundamental importance for NBFs such as risk assessment and management, awareness-raising and mechanisms for public participation. Further workshops are planned on legal and administrative issues.

The project is very cost-effective, with support costs amounting to only 2% of the total budget - considerably below the level that is usually approved for such initiatives. A compact central team with limited resources is managing an impressive range of country-based activities, administrative procedures and logistical demands quite effectively. Cash advances are prepared for all countries on a quarterly basis, following the approval of progress and financial reports submitted by NPCs.

\(^1\) Third Meeting of the Conference of the Parties to the Convention on Biodiversity (CBD).
Perhaps most significant is the feedback provided by the clients themselves – most national stakeholders are highly appreciative of the project in terms of its relevance, “user friendliness” and flexibility. Many have highlighted the project’s catalysing role in facilitating cross-sectoral coordination and linkages. The Biosafety Team deserves recognition for much of this. The project has also benefited significantly from UNEP’s prior experience as implementing agency of the pilot phase project, in addition to the technical and administrative support it provides to the global team.

There are also challenges and deficiencies that need immediate attention. Several of these are linked to factors outside the control of the Biosafety Team - ie. funding limitations, the physical scale of the project, internal country problems - and are therefore not performance-related. The correction of such deficiencies may require modifications in budget, workplan or administrative procedures, and merit consideration by UNEP and GEF.

This is a ‘rolling’ project that attracts countries as it proceeds; hence there is considerable diversity within the country sample. Countries have entered the project at different points in time and are scheduled to finish at different stages over the coming two years – as Estonia finalizes the project, Eritrea is now starting. Several countries experienced extensive delays in getting started, and now have less time available to devote to the ‘core’ workplan. Progress levels among countries vary significantly for several reasons, including the time spent in the project, existing capacity levels, legal/regulatory harmonization needs, and internal management practices among others. As mentioned, many countries are unlikely to complete the workplan on schedule and will require extensions. This will in turn affect the transition between the current initiative and any future implementation projects that will assist countries in implementing their draft NBFs.

Insufficient attention has been given to the first project component – regional/sub-regional collaboration and networking – which does not meet the needs of most participating countries, even though there are opportunities for sharing information, expertise and infrastructure that would help overcome in-country limitations while providing a foundation for post-project sustainability. Although the regional and sub-regional training workshops were appreciated by many participants (and criticized by others), their brevity and ‘one size fits all’ approach has only allowed a general and essentially introductory overview of technical issues that are often quite complex. These limitations carry an opportunity cost in terms of learning – the content is too superficial for comparatively advanced countries, yet insufficient for countries that are new to the NBF process. The sub-regional workshops have not provided adequate time to discuss sub-regional cooperation needs or other topics of interest, due to their tight schedule and limited duration.

There continues to be a strong demand for in-depth training in risk assessment, management and auditing, using case studies and simulations with different LMO categories. To a large extent, this cannot be met adequately due to staff and funding constraints, although there are opportunities for electronic exchange and country-to-country collaboration. Technical training and capacity building in general clearly involve a long-term process that will continue to be supported as countries begin implementing their NBFs.

The flexibility to adjust country activities within the basic workplan structure does not extend to the budget. Several of the countries visited need to transfer funds between budget lines in order to focus on priority needs, cover deficits or reflect actual costs - a normal occurrence in any project. However, they face difficulties in having basic revisions processed and approved, even when there is no change to the total budget: This operation can take up to six months, during which disbursements are suspended. Few if any countries are in a position to curtail ongoing activities and overall momentum for that period, and most are discouraged from proceeding.

Although the project has made a significant contribution by supporting public awareness on biosafety, there is much work to be done. According to the feedback received, public awareness activities should target government decision-makers who are largely unaware of the obligations assumed by ratifying the Cartagena Protocol. Likewise, there is a need to ensure greater involvement of key non-governmental stakeholders such as farmers, consumers and the private sector in developing the NBFs. NEAs should be
further encouraged to include such stakeholders in their NCC. In many developing countries, trade ministries and private sectors are concerned about the possible effects of CPB ratification on existing trade agreements with strategic partners such as the United States and EU. Agro-exporters of transgenic crops need re-assurance that the Protocol will not undermine their international competitiveness. Although some concerns are based on misunderstanding and may simply require clarification, others are real and should be discussed at a regional or sub-regional level. The failure to address these issues by the countries could postpone or jeopardize the Protocol’s ratification in some countries.

Greater attention needs to be given to sub-regional collaboration opportunities, as outlined under the project’s first component. The sharing of information, technical expertise and facilities could provide a basis for sustainability to many countries lacking in-house capabilities. The 120 countries that are in the project offer a valuable global network - there is both supply and demand, and each region has its own ‘centres of excellence’ for different aspects of biotechnology and biosafety. Existing regional organizations and cooperation programmes may offer vehicles for such cooperation; in addition, there are opportunities for ‘twinning’ arrangements between countries. The availability of horizontal cooperation mechanisms would assist the project’s training workshops by providing sustained guidance on risk assessment and management, or other topics for which there is strong demand. In addition, it would help both the current and future projects in coping with growing technical monitoring demands as the NBFs begin to function. The project can facilitate discussions on such issues at upcoming workshops by extending these events an extra day, if needed. Modest co-financing support can be provided in a cost-effective manner to stimulate exchanges or technical support missions between countries.

It is admittedly difficult to process budget revisions under a centralized accounting and disbursement system, when such a large number of countries are involved. UNEP and GEF need to consider more flexible approaches involving some level of delegation – for example, establishing sub-regional budgets, decentralizing disbursement functions to regional UNEP offices, or allowing NEAs to approve non-substantive revisions that do not affect the total budget or modify essential outputs (with clearance by the NCC). In the future, it may be better to advance funds on a semester basis instead of preparing cash advances for each country every 3 months. The evaluators are aware that most of these practices are based on established administrative guidelines that do not allow such latitude. However, this is not an ordinary project. Moreover, the need for change will become increasingly critical during any future projects, which will involve a considerably larger budget and scale of activity to support NBF implementation. For this reason, UNEP needs to start exploring alternatives during the second half of the current project.

At this stage it appears that many countries are unlikely to finish project activities within the 18-month timeframe and will require extensions. UNEP and GEF need to prepare for this scenario. It is in the project’s interest that extensions are granted to ensure a ‘critical mass’ of global impact as well as a basic level of consistency among NBFs (most countries seem to need more time rather than money). If this is not done, the design of future implementation projects may need to include a transitional phase to enable lagging countries to complete their workplans and catch up with the rest. Otherwise, a number of countries will not complete their NBFs and will be unprepared to move forward with implementation.

Proper timing and synchronization between projects will be essential, as the consolidation of new biosafety frameworks will largely depend on the momentum and continuity of activities. In the coming year, many countries will complete their workplans at different points in time while others will reach the end of the project cycle with incomplete outputs and pending activities. Some of the early-finishers may face gaps between project phases that could be detrimental, particularly in cases where national elections are approaching and changes of government are likely. On the other hand, lagging countries with incomplete biosafety frameworks will not fully benefit from future assistance offered to implement NBFs. GEF will need to synchronize the transition between projects, ensuring a relatively consistent ‘baseline’ of NBFs around the globe before carrying the process forward. Given the linguistic difficulties faced by a number of countries in understanding biosafety documents that are overwhelmingly in English, the project can make a significant contribution by ensuring that these also made available in other UN languages such as French and Spanish.
This project offers a rich diversity of country experiences and case studies that should be fed into the global learning process. This would complement the current monitoring and reporting system, which is largely focussed on financial delivery and budgetary compliance rather than programmatic or technical issues. Country stakeholders should be given an opportunity to participate in the final evaluation of the project – perhaps through regional evaluation and systematisation workshops – in order to convey experiences and lessons learned. If organized as a forward-looking exercise, such workshops could provide substantive input to the design of future initiatives. The evaluators feel that UNEP’s Monitoring & Evaluation Unit can play a significant role in this respect by conducting inter-sessional monitoring of the overall implementation process, presenting the findings at ICCP or GEF Council meetings as needed.
1. INTRODUCTION: AN OVERVIEW OF THE PROJECT

1. This report presents the mid-term evaluation of the Development of Biosafety Frameworks project, a US$ 38.4 million global initiative that commenced activities in June 2001 for a 3.5-year period and is currently being implemented in 120 countries. The Global Environment Facility (GEF) provides US$ 26.1 million to the project; while the United Nations Environment Programme (UNEP) and participating countries contribute US$12.3 million in co-financing. The project is executed by the UNEP and implemented through designated government agencies, in accordance with the decisions of the Third Meeting of the Conference of the Parties (COP3) to the Convention on Biological Diversity (CBD), the 10th and 16th GEF Council, and the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP).

2. The project’s fundamental objective is to prepare countries for the entry into force of the Cartagena Protocol on Biosafety (CPB), which addresses the transboundary movement of living modified organisms (LMOs) resulting from modern biotechnology that may have an adverse effect on the conservation and sustainable use of biological diversity, taking also into account risks to human health. The project design is based on two major components:

Component I: Promotion of regional and sub-regional collaboration and exchanges of experience on issues of relevance to national biosafety frameworks. This component is intended to make efficient use of financial and human resources, establish networks and promote the harmonization of risk assessment and regulatory instruments between countries. In addition, capacity building is to be provided for NBF-related issues through a series of regional and sub-regional workshops.

Component II: Preparation of National Biosafety Frameworks. This component involves the funding and implementation of national sub-projects in 100 countries, supporting (i) surveys and inventories of current biosafety practices, existing policy/legal frameworks and available expertise, (ii) the harmonization of legal and regulatory instruments, (iii) the strengthening of risk assessment/management capabilities, public awareness and mechanisms for public participation, and (iv) the design and publication of the BSF.

These two components are complemented by globally-managed activities which include the setting up of national databases, the creation of a web page and newsletter, and the design and dissemination of “tool kits” to assist countries in developing their national biosafety frameworks.

3. The project is managed by a Geneva-based Global Biosafety Team that is headed by a Scientific Coordinator/Task Manager and currently composed by 8 staff members. The Biosafety Team will expand to 12 staff members in the coming months. Implementation activities are supervised and monitored by Regional Coordinators, while the project’s Financial Manager handles administrative matters and prepares cash advance requests. UNEP -Nairobi disburses funds for national sub-projects on a quarterly basis. In accordance with GEF guidelines, a Steering Committee has been created which holds meetings and teleconferences on a quarterly basis to monitor progress, discuss issues related to implementation process and recommend adjustments. The Steering Committee is co-chaired by the GEF Secretariat and UNEP, and includes representatives from UNDP, the World Bank, the CBD Secretariat, FAO, ICGEB, STAP and UNIDO; the project Task Manager is Secretary to the Steering Committee.

“[Biosafety] refers to the need to protect human health and the environment from the possible adverse effects of the products of modern biotechnology. At the same time, modern biotechnology is recognized as having a great potential for the promotion of human well-being, particularly in meeting critical needs food, agriculture and health care...The objective of this Protocol is to contribute to ensuring an adequate level of protection in the field of the safe transfer, handling and use of living modified organisms resulting from modern biotechnology.”

- Cartagena Protocol on Biosafety to the Convention on Biological Diversity
2. ASSESSMENT OF THE PROJECT APPROACH

2.1 Project Design and Strategy

4. To a significant extent, the design of the Development of National Biosafety Frameworks project reflects a cumulative process of discussion, pilot testing, learning and adaptation. Since negotiations started in 1996 and after the Cartagena Protocol on Biosafety (CPB) was opened for signature in May 2000, a series of actions have contributed in shaping the project approach:

5. An Initial Biosafety Strategy to assist countries in preparing for the entry into force of the CPB was discussed and adopted by the GEF Council in November 2000. The objectives of the strategy – establishing national biosafety frameworks; and promoting collaboration at regional and sub-regional levels – have provided a conceptual foundation for the design of this project.

6. The US$2.7 million Pilot Biosafety Enabling Activity project, approved in 1997, assisted 18 eligible countries to prepare national biosafety frameworks (NBFs) and held several regional training workshops. The pilot project was evaluated in 2000, enabling GEF and UNEP to apply the “lessons learned” from this experience in designing the current project. Twelve of these countries are currently engaged in demonstration projects addressing different aspects of biosafety framework implementation.

7. A series of international conferences have endorsed the implementation of this project. The Ministerial Round Table on Capacity Building in Developing Countries of the Protocol (2000), acknowledged the need for capacity building at the national level to allow the safe use of biotechnology, and endorsed GEF support for a second phase of the pilot project. The need for further capacity building support was emphasized at a GEF workshop held during CDB COP5 with the participation of more than 150 delegates. The Initial Biosafety Strategy and results of the pilot project evaluation were discussed during ICCP-1, held in Montpelier, France in 2000. The resulting Montpelier Declaration “…reiterated that capacity-building for many Parties, especially developing countries…is a foremost priority for the moment”, urging GEF and UNEP to “…expedite the implementation of the project entitled Development of National Biosafety Frameworks in a flexible manner.”

8. Despite the hindsight and lessons offered by the pilot phase, the current initiative remains largely experimental in design. It was the first time that GEF has ever asked one of the GEF Agencies to manage all the enabling activities. Capacity levels, policy frameworks and “enabling environments” vary considerably among participating countries; many are unfamiliar with key biosafety issues addressed by the Cartagena Protocol. Moreover, the physical scale of operations – US$ 38.4 million spread over 120 countries – presents new challenges in terms of coordination, financial management, resource delivery and monitoring.

9. The evaluators consider that the National Biosafety Framework project is a well-conceived document, which addresses many of these challenges in a coherent, creative and practical manner. The project design balances an implicit need for consistency in strategy, procedure and format – a requisite for effective management given the number of client countries – with an adequate degree of flexibility to accommodate varying national contexts. While it is clear that “one size does not fit all” when 120 countries are involved, the implementation process cannot be totally demand-driven given the circumstances. The project’s global scale – combined with the absence of a supportive UNEP country-based network – obliges the implementation team to assume a facilitative

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“We signed the NBF [project] because it strengthens our sovereign right to respond better to environmental needs and Protocol obligations; protect fauna and flora, regulate food imports, and access biotechnology that benefits our farmers.”

Lionel Michael, Chair of NBF Technical Advisory Committee, Antigua & Barbuda


3 Project Document, pg. 4
role, encouraging national ownership and initiative, while seeking satisfactory levels of consistency and uniformity in the overall implementation process. A balance has been achieved with the design of a model or “template” to guide the design and implementation of national sub-projects (the largest project component, absorbing over 80% of the budget).

10. The project document and business plan outline the terms for the memorandum of understanding with the National Executing Agency (NEA). The attached guidelines include TORs for a full-time Project Coordinator (NPC), the creation of a National Coordination Committee (NCC) to guide the preparation of NBFs, and provisions for the participation of government agencies, NGOs, the scientific community, farmers, consumers and the private sector. Eligible countries receive GEF funding ranging between US$100,000-200,000 to develop NBFs over an 18-month period. GEF funds are complemented by in-kind government contributions, and a few countries have provided cash as well.

11. A model national project document was “revised and updated based on feedback from countries as they prepare their own documents.” The model document provides template that is built around a three-phase workplan:

- **Phase One (6 mo.):** Preparation of inventories and surveys describing current uses of biotechnology as defined by the CPB; existing legislation or legal instruments relating to biotechnology/biosafety; sub-regional biosafety frameworks and mechanisms for harmonization of risk assessment and management; and rosters of national experts.
- **Phase Two (mo. 7-12):** Analysis of data and inventories with stakeholder participation; development of national biosafety database; design of mechanisms for stakeholder involvement; and identification of components for designing the National Biosafety Framework (NBF).
- **Phase Three (mo. 13-18):** Drafting of legal instruments and guidelines; risk assessment, management and audit systems; mechanisms for public consultation in decision-making; mechanisms for the sharing of scientific information at sub-regional levels; identification of country needs and mechanisms for participation in the Biosafety Clearing House (BCH); and publication of inventories, reports, regulations and guidelines.

12. Although the specificity of activities, outputs and timeframe suggests a highly prescriptive approach, the model formats and workplan have provided a consistent framework and starting point for many countries which might have otherwise lacked direction, in addition to facilitating central management, monitoring and disbursement activities. The model does not intend to be rigid, and “…countries have been asked to modify the activities presented according to their specific needs but to comply with the project format.”

13. Most countries have approved the model project document and workplan with minor adjustments if any (Slovenia, Republic of Korea), introducing changes as experience is gained and the need arises. Many have developed their own workplans – combining activities from different phases - that are separate from the project document yet reflect the basic sequence and expected outputs. In most cases this arrangement has been satisfactory, and several NPCs interviewed during the evaluation have praised the flexibility and “user-friendliness” of the project’s design.

14. An exception was noted in one Latin American country, where the NEA was discouraged from changing the topics of surveys that were considered of low priority or did not justify a full study. There

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4 Annex V, Project Document
5 Business Plan for 2002-2004
6 Other documents include an additional “Phase 0” for setting up the project structure.
7 Business Plan for 2002-2004, Sec. D2
may be similar cases the evaluation mission is not aware of. Other problems are likely to occur when the changes introduced to national workplans require budgetary revision (ie. Jordan, Moldova, Slovenia, Tanzania and Togo); the apparent difficulty and delay in transferring funds between budget lines, even when there is no change to the total budget, discourages substantive adjustments to the workplan. The stated programmatic flexibility is not necessarily reflected in budgetary terms.

15. This issue is particular relevant in countries where the designated NEA and NPC did not have an opportunity to appraise the project document prior to its approval by the GEF National Focal Point – a situation encountered in several countries, even when the NEA and Focal Point were the same entity. This oversight is inconsistent with the prescribed approval procedures, by which the NEA (once selected by the ICCP Focal Point) was to “negotiate the activities and the budget for each national project” with the respective regional coordinator, before signing the project document. In several countries (Antigua & Barbuda, Jordan, Slovenia and Tanzania) the evaluators noted that the team responsible for implementing the project had ‘inherited’ the approved workplan from more senior levels within the NEA or Focal Point, and were striving – with some difficulty - to introduce adjustments without affecting the budget lines.

16. The project design effectively combines ‘process’ and ‘product’ dynamics. There is much emphasis on process: Incrementally building a knowledge base, promoting public awareness, developing enabling legal and regulatory instruments, promoting collaboration through the NCCs, supporting regional networking and information sharing. On the other hand, the project phases are accompanied by explicit benchmarks and success indicators - legal instruments are to be “in place”, data bases created, institutional procedures harmonized, risk assessment and management capacities strengthened – that are ultimately geared towards setting conditions for the ratification and implementation of the CPB. At the central level, the global Biosafety Team organizes its activities according to a rolling three-year Business Plan which is updated annually; hence the project document provides a referential point that is not rigidly binding and is in practice adjusted to reflect changing circumstances and emerging needs.

2.2 Relevance of Project Assumptions and Indicators

17. In spite of the project’s generally coherent and balanced design, unforeseen factors are inevitable with an initiative of this scale. Several assumptions made during the design stage have proven excessively ambitious or unrealistic:

- The timeframe allocated for developing national biosafety frameworks appears to be insufficient given actual progress in most countries. Although an 18-month period might have seemed suitable at the design stage (and additional time provisions impractical due to funding limitations) many countries are unlikely to complete their workplan by the end of the cycle. More than half the country sample within the evaluation – including relatively ‘advanced’ cases – considers that further extension (averaging 3-6 months) will be needed. While the contributing factors are often external to the project – bureaucratic centralism, discoordination or distrust between institutions and stakeholders, overlap with national elections, annual festivities or holiday seasons - these should have been anticipated and adequate “flex” time provided. There are internal constraints as well: In many countries, the design and harmonization of legal instruments involves a complex process that will not be finalized by the end of the project term. Delays in conforming NCCs or fulfilling other start-up requirements under “Phase O” was actually not factored into the 18 months; in fact, these activities were considered pre-implementation activities to be conducted prior to the project’s commencement, in order to optimise time and resources for subsequent project phases.

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8 Business Plan for 2002-2004, Sec. D.1
• The project’s primary success indicator - “legislation, regulations and/or guidelines will be in place to allow for the assessment and management of risk associated with the use of modern biotechnology” - is proving to be excessively ambitious given the allocated timeframe and budget. Although some countries already have biosafety legislation in place and only need to modify certain regulations, many are starting from an initial stage and face the difficult task of harmonizing fragmented sector laws, drafting new legislation (and in the case of Tanzania, a separate law for Zanzibar which has autonomy under the Constitution), attempting to meet legislative deadlines or move ahead of upcoming elections. This is perhaps the most critical requisite – aside from actual ratification - for implementing the Protocol, and certainly the most time consuming. Most of the NPCs and national committee members met by the evaluators consider that additional time will be needed to fulfil this indicator. According to the Task Manager, this indicator has been downscaled and countries are now expected to draft the legal framework within the 18-month period (rather than having them “in place”); however, this change has not been formalized through a project revision or Steering Committee decision.

• There should be greater balance between the regional and national components. One of the project’s two major components and several outcomes involve promoting regional/sub-regional collaboration and exchange of experiences. However, the importance given in the project text is not reflected in the budget, which allocates US$2.026 million for combined regional/sub-regional activities – one-sixteenth of the amount assigned for the development of NBFs under the second project component. Although the limited opportunities for regional workshops are (correctly) used for training, they allow little time for participants to discuss collaboration opportunities or exchange experiences. While the project clearly has a national focus given the nature of the CPB and GEF policy (“the countries are our clients” is a phrase often heard), the programmed funds and events are insufficient to attend the strong demand – and potential - for sub-regional cooperation, let alone for in-depth training.

• Several NPCs and national committee members have expressed concern regarding approved funding levels. In some cases, NPC salaries fall below national standards and the coordinator “volunteers” a portion of his or her time. A similar situation occurs when consultants are recruited to conduct surveys and studies for remuneration below their normal honoraria. In some cases, this has jeopardized the quality of the reports despite their critical importance for the development of NBFs. Under the national project budget, NEA’s do not receive any support to cover overhead costs. While none of these issues have brought activities to a standstill (the difficulty in revising the budget seems to be a greater concern), they do carry implications for the retention of staff, ‘project memory’ and the eventual sustainability of the process – particularly in countries that are not in a position to subsidize operating costs. However, such problems are only partially attributable to design: Countries, in all cases, were given the opportunity to propose budgets before approval. The restrictions placed on the revision of budget lines, after project approval have prevented some countries from re-allocating funds to essential and immediate needs, or reflecting actual costs. The rapid and unanticipated increase in participating countries, exceeding the initial target, may have also reduced the scale of funds available for individual national projects.

18. It is interesting to note that the evaluation of the Pilot Biosafety Enabling Activity project also highlighted inadequate time provisions (countries were given 12 months, followed by a 4-month extension) and suggested a two-year period – with higher funding - for future projects. For most of the ongoing national projects, the 18-month timeframe is likely to be insufficient. At this stage, the Biosafety Team should take note that many countries – perhaps most – will not have developed their NBFs by the end of the project term, and hence may not be in a position to fully commence implementation. This situation should be considered during the design of any future GEF/UNEP projects that would support Cartagena Protocol’s implementation at the national level.

9 Project document, pg. 24
3. OVERALL PROJECT PERFORMANCE

3.1 Achievement of Outputs and Objectives

19. It is difficult to comprehensively assess progress or impact at the mid-term stage of a project that operates in 120 nations across the globe. Different countries have entered the project at different times and are at various stages of implementation. Existing capacity levels and ‘enabling environments’ vary significantly across the country sample. Cultural, geopolitical and trade factors influence the level of advancement, as do prevailing government practices. In most cases, planned outputs or impacts are still at a gestational stage and unlikely to materialize until the implementation process advances further.

20. Project implementation has not followed a linear process. Participating countries have had an opportunity to adjust their workplans to national contexts within the prescribed framework. Many are simultaneously implementing activities from different phases of the workplan. Based on consultations and country visits, the evaluators estimate that more over two-thirds of all countries have merged phases to some extent, in ways that do not disrupt the project’s fundamental sequence. This is a positive sign, as the flexibility and leeway offered encourages national ownership and ‘appropriation’ of the process by NEAs and other stakeholders. As members of the Biosafety Team have pointed out, the step-by-step process outlined in the template provides a theoretical framework that needs to be adjusted to national reality in order to become relevant.

21. Despite the diversity, there are case studies and emerging trends that offer insight on the progress achieved thus far, as well as the constraints that undermine project performance.

22. The Biosafety Team has been extremely successful in recruiting countries into the project – and by doing so, expanding the number of governments committed to ratifying the Cartagena Protocol. The initial target of 100 countries has been surpassed and 120 have joined the project at this stage (more than 83% of all countries eligible for GEF support.) Although the deadline for the entry was set at June 30, 2003, additional countries have expressing interest in joining the project.

23. This achievement has involved its own learning process, as the initial eligibility guidelines (limited to Protocol signatories) were found excessively restrictive - by the first year of the project, only a handful of countries had joined the project. The guidelines were expanded to include countries expressing the intent to ratify the Protocol by the end of the project term. This measure, combined with an initial series of regional workshops which essentially presented the NBF process, “opened the gates” and stimulated an accelerated drive for entry: The target of 100 countries was reached by August 2002 and the number of participating countries has been growing since then.

24. Although the shift in eligibility guidelines reflects a sense of opportunity on the part of the Biosafety Team and UNEP (in addition to the intrinsic value of the project itself), it contains a speculative element that carries some risk. On one hand, the revised eligibility guidelines allow non-signatory countries to initiate discussions and build a consensus regarding the biosafety issues which affect them; this is clearly necessary to encourage national ownership, plan the way forward and establish conditions for the eventual ratification of the Cartagena Protocol. On the other hand, the ‘fast track’ approach has in practice often limited the scope of pre-approval project appraisals and discussions by the National Executing Agency, without adequately involving other key stakeholders until the project was already approved and into “Phase 0”. Consequently, a number of countries have joined the project without a clear understanding of their obligations under the Protocol – a topic for which there are divided and at times polarized opinions, particularly when potential impacts on trade and agricultural exports are considered. It is likely that some countries will not decide to ratify the Protocol by the end of the project, despite their intention to develop
the biosafety framework and participate in future projects. This view was expressed in two of the countries visited by one evaluator.

25. Given the scale and diversity of participating countries, it is an achievement in itself that overall project implementation has proceeded smoothly without major disruptions, in spite of continuous demands, high workloads, delays and intermittent administrative problems. The Biosafety Team, UNEP and the NEAs share the merit for this. As mentioned by a senior UNEP official, the project has been able to avoid controversial and divisive issues – political, environmental and trade-related – that are part of the biosafety debate, and focus on technical capacity needs without raising conflict.

26. However, the evaluators note that such topics are present and ‘simmering’ in many of the developing countries that were visited. Unless addressed, they could weaken support for the NBFs and delay ratification of the Cartagena Protocol. The consequences of the CPB on agricultural exports, food aid and trade relations with major partners (such as the United States and the European Union) concern many. There is a felt need for policy discussions and an analysis of possible scenarios; otherwise, the issues will remain unresolved and stakeholders divided in their positions, regardless of the quality of project technical support.

3.1.1 Component I: Promoting Regional/Sub-Regional Collaboration and Exchange of Experience

Progress achieved in Regional and Sub-regional Collaboration:

27. Regional collaboration and exchanges of experience lag behind the NBF component and appear to be a secondary priority, although they are highlighted as a major component in the project document. The combined budget for regional and sub-regional activities barely exceeds US$ 2 million, equivalent to 7% of the funding allocated to national sub-projects. While the project’s strategic objective is to prepare countries for the entry into force of the Cartagena Protocol on Biosafety – “the countries are our clients” - there is also considerable demand at the country level for sub-regional cooperation on issues of common interest.

28. The project has served as a catalyst by setting the stage for country contacts through its regional and sub-regional workshops, yet has done little in promoting such initiatives. This is a fundamental aspect that will require further attention during the remaining term, in order to lay the groundwork for sustained momentum beyond the project horizon.

29. For many of the developing countries in the project, the issue of sub-regional collaboration is intrinsically linked to the sustainability of their NBFs, both in financial and technical terms. As more stakeholders become aware of the obligations they will be assuming under the Protocol, the need to start developing bilateral/sub-regional cooperation mechanisms - for training, information systems, cost-sharing and the common use of scientific facilities - acquires greater urgency. Among lesser-developed countries and SIDS, the specialized staff and laboratory infrastructure needed for an effective NBF are often simply not there. Neither are adequate levels of recurrent government expenditure justifiable in view of other pressing economic and social demands; the “applicant pays” principle has limitations in countries that are unable to monitor small-scale transboundary movements of LMO seed and crops by local farmers and traders. Several of the comparatively developed countries, on the other hand, are keen on subcontracting training facilities, laboratory infrastructure and technical/scientific guidance to their less advanced neighbours.

30. These issues were raised by many of the countries visited during the evaluation. Tanzanian NCC members do not consider that national budget allocations will suffice to cover LMO risk assessment needs,
and are interested in the possibility of sharing laboratory facilities on a sub-regional level. There have been discussions at regional ASARECA meetings for establishing a regional clearinghouse and ‘centres of excellence’ for risk assessment that would cost-shared by beneficiary countries; a proposal was recently submitted to USAID and is under consideration. The Southern African Development Community (SADC) countries are concerned over the economic repercussions of trade disagreements between the United States and EU regarding LMO content and labelling. According to the Tanzanian NPC, Namibia and Uganda are relatively advanced in their biosafety frameworks and could provide technical support to other African countries. In West Africa, existing mechanisms for sub-regional cooperation in biosafety are comparatively limited, partially due to linguistic factors, and may need to be developed further.

31. Jordan has also expressed concern towards the possible effect of the Cartagena Protocol’s ratification on trade. Although Jordan is not a significant LMO producer - transgenic wheat is grown for domestic consumption and small quantities of virus-resistant tomatoes are exported - it has free trade agreements with both the United States and the EU, and is concerned that their different positions on LMOs could carry negative economic consequences. Jordan is also interested in exploring opportunities for sub-regional cooperation in training, risk assessment and information sharing. Although the appropriate framework for such cooperation is lacking, the project could play a role in developing appropriate mechanisms. There were discussions at a recent ICARDA conference of Middle Eastern countries regarding the use of Jordan’s advanced laboratory and training infrastructure as a sub-regional facility (a Technological Centre is currently under construction at the University of Jordan). Egypt, a LMO producer with biosafety legislation and high levels of scientific expertise, is viewed as another potential source of technical cooperation for the sub-region; Tunisia is yet another option. These issues require further discussion and the NPC hopes that the upcoming workshop in Tehran will provide an opportunity, although it is likely that a separate event will be needed.

32. The Republic of Korea has advanced levels of scientific and technical expertise in addition to sophisticated laboratory and training facilities. The National Institute for Environmental Research (NIER), which serves as NEA for the project, has its own training department and has provided technical assistance and capacity building services to other countries through the Korea International Cooperation Agency (KICA). The NPC considers that the project should incorporate regional “centres of excellence” to assist the capacity building process on the basis of respective specializations – i.e. the Republic of Korea for toxicology and LMO research; Taiwan for environmental risk assessment.

33. Countries such as Estonia and Slovenia are well placed to provide technical support to Eastern European nations that are at an earlier stage of BSF development or facing capacity limitations. Although some countries have been able to leverage additional support from other donors (i.e. Moldova) there is clearly potential for greater horizontal cooperation applying cost-effective modalities. Moldova does not collaborate on biosafety issues with any other countries, outside a UK-funded project; there is interest in establishing links with Hungary and EU nations with greater experience in biosafety. Slovenia is currently an observer at the European Network of GMO Laboratories (ENAGOLU) and EU Intranet Meetings of GMO inspectors; yet does not have biosafety cooperation agreements with East European countries or the ex-Yugoslav republics. The interest goes both ways: Slovenia’s NPC has recognized that although national capacity levels are high, all aspects cannot be covered by a country with a population of 2 million – hence regional scientific cooperation is a “key necessity.

34. A stronger case can be made for various of the SIDS, where limiting factors such as geographic dispersion, inadequate technical/infrastructure resources and financial constraints undermine the feasibility
for self-supporting NBFs. Yet there is a strong potential for cooperation through existing regional networks such as the South Pacific Commissions for Environment & Agriculture and the University of the South Pacific. In the Caribbean, the evaluators did not find indications of biosafety cooperation or networking, aside from informal contacts for the sharing of documents between Antigua & Barbuda and St. Kitts & Nevis.

35. While there are indeed opportunities for developing sub-regional cooperation mechanisms, the project has not assumed an active role in supporting such arrangements to date (to a large extent due to funding limitations). Some advances have resulted from the countries themselves: Slovenia has organized national training workshops which have attracted experts from other countries, providing good opportunities for the sharing of experiences in risk assessment/management and LMO monitoring. European participants at the recent sub-regional workshop in Vilnius, Lithuania have agreed to create their website and information-exchange network, which will include a question-and-answer system enabling users to communicate.

Although future workshops may offer additional spaces to explore sub-regional cooperation opportunities, the tight schedule of such events are unlikely to permit in-depth discussions of these issues. The Central BCH and list server may well facilitate information sharing and consultation. Nevertheless, greater attention should be devoted to this aspect during the remaining project term.

**Progress achieved in Capacity-building:**

36. For many countries, the opportunity to strengthen national capacities is their primary reason for joining this initiative. Fortunately, the project has been comparatively more active in this aspect. In 2002, the Biosafety Team conducted four regional workshops to increase participants’ understanding and awareness of the process involved in developing NBFs; these were attended by 298 persons. Six sub-regional workshops have been held since then, combining Risk Assessment and Management with Public Awareness and Participation. Four participants were invited from each country. Of the 497 participants that attended the sub-regional workshops; 42% were from the NEAs, 6% from NGOs and the remainder from different line ministries and other participating institutions. In addition, four modular documents or “toolkits” are being prepared to assist countries through the different project phases; the toolkits for Phase O (activating the project) and Phase I (“Taking Stock”) have already been distributed.

37. The workshop evaluations indicate that these events were well attended and highly appreciated by most participants. The risk assessment and management component combined introductory sessions on RAM and the Cartagena Protocol, followed by case studies and a working group exercise in which participants drew NBF flow-charts and set up a regulatory system for transgenic organisms. The public participation and awareness sessions varied moderately among regions; all covered the obligations established by Article 23 of the CPB, followed by stakeholder analysis, participatory exercises (SWOT, Expectations and Concerns), presentations on approaches to participation and conceptual discussions. A moderator managed each workshop and sessions were presented by Biosafety Team members, UN officials and invited experts. Some of the speakers had participated in the Pilot Biosafety Enabling Activity project or are involved in the current demonstration initiatives, enriching the potential for experience-sharing.

> “Our big problem in most Caribbean nations is shortage of trained personnel on biosafety issues and the sub-region must collaborate to share the expertise and infrastructure available to meet our capacity needs on biosafety.”

Janil Gore-Francis, NPC for Antigua & Barbuda

> “The participants were full of praise for the openness of views and transparency attached to the workshops... They were also happy with the workshop methodology and the learning-by-doing method of conducting the workshops... In all, a success on a country and individual basis...”

- Anglophone Africa Sub-regional Workshop Report, pg. 84
38. Each workshop topic was evaluated by the participants; on average, over 70% gave high ratings for their understanding of the subject matter as well as overall workshop organization. Participants interviewed by the evaluators were generally very positive in their assessment, and almost unanimously expressed a strong desire for further training. The Republic of Korea’s NPC found the regional workshop in Kuala Lumpur to be “impressive” although too short; he learned a lot from the Canadian and Australian case studies, as well as during the BSF design exercise shared with the other Korean participants. Tanzania’s NPC found the risk assessment and management workshop to be “very good” yet the topics were passed over too quickly; he feels that 2 weeks would have been more appropriate than 2 days. The Public Awareness & Participation sessions gave Tanzania, Uganda and Kenya an opportunity to jointly discuss participation guidelines for the East African Community.

39. Less enthusiastic opinions are offered by other participants, reflecting the limitations of the workshops’ “one size fits all” approach. The Slovenian participants gained less from the workshops in learning terms yet feel their presence was useful in “providing input” and appreciated the opportunity to exchange views with other country delegations. The Vilnius workshop presented a “big picture” in risk assessment and management that was too general and quick; moreover, participants had difficulties in discussing participatory tools without prior experience in their application. One of Chile’s participants at the RAM workshop found the approach very basic – “introducing fundamental concepts to participants” – and would have preferred more emphasis on actual, step-by-step case studies involving the deliberate release of LMOs. This point of view is supported by a participant from the Peruvian delegation, who found the workshops “repetitive” in several aspects - issues were presented superficially and as “dogma”; the facilitators were not open to participants’ suggestions and did not encourage discussion on issues of interest. Several resource persons seemed to “forget” or “confuse” basic aspects related to the Protocol and some of the participants “…directly told the organizers that ‘if they came to the workshop without a clear idea about some aspects related to the Protocol, they were going back home more confused already’.” There are clearly different and sometimes contradictory opinions regarding the workshops; the evaluators feel it is important to acknowledge both sides.

40. All of the workshops have been brief (averaging four days), allowing only a general overview of technical procedures that are often quite complex. According to the Task Manager, the Biosafety Team was requested not to hold longer workshops by the countries themselves in the first set of regional workshops. The reliance on a “one size fits all” training approach, while understandable in terms of budget and logistics, carries an opportunity cost in terms of learning – the content is often too superficial for comparatively advanced countries, yet too brief for countries that are new to the NBF process. Neither have the workshops provided adequate time to discuss sub-regional cooperation needs or other topics of interest given their brevity and explicit focus on training topics.

41. There is a strong demand for in-depth training in risk assessment, management and auditing using case studies and simulations with different LMO categories. Such training should be tailored to the capacity levels of “clusters” of countries to maximize utility; this could be effectively combined with horizontal collaboration mechanisms, provided greater attention is given to this issue in the future. Several NPCs have also expressed the need for BCH training (a demand which could be again be largely met by facilitating collaboration with advanced countries such as Slovenia, Estonia or the Republic of Korea). Sometimes the needs are operational: Africa’s regional coordinator and the Fund Manager at UNEP both consider that training in basic project financial management and accounting for NPCs would go far in aiding implementation. Although training has been provided on these topics at the sub-regional workshops, there appears to be a need for reinforcement.

“...capacity building has been largely reduced to one-size-fits-all regional workshops. The failure to interact with and provide guidance to countries based on their respective levels of development and needs...has meant that many countries are not receiving the appropriate assistance. The private sector has witnessed this firsthand...”

“...the project suffers from an imbalance in resource persons used for the workshops in terms of their knowledge of and exposure to working NBFs outside of the European Union and Protocol requirements.”

- S. Lukie, Global Industry Coalition
42. Cost and time constraints limit the potential capacity-building impact of project workshops, despite their value in addressing issues of fundamental importance to the Protocol. Although future sub-regional workshops are planned on the legal and administrative aspects of NBFs, such events are (again) very expensive and likely to be brief. It is doubtful that the current budget will suffice to meet the training and capacity building needs of most countries.

3.1.2 Component II: Preparation of National Biosafety Frameworks

43. At the time of this evaluation, 120 countries had joined the project at different points of time since its beginning in June 2001 – 18 from Eastern/Central Europe, 39 from Africa, 28 from Latin America & the Caribbean, and 35 from the Asia & Pacific region - encompassing more than 93% of all countries eligible for GEF support. Progress levels vary significantly for various reasons including the time spent in the project, existing capacity levels, legal and regulatory harmonization needs, and internal management practices among others. Therefore there are limited opportunities for comparative analysis; to a large extent, each country must be viewed on its own terms.

44. A survey conducted in August 2003 revealed that in global terms, 36% of participating countries were working within the first phase of implementation, 49% had entered the second phase and 15% were into the third phase. This means that more than one-third are still in a diagnostic stage - preparing inventories and studies that will provide insight on the current situation and show the way forward – while almost half are presenting findings at workshops, developing databases and developing the needs and structure of the NBF. Less than one-fifth of participating countries are actually drafting legal revisions and regulatory instruments in their final form and/or finalizing the design of mechanisms for administrative compliance and public participation. In practice, however, these divisions are not rigid and most countries combine activities from different phases.

Central and Eastern Europe:

45. Central and Eastern Europe cover a smaller and possibly more homogenous area than other regions. Three-quarters of the 18 participating countries (75%) are into the second stage of implementation, while an equivalent number are in the first and third stages (12.5% each). Estonia has advanced the farthest and is completing the project at this time. It has harmonized its legal and regulatory framework, and designed a BCH. Its quarterly progress and financial reports have been shared with other countries as a model.

Source: Biosafety Team, August 2003
46. According to the regional coordinator, there are differences in overall progress between countries that are soon scheduled to join the EU - Estonia, Slovenia, Czech Republic - and those at earlier stages of transition such as Albania and Romania. The environmental and trade requirements for EU membership provide a strong incentive for such countries to begin revising their legal and regulatory frameworks at an early stage. The pace of implementation is generally quicker than that of other countries in the region. However, there’s also a linguistic barrier since most information is published in English, which is accessible to enough Central European stakeholders yet less accessible in countries where Russian has been the official lingua franca and there is greater need for translated material.

47. Slovenia had already approved horizontal framework legislation under the Management of Genetically Modified Organisms Act to comply with the EU. With support from the project, the National Institute of Biology (the NEA) is taking the process further and designing a Regulatory Act for risk assessment; a decree setting criteria for the classification of LMO categories; and guidelines for direct release inspection and enforcement. Although the Biosafety Act contains general provisions for public hearings in the case of deliberate release, mechanisms for public participation need to be developed. Surveys and inventories have been completed on modern biotechnology; harmonization of national/international regulations; information systems; and risk assessment and management guidelines.

48. A national BCH has been developed – “a very good output and use of project funds” according to the project coordinator - that, once completed, will be compatible with the CDB-CHM and the National Biosafety Information System mandated by the GMO Management Act. Slovenia’s BCH follows the format used by the Central BCH; the coordinator feels that it could be used as a model for other countries in the region. Sampling of LMOs in food and feed products is already being conducted: the Ministry of Environment & Spatial Planning has collected 150 samples for testing and the analysis will be completed by November. The Slovenia Consumer Association, an NGO, has collected and tested 20 samples, of which 8 tested LMO-positive and 3 were above the 1% contamination limit.

49. The conformation of a broad-based and inclusive NCC has facilitated good levels of momentum and partnership. The NEA has co-sponsored national workshops on biosafety regulation case studies and simulations; risk assessment and management for members of scientific committees; training on transgenic plants; and awareness-raising for agricultural inspectors, with the Min. of Environment & Spatial Planning, the Chamber of Agriculture & Forestry, the Chamber of Commerce and the Agriculture Institute. Additional workshops are planned this year on public participation, consumer rights and ethical issues in biotechnology; GMO detection and sampling; and social and biological risks of transgenic plants; these events will be organized with the ministries of Environment & Spatial Planning and Health, the Customs Administration, scientific committees, consumer organizations and NGOs. Information systems for public awareness are being developed with the help of INFOTERRA, an NGOs which sits on the national coordination committee, and the Consumer Association of Slovenia.

50. There are technical challenges as well. The design of the NBF is taking more time than was initially foreseen. Further guidance is needed on the import and export of LMOs, and coordination between customs and phytosanitary inspections. It is not very clear which international regulations should be considered in the NBF, although the toolkit has provided some direction. Public awareness on LMOs and biosafety issues is weak and the media has not shown much interest in providing coverage. Plans to produce modern biotechnology and biosafety educative materials for secondary school curricula were scrapped, partially

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NCC case studies and performance are described in Sec. 3.2.1

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due to lack of funds; the project is producing school posters and leaflets instead. There has not been much progress in designing public participation mechanisms, and the project has postponed a workshop with farmers because there is not yet enough information regarding their topics of interest.

51. The NPC and project staff do not think the project will meet the primary success indicator (legal and regulatory instruments in place) by the end of its term. The process of legal revision and harmonization is likely to continue beyond the project. There is some concern that unless the legal aspects are consolidated by the next year, the political commitment and continuity of the process may be affected by national elections in 2004.

52. Moldova recently approved a Biosafety Law, which establishes an inter-ministerial Commission on Biosafety that is also the national competent authority. In addition, legislation has been approved requiring that all food exports/imports be labelled, including GMO content. Although Moldova does not produce LMO crops there are probably unmonitored transboundary movements. At border customs points, officials are not clear which products should be controlled, creating problems for testing and labelling. Supporting regulations need to be developed for risk assessment and management, as well as guidelines for handling different categories of LMOs. At customs points on the border, it is not clear which products need to be controlled, which makes LMO testing and labelling difficult. Although there are no LMO crops grown in Moldova, there is likely to be unmonitored transboundary movement.

53. The Ministry of Ecology, Construction & Regional Development is the designated national executing agency. The 14-member NCC is chaired by the ministry’s Vice Minister and includes an NGO (Biotica). During the evaluator’s visit, both NEA and other government officials expressed their appreciation for the contribution of NGOs in public awareness and information dissemination. A series of ‘expert overviews’ are being completed and will be presented as stakeholder workshops in September. Awareness raising remains a priority at various levels; government officials are not fully aware of the legal obligations of CPB. There is also interest in generating opportunities for collaboration with countries with greater experience in biosafety such as Hungary and EU nations.

54. Several ‘expert overviews’ are being prepared and will be presented at stakeholder workshops in September. A national workshop on implementing the CPB was held in July; a multi-disciplinary event that involved different stakeholders including NGOs and the Federation of Free Farmers; four additional workshops are planned in the coming months. There are no delays in the project and activities are implemented within the budget. However, the development of the NBF could be affected by planned reductions in government ministries, affecting environmental management, and in particular the reduction of Ecology Inspection Centres from 11 to 3.

Africa:

55. Approximately one-fifth (21%) of the 39 participating African countries are at the first stage of implementation, while 56% are in the second phase and 23% into the third stage. Although some countries joined the project recently and are starting implementation (Angola, Congo DR, Gabon, Morocco, Sierra Leone, South Africa), several are at an advanced stage (Togo, Niger, Burkina Faso, Gambia and Mozambique among others) and have demonstrated effective management (Lesotho, Ghana, Congo DR and Tanzania). Almost a quarter face difficulties in implementing the project for different reasons including low capacity levels, recruitment delays, poor accountability, unfavourable banking procedures and exchange rates, or political strife.

56. As in other regions, many NPCs have a scientific background but are unfamiliar with project accounting and reporting procedures. Mistakes in the preparation of quarterly financial reports have caused delays in disbursement. The regional coordinator suggests training on financial and administrative
management, a topic that was briefly covered at the first regional workshop. There is also need for further training in risk assessment and management, and in public awareness and participation. Several are concerned about the effects of CPB ratification on their agricultural exports, trade and food aid. There is interest in the developing sub-regional cooperation for training, scientific collaboration and the sharing of facilities. The private sector has not had much participation in the project - according to the regional coordinator, private sector support is not encouraged due to perceived conflicts of interest and conditionalities, although private sector representatives are present at stakeholder consultations and regional/sub-regional workshops.

![Status of NBF projects in English-speaking Africa](image)

![Status of NBF projects in French-speaking Africa](image)

Source: Biosafety Team, August 2003

57. Tanzania was one of the countries visited by the evaluation mission. The national sub-project has been under implementation for 14 months, with a GEF contribution of US$ 160,000. The NEA (Environment Division) is within the Office of the Vice-President, as are the Poverty Eradication Division, the Dept. of Union Affairs and NGO Coordination Dept. This has helped the project team in contacting and coordinating activities with line ministries, NGOs, provincial government and other stakeholders.
58. Tanzania is keen on developing its national biosafety framework. Applications to introduce LMOs – especially maize, cotton and seed - are received yet the capacity to undertake risk assessment and management is lacking. There are unmonitored entries of transgenic potatoes, seed and US-produced maize by traders and farmers along Tanzania’s “porous” borders. The government is planning large-scale grain imports to offset food shortages caused by drought, and may additionally receive food aid. In both cases the presence of transgenic organisms will need to be addressed. To meet these demands, the Commission for Science & Technology may create an interim committee for risk assessment and management until the NBF is put into place.

59. Government officials are intent on understanding the implications of the CPB on existing trade and cooperation agreements with the United States and the EU, in addition to the East African Community and SADC. Policymakers are also concerned that agricultural exports to EU countries may be affected by restrictions on GMO content; the EU ban on the importation of Namibian beef, bred with transgenic feed produced by South Africa, is one example that causes concern.

60. Tanzania’s NBF process combines activities from the first and second phases. Surveys are being prepared on biotechnology and biosafety legislation, current risk assessment and management practices, institutional capacity and physical infrastructure, and national biosafety frameworks in the sub-region (focussing on Kenya, Uganda, South Africa and Namibia). The draft reports will be available in July and followed by stakeholder consultations into mid-August.

61. The three-person project team has introduced changes to the workplan. A “phase 0” stakeholder workshop was held early on with government departments, NGOs, the private sector (including Monsanto) and the media. Biosafety background papers were reviewed and participants divided into working groups to analyse the project workplan, identify key stakeholders and their role in the BSF process, and modern biotechnology and its applications. The NPC considers that the workshop was a valuable “ground levelling” exercise that generated productive exchanges of views, demystified biosafety concepts and brought participants closer together in their understanding. As a result, the NPC considers that the project workplan has been adjusted to Tanzanian reality and stakeholders, “…are now in a better position to react and contribute to the survey consultations.” The changes include stakeholder survey consultations in each of Tanzania’s seven agro-ecological ‘zones’, and workshop for parliamentarians to begin lobbying support for biosafety legislation.

62. These changes have budgetary implications: The initial stakeholder workshop was not foreseen and has cost US$ 17,000; now there are not enough funds to complete the survey workshops that are planned in the coming months. Neither are the sub-regional stakeholder workshops in the original budget. The NPC has additionally proposed recruiting a part-time accountant and assistant. The funds allocated for surveys are insufficient, and although several experts have donated free time, some topics may not receive adequate attention. At the time of the evaluation, these issues were being raised to the regional coordinator and a response was pending. The apparent difficulty in processing budget revisions (and, presumably, in getting additional money) could complicate the situation.

63. At this stage, the NPC estimates the project will have to be extended by an additional 3 months to finish the workplan and harmonize legal and regulatory instruments. Depending on the course of action taken after the legal survey has been completed, this process could continue up to national elections in 2005 – particularly if separate legislation is necessary for Zanzibar Island, which has autonomous institutions and laws under the Tanzanian constitution.

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64. Togo’s NCC includes the participation of an NGO (COMET). Some NCC members have participated in the project as consultants, raising the issue of conflict of interest. Many survey respondents were unwilling to give information about their expertise or involvement with LMOs, limiting the quality of the final document.

Asia & the Pacific:

65. This region covers a vast geographic area with 35 participating countries among mainland and island nations. At the time of the evaluation, almost a third (32%) were still at the first phase of the workplan, more than half (57%) were into second phase and 11% had entered the third phase.

66. On such a wide regional scale there are significant differences in national capacities and legal/regulatory frameworks. These differences create opportunities for sub-regional collaboration and twinning arrangements linking comparatively advanced countries (such as South Korea, Thailand,
Singapore, Jordan or Tunisia) with their neighbours. Cooperation between East Asian and Pacific countries could be channelled through regional entities such as ASEAN, the University of the South Pacific and South Pacific Commissions for Environment and Agriculture; complementing the project’s ongoing coordination efforts.

67. Jordan was one of the first Mid-Eastern countries to join the project and is at now at a relatively advanced stage of implementation. The Ministry of Environment, as national executing agency, has nominated a NPC with considerable experience in project management who in turn has organized an inclusive and proactive NCC.

68. From the start, the NPC and NCC members have granted high priority to awareness raising. The project team has two staff members and three volunteers devoted to this. A Public Awareness & Mass Media workshop was held in 2002, presenting biosafety issues to 60 persons from journalism, radio and TV. Several short workshops are now planned at the main university’s Faculty of Genetic Engineering. Posters and brochures were printed and distributed to university faculties and Ministry’s library (funds are lacking for wider distribution). The project has a web page that includes surveys and reports, minutes from NCC meetings and general information on biosafety and the CPB. Project staff have been interviewed twice on television and three times on radio. A workshop on Public Participation will be held in October with the presence of the regional coordinator, who has considerable expertise in participation and team-building techniques.

69. Since there was not much to report on, four of the survey topics were combined under the two contracts, saving the project 30% of the allocated funds. The survey contracts applied government tendering procedures and several NCC members feel the remuneration and duration offered were not competitive, which has lowered the quality of some reports. The surveys were finished and reviewed by stakeholders early this year. The project team prepared the inventory of national experts.

70. Jordan does not have specific biosafety legislation, although some sectoral laws contain articles on biosafety. There are no rules or procedures for risk assessment; only phytosanitary and health aspects are tested on incoming products. The project held a legal workshop which established the need for new by-laws. A draft has been prepared and will be reviewed at a second legal workshop this year. The proposed revisions establish a quasi-autonomous Corporation, comprised by an inter-institutional Biosafety Council and a Scientific Advisory Committee, which would manage the NBF through subcontracts with laboratories and research institutions, financing activities through user fees and an annual government budget for operational costs. Once the final draft is available, it will be submitted to the Cabinet’s Legislation Bureau for review and approval. The NPC considers the bylaws should be approved by July 2004, towards the end of the project, although the process could take longer.

“This task will not be easy for the country… ...the Government will have to look for financial support outside.”

“Right now we are interested in having a biosafety law under one umbrella, supported by a Steering Committee representing all sectors.”

- quotes from Jordan’s NCC members (translated)

71. Although a good team has been assembled and activities are moving forward, project implementation is undermined by bureaucratic and centralized approval policies within the NEA, institutional changes and turnovers of senior staff. At this stage, the NPC does not think the project will finalize activities on schedule. An additional six months will be needed to complete the stakeholder consultations, publish the surveys and inventories, draft the NBF and monitor the approval of the proposed by-laws.

72. Jordan also needs a budget revision. There are insufficient funds for publications and outreach materials, and for national personnel. Although there are remaining funds under the “subcontracts” budget line which could be transferred for this purpose, approving the revision could involve a lengthy delay.

73. The Republic of Korea is a Cartagena Protocol signatory country that is advanced in several ways. Over the past years there has been extensive research and development of LMOs, although none have been
released. A Biosafety Act was approved by presidential decree and will enter into effect once Congress ratifies the CPB. The Act establishes a 15-person Biosafety Committee (BSC) chaired by the Prime Minister and with senior ministry officials with NGO representation. The BSC will have management and coordination functions, and will be assisted by a Scientific Advisory Committee that is likely to include persons currently in the NEA and NCC. When the Biosafety Act enters into effect, the Republic of Korea will become one of the first countries in the region to enforce mandatory labelling for food products such as corn, soybeans and bean sprouts.

74. The Biosafety Act instructs line ministries to design LMO risk assessment and management guidelines for their respective sectors. The ministries are responsible for implementation and will receive a budget to cover operational costs, while the applicant will finance the scientific and technical analysis. Participation mechanisms (combining public hearings and website consultations) have already been built into the LMO application process. The KBCH is almost complete and will be linked to a network of line ministry BCHs. The Ministry of Commerce, Industry & Energy (MOCIE) is the designated national competent authority.

75. The project started activities in July 2002 for an 18-month period, with US$185,500 from GEF/UNEP. The Ministry of Environment’s National Institute for Environmental Research (NIER), the national executing agency, is implementing project activities according to the recommended workplan with “minor changes” to the surveys and inventories. Surveys were prepared on current legislation; administrative framework; risk assessment practices; public participation and information systems; and industrialization and related regulations. The survey results were presented at five stakeholder workshops and a National Symposium, stimulating fruitful debate and exchanges among government officials, scientists, NGO and consumer group representatives. The reports are in their final revision and will be available by September.

76. Survey findings have emphasized the need to revise the regulatory framework for LMO risk assessment and management, harmonizing the guidelines that are applied by different line ministries under the Biosafety Act. Much of the project’s efforts are being devoted to this ongoing activity. Implementation is proceeding on schedule and delays are not foreseen at this stage. The main constraints appear to be administrative in nature: Quarterly disbursements are slow and often take more than 2 months to be processed and transferred. Budget allocations for national experts are too low by national standards and several have had to contribute free time in order to complete the surveys.

Latin America & the Caribbean:

77. In general terms, the LAC region was the last to join the project. However, 28 out of 29 eligible countries are now participating and the last ‘holdout’ – Brazil – has recently announced its intention to ratify the Cartagena Protocol. As of June, 54% were at the first phase of implementation and 46% into the second phase; none had entered the third phase (with the possible exception of Argentina).

78. It is important to acknowledge the differences between mainland Latin America and the Caribbean, which in some respects has more in common with the SIDS of the South Pacific – fragile island ecosystems, reliance on food imports, limited in-country technical capacity and infrastructure, yet a strong potential for regional collaboration. There are relatively low levels of biosafety awareness in most Caribbean nations even though many import foods from the United States which include LMOs. Caribbean countries were slow in joining the project during its first year; and many only decided to work on the project seriously after attending the first SIDS workshop in Fiji.

79. In Latin America there is general awareness of LMOs and biosafety issues given the trade repercussions for key agricultural producers such as Argentina (a major exporter of transgenic soy and
maize) and Brazil; the proposed Free Trade Agreement for the Americas (ALCA) that is being promoted by the United States; and the ongoing debate on the environmental risks of transgenic crops. There are established research institutions, highly specialized technical resources and active NGO networks. In a number of countries there is a sense of self-sufficiency regarding biotechnology and biosafety issues in general.

80. Yet activities have often been very slow in taking off. The project has faced considerable difficulties in getting started in many Latin American countries due to poor communication between government departments, competition over project funds (not insignificant in countries facing economic recession), bureaucratic management practices, and changes in staff and counterparts motivated by political factors. In some countries it has taken up to a year and a half for project activities to begin, while several are moving at a very slow pace (Uruguay, Panama, Nicaragua). In most cases, however, momentum has picked up once the initial obstacles were surmounted; countries such as Argentina, Chile and Guatemala are now advancing rapidly with project implementation. Among Caribbean nations, implementation tends to proceed at a slower pace (Jamaica and Grenada are among the exceptions) due to the limited in-country technical expertise and related tendency of NPCs to concentrate tasks with little delegation.

![Status of NBF projects in Latin America](image)

Source: Biosafety Team, August 2003

81. Project implementation in Antigua & Barbuda is affected by the employment of a NPC and administrative assistant who conduct other activities as well, and to a lesser extent by delays in holding the stakeholder workshops due to Carnival celebrations. Inter-ministerial cooperation is weak. The Environmental Division of the Ministry of Tourism & Environment, as the designated NEA, has created a six-member Technical Advisory Committee which includes line ministries and a private sector representative; the coordination role of the NCC was transferred to the existing National Coordination Mechanism, which coordinates all environmental projects and includes NGO and farmer representation. Although the NPC considers the project is achieving its objectives, most activities are running behind schedule. The preparation of the surveys and inventories are seen as a significant achievement, yet many survey respondents were unwilling to provide information about their expertise or experience with LMOs. The surveys have revealed gaps in the current legal framework that will require revisions in order to comply with its obligations under the Protocol.

82. Public awareness and overall motivation appears to be low: No awareness-raising materials have been produced by the project so far (there are plans for flyers and televised discussions), and work on the BCH has not yet commenced. The only press release related to the project came from the Prime Minister’s
Office, announcing the approval of US$ 500,000 for the NBF project. The situation could be improved by disseminating more information on the Cartagena Protocol and biosafety issues of local interest, such as Antigua & Barbuda’s reliance on food imports, the need for biodiversity protection and interest of local farmers in biotechnology.

83. Chile is a Protocol signatory that has shown a strong sense of ownership towards the project in spite of delays. The draft project document was initially appraised by a technical committee within the National Environmental Commission (CONAMA, the national executing agency) and subsequently by the national coordinating committee. Some of the recommended surveys were not considered priorities given the availability of similar studies, and alternative topics were proposed; the technical committee also suggested reallocating funds between project phases. UNEP offered little flexibility in accommodating such changes and the project was eventually approved with only minor adjustments. There were additional differences regarding the terms of reference for the surveys: While the NPC and NCC wanted the consultants to combine their assessments with the identification of tentative proposals to guide the stakeholder discussions, there was insistence towards separating the two in accordance with the prescribed phases. In retrospect, the NPC feels that the project’s US$ 200,000 GEF/UNEP contribution could have been used more effectively had leeway been given to revise the workplan.

“The project’s pre-designed format was a great help, with the limitation that it was very prescriptive, and one could not stray much from the basic framework.”
- Tea García-Huidobro, NPC Chile (translated)

84. The project was slow in getting started. Project activities formally began in November 2002, on the eve of the summer holiday season. Further delay resulted from the project’s overlap with the work of the presidentially-appointed Biotechnology Commission, an expert group chaired by the Ministry of Economy which has determined the legal and regulatory requirements for the risk management of LMOs (including those previously excluded), assigned institutional responsibilities and defined the components for a national biosafety framework – activities that are contemplated under the third phase of the project workplan – prior to the survey phase. The NEA suspended project activities for almost six months as it awaited the findings of the Biotechnology Commission, in order to adjust activities and avoid duplications. At this stage the NPC estimates the project will require a four-month extension.

85. The workplan includes seven surveys on current biotechnology uses, legal and regulatory framework, genetic resources, aquatic LMOs, capacity building and international cooperation, risk assessment and data validation, and information management (linked to the BCH) – two more than initially foreseen. Four of these surveys are now being carried out, while the TORs for the remaining three are being discussed with the NCC and interested institutions.

86. Although stakeholder workshops will not be held until the surveys are completed, other second-phase activities are underway: In October 2003 a series of workshops will be held in cooperation with the Ministry of Economy, to disseminate the new biotechnology policies developed by the Biotechnology Commission; present the need to further develop the NBF; and raise awareness of the productive and entrepreneurial sectors on the Cartagena Protocol and the consequences of ratification for fruit, wine and aquaculture products. These events will serve both as an entry point for public awareness and will help towards building a consensus on the CPB that is currently lacking. A third workshop will be organized to introduce the BCH to potential ‘national competent authorities.’

87. The importance of achieving consensus on the Cartagena Protocol among key stakeholders was emphasized on several occasions. Ratification is not a foregone conclusion as there are different interests at stake. There is concern regarding the protection of genetic resources – strawberry, tomato and potato varieties - that are endemic to the region and provide important cash crops. Chile is in the final stages of approving a free trade agreement with the United States, in addition to that, which exists with the EU. Entrepreneurs are keen on maximizing exports and competitiveness without undermining the protection of biological resources. At this stage, a decision has not been taken regarding Chile’s ratification of the Protocol and the project will play an important role in shaping it.
3.2 Stakeholder Participation

3.2.1 Partnerships and Stakeholder Linkages

88. To a large extent, this project is about partnership and cooperation. Article 23 of the Protocol requires the Parties to “…consult the public in the decision-making process regarding LMOs.” The project document highlights “…a need to fully involve all stakeholders including the public and private sector, consumers, consumer organizations and NGOs…. [to] ensure and enhance stakeholders’ involvement in the decision making process.”

89. The evaluators consider that the project has played an important catalysing function by facilitating cross-sectoral coordination and linkages that might not otherwise have occurred. In most countries, the creation of national coordinating committees (NCCs) has provided an effective tool for multi-stakeholder dialogue and consensus-building on biosafety issues. Each NCC has a chairperson who is often a senior government official with power to convene; whereas NPCs tend to be younger and more ‘hands on’. Although the composition and active engagement of NCCs vary considerably across the country sample, the evaluators have encountered a ‘critical mass’ of examples demonstrating their added value — in harmonizing technical procedures and guidelines; ‘demystifying’ concepts and processes through multi-disciplinary interaction; and promoting consensus and shared strategic vision among participants. In addition, the discussion and subsequent revision of survey findings through stakeholder consultations (under the second phase of the workplan) provide additional opportunity for partnership and linkages. Several countries plan to ‘upstream’ the NCC structure to a permanent body within the NBF.

90. Slovenia’s NCC is highly inclusive and combines government (ministries of Environment & Spatial Planning; Finance; Health; Agriculture; Forestry; Education, Science & Sport) with NGO (the Foundation for Sustainable Development and INFOTERRA), private sector (National Chamber of Commerce & Industry; the KrKa pharmaceutical company) and academic (Biotechnology Faculty) participation. The conformation of a broad-based and inclusive NCC has led to commendable levels of momentum and partnership: The NEA has co-sponsored national workshops with various NCC members, and an NGO (INFOTERRA) is playing a key role in public awareness and information dissemination.

91. Moldova has a 14-person NCC that is chaired by the Vice-Minister of Ecology, Construction & Regional Development and includes representatives of line ministries, the Meteorological Centre, Institute of Genetics, State University, Academy of Sciences and an NGO (Biotica) among others. Some of the NCC members are also on the national Commission on Biosafety established under the Biosafety Law. However, the private sector and national farmers’ federation are not represented on the NCC and do not seem to have had much participation in the NBF process.

92. There has been good collaboration between NCC members, government departments, universities and NGOs involved in the project. A National Workshop on Implementing the CBP was held in July and attended by government officials, scientists and NGOs; four more workshops are planned in the coming months. During the evaluator’s visit to Moldova, both the NEA and senior government officials praised the contribution of NGOs in raising public awareness.

93. Jordan has an inclusive and proactive national committee that is chaired by the Ministry of Environment as national executing agency. In addition to line ministries, the 16-member committee includes representation of the private sector, professional associations, five universities, the National Consumer Association and the Farmer’s Union. During the first months the NCC met frequently, assisting the NPC in designing workplans and TORs for surveys, as well as in organizing workshops.

12 Project document, p. 10
94. Chile’s NCC is relatively large, with 17 members drawn from CONAMA, line ministries, the private sector, university faculties, research centers and NGOs. Several of its members participated in the presidential Biotechnology Commission, ensuring consistency between both initiatives. The NCC composition is highly inclusive, particularly with relation to the presence of NGO stakeholders (representing the anti-transgenic movement) who were excluded from the Biotechnology Commission. Several persons – including one NGO representative – expressed appreciation towards the project for having broadened the scope of participation.

95. While Tanzania’s NCC has met only once during the past year and is among the more dynamic examples, it supported the organization of a ‘ground-levelling’ stakeholder consultation workshop that was held at an early stage of the project with the participation of government, NGOs, the private sector (including Monsanto) and media. Biosafety information and background papers were presented and reviewed; working groups analysed the project workplan, conducted a stakeholder analysis, and discussed biotechnology issues. The NPC considers that this event encouraged national ownership of the project and has helped in adjusting the workplan to Tanzanian reality; the stakeholders “…are now in a better position to react and contribute to the survey consultations.”

96. In the Republic of Korea, the NCC is government-based and lacks NGO representation; although this was proposed by the NPC, the participating ministries did not come to an agreement and action was not taken. However, the director of Korea’s Anti-GMO Network, an influential NGO association, presented a paper on public participation at a National Symposium that was organized by the project to discuss survey findings. The Rural Development Institute, a leading sector authority in risk assessment, has created an inter-disciplinary Risk Evaluation Expert Committee, which includes an Anti-GMO Network representative; one of the NCC members from the Institute anticipates “heated and stimulating” debate between scientists and NGO activists. The Korea DPR’s national coordination committee includes a representative from one of the mass people’s organizations, which is the closest approximation to an NGO in that country.

97. Although the project’s overall record in promoting stakeholder linkages and partnership is very encouraging, the evaluators note that the participation of the private sector and farmers has lagged behind that of other non-governmental stakeholders. A number of reasons have been presented to explain the situation: Limited domestic private sector involvement in biotechnology; no domestic production of LMOs, limited farmer understanding of technical issues; inadequate knowledge of the effects of the CPB on agricultural exports and trade; perceived conflicts of interest regarding private sector cooperation - described as a “gamekeeper vs. poacher” issue - among others. While such arguments may carry weight in specific countries, exclusions are also likely to be influenced by preconception (in some cases, bias) or lack of precedent; in many cases the problem is essentially communicational (ie. explaining science to the public in user-friendly terms). While the level of stakeholder involvement is ultimately a national decision – the Biosafety Team can only propose, advocate or facilitate – it is important that such gaps be addressed during the remaining project term, in order to avoid critical exclusions as the ‘game rules’ for the NBF are established.

3.2.2 Public Participation and Awareness

98. The provisions for public participation outlined under Article 23 of the Protocol are also fundamental to project’s success, as “…Participating countries will need to identify all stakeholders that may have a legitimate interest in the use of living modified organisms that may have an adverse effect on the environment or on human health, provide mechanisms for consultation and taking the broad range of
views into account.”

In addition to encouraging partnership and linkages through the NCC, the project workplan also requires the design of mechanisms for stakeholder involvement (phase two) and public participation (phase 3) within the NBF. Implicit in this is the need to promote public awareness at all stages of the project.

99. Indeed, awareness raising is an ongoing process that is targeted at different groups – NGOs, schools and universities, farmers, private sector, media. In many countries, however, the most pressing demand comes from the public sector itself – senior government officials and decision-makers are who unfamiliar with biosafety issues and unaware of the legal obligations assumed under the Cartagena Protocol - despite the stated intention of ratifying the Protocol upon joining the project. This suggests that consultations during the project appraisal and approval process were often focussed within the GEF National Focal Point without involving other stakeholders – government or otherwise - as confirmed in several of the country visits. In retrospect it is felt that such consultations, in addition to several “Phase 0” activities, should have been required as pre-approval obligations to ensure adequate levels of understanding and acceptance from the onset.

100. For some countries, underlying concerns and uncertainties regarding the CPB – particularly in terms of trade and agricultural exports – could influence the decision to ratify the Protocol. The evaluators have also noted the limited participation of the private sector and farmer associations within the project in several countries, a gap that will require remedial action. The media can also play a stronger role in this process.

101. Another factor influencing performance in public awareness relates to the technical specializations and “mental models” of the participants. National project coordinators and project staff often have exclusively scientific backgrounds with limited exposure to the social communications skills that are needed to effectively promote public awareness. It is not surprising that the countries that have advanced the most, often include NGOs within their national committees that are more experienced in this field.

102. An overall assessment of progress in the design of public participation mechanism resulting from project activity is premature at this point. While many countries have held stakeholder analysis exercises, organized awareness-raising workshops or produced materials for public dissemination, few have reached the stage of designing specific participatory mechanisms for risk assessment and management, as foreseen under the third phase of the workplan.

103. The exceptions are countries with previously approved biosafety legislation, in which provisions for public participation already exist yet require adjustment. Other countries must adapt public participation guidelines for EIA to decision-making on applications for the import and/or release of LMOs. In Slovenia, the Republic of Korea and Moldova, among others, such provisions tend to combine public notifications of government decisions on LMO applications (by print, meetings and internet) with time provisions for their discussion and comment, followed by public hearings; the public is often provided access to technical expertise by the State and registered NGOs, as is the case in Moldova. Jordan’s NBF project has placed emphasis on public awareness from the beginning and has held workshops with the media and produced

13 project document, pg. 13
didactic material on biosafety issues and the Cartagena Protocol; project staff have appeared on TV and radio.

104. Although once again ‘one size does not fit all’ in designing participation strategies, there are case studies and established approaches that can be built upon. Countries with existing mechanisms could readily share their experience and provide guidance to others, assisting the project in this aspect.

3.2.3 Relevance of the Project to Client Needs

105. Despite operating on a global scale, the project is able to address specific country needs. This is partially due to the subject matter – biosafety is an issue of growing concern that all countries must deal with in some manner – as well as the flexibility and balance that are built into the project’s design. This is an important achievement given the significant diversity in national contexts and capacity levels among the 120 participating countries.

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106. While many countries have joined the project to strengthen national capacities, expand cooperation opportunities or improve access to information – in addition to preparing for the entry into force of the Cartagena Protocol - motivating factors also vary by region: In Africa, there is controversial debate regarding food aid that includes transgenic grain and cereals. The potential benefits of transgenic crops for agricultural output and regional food security and are countered by uncertainties regarding environmental and health impacts or repercussions on trade with the EU. There is also limited capacity to monitor and control the transboundary movement of LMO seed and crops across borders. Mainland Asia is a major importer of transgenic crops and hence there is concern regarding potential health risks associated with the daily human consumption of LMOs. The SIDS have fragile island ecosystems that are vulnerable to unmonitored introductions of transgenic seed and plants. Many islands rely on food imports which often contain LMOs. In-country scientific expertise and infrastructure are limited, reinforcing the need for external support and regional cooperation. In Latin America there is concern regarding the environmental and trade repercussions of LMOs for key agricultural producers such as Argentina (a major exporter of transgenic soy and maize) and Brazil; there is uncertainty regarding the differing positions of the United States and the EU (two key trading partners) on LMO content and labelling. Several of the Eastern European countries are motivated in updating and harmonizing their regulatory frameworks to ensure compliance with EU requirements.

107. Although the project does not address many of these issues directly, it does offer countries an opportunity to develop an enabling legal and regulatory environment - the national biosafety framework – that will strengthen their ability to manage risks associated with LMOs. To a large extent, the ‘added value’ of the project is not financial but lies in its methodological approach, its function as a catalyst for building consensus and improving coordination between the different stakeholders.

108. The project is valued in the Republic of Korea for its support in harmonizing sectoral risk assessment guidelines among government ministries and related institutions - “closing the gaps” in the NPC’s words - and in drawing greater attention to public awareness and participation. Project support has also been useful in ensuring compatibility between the KBCH and line ministry BCHs with the Central BCH system. In the beginning, some NCC members had doubts regarding the project’s usefulness, given Korea’s technical capacity levels and advanced stage of NBF formulation. At their first meeting, according to a participant, the NPC explained that while Korea was indeed ahead in technical and scientific capabilities, it
did not have an operational framework and the project could assist in developing this; a year later, “…all now agree”.14

109. In Chile, the project’s primary contribution has been to expand opportunities for dialogue and consensus among different stakeholders regarding the Cartagena Protocol and related biosafety issues. The project is seen as an important instrument in helping Chile to “assume a position” regarding the Protocol.15 It has enabled CONAMA (the NEA) to incorporate NGOs that had been excluded from previous government initiatives, and has facilitated communication with the agro-industrial and entrepreneurial sectors. The project has helped CONAMA establish a working relationship with the Ministry of Economy, which chaired the presidential Biotechnology Commission. The Moldovan government has used the project to strengthen cooperation with NGOs and improve access to biosafety information. According to Slovenia’s national project coordinator, the project’s main contribution has been the “transition in the mind of participants, from beginning to implementation thinking.”

“The project is helping the country to assume a position regarding the Cartagena Protocol… it arrives at a good moment.”

- J. Rovira, NCC Chairman

Chile (translated)

110. Although the final analysis is positive, there is room for improvement. The limited assistance provided to develop sub-regional cooperation mechanisms, despite the strong demand for such support, has been mentioned earlier. The possible trade repercussions of the CPB is another issue that requires attention, as the concerns of key productive sectors, unless addressed, could delay the Protocol’s ratification. The scheduled training workshops are clearly insufficient to meet the needs of most participants, many of who require in-depth training in applied risk assessment and management rather than general and brief overviews. Although the sharing of experiences and information is central to the project’s design, several NPCs find the project web page and newsletter to be lacking in substance; their relevance might be improved if more attention were given to the needs of the end users.

3.3 Project Effectiveness and Efficiency

3.3.1 Consistency with Project Schedule and Timeframes

111. For different reasons, many – if not most - countries are behind schedule and are unlikely to complete project activities within the established timeframe. While a number of countries face external constraints - bureaucratic approval and disbursement procedures, poor coordination among government departments, political instability – many are discovering that the harmonization of the legal and regulatory frameworks involves a complex and extended process, as well as political factors that are often outside the NEA’s control. The likelihood of across-the-board delays with possible gaps in the resulting national biosafety frameworks has direct implications for the design and timing of the upcoming GEF project.

112. Most of the NPCs who were interviewed by the evaluators consider that further project extensions averaging three to six months will be needed:

113. Slovenia, in spite of being among the “advanced” countries in developing its NBF, is unlikely to finish the project on schedule. The NEA had no role in the appraisal of the national project, which was approved by the Ministry of Environment & Spatial Planning for a one-year period and US$100,000 in GEF funding – below the timeframe and budget allocated to most countries. Hence the National Biology Institute is responsible for implementing a contract it did not negotiate or sign. Budget provisions for salaries, national consultants and administrative support are low compared to Slovenian scales, and the NPC receives about half of her normal salary. Although there has been “very high flexibility for the project team to adjust workplans”, the NEA is unable to transfer funds between budget lines to compensate

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14 interview with Dr. Kim Taesan, Rural Development Institute
15 interview with J. Rovira, NCC Chairman
deficits, as a budget revision would require approximately 6 months for processing and approval at UNEP,\textsuperscript{16} delaying quarterly disbursements and disrupting implementation.

114. Tanzania’s National Project Coordinator estimates that the project will need to be extended by an additional three months to complete the workplan, while Togo is estimating up to six months. This will largely depend on the time needed to harmonize the legal and regulatory instruments, a process which could continue up to national elections in 2005. The 1983 National Environment Management Act identifies the institutions responsible for biosafety and risk management, but does not confer mandates or functions. A new Environmental Law is being drafted for submission to Parliament in early 2004 that will define coordination mechanisms and standards for environmental protection, and will include provisions on biosafety. The survey will determine whether there is a need for separate biosafety legislation, or if the appropriate regulations can be incorporated within the framework of the proposed environmental law. Regardless of the outcome, it will apply only to the mainland: The island of Zanzibar has autonomous environmental institutions and legislation under the Tanzanian constitution; conditions differ from the mainland in various respects and a separate process will be needed that may involve additional cost.

115. The commencement of activities in Togo was delayed by more than 11 months due to problems in opening a project bank account. In Jordan, project implementation is delayed by highly centralized disbursement approval procedures within the NEA, in addition to recent institutional changes and successive turnovers of senior staff. Previously a General Corporation under the Ministry of Municipalities & Rural Affairs, the NEA was upgraded to the level of Ministry of Environment this year with consequent restructuring and transfers of staff (the Minister was replaced during the evaluator’s visit).

116. The Jordanian government provides cash contribution to the project; until now, all contracts and disbursement requests (including half of the NPC’s salary) have required the Secretary General’s signature regardless of the amount involved. All payments have been delayed for months – sitting fees for NCC members, honoraria for consultants who have finished their surveys. There are also disagreements over whether UN or government rates should be applied. Likewise, expenditures involving donor funds also require clearance from the Prime Minister’s Office, by law; hence there is no advantage in having them administered by the UNDP Country Office instead. These internal problems are likely to prevent the project from completing activities on schedule. The NPC anticipates that an additional 6 months will be needed to complete activities foreseen under the workplan’s third phase.

117. Project implementation in Antigua & Barbuda has been affected by the employment of a NPC and project assistant who are have other responsibilities as well (the NPC also works in plant protection), and by annual Carnival celebrations which led to delays in the scheduling of stakeholder workshops to discuss survey results. Although the national coordinator considers that the project is achieving its objectives, most activities are running behind schedule yet within the approved budget. It is likely that extension will be required although an estimate is not available.

118. Chile has been slow in getting the project started. Project implementation officially began in November 2002, on the eve of the summer holiday season. Activities were further delayed by about six months to await the findings of the Biotechnology Commission, an expert group chaired by the Ministry of Economy that had been given the mandate to propose legal and regulatory instruments, institutional

\textsuperscript{16} Requests for budget revisions have been discouraged by regional coordinators in several cases for this reason.
arrangements and other components for a national biosafety framework. At this stage, the NPC estimates the project will need a four month extension.

119. Although delays are not anticipated in the Republic of Korea at this stage, it is difficult to estimate if the revised regulatory framework for LMO risk assessment will be in place by the end of the project. Neither is it certain that Congress will ratify the Cartagena Protocol in September as planned; some ministries may request a delay to ratification in order to gain additional time to finalize their biosafety regulations and prepare for the Protocol’s entry into effect. Possible delays in the ratification of the CPB are also likely in Chile (where consensus between stakeholders is still lacking, particularly within the agro and entrepreneurial sectors) and Togo (due to “political stalemate”).

3.3.2 Cost-effectiveness of Project Inputs

120. This is a very cost-effective project in several respects. An impressive range of country-based activities, administrative procedures and logistical demands are being managed quite effectively by a compact central team with limited resources.

121. By UN and GEF standards, the project is inexpensive in relation to its scale: UNEP requested US$ 1.2 million in support costs from GEF but only US$ 600,000 were approved, equivalent to 2% of the budget. Had support costs been calculated on the basis of individual countries, using the national sub-projects as reference, this amount would have reached approximately US$ 5 million. In a sense, UNEP has sacrificed potential income to participate in this project, which carries strategic importance given its relevance to UNEP’s mandate and projection as an executing agency within a competitive agency environment.

122. The project has been cost-effective in other terms as well. Following the decision by the GEF Council to proceed with the project, the design, approval and activation process proceeded very quickly – from concept to implementation in less than one year. The revision of eligibility guidelines has led to a rapid increase in participating countries; within 14 months the initial target of 100 was surpassed and 120 countries have now joined the project. This is not a small achievement if one considers that most (if not all) will eventually ratify the CPB and have at least the essential components of a national biosafety framework in place. To date, of the 56 Parties that have ratified the CBP, 34 are countries that participate in the NBF project, representing 61% of all ratifications (Annex 4).

123. The Biosafety Team has expanded gradually, in line with growing demand, from an initial staff of 4 to the current team of 12 staff members, with plans for further expansion to 15. Yet even at its maximum size, this is a ‘minimalist’ approach which barely suffices against global project needs; hence it is largely to the credit of the Biosafety Team (and UNEP’s Financial Division) that implementation has proceeded in a generally consistent manner without critical gaps or disruptions. All of the NPCs contacted by the evaluators assessed the performance of the regional coordinators in very positive terms, despite the difficulty that are faced in covering such a large country sample. Indeed, it is unfortunate the project does not have additional resources at its disposal which can be devoted to monitoring, technical backstopping, training and regional networking, among other needs.

124. The same observations carry through to the national level. With funding levels which range between US$100-200,000, countries are developing national biosafety frameworks that are highly appreciated for reasons that are often unrelated to the CPB – capacities are being strengthened, procedures harmonized and above all, the project is serving as a catalyst in bringing different sectors and stakeholders together to build consensus. Once again, a minimalist approach is being used: NEAs do not receive overhead support costs. Budget allocations for staff and consultants are often below their actual cost; in several countries visited by the evaluators (Slovenia, Jordan, Tanzania, Republic of Korea) project staff and/or experts
recruited to conduct surveys were either contributing free time or accepting honoraria below their usual rate.

3.3.3 Effectiveness of Publications and Information Dissemination

125. The Biosafety Team has produced several outputs that are intended to guide participating countries in developing their NBFs and facilitate access to information: a project website, a list server, quarterly newsletter, project “toolkits” and the development of a Biosafety Clearing House (BCH).

126. From the perspective of the countries - the primary users of such products – the results are mixed. The website is expected to “ (i) provide a linkage between the work programmes of individual participating countries in order to spread experience and best practices; and (ii) establish a resource data base representing a distillation of ‘all relevant biosafety information…”17 Although the resource data offered was initially appreciated, several NPCs now consider that its content is too general and should be updated more frequently; few find it to be relevant to their immediate information needs (on the positive side, this indicates a positive learning curve at the country level). The continuing demand for the horizontal sharing of experiences and best practices suggests that the website has not had a major impact in this respect.

127. Similar feelings were expressed regarding the project newsletter which is again generic in content and appears more intent on public relations and promoting the project’s successes (to whom?) - as is often the case with UN projects - rather than addressing the fundamental information needs of users. Although the newsletter is also intended to increase “public awareness of the project” the evaluators are not aware of impact it may have had. The list server – a separate product from the BCH in the project document - would allow “rapid exchange of information between participating countries…provide regular updates on significant developments in biosafety and facilitate the timely provision of specific information…”18 however it is not functional at this stage. Many countries do not have on-line mechanisms for exchanging information and collaborating. However, a list server was established for the CEE region in July this year linking countries within the project; it’s first discussion topic was on “Experiences from Slovenia and Feedback and Lessons Learned.”. Some of the countries visited (Antigua & Barbuda, Togo) asked on the progress of other NBFs, which indicates a lack of feedback within the global project. The Slovenian NGO, Umanotera has a good website (www.) on GMOs and produces a monthly e-bulletin that is distributed to over 200 people; and such initiatives should be used emulated to improve networking within the project. At the second Steering Committee meeting held in January 2003, this limitation was acknowledged and the need to recruit an Information Officer to establish an electronic forum was stressed.

128. On the other hand, the toolkits and BCH are generating a more enthusiastic response. The toolkits provide useful, step-by-step methodological guidance to countries involved at different phases of the implementation process. This is an important contribution given the difficulties faced by the regional coordinators in providing on-site advice over such a large scale. In several of the countries visited, the national project coordinators said the toolkits had helped them and NCC members understand the issues and logic behind the project strategy. The primary constraint has been timing – it seems the toolkits began to appear after many countries were already well into the project, and hence its utility is probably greater for recent entries. The toolkits for the second and third phases are in preparation and have not been distributed. The absence of the phase 2 toolkit was cited as a big drawback by many countries, since they lacked guidelines for carrying out phase 2 activities.

129. The BCH is an internet-based system that is intended to facilitate transparency and information sharing. As such, it is a key element of the CPB. As its data base grows, the BCH will contain information on governments decisions regarding the import of LMOs; national biosafety legislation, regulations and guidelines; international cooperation agreements; summaries of risk assessments and environmental reviews; reports on the implementation of the Protocol; and assorted scientific and technical data. The

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17 Project Document, pg. 11
18 Ibid.
BCH is linked to the CBD Clearing House Mechanism and has a central portal; it can be accessed at http://bch.biodiv.org/Pilot/Home.aspx

130. A questionnaire was sent to participating countries in February this year to determine the level of access and use of the BCH, assess available information resources currently available for exchange, ensure compatibility with national BCHs and gain additional insight into user needs. The information generated by the questionnaires has been used to design a recently submitted US$ 4 million BCH capacity building initiative, which will be managed under the current project. The BCH is an extremely important tool that will significantly assist the information and networking needs of participating countries, as it develops further. However, limited Internet access and language difficulties in many of the less-developing countries may limit access of non-government users, a factor that is outside the project’s control.

131. The evaluators observed encouraging levels of progress in the development of national databases in countries such as Slovenia and Republic of Korea. Slovenia is developing its with project support; once completed, it will house the Biosafety Information System (BIS) that is required by the GMO Act and is now being developed outside the project. The BIS will be built over successive phases; the current phase will integrate contained use guidelines and administrative procedures, data bases and mechanisms for electronic notification of LMO applications, in addition to a networking forum that was recently activated and links scientists in over 30 countries. The next phase will incorporate deliberate release and placement of LMOs on the market in accordance with EU regulations, as well as import/export data. The Republic of Korea is developing a network of sector-based national databases that will be linked to the central KBCH at the Ministry of Commerce, Industry & Energy (MOCIE), the designated national competent authority; one of the evaluators had an opportunity to view the BCH of the Rural Development Institute, which is at an advanced stage of completion. The development of national components of the BCH could provide an important ‘entry point’ for sub-regional cooperation, as both Slovenia and the Republic of Korea (and others in the process of establishing national components of the BCH) are in a position to assist countries that are less advanced in this process; such arrangements could be subcontracted within BCH capacity-building project.

4. PROJECT MANAGEMENT AND INSTITUTIONAL ARRANGEMENTS

4.1 Effectiveness of the Global Project Management Team

132. In terms of overall project management, the evaluators consider that the performance of the Biosafety Team and the implementing agency has been very effective in view of the project’s geographic and budgetary scale; the number of participating countries entering the project at different points in time with diverse capacity levels, and which are currently at different stages of implementation; continuous administrative and logistical demands; the complexity of many of the technical issues being addressed; and the general probability of disruption and entropy within an initiative of this size. There are problems and substantive issues requiring immediate attention – for example, considerable delays with cash advances in some countries (Slovenia, Togo, Republic of Korea), and the difficulties in making basic budget revisions. However, they do not appear to critically undermine general progress at this stage.

133. The workload is very large. The four regional coordinators cover between 18 and 39 countries each. While this distribution seems imbalanced, it follows the standard geopolitical divisions applied within the UN system and facilitates work at the sub-regional levels, where countries are most likely to share similar needs and opportunities. Whereas an average UNEP or GEF programme officer might have an average of 8 medium sized projects (below US$ 1 million each), regional coordinators cover three to four times more projects with smaller workplans and budgets that must be monitored and replenished every quarter. One financial manager covers 120 countries with the help of one assistant (who recently left the project); every three

“We think that the project is a great success, considering the scale of the project and the complexity of setting up a system that can service 120 countries and not receive brickbats at a weekly rate.” - Chris Briggs, Task Manager
months he prepares cash advance requests for all countries. Gradual improvements are being introduced:
The Asia & Pacific regional coordinator is now helped by an assistant coordinator based in Fiji, more
support staff will be recruited in the coming months. The Africa regional manager has the benefit of being
based at UNEP Headquarters in Nairobi. The expansion of the Biosafety Team is essential, given the
difficulties of sustaining momentum with limited personnel and the ensuing risk of premature staff ‘burn
out.’

134. The Task Manager and regional coordinators combine scientific backgrounds with experience in
project management, and some were associated with GEF and different UN agencies before joining the
project. In general, they appear to be managing project activities quite effectively and demonstrate
detailed knowledge of the issues, both globally and at the level of individual countries. Their functions are
as much managerial as technical, with emphasis on coordination and monitoring.

135. The lack of specialized in-house biosafety expertise is viewed as a major weakness by at least one key
stakeholder. On the other hand, the day-to-day demands that are faced are essentially managerial and
administrative in nature – such are the dynamics of these projects (for better or worse). For example, a very
important activity for regional coordinators is reviewing and approving quarterly progress and expenditure
reports in order to clear cash advance requests for the next quarter. Despite the limited technical support
available, the countries visited during the evaluation were consistent in their high appreciation of the
regional coordinators and the project in general.

136. Some bring additional skills to the project. For example, one regional coordinator designed an online
internal database, which automatically produces weekly status reports of the project’s overall and regional
status, and flashes reminders of pending tasks onto the staffmember’s screen. The database is highly
appreciated and has helped project management substantially, although some staffmembers find the
frequency of reminders somewhat overbearing. Another regional coordinator has extensive experience in
participatory group methods and team building, and is used as a resource person on that subject.

137. There are three types of workplans: (i) Under the Performance Appraisal System (PAS), the regional
coordinator prepares an annual individual workplan which serves as the basis for evaluating performance;
(ii) three-year Business Plans for the global project that are designed by the project team and updated
annually; and (iii) country workplans for the 18-month national sub-projects, based on the ‘template’
model.

138. The 2002-2004 Business Plan is detailed and adjusts the project document workplan to actual
conditions; it combines sections of the project document with assessments of current progress levels and a
forward-looking workplan. Constraints are identified and analysed for both the budget and workplan: these
include banking problems in countries, poor financial reporting, excessive workloads on project staff,
delays (“…There has been an overall average time interval of 87 days from receipt of the first draft of the
national project document through its negotiation and approval by the regional coordinator…” 19) and
insufficient funds to accommodate the excess of countries.

139. The management style within the Biosafety Team is informal (in a positive sense) and strong on
delegation, both by conviction as well as necessity. There has not been a regular schedule of programme or
planning meetings, aside from specific events related to the PAS or Business Plan, although the staff feel
they communicate adequately on an ad hoc basis. In general there appears to be good human chemistry
and a sense of being a team. With the staff expansion planned in next months, the Task Manager will adopt
a weekly meeting schedule to ensure coordination and communication within the larger group. Some team-
building exercises have already been undertaken and more are foreseen with the support of an external
facilitator.

4.2 Institutional Coordination Arrangements

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19 2002-2004 Business Plan, 3.2.6
140. As set forth in the project document and in accordance with GEF practice, a Steering Committee (SC) has been established to monitor the progress achieved and provide guidance to the project. The SC is a broad-based body of institutional stakeholders consisting of representatives from UNEP, GEF-Washington, ICCP, the CDB Secretariat, World Bank, UNDP, STAP, UNIDO, ICGEB and FAO, which is supposed to meet on a quarterly basis and by teleconference. In practice, this does not seem to be applied rigorously, given the 11-month gap between the first and second meetings (held in February 2002 and January 2003 respectively; the next meeting being suggested for 2004). There are also significant variances in attendance between both meetings. Such indicators cast doubts on the degree to which the SC is effectively monitoring progress, as well as on the commitment of institutional members.

141. The minutes of the two meetings show a similar pattern. An initial presentation is made by the Biosafety Team – describing the Business Plan, the status of implementation and updates on specific issues – followed by a plenary discussion involving the SC members. As reflected in the minutes, the discussions indicate general satisfaction with the project’s progress and congratulatory remarks are noted. Concerns are raised regarding the relatively slow pace of Protocol ratification among developing countries, the need for an electronic forum connecting countries participating in the project, inconsistencies between the project document’s budget and that presented in the Business Plan, the involvement of CBD focal points in project activities at the country level, and more active collaboration between agencies on the SC. To a large extent discussions were conducted between the Task Manager and SC Co-Chairmen (representing the UNEP/GEF Coordination Office and GEF Washington) who are clearly better informed of the project’s activities.

142. There does not seem to be much active collaboration between these agencies in the field with relation to the project. UNDP has been contracted to administer project funds in some countries where this arrangement has comparative advantage (transparency, faster disbursement, existing UNDP-Government cooperation agreements), under which the UNDP Country Office receives a portion of the overhead support cost (averaging 3 - 5%). This approach facilitates financial management but does not necessarily provide substantive monitoring support in technical or programmatic terms. It is applied in one of the countries that was visited by the evaluators (Chile) where the NPC expressed satisfaction regarding the Country Office’s administrative performance – the only problem being that UNDP requires financial transfers in advance to cover the full duration of consultancy contracts and surveys, which have often exceed the quarterly schedule upon which UNEP disburses funds; however both sides seem to have reached an agreement. The overhead paid to UNDP is drawn from the overall (and limited) approved support costs.

143. One stakeholder contacted by the evaluators expressed a strongly critical view regarding the project’s performance in promoting institutional cooperation, stating that although the Biosafety Team has been "widely deployed to various international meetings for purposes of coordination…regional organizations such as ASEAN and governments engaged in bilateral capacity building programs appear to see a need for separate efforts. We attribute this, in part, to the perceived ineffectiveness of the Development Project." 20

144. The evaluators did not contact ASEAN or other regional organizations and feel it is important to acknowledge this concern. However, the meetings held with NPCs and NCC members (most of them from government) indicate an explicit interest in using the project as an instrument for promoting regional and sub-regional biosafety cooperation among governments, in partnership with existing regional associations and programmes. The demand exists, and the lack of progress achieved in institutional cooperation is probably more linked to the project’s limited initiative - which in a sense is ineffectiveness, due to competing and pressing demands – rather than reluctance or rejection by host governments.

145. In this respect, it is revealing that the Institutional Framework section of the 2002-2004 Business Plan is limited to a brief statement describing the Steering Committee as set forth in the project document. It does not convey a very proactive vision regarding partnership and collaboration opportunities; likewise the section describing sub-regional activities focuses almost entirely on training workshops (although other activities are also foreseen under the project’s first component). 21 However, the evaluators were informed

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20 e-mail from the S. Lukie, Global Industry Coalition (13/8/03)

of a several activities conducted in cooperation with IUCN (a guide to the CPB), ISNAR (a decision support toolbox), DFID (a study on models and tools for public participation) and the Dutch MATRA project. To an extent, the ability of the project to ‘reach out’ to other institutions is restricted by limited staff and funds, in addition to the workload of servicing 120 countries.

146. The implementing agencies for the ten demonstration projects that are currently under implementation alternate between UNEP, World Bank, UNDP and UNIDO, according to the country’s preference. Although it is not a component of this project, the progress achieved by the demonstration projects under the different implementation modalities will be of interest to the GEF Council in the design of the proposed NBF implementation projects that would follow the present initiative.

4.3 Monitoring & Evaluation

147. This is a very difficult task given the staff/country ratio, and what is done is largely through e-mail. Regular country visits are simply not possible given the number of participating countries, in addition to other workload demands. Within the Biosafety Team the practice is to visit each country once, shortly after its entry to the project, and limit subsequent field visits to priority needs that require the coordinator’s presence. In the sub-regional workshops there have been opportunities for the Biosafety Team to discuss country-specific project issues with participants, sometimes with the added presence of financial officers from the project or UNEP headquarters. However, workshop events are not frequently held and when they are, schedules are very tight.

148. In the end, monitoring is primarily based on the review and clearance of quarterly progress and financial reports sent by the NPCs to the regional coordinators, and then forwarded to the financial manager who processes cash advance requests for the following quarter. By linking quarterly monitoring and disbursement functions, the Biosafety Team and UNEP maximize their control over the funds and are able to use this as leverage to encourage better performance at the country level. Under the circumstances and given delivery pressures, monitoring becomes a largely financial or budget-driven exercise in which compliance with financial regulations often takes precedence over programmatic and technical issues. Again, the situation reflects the pressures of attending many countries with limited personnel. The expansion of the project team in the coming months – an assistant regional coordinator was hired for Asia & the Pacific – should offer improvement.

149. The monitoring of project activities does not seem to involve UNEP Monitoring & Evaluation Unit although the evaluators feel they should be involved, particularly given the project’s importance and magnitude. The UNEP Monitoring & Evaluation Unit is well-placed to conduct inter-sectional monitoring of the overall implementation process and present findings to the ICCP or GEF Council meetings.

“There have been good communications, at first with the Global Project Manager during national project development, then later with our regional coordinator who is from the region and identifies with us culturally and linguistically - that has been good chemistry for the success of our NBF.”

Angela Lozan, NPC, Moldova

“We are very impressed with our regional coordinator. He has really done a great job.”

- Young Pak, NPC Rep. of Korea

“Communication with UNEP and the regional coordinator is fluid.”

- S. Mwinjaka, NPC Tanzania

 “[The regional coordinator] quickly answers any questions or suggestions.”

- Darja Stanic Racman, NPC Slovenia

“There is good and fluid communication with the regional coordinator, considering his workload...we received good advice on managing the budget.”

- Tea Garcia-Huidobro, NPC Chile

“Our regional project coordinator has been very helpful in clarifying issues and making good suggestions, including monthly project reports”.

- Janil Gore-Francis, NPC, Antigua & Barbuda
150. In line with GEF guidelines, annual Project Implementation Reports (PIR) are prepared for each region and integrated into a global report. While most of the activities have tended to receive a HS (“highly satisfactory”) rating, the highest available, the 2001 PIR has an interesting footnote which advises UNEP to propose “more realistic ratings as a whole” to the GEF Secretariat, since the proportion of HS ratings was “still considerably higher” than those of UNDP and World Bank. Given the number of countries covered, with varying capacity levels and stages of advancement, the global PIR synthesis becomes very general and does not convey the diversity of issues involved.

151. At the country level, there is clearly more demand for technical backstopping rather than programme or financial monitoring. Nevertheless, the NPCs contacted by the evaluators gave very positive assessments of the regional coordinators in terms of (electronic) availability, timeliness in responding to requests, and advice on operational issues such as reporting formats and budget management.

152. Visits by regional coordinators to countries within their region, while infrequent, provide an essential ‘bonding exercise’ linking the global Biosafety Team, national project coordinator and NEA. For instance, the presence of the regional coordinator in Moldova during the evaluator’s visit helped in raising the importance of the NBF to Ministers and government officials, by reminding them of Moldova’s obligations under the Cartagena Protocol. The presence of the regional coordinator also helped clear a number of questions or doubts that the national project coordinator had; the face-to-face interaction was more effective than electronic communication. Chile’s NPC received useful advice from the regional coordinator on the use of different budget lines for hiring national consultants, while Antigua & Barbuda and Jordan have invited their regional coordinators to participate as a technical resource persons at forthcoming national workshops on participation.

153. One element lacking are provisions for country participation in the project’s global evaluation, through their NPCs or national committee members. In spite of budgetary constraints, the evaluators feel that the shared self-evaluation and exchange of implementation experiences using group dynamics – for example, systematisation methods applied at regional evaluation/forward planning workshops (or at minimum, a series of teleconferences) - would enrich the evaluation exercise and improve the learning curve, while providing input to future initiatives.

4.4 Administrative and Operational Issues

154. National sub-projects, which use most of the project’s budget, are managed through a quarterly reporting and disbursement system. It involves the national project coordinators, who prepare quarterly progress and financial reports; the regional coordinators who clear the reports received from each country; the project financial manager who prepares cash advance requests; and the Financial Unit of UNEP which processes the requests and releases the funds to national sub-project accounts.

155. Staff resources within the Biosafety Team are currently stretched to the limit, and although there are plans to hire additional staff the recruitment process is slow and takes 6 to 7 months - due to the ‘new’ Galaxy system according to some. The project is therefore vulnerable to staff turnovers.

156. At the design stage, UNEP suggested that finances be managed through MOUs with the recipient country, which would have required less paperwork. However, at the time MOUs were limited to a maximum of US$100,000 (below the funding level of most sub-projects) and instead the actual sub-project reporting format was adopted, which are equivalent to those used by GEF medium-sized projects. When the MOU ceiling was later raised to US$200,000, the project was already approved and had started activities.

157. The quarterly reporting requirement gives the Biosafety Team greater financial control over the national sub-projects. This in turn ensures greater financial compliance – and in principle better

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22 2001 Project Implementation Report, p. 20
performance – at the country level. However, it does not address deficiencies at the user-end such as poor reporting, limited understanding of budget and financial management procedures, accountability problems.

158. In general, the system works without critical delays or disruptions. This is an achievement considering the number of countries that have to be attended each quarter. There are delays however: The time involved in processing, approving and dispatching a quarterly cash advance has ranged between 3 weeks and 11 months, depending on the workload of UNEP finance staff, errors in the national financial reports that require revision, banking problems and slow governmental accounting and disbursement systems. According to UNEP’s Financial Manager, the trend over time is towards improvement: initial cash advances to countries can take more than one month but disbursements eventually stabilize at 2-3 weeks once the initial problems are overcome.

159. There are different views at the country level regarding the project’s administrative and financial performance. While the majority of countries visited seem generally satisfied with current practices, the following issues were noted by the evaluators:

- The Republic of Korea faces recurrent delays in disbursement that often reach two months. At the time of the evaluator’s visit, the NPC cannot pay the expenses of 5 workshops and a National Symposium (which had passed) because the quarterly advance had not arrived. Togo waited 11 months for its first disbursement. Chile considers that little flexibility is permitted in adjusting the budget; the NEA’s intention to reallocate funds between the three workplan phases at the start of the project was discouraged. A few countries mentioned synchronization problems: the quarterly financial forms are often received 2-3 weeks after the quarter has ended; by the time the forms are completed, the project is already a month into the next quarter – and when the money arrives, often into the last month.

Several countries visited – Moldova, Slovenia, Tanzania, Togo and Jordan among others – need to revise their budgets to help implement certain activities and reflect actual costs. In most cases the proposed revision would simply involve moving funds between budget lines, without changing objectives, outputs or the total budget (a ‘non-substantive revision’ to use the UNDP term). However, there are apparently major difficulties in carrying this out: Slovenia’s NPC was told that a revision would take about 6 months to process and approve, during which all disbursements would be suspended. Chile was advised against revising the budget for similar reasons. This degree of rigidity weakens implementation by limiting the ability of projects to adjust budgets to changing circumstances and new needs that are inevitably encountered in the process. The inability to effect basic revisions to the budget is likely to increase cash flow and accountability problems as the project advances.

- Low financial allocations for staff salaries, consultants and surveys (phase one) were mentioned in practically all of the countries visited. In several cases, the NPC and project staff often work for salaries that are below their normal remuneration; while consultants accept reductions in honoraria or provide free time to finish their surveys; in at least one country visited the depth and quality of some surveys are low. While the voluntarism is good, this situation could discourage the retention of qualified staff and experts, undermining the continuity and “project memory” needed to carry the process forward.

- The timeline for national sub-projects is proving too short for many countries. Most of those by already anticipate the need for extensions, in particular to finish revising the legal and regulatory aspects. The possibility of countries finishing the 18 months with incomplete national frameworks will affect the design and timing of the proposed next project. In retrospect, the first project indicator - “legal and regulatory instruments in place” – now seems exceedingly ambitious for the time provided. A contributing factor is unintended overlaps between workplan phases and the time it takes for governments to enact and pass new legislation. The project document and business plan divide implementation into three phases which, taken together, cover the 18-month period. The time spent by countries in establishing management structures, setting up procedures and activating the project - mentioned in some documents as “phase 0” – is however not counted against the 18 months. Since most countries started with phase 0 after the project was approved and in motion, those with starting delays have less time available for the three ‘core’ phases. The
effective starting date should instead commence from the time the first cash advance is received, which is when workplan activities really begin.

- Currently, documentation on biosafety and NBFs are essentially in English. Although the project toolkits are available in all UN languages of participating countries, this has limited non-English speaking countries (such as the vast majority of those in the project) from adequately understanding and benefiting from the available documentation. In the future, the project can continue to promote the availability of technical documents in the UN languages, when necessary, i.e. Arabic, Chinese, French, Spanish, and Russian.

- In some countries, NCC members are getting contracts to conduct surveys and do other activities as project consultants. The evaluators feel this practice raises conflicts of interest and should be discouraged, unless there is no other option.

“**There need to be changes in the financial system.**”

- Young Pak, NPC Rep. of Korea

“**Dynamics of project activities sometimes result in under-spending and savings in some activities, but current rules do not allow us to move such moneys to other under-budgeted activities.**”

- Darja Stanic Racman, NPC Slovenia

“**The project should allow us to move funds between budget lines in order to meet emerging priorities of the work plan.**”

- Angela Lozan, NPC Moldova

“**UNEP-GEF people in Geneva should consider approving viament of funds between budget lines as this would allow funding of under-budgeted programme activities.**”

- Koffi Damsey, NPC Togo

### 5. SUSTAINABILITY CONSIDERATIONS

160. At this stage it’s premature to evaluate sustainability – many countries are still at an early stage of implementation and have not defined their NBF. In addition, there are plans for a larger follow-up project to implement NBFs that will probably extend GEF/UNEP support for several more years. However this assistance will not be permanent, and countries should begin to consider the issue of financing in designing the NBF.

161. Many countries are already thinking of sustainability in financial and technical terms. Developing countries face the challenge of monitoring small-scale transboundary movements of LMO seed and crops by farmers and traders across what one NPC described as “porous borders”. In general such persons would not be in a position – or willing - to pay for applications and tests. Many of the
lesser developed countries and SIDS lack the in-country technical expertise or laboratory infrastructure needed to sustain a biosafety framework. There is concern about the recurrent costs of operating the NBF, even with user fees. In Tanzania, some NCC members doubt the government will be able to fully finance BSF operations and equipment. The use of taxes and user fees to finance the administration of the sugar cane, cashew and fishery authorities provide useful precedents. Slovenia’s NPC thinks the government and NIB would continue the NBF process if project support were ended, yet focusing on the “bare minimum.” In Moldova, the Ministry of Ecology, Construction and Regional Development has indicated that resources from the Ecological Fund will be used to implement NBF action plans. Similar commitments were mentioned by NPCs in Antigua & Barbuda and Togo. The regional coordinator for Latin America & the Caribbean considers that if the project cut funding, several countries would discontinue the process to attend pressing demands of a more immediate nature – biosafety is simply not a national priority when funds are limited. The same would likely happen in other regions as well.

In these cases, the sharing of sub-regional facilities and expertise is seen as a way to overcome country limitations. The topic has been discussed at regional meetings sponsored by ASARECA and SADCC in Africa, and ICARDA in the Middle East, but have not yet been given much attention by the project. The comparatively developed countries also recognize this need and are keen to subcontract expertise, training facilities and infrastructure. The project is in an excellent position to link supply with demand.

Economic concerns are not limited to NBF funding. Several developing countries feel uncertainty regarding the possible trade repercussions of ratifying the Protocol. Some have (or are close to having) free trade agreements with both the United States and the EU; in such cases the private and agricultural export sectors are concerned that the Cartagena Protocol may lower their competitiveness. Although some of these perceptions indicate a misunderstanding of the Protocol’s content, they nonetheless should be addressed by the project, since the lack of a consensus among key stakeholders could delay (or prevent) the Protocol’s ratification in several countries.

162. “The NBF project is important as it will assist us solve many problems and issue of labelling and control of GMOs at borders”.

Nicolae Stratan, Vice-Minister, Ministry of Ecology, Construction and Regional Development, Moldova.

“Unfortunately political unrest gives multi-nationals chance to import GMO food and products; some business people might import also cheaper GMO food that threatens life. We need effective control measures and we are pleased that the NBF project will assist build such capacity”

Acad Gheorghe Duca, Ministry of Ecology, Construction and Regional Development, Moldova.

164. There are also encouraging signs of sustainability. Slovenia’s NEA, the Ministry of Environment & Spatial Planning, will recruit the national coordinator after the project finishes to continue the process. In Moldova, the Ministry of Ecology, Construction & Regional Development has indicated that some funding from the Ecological Fund will be used to implement NBF action plans. The operational costs for risk assessment are covered by ministry budgets in the Republic of Korea, and several national coordinating committee members are likely to join the Scientific Advisory Committee that assists the Biosafety Committee under the Biosafety Act. The Ministry of Agriculture’s Rural Development Institute has formed a Risk Assessment Expert Committee that includes a permanent NGO member. In Chile, the Biotechnology Commission has determined that the future biosafety framework will be managed by an inter-institutional Regulatory Commission, supported by a scientifically-based Biotechnology Forum that will include different stakeholders. Jordan’s NCC will be formalized into a permanent Steering Committee under the revised by-laws that are now being discussed. In Moldova, the National Advisory Committee established under the Biosafety Law has already undertaken implementation of the CBP with the first
meeting of its 14-members in July 2003. While in Togo, a Biosafety Board recommended by the project will coordinate implementation of the CBP and NBF. The National Coordinating Mechanism in Antigua & Barbuda will assume the implementation role of the NBF Action Plan. It is likely that similar arrangements are being put in place by other countries.

6. CONCLUSIONS AND LESSONS LEARNED

165. Given the size of the project and the number of topics covered, the different components of the report include findings and recommendations that are issue-specific and too numerous to include below. This section therefore focuses on the general conclusions that are derived from the evaluation:

- The project’s overall performance is satisfactory and in some aspects highly satisfactory considering the physical scale involved, the diversity of countries, and available resources.

166. Although implementation is at an intermediate stage and a number of countries are still new to the process, the project has the makings of a very successful initiative. The initial country target was surpassed and 120 have joined the project at this point. In principle, all are expected to ratify the Cartagena Protocol by the end of the project, which will represent an important achievement. As of July 2003, 34 of the 56 countries that have ratified the CBP are participants of this project; this is definitely one of the positive outcomes of the project. It is thus correct to say that the UNEP-GEF NBF Project has contributed greatly to the entry into force of the CBP on 11 September 2003, whose fiftieth ratification on 13 June 2003 was by Palau, another NBF country.

167. In spite of reported delays in the disbursement of funds, there have not been critical disruptions or gaps in the implementation process (except for Togo among the visited countries, which experienced an 11-month delay). Most of the stakeholders contacted during the country visits are highly appreciative towards the project and value its role as a catalyst for cross-sectoral coordination, harmonization, capacity building and consensus. Several National Project Coordinators (NPCs) and national committee members have emphasized the project’s flexibility and “user friendliness.” The project has also received positive feedback from the project Steering Committee, which has met twice to review the progress achieved.

- The project design and approach are well-conceived and have facilitated implementation considerably.

168. The approach set forth in the project document has been a contributing factor to successful implementation. The project’s design reflects a cumulative learning process of discussion, pilot testing (an earlier project was implemented in 18 countries and evaluated) and adaptation. Although global in scope it addresses country needs, balancing consistency and uniformity in general strategy and format with considerable flexibility at the country level (within the prescribed framework). In practice, implementation is not a linear process and most countries are combining activities from different phases of the workplan according to their needs. The design of a template project document, workplan and budget has guided countries with limited biosafety experience in getting started. There is also a good balance between ‘process’ and ‘product’ dynamics: A knowledge base is developed through surveys and consultations, different stakeholders interact and build consensus within the National Coordinating Committee, participation mechanisms are designed and public awareness promoted. On the other hand, the project has very specific success indicators and benchmarks: legal and regulatory instruments are to be in place, data bases created, procedures harmonized and institutional responsibilities defined.

169. The design elements that contribute to successful implementation – developing ‘model’ formats and workplans, while providing flexibility for their implementation at the country level; supporting processes that lead to tangible product; establishing multi-stakeholder coordination arrangements from the onset - provide valuable lessons which can be applied to the design of future global initiatives.
170. However, there are also design flaws: The 18-month timeframe for national sub-projects is proving excessively ambitious and most of the countries visited do not expect to have their national biosafety frameworks established during the project term. In retrospect, the project’s primary success indicator – “legal and regulatory instruments in place” – is unrealistic in view of time limitations and will not be achieved during the project by a large number of countries. Although the project document gives importance to regional collaboration and exchanges of experience as a primary project component, funding is insufficient and progress has been limited in this area.

- The Biosafety Team has been very effective in meeting the challenges, demands and constraints presented by an initiative of this magnitude.

171. With limited staff and support costs, the Biosafety Team has been able to effectively manage an initiative with sub-projects in 120 countries that were approved at different times and are now at different stages of implementation. This is in itself an achievement considering the project’s magnitude and the almost continuous administrative, logistical and technical demands that are generated. Indeed, several of the deficiencies and constraints identified in the report are largely attributable to funding limitations, the project’s physical scale, established administrative procedures, internal country problems and other factors that are outside the control of the Biosafety Team, rather than performance per se.

172. The Biosafety Team has benefited significantly from UNEP’s prior experience as implementing agency of the pilot phase project, in addition to the technical and administrative support provided. Although the Biosafety Team’s focus is more on project management and administration than technical advising (a pressing need in many countries) global implementation has proceeded without critical disruptions or gaps attributable to project management. The regional coordinators were appreciated in all the countries visited for their (electronic) availability, quick response and overall support.

173. Workloads are large and staff resources are often pressed to the limit. Four regional coordinators cover between 18 and 39 countries each – three or four times the workload of a GEF or UNEP programme officer - and one financial manager processes cash advances for 120 countries. Nevertheless there is a sense of being a team and the evaluators observed fluid communications among staff. The Biosafety Team is in the process of expanding; this should be done promptly in order to avoid past slow recruitments that have made the project vulnerable to staff turnover.

174. Funds are advanced to the national sub-projects (which absorb 80% of the budget) on a quarterly basis following the approval of progress and financial reports that are submitted by the National Project Coordinators. While this arrangement gives the Biosafety Team and UNEP greater control over funds, and in principle the ability to leverage better performance at the country level, it also tends to focus monitoring efforts more towards financial compliance than programmatic or technical matters.

- The attention given to the first project component - regional/sub-regional collaboration, exchanges of experiences and technical training - is insufficient and does not meet the needs of most participating countries.

175. For many developing countries and SIDs, the sharing of sub-regional facilities and expertise offers a means to overcome in-country limitations and provides a foundation for sustainability. Although regional and sub-regional collaboration is presented as a major component of the project document and business plan, the funds earmarked for this purpose are equivalent to 7% of the budget allocated to national sub-projects. This has weakened performance. While opportunities to strengthen this component are restricted by funding limitations, there are options that do not require money. For example, the new assistant regional coordinators that are being hired (and based in situ) may be in a good position to help countries develop

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23 According to the Task Manager, this indicator has been downscaled in practice and countries are now expected only to draft the proposed legal and regulatory revisions within the 18-month period, rather than having them “in place.” Given the indicator’s importance, this change should be formalized by decision of the Steering Committee or through a project revision.
sub-regional collaboration mechanisms. As the BCH and electronic information system are developed further, they can also contribute to this end.

176. Training workshops have been organized at the regional and sub-regional level that were highly appreciated by many participants (and criticized by others) yet provided only a general overview of technical issues that are quite complex. Moreover, they have been very short in duration and infrequent due to high costs. There is a strong demand for in-depth training in risk assessment and risk management (and other topics) that is not being met. Although the project is explicitly focused towards preparing countries for the entry into force of the Cartagena Protocol, this imbalance undermines the project’s ability to effectively deliver on training needs, develop horizontal cooperation or facilitate dialogue among countries on issues which could have bearing on the Protocol’s ratification.

177. A lesson emerging from this finding is that the country project modality is, by itself, insufficient to effectively meet global capacity development needs in biosafety. Regional or sub-regional arrangements may offer cost-effective alternatives through exchanges, twinning arrangements and the use of regional ‘centres of excellence’, providing a foundation for post-project sustainability. Although the global project can act as a catalyst to facilitate this process, the development of collaborative mechanisms requires substantive support at an early stage (in addition to a gestational period before it is functional). Such processes must be nurtured from the beginning – a difficult task when a small team with limited funds must also address the immediate training needs of so many countries.

- **Budgetary management of national sub-projects appears to be excessively rigid, limiting the capacity of countries to adjust implementation to actual needs.**

178. The flexibility in adapting workplan activities does not extend to the budget. As implementation proceeds, a number of countries are facing the need to transfer funds between budget lines to cover deficits, focus on priority needs or reflect actual costs. However, several countries have been discouraged from introducing revisions – even when there was no change to the total amount – on the grounds that their processing and approval would take up to six months, during which all disbursements would be suspended. This level of rigidity (or slowness) weakens implementation by limiting the ability of projects to address changing needs and circumstances that are inevitably encountered in these processes. It is also surprising considering the relative ease with which other UN agencies (such as UNDP) are able to delegate approval of non-substantive revisions within their projects. Unless a viable arrangement is found, the inability to effect basic revisions within the budget is likely to generate cash flow and administrative problems as the project advances.

179. In terms of lessons learned, it is clear that the *modus operandi* applied to individual country projects is not necessarily suitable beyond a given scale – and is often unfeasible at the global level, where flexibility and delegation become necessary. UNEP should view this constraint as an opportunity to better adjust its administrative and financial regulations to the demands of global projects. While this may require internal changes at a systemic level that are outside the scope of the project, UNEP’s capacity and comparative advantage as an implementing agency will be strengthened.

- **Many countries are unlikely to develop National Biosafety Frameworks within the 18-month project timeframe; a number of them may request extensions.**

180. This is a potential scenario for which UNEP and GEF need to be prepared. According to all indications, there will be national biosafety frameworks still under construction by the project’s end. Different aspects will be incomplete or still in progress - legal and regulatory revisions and/or development, harmonizing of administrative procedures, the BCH. This situation has implications for the closing of the project as well as for the timing of the next initiative. It could affect the capacity of many countries to participate effectively in future projects. A large number of countries may need extensions; if this is not possible, the proposed next project may have to consider a ‘preparatory assistance’ or transition phase for such cases.

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181. Why are these countries behind schedule? There are internal reasons – centralized decision making, weak institutional coordination, slow banking and disbursement procedures, limited technical capacity – but in most cases, the workplan has resulted exceedingly ambitious for the time allocated, and particularly for having the legal and regulatory instruments “in place.” In addition, the time spent on establishing the management structure, hiring staff and developing a ‘project vision’ (known as “phase O” in some documents) has often reduced the time available to implement the workplan’s three ‘core’ phases, which cover the entire 18-month period.

182. The lesson here is that change processes often involve medium to long-term periods that extend beyond the standard three to five-year project cycle. While the dynamics of funding and projects often discourage long-term commitment, GEF now has an opportunity to link this initiative to a wider ‘programme approach’ context by feeding it into the design of the next project, which will support the implementation of NBFs. This will help countries maintain momentum (or catch up as the case may be), while minimizing potentially disruptive gaps between projects. From an operational perspective, the preparatory activities contemplated under phase “0” should be viewed as pre-approval requisites, and the effective starting date based on the receipt of the first cash advance.

- Governments are often unaware of the obligations associated with the ratification of the Cartagena Protocol, and many are concerned of the Protocol’s effect on trade with key partners. Unless addressed, these issues may delay – and in some cases jeopardize – the Protocol’s ratification.

183. In several countries visited, government officials and legislators were identified among the primary target groups in need of awareness-raising. Although it is assumed that the 120 countries in the project have formalized their intent to ratify the Cartagena Protocol by signing the project document (34 have already ratified), national realities are more complex. Pre-approval appraisals and negotiations were often limited to the ICCP Focal Point, with limited involvement of other stakeholders within or outside government. Therefore, in many cases the consensus to ratify the Protocol does not exist and a decision has not yet been taken. There are uncertainties regarding the potential impacts of the Protocol on agricultural exports and trade agreements with major partners such as the United States. There is also concern regarding the different positions between the United States and the EU (another key partner) regarding LMO content and labelling. In financial terms, recurrent budgetary support for national biosafety frameworks is not high on the political agenda of developing countries facing more pressing demands. To date the project has focussed on implementing an essentially technical workplan and has not given much attention to these issues, which could influence the decision to ratify.

184. A lesson derived from this finding is the interaction of technical and policy issues, which cannot be segregated and must be addressed jointly. Issues of concern need to be acknowledged and clarified in order to ensure an adequate level of consensus among stakeholders, which is in turn necessary for successful project implementation. Likewise, the ownership and commitment of different stakeholders towards the project need to be cultivated at the pre-approval stage. In addition to building a shared vision from the onset, it offers a practical means to adjust workplans to national contexts, anticipate potential bottlenecks and introduce corrective measures in a timely manner. This is particularly important given the apparent difficulty in revising budgets at the country level. In retrospect, the appraisal and approval of national sub-projects should not have been limited to the GEF Focal Point, as was often the case; the participation of national coordinating committees (NCCs) at this stage would have contributed towards clarifying issues of concern and generating an early consensus.

7. RECOMMENDATIONS

- Facilitate the discussion and clarification of biosafety issues that are of concern to governments and key stakeholders.
185. This is important both to help governments understand the implications of ratifying the Cartagena Protocol, and to ‘demystify’ perceived risks or threats. Topics of concern include the Protocol’s potential repercussions on trade agreements with the United States and EU, agricultural export production, the competitiveness of the private sector, and food security/food aid (for developing countries producing or receiving LMO grain and cereals). These are national issues, which need to be discussed in a regional context. In some countries, these concerns could delay or postpone the ratification of the Protocol if neglected and therefore must be addressed sooner or later; they will not go away regardless of quality of the project’s technical assistance. The project can help develop scenarios, facilitate regional encounters or set up electronic conferences – it does not have to resolve the issues, but is expected to acknowledge them and facilitate better understanding.

- Assist countries in developing mechanisms for sub-regional collaboration and country-to-country technical assistance.

186. The project has held several training workshops and is planning future sub-regional workshops on the administrative and legal aspects of biosafety frameworks. The feedback from past workshops indicate that these events are generally appreciated yet brief and provide only a general overview of often complex technical issues. There is strong demand for more in-depth training in risk assessment and management and developing national BCHs, among other topics. And there will be increased monitoring demands as countries begin to implement their national BCHs. The project cannot fully meet these needs due to financial and logistical constraints, even though such capacities are essential to the NBFs.

187. It is therefore in the project’s interest to help the regions or sub-regions develop mechanisms for technical assistance, training and the sharing of services or facilities. There is both supply and demand: Capacity levels vary significantly among participating countries. Each region has ‘centres of excellence’ for different aspects of biosafety management. Organizational structures exist at the regional and sub-regional levels. Several countries are willing to contract their services or facilities (for which there could be co-financing possibilities). Some form of catalytic support - for example, helping to pay initial travel and per diem expenses or translations of technical documents - could be made available to facilitate opportunities. This arrangement might be more cost-effective and adaptable to user needs, complementing the larger workshops. It would also help in establishing a framework for eventual sustainability. At very least, the project should schedule additional time at the next workshops to discuss collaboration possibilities, since it is highlighted in the project document as a major component. If budget support is not available under the current project, then provisions should be considered under the next initiative.

- Help countries develop networking mechanisms.

188. The large number of countries in the project offer a valuable global network for the exchange and sharing of information and experiences in biosafety. It is also a network that offers opportunities for collaboration and cooperation at the sub-regional, regional and international levels. Although some networking and collaboration activities have been reported in the Caribbean (Antigua & Barbuda and St Kitts & Nevis) and CEE regions (through the Internet Discussion Group), this aspect is lagging behind. It has already been suggested that the project assist countries in developing networks to share information and exchange experiences and technical expertise; the new assistant regional coordinators could assume an important role in this aspect.

- Streamline and adjust financial regulations in accordance with the demands of a global project.

189. The quarterly reporting and cash advance system that is now in use creates major paperwork and workload demands every three months. The time and effort required could be partially re-directed towards support of a more technical or programmatic nature, which would be closer to what countries need. While the quarterly disbursement system does allow greater control over funds, its comparative advantages as a permanent arrangement are questionable. The size of national budgets hardly justifies this level of scrutiny, and delays are more likely when financial transfers have to be processed every three months. Unless a regional or sub-regional implementation modality can be developed with decentralized disbursement
procedures, the evaluators feel that a semestery system for financial reporting and replenishment will be more feasible, covering six-month periods. This would also enable the regional coordinators to devote more time to substantive issues.

190. The need to streamline financial and administrative procedures is important for the future as well. Given that staff resources are already stretched under the current US$ 38 million project - with national budgets at or below US$200,000 – GEF needs to consider alternative arrangements for the upcoming US$ 80 million initiative that will provide medium-size financial support to countries on a global scale. Under the next project, accounting and disbursement demands will drastically increase and are unlikely to be adequately met if they are centrally managed and disbursed on a quarterly basis – even with a larger team.

191. Another concern is the difficulty some countries have faced in having budget revisions processed and approved. The need for flexibility in adjusting budget lines (within the approved ceilings) is important at this stage and will be essential under the next project, when countries are managing medium-size budgets and implementing new biosafety frameworks. Given the circumstances, an alternative approach based on delegation and trust - such as enabling NEAs to approve ‘non-substantive’ budget revisions that do not change the approved ceiling or substantively alter objectives or outputs – seems more appropriate and should be considered.

192. The evaluators are aware that these practices are engrafted and follow established guidelines. Moreover, there may be little point in changing basic rules halfway through an ongoing project. However, the Biosafety Team, UNEP and GEF need to begin considering alternatives at this stage. The demands generated by global initiatives of this magnitude differ significantly from those of ‘standard’ single country projects. If UNEP is to continue developing as an implementing agency within an increasingly competitive environment – and manage larger global projects - it cannot rely on mandate or comparative technical advantage alone, and will need to devise more agile administrative and financial procedures.

- Establish conditions that will enable countries to complete the workplan, consolidate their national biosafety frameworks and maintain continuity.

193. This is a “rolling” project that has attracted countries as it proceeded. There is wide diversity in the calendars of national sub-projects: As Estonia finishes, Eritrea enters. In the coming year many countries will complete their workplans at different points in time, while others will reach the end of the project cycle with incomplete outputs and pending activities. In a number of cases the consolidation of the new biosafety frameworks will largely depend on keeping the momentum and continuing activities until it is fully operational. Those countries that finish in time to continue receiving more GEF assistance to implement their framework, as is proposed, will proceed without interruption. But there may be problems with the others: The early-finishing countries face gaps between project phases which could be detrimental, especially when national elections are coming and changes of government staff likely to occur. The late finishers who have not completed the workplan and do not have their biosafety frameworks fully designed, may be unprepared to benefit from assistance offered for its implementation. How will the project deal with the situation? How can a relatively consistent ‘baseline’ of NBFs be ensured around the globe before the process continues forward?

194. At this stage a number of countries already feel they will need extensions. These should be granted under the current project, since most countries need more time and not more money. Alternatively, the design of the next project, if approved, should consider a ‘preparatory assistance’ or transition phase that will enable them to finalize pending activities and catch up, ensuring greater consistency among countries. Given that there will also be a strong demand for technical monitoring of the biosafety frameworks as they enter into operation, this support could be extended to help lagging countries move ahead. It is another reason to devote more attention to regional and sub-regional collaboration as a means to close gaps.

- Ensure that adequate staff and funding are made available, enabling the project to meet global demand
195. The project was initially funded to service 100 countries, and now has 120 on board. Staff and financial resources are currently stretched to the limit. Although the deadline to join the project recently expired, more countries are interested in participating. This is a positive sign that underscores the relevance of the project approach in addition to its ‘user-friendliness.’ It is in the interest of UNEP and GEF that additional countries be admitted into the project, as this will in turn increase the number of Cartagena Protocol ratifications. However, further expansions in the number of countries will only be feasible if additional staff and funds are made available to the project to cope with the workload and ensure adequate implementation. Further funding will also be needed to strengthen the sub-regional component, which is already lagging behind and will become increasingly important if new countries are added on.

- **Feed national experiences into the global learning process.**

196. The project is rich in its diversity of experiences and challenges. Many of these have learning value yet are not shared or documented. However, they should be part of the project’s monitoring and evaluation approach, which is currently focussed largely on financial delivery and compliance rather than substance. It is important that country stakeholders be given opportunities to exchange and systematize their experiences in order to learn from each other, an aspect that could be built into a series of final evaluation/forward planning workshops at the sub-regional level, towards the end of the project. This arrangement would also assist GEF in designing the proposed NBF implementation project, which will need to be more sensitive to sub-regional and national contexts (and rely less on templates or standardized approaches). Outputs could include the formulation of country or sub-regional workplans, developed in an interactive workshop environment with the support of project/technical facilitators. If funds are not available under the current budget, these activities may be justified as a preparatory exercise for the next project.

- **Involve the UNEP-GEF Monitoring & Evaluation Unit.**

197. The current monitoring of the NBF does not seem to involve the UNEP-GEF Monitoring & Evaluation Unit. The evaluators suggest that UNEP-GEF be linked to the monitoring and evaluation of the NBF processes from the start, including selected field visits based on Quarterly Reports. This will enable the Unit to provide valuable advice on the progress of implementation. The UNEP-GEF Monitoring & Evaluation Unit could also be very useful in monitoring the qualitative aspects of the project – processes, experiences, lessons – and in documenting case studies and best practices for capacity building purposes.
ANNEX 1

TERMS OF REFERENCE FOR THE MID-TERM EVALUATION OF THE UNEP-GEF PROJECT ON “DEVELOPMENT OF NATIONAL BIOSAFETY FRAMEWORKS”

Project No. GF/6010-01-01 (IMIS: GF/2716-01-4319)

Introduction

Under the overall guidance of the Chief, Evaluation and Oversight Unit (EOU), and in close cooperation with the Global Environment Facility (GEF) Global Project Manager and in consultation with the Director of the UNEP/ Division of GEF Coordination, the evaluator shall undertake a mid-term evaluation of the project "Development of National Biosafety Frameworks" GF/6010-00-24 during the period 23rd June to 6th August 2003 (1 month spread over 6 weeks).

1. Background

The UNEP-GEF project on the “Development of National Biosafety Frameworks (NBFs)” is one of the main components of the GEF Initial Strategy for assisting countries to prepare for the entry into force of the Cartagena Protocol on Biosafety. The 16th GEF Council approved this Initial Strategy in November 2000. The project has a budget of $38.4 million with a contribution of $26.1 million from the Global Environmental Facility (GEF), and co-financing of $12.3 million from UNEP and participating countries.

The overall objective of the NBF project is to prepare participating countries for the entry into force of the Cartagena Protocol. Using a country-driven process, the global project has been designed to help up to 100 participating countries to set up their national framework for the management of living modified organisms (LMOs), allowing them to meet the requirements of the Cartagena Protocol. This project, which started in June 2001 with a duration of 3.5 years, is designed to:

(a) Assist up to 100 eligible countries to prepare their NBFs; and

(b) Promote regional and sub-regional collaboration and exchange experience on issues of relevance to the NBFs.

1.1 Legislative Mandate
The project supports the GEF Initial Biosafety Strategy, which was discussed during the plenary meeting of Working Group II of the First meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety held in Montpellier in December 2000. At this meeting UNEP was urged to "...expedite the implementation of the project".

1.2 Scope of the Evaluation
The objective of the mid-term review is to evaluate progress towards the original project objectives, and to diagnose any problems, suggesting any necessary corrections and adjustments. The evaluation will assess, among other things, the effectiveness and efficiency of project management including outputs and activities in terms of quality, quantity, and timeliness.

The mid-term evaluation will cover the following areas:

1. Assessment of Project Approaches: Assessment of approaches adopted by the project in realizing its objectives, and assessment of assumptions made during the project design stage,
taking into account the project outputs produced so far in relation to the stated project objectives and expected results;

2. **Overall project performance**: Evaluation of how and the extent to which the stated project objectives (goal and purposes) have been met so far; taking into account the “objectively verifiable indicators”

3. **Effectiveness and Efficiency**: Assessment of the extent to which expected outputs and results have been achieved, as per planned budget and timeframe, as well as their quality;

4. **Project Institutional Capacity**: Evaluation of the efficiency and effectiveness of the project management and institutional arrangements, particularly in terms of financial planning and cost effectiveness in delivery of project services to countries;

5. **Stakeholder Participation**: Evaluation of the extent to which the project has involved various stakeholders in the project, and how effective the resulting networking and collaborations have been utilized by all parties;

6. **Sustainability**: An assessment of whether the project is helping participating countries to set in place processes and procedures to promote the sustainability of the NBF in each country;

7. **Cooperation with other organizations**: An assessment of the degree to which the project has collaborated with other organizations and exploited opportunities for cooperation and synergies;

8. **Lessons Learned**: Identify good practices and lessons learned so far in the implementation of the NBF project, and to assess the replicability of the lessons learned.

Indicators identified in the log frame of the project (see Annex for log frame) [Insert annex in the TOR with log frame indicators identified in the project document] will be used as well as the guidelines on performance indicators provided in the UNEP project manual pp. 13/89-13/99 and also available on [http://www.unep.org/Project_Manual/](http://www.unep.org/Project_Manual/).

The findings of the review will be based on:

- a) Desk review of the project document, outputs, monitoring reports and relevant correspondence;
- b) Specific products including workshop reports, guidelines and methodologies, database, web-site and newsletters;
- c) Interviews with relevant staff of UNEP, GEF, CBD and other relevant organizations
- d) Country visits and interviews with national project coordinators and stakeholders.
- e) Questionnaires to discover information in additional countries that will not be visited, but reflect the variety of situations and status of progress

The evaluator should develop a participatory evaluation methodology to carry out this exercise.

### 2. Terms of reference

Two evaluators will conduct this evaluation. This evaluator is the team leader and will be supported by the second evaluator in the conduct of the evaluation. He will assist with site visits, interviews, compilation and collation of information, and the preparation of the draft and final reports.

The tasks of the evaluation team shall include, but will not be restricted to, the following:

1. **Assessment of Project Approach**
• Evaluate the appropriateness of the original project design, methodologies, policy and procedures as set out in the original project document, and the extent to which they have contributed to the achievement of the stated project objectives;

• Review the assumptions made during the project design stage and assess the extent to which they occurred and how they have affected the project implementation or how the project has adapted to them.

• Identify changes in context or new factors, unanticipated during the project design that might have affected the project implementation approach.

2 Overall project performance

• Evaluate how, and to what extent, the stated project objectives (goal and purposes) have been met so far; taking into account the “objectively verifiable indicators” as elaborated in the Logical Framework Matrix of the Project Brief;

• Recommend, where necessary, revision of these “objectively verifiable indicators” after consultation with all stakeholders – participating countries, the Biosafety project team, and Division of UNEP-GEF.

• Assess the scope, quality, significance and degree of internalisation of the project outputs/activities produced or being produced so far (i.e. training workshops, publications, database, toolkit, etc.) in relation to the planned outputs/activities;

• Assess if the assumptions made during the project design stage were realistic.

• Identify impacts, both intended and unintended, generated/to be generated by the project, and assess the significance of such impacts.

3 Effectiveness and Efficiency

• Assess how the project met the schedule and implementation timetable cited in the project document. If not, identify causes for the delays, and any remedial actions taken by the project team;

• Examine if the project delivered planned outputs at the budget cost. In case where variances were made, identify the causes of such variances (i.e. new activities added, activities cancelled, overestimation or underestimation of the original budget, etc.) and, assess adequacy of financial management. Also check the level of co-financing, both cash and in-kind, obtained so far, and examine the appropriateness of the original co-finance plan.

• Evaluation of the effectiveness of the training workshops and identification of areas that may require improvement in order to maximize their benefits

• Assess the cost-effectiveness of the project so far, taking into account the achievement of the project objectives generated/ to be generated by the project.

4 Project Institutional Capacity

Evaluate project management with a view to deriving lessons learned for the future of the NBF development and implementation projects. The evaluation should make specific reference to:

• The effectiveness of organizational/institutional arrangements of the global project in terms of meeting the needs of participating countries for national project preparation and execution;

• Evaluate the effectiveness of global project management team in terms of assignment and execution of project activities by project staff, looking at the effectiveness of the
management/execution arrangements at the global, regional, and sub-regional levels, including the provision of the various technical and project support mechanisms;

- Assess the overall support services provided by UNEP to the NBF project and discuss any potential improvements to the system that the project can enact.
- Assess the effectiveness of the monitoring mechanisms and management system employed throughout the project’s lifetime so far;
- Identify administrative, operational and/or technical problems and constraints that influenced the effective implementation of the project and present recommendations for operational changes.

5 Stakeholder Participation

- Assess the extent to which the NBF project has forged effective partnerships and linkages with governments, the private sector, UN bodies and NGOs and other stakeholders;
- Assess the extent to which the NBF project takes country client needs into consideration in the implementation of the project;
- Assess the extent to which the global project has helped participating countries to introduce and strengthen systems for public participation, awareness and education in their NBF;
- Assess the extent to which awareness and acceptance has been created about the NBF project among all stakeholders;
- Assess the level of stakeholder involvement in the implementation of the various global project activities, identify lessons learned and provide recommendations on how such involvement could be improved in future projects;
- Assess the effectiveness of dissemination of the NBF project outputs such as publications, website, etc;
- Assess the appropriateness and effectiveness of the capacity building strategy of the NBF project activities at all levels.

6 Sustainability

- Assess the extent to which the NBF project activities in participating countries have established processes and procedures that will help to promote sustainability of the biosafety frameworks within these countries;
- Assess the extent to which NBF project activities have helped to set in place sub-regional mechanisms and procedures for collaboration on biosafety.

7 Cooperation with other organizations

- Assess the extent to which the project has engaged and collaborated with other relevant organizations and initiatives;
- Assess the extent to which the project has been able to take up opportunities for joint activities and pooling of resources with other organizations;
- Identify potential opportunities that the project could take advantage and possible ways and means to enhance the flow of financial and technical resources to assist countries in the further development and future implementation of the NBFs.
8 Lessons Learned

- Identify the lessons learned so far in terms of the early stages of project activities for developing NBFs within participating countries, and to suggest ways in which these lessons can be used to improve projects in other countries that have not started project activities;
- Identify the lessons learned so far in terms of national projects for developing NBFs, and to suggest ways in which these could be used to improve future projects for implementation of NBFs in participating countries;
- Identify the lessons learned so far in terms of the management of the global project on development of NBFs and to suggest ways in which these lessons could be used to design future project(s) for the implementation of NBFs.

9 Recommendations

- Provide recommendations that will enhance the implementation and impact of the on-going projects;
- Provide recommendations, which will be of benefit to new NBF projects.

3 Evaluation Reporting Format

The evaluation report shall be a detailed report, written in English and composed of (1) a concise summary, not exceeding five pages, including findings and recommendations; (2) a detailed evaluation report; (3) Separate section on lessons learned; (4) Separate section on findings and recommendations; and (5) All annexes should be typed. The detailed evaluation report without annexes should not exceed 40 pages.

In preparing the report the consultant should take into account the following:

- Establish logical linkages between findings and recommendations;
- Classify recommendations by order of importance;
- Make recommendations realistic, understandable and operational;
- Make recommendations from the perspective of maximizing impact and sustainability of results rather than merely from a technical or institutional standpoint.

The evaluation will rate the success of the project on a scale from 1 to 5, with 1 being the highest (most successful) rating and 5 being the lowest. Rating should be made on the five broad concerns identified in the scope (i.e. Rating is not applicable to Lessons Learned).

In rating the project the following items will be considered for rating purposes:

(a) Attainment of objectives and planned results;
(b) Attainment of outputs and activities
(c) Cost-effectiveness
(d) Impact
(e) Sustainability
(f) Stakeholders participation
(g) Country ownership
(h) Implementation approach
(i) Financial planning
(j) Replicability
(k) Monitoring and evaluation

Each of the items should be rated separately. The following rating system shall be applied:

1=Excellent (90-100% achievement)
2=Very good (75-89%)
3=Good (60-74%)
4=Satisfactory (50-59%)
5=Unsatisfactory (less than 49%)

4. Outputs of the Evaluation

The final report shall be written in English and submitted in electronic form in MS Word Format by 6th August 2003 and should be addressed as follows:

Mr. Segbedzi Norgbey, Chief, Evaluation and Oversight Unit
UNEP, P.O. Box 30552
Nairobi, Kenya
Tel.: (254-20) 624181
Fax: (254-20) 623387
Email: segbedzi.norgbey@unep.org

With a copy to

Mr. Ahmed Djoghlaf, Director
UNEP/Division of GEF Coordination
P.O. Box 30552
Nairobi, Kenya
Tel: + 254-20-624166
Fax: + 254-20-624041/4042
Email: ahmed.djoghlaf@unep.org

and

Dr Christopher Briggs
Global Programme Manager
UNEP-GEF Project on Development of National Biosafety Frameworks
UNEP-GEF Biosafety Unit
15, Chemin des Anemones, 1219 Geneva, Switzerland
Tel: + 41 22 917 8411
Fax: + 41 22 917 8070
Email: chris briggs@unep.ch

The evaluation report will be presented to the UNEP-GEF NBF Development Project Steering Committee and printed in a hard copy and published on the Evaluation and Oversight Unit's web-site www.unep.org/eou. Subsequently the report will be sent by the UNEP/GEF Coordination Division to the GEF Secretariat for their review and inclusion on the GEF web-site.
5. **Schedule of Evaluation**

The evaluation should commence on 23rd June 2003. The contract will be for 1 month (4 weeks spread over 6 weeks) and the evaluation will be completed by 6th August 2003. The evaluators will first travel to UNEP Headquarters in Nairobi and to the Biosafety Unit in Geneva to discuss TORs and meet with the appropriate persons both within the UNEP/GEF Coordination Division and the Biosafety Unit. The team leader will then travel to the following four countries (Republic of Korea, Slovenia, and Moldova, Chile) to meet with NBF project staff. The team leader will also consult the opinions of a further twelve countries by use of a questionnaire or telephone in order to provide a sufficiently large sample of data from the participating counties to ensure that the results are significant.

You are designated as the team leader, and supported by the second evaluator, will carry out this evaluation. The team leader will guide the conduct of the evaluation, and will be responsible for coordinating all activities for the evaluation, including the preparation and submission of the draft and final reports, in a timely manner.

Teleconferences should be organised before the first draft is developed, between the evaluators and the Chief, Evaluation and Oversight, the Director of the UNEP/Division of GEF Coordination Office, and the Global Programme Manager.

In addition, the evaluation team will meet with the NBF project team and the UNEP-GEF Coordination Division to discuss its draft finding before it presents the draft report to UNEP. The team leader will present a draft of the evaluation report in English by 28th July 2003 to Segbedzi Norgbey, Chief of EOU, who will relay copies to Ahmed Djoghlaïf, Director of UNEP Division of GEF Coordination and to Christopher Briggs, UNEP-GEF Global Programme Manager. These will provide written comments on the draft evaluation report to the evaluator through the EOU within 7 days of receipt of the draft. The team leader will incorporate these comments and present a final version of the evaluation report to the EOU in English by 6th August 2003.

6. **Schedule of Payment**

The evaluator will receive 40% of the total amount to be made upon assessment of satisfactory progress. Final payment of 60% will be made upon satisfactory completion of work and submission of final report. The fee is payable under the individual SSAs of the evaluator and is not inclusive of all expenses such as travel, accommodation and incidental expenses.

Travel arrangements will be done by UNOG, Geneva

**In the case that the evaluator cannot provide the products in accordance with the TORs, the timeframe agreed, or his products are substandard, the payment to the evaluator could be withheld, until such a time the products are modified to meet UNEP’s standard. In case, the evaluator fails to submit a satisfactory final product to UNEP, the product prepared by the evaluator may not constitute the evaluation report.**

20th June 2003
## ANNEX 2

**Rating Project Success: From 1 (Highest) to 5 (Lowest)**

<table>
<thead>
<tr>
<th>PROJECT CATEGORY</th>
<th>RATING (1-5)</th>
<th>CONTRIBUTING FACTORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Achievement of Objectives and Planned Results</td>
<td>N/A</td>
<td>Rating the achievement of objectives is premature at this stage. Only 15% of participating countries have entered the third and final phase of the workplan, while others are commencing implementation. The project is effectively managed and has a strong success potential.</td>
</tr>
<tr>
<td>b) Achievement of Outputs and Activities</td>
<td>2.5</td>
<td>At its mid-term stage, the project has exceeded the target of participating countries and now includes over 90% of all countries eligible for GEF assistance. Implementation is proceeding in most countries without critical gaps or disruptions. Almost half (49%) of the participating countries are in phase II of workplan and 15% are into phase III. The project is highly appreciated by majority of stakeholders in the countries visited. However, activities related to Component I (regional/sub-regional collaboration and exchange; training) are not receiving adequate attention, largely due to funding limitations. Many countries are unlikely to complete project activities within the 18-month timeframe.</td>
</tr>
<tr>
<td>c) Cost – Effectiveness</td>
<td>2</td>
<td>The project is very cost-effective in terms of performance and overhead support costs, considering the global scale of activities. It is very effectively managed by a global project team, which is expanding gradually as the momentum increases. In spite of this, considerable workload demands restrict the substantive involvement of regional coordinators in programmatic or technical matters. Several countries still face delays in receiving cash advances. Implementation is behind schedule in most countries visited.</td>
</tr>
<tr>
<td>d) Impact</td>
<td>N/A</td>
<td>Rating impact is premature at this stage given the level of implementation in most countries. However, the project is contributing decisively to the ratification of the Cartagena Protocol: As of July 2003, 34 of the 56 countries that had ratified the CBP were participants of this project. On the basis of the progress observed, the project has a strong impact potential that will be manifested over the coming year as the national sub-projects come to conclusion and NBFs are developed across the globe.</td>
</tr>
<tr>
<td></td>
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<tr>
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<td>---</td>
</tr>
<tr>
<td>e) Sustainability</td>
<td>N/A</td>
<td>Rating sustainability is premature at this stage. The current project is likely to be followed by a larger initiative supporting NBF implementation. Many developing countries are concerned about recurrent budgetary and technical support needs; the “user pays” principle is not always viable. There is additional concern regarding the trade repercussions of CPB ratification on agricultural exports. Most countries are interested in sub-regional technical cooperation and sharing of facilities.</td>
</tr>
<tr>
<td>f) Stakeholder Participation</td>
<td>2</td>
<td>The project creates an effective framework for stakeholder participation through National Coordination Committees and periodic consultation workshops. Most countries have found the workplan flexible and are able to introduce changes within the general structure. Good examples of cooperation and consensus building are emerging. Project is highly appreciated as a catalyst for cross-sectoral coordination. Participation levels vary according to national context; and the participation of private sector and farmers needs to be strengthened. In many countries, government officials are still unfamiliar with the CPB and the obligations assumed with ratification.</td>
</tr>
<tr>
<td>g) Country Ownership</td>
<td>2</td>
<td>Country ownership seems to be very strong in most cases, a remarkable achievement so given the global scale of the project. This is encouraged by the creation of multi-stakeholder NCCs and the flexibility given to adjust activities within country workplans. It is discouraged by the limited budgetary flexibility, and the relative indifference and lack of initiative encountered in some countries.</td>
</tr>
<tr>
<td>h) Implementation Approach</td>
<td>2</td>
<td>The implementation approach balances flexibility and uniformity, making the project manageable and user-friendly. It combines both a global and country focus. The templates of the project document and workplan are very useful for many countries. The primary project success indicator – legal and regulatory instruments in place – is too ambitious for 18-month duration. The distribution of funds between the regional/sub-regional and NBF components is very unbalanced.</td>
</tr>
<tr>
<td>i) Financial Planning</td>
<td>3</td>
<td>The project is servicing over 100 countries with quarterly disbursements. Financial monitoring is strong and quarterly expenditure reports are required from NPCs. Given the scale of the project, these are achievements in themselves that merit recognition. However, financial regulations are extremely centralized and several countries report delays in receiving funds. It is very difficult for countries to introduce basic revisions to their budgets, despite the growing need.</td>
</tr>
</tbody>
</table>
The project has a strong potential for replicability given its design and approach. It should continue to expand and incorporate interested countries, provided additional staff and financial resources are made available to manage the additional workload. The project can have an excellent replicability value if greater budgetary flexibility is provided and financial/administrative procedures are streamlined.

M&E appears to focus more on financial compliance and the clearance of quarterly expenditure reports – both of which are conducted effectively. Comparatively less attention is given to programmatic or technical monitoring. Learning mechanisms (i.e. feeding country experiences into the global learning process; facilitating sub-regional exchanges) have not been developed sufficiently. To a large extent these constraints are attributable to limited staff, workload pressures and the global scale of the project. On the other hand, the Biosafety Team has developed a database that assists regional coordinators considerably in their monitoring activities. The sub-regional collaboration mechanisms (envisioned under the first project component) could be used to facilitate technical monitoring and backstopping between countries, in addition to self-evaluation exercises. UNEP’s Monitoring & Evaluation Unit should play a more active role in monitoring the project, given its scale and strategic importance.

**RATINGS:**

1 = Excellent (90-100%)
2 = Very Good (75-89%)
3 = Good (60-74%)
4 = Satisfactory (50-59%)
5 = Unsatisfactory (less than 49%)
ANNEX 3

Numbers of Countries and Participants at the Regional and Sub-regional Workshops

Table 3.1 First Series of Regional Workshops

<table>
<thead>
<tr>
<th>REGION</th>
<th>VENUE</th>
<th>DATE</th>
<th>NUMBER OF COUNTRIES</th>
<th>NUMBER OF PARTICIPANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Africa</td>
<td>Kenya</td>
<td>Jan 2002</td>
<td>35</td>
<td>60</td>
</tr>
<tr>
<td>2. CEE</td>
<td>Slovakia</td>
<td>Feb 2002</td>
<td>24</td>
<td>83</td>
</tr>
<tr>
<td>3. Asia-Pacific</td>
<td>China</td>
<td>Mar 2002</td>
<td>40</td>
<td>97</td>
</tr>
<tr>
<td>4. Latin America</td>
<td>Mexico</td>
<td>May 2002</td>
<td>30</td>
<td>58</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>129</td>
<td>298</td>
</tr>
</tbody>
</table>

Table 3.2 Second Series of Sub-Regional Workshops

<table>
<thead>
<tr>
<th>REGION</th>
<th>VENUE</th>
<th>DATE</th>
<th>NUMBER OF COUNTRIES</th>
<th>NUMBER OF PARTICIPANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anglophone Africa</td>
<td>Namibia</td>
<td>Nov 02</td>
<td>18</td>
<td>73</td>
</tr>
<tr>
<td>Latin America</td>
<td>Mexico</td>
<td>Dec 02</td>
<td>16</td>
<td>59</td>
</tr>
<tr>
<td>Asia</td>
<td>Malaysia</td>
<td>Jan 02</td>
<td>21</td>
<td>82</td>
</tr>
<tr>
<td>SIDS</td>
<td>Fiji</td>
<td>Feb 02</td>
<td>28</td>
<td>103</td>
</tr>
<tr>
<td>Francophone Africa</td>
<td>Senegal</td>
<td>Apr 02</td>
<td>20</td>
<td>90</td>
</tr>
<tr>
<td>CEE</td>
<td>Lithuania</td>
<td>May 02</td>
<td>25</td>
<td>90</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>128</td>
<td>497</td>
</tr>
</tbody>
</table>
ANNEX 4

Number of Cartagena Protocol Ratifications by Region and Countries

Source: Adapted from the Secretariat for Convention on Biological Diversity
## List of Cartagena Protocol Ratifications by Region and Country

<table>
<thead>
<tr>
<th>Region</th>
<th>Africa</th>
<th>Asia-Pacific</th>
<th>Latin America &amp; Caribbean</th>
<th>Central &amp; Eastern Europe</th>
<th>Western Europe &amp; Other Groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>United Republic of Tanzania* [24 Apr 2003]</td>
<td>Korea DPR* [29 Jul 2003]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Ghana* [30 May 2003]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Nigeria* [15 Jul 2003]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Burkina Faso* [4 Aug 2003]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total: 15</td>
<td>12</td>
<td>11</td>
<td>8</td>
<td>10</td>
<td></td>
</tr>
</tbody>
</table>

Source: Adapted from the Secretariat for Convention on Biological Diversity

* = NBF participating country  
** = Pilot Phase countries  
NA = Not Applicable

NOTE: The total number of country ratifications among the NBF project regions (Africa, Asia-Pacific, CEE and GRULAC) is 39 out of 46, representing 84.78%. Ratifications in Africa, Asia-Pacific, CEE and GRULAC totalled 15, 12, 11 and 8 of which 10, 10, 7 and 7, respectively, were by NBF project countries. This represents ratification success by NBF countries of 66.67%, 83.33%, 63.64% and 87.50%, respectively. This improvement in ratification could reflect the influence of the NBF and the regional/sub-regional workshops, raising country awareness to ratify the CBP. It is also interesting to note that among the ratifying countries 9 are from the UNEP-GEF Pilot Phase whereas 5, 1, 2 and 1 countries are from Africa, Asia-Pacific, CEE, and GRULAC respectively.
## ANNEX 6

### 6.1 List of Countries in the Project by Region (8/2003)

<table>
<thead>
<tr>
<th>Africa</th>
<th>Asia - Pacific</th>
<th>Central and Eastern Europe</th>
<th>Latin America and Caribbean</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Algeria</td>
<td>1. Bangladesh</td>
<td>1. Albania</td>
<td>1. Antigua and Barbuda</td>
</tr>
<tr>
<td>27. Mozambique</td>
<td>27. Samoa</td>
<td></td>
<td>27. Uruguay</td>
</tr>
<tr>
<td>29. Nigeria</td>
<td>29. Sri Lanka</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30. Rwanda</td>
<td>30. Syrian Arab Republic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31. Senegal</td>
<td>31. Tajikistan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32. Seychelles</td>
<td>32. Tonga</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33. Sierra Leone</td>
<td>33. Vanuatu</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34. South Africa</td>
<td>34. Viet Nam</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35. Sudan</td>
<td>35. Yemen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36. Swaziland</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37. Tanzania, United Republic of</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38. Togo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39. Zimbabwe</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6.2 Cumulative and Annual Number of Countries Joining the Project
ANNEX 7

List of Persons met during Evaluation

Global Biosafety Team

Chris Briggs, Task Manager
Andrea Gondova, Regional Coordinator – Central & Eastern Europe
Charles Gbedemah, Regional Coordinator – Africa
Giovanni Ferraiolo, Regional Coordinator – Latin America & Caribbean
Nizar Mohamed, Regional Coordinator – Asia & Pacific
Jean-Louis Balladier, Financial Manager
Nelly Opiyo, Programme Assistant
Frederic Delpech, Travel Coordinator
Alla Metelitsa, Consultant, BCH Report Officer
Janine Litmanowitch, Administrative Consultant

UNEP

Ahmed Djoghlaf, Assistant Executive Director, UNEP & Executive Coordinator, UNEP-GEF.
Segbedzi Norgbey, Chief of the Unit, Evaluation & Oversight Unit (Teleconference).
Lydia Eibl-Kamolleh, Fund Management Officer, Division of GEF Coordination
Charles Gbedemah, Regional Project Coordinator, Africa Region
Yoshiyuki Yoichi, Portfolio Manager, Division of GEF Coordination
Susanne Bech, Junior Professional Officer, Evaluation and Oversight Unit
Mela Shah, Administrative Assistant, Evaluation & Oversight Unit

ICCP

Antonietta Gutierrez Rosati, Universidad Agraria Nacional, Peru
Sarah Lukie, Global Industry Coalition Coordinator

Antigua & Barbuda

Janil Gore-Francis, Plant Protection Officer, NPC
Lionel Michael, Chief Health Inspector, Chair of Technical Advisory Committee [TAC].
Ato Lewis, Environmental Officer, Secretary of TAC.
Rodney George, Senior Crop Research Officer, Member of National Coordinating Mechanism [NCM]
Phillip Abbott, Livestock Farmer, TAC member
Rhoda Sealey-Thomas, Medical Officer, TAC member
Shaka Francis, Environmental Officer, TAC Member.
Roberta Williams (CARDC), NCM Member
Anthony Richards (Chief Chemist): Consultant

24 An e-mail circular was sent to key stakeholders within the ICCP requesting their views of the project, to which two members responded with comments.
Brian Challenger: Consultant

**Chile**

Tea Garcia-Huidobro, NPC  
Jaime Rovira, NCC Chairman (National Commission for the Environment/CONAMA)  
Teresa Aguero, NCC Member (Min. of Agriculture)  
C. Cabrera, NCC Member  
C. Munoz, NCC Member (National Agricultural Research Institute/IIA)  
M. Manzur, NCC Member (Chile Free of Transgenics NGO Association)

**Jordan**

Khalid Al-Majali, NPC  
Ziad Abu Kaddourah, Assistant Coordinator  
Mazen Al-Kloub, Information Systems Specialist  
Mazen Al-Rosaan, Public Awareness Specialist  
Gaze Al-Koulebi, NCC member (Min. of Health)  
Khames Hasen, NCC member (Min. of Industry)  
Mosa Al-Fayad, NCC member (Nat’l Centre for Agricultural Research)  
Samer Masod, NCC member (Mu’tah University)  
Yosef Al-Hbos, NCC member (Yarmouk University)  
Yosef Al-Omari, NCC member (University of Jordan)

**Republic of Korea**

Young-Cheol Pak, NPC  
Deok Gil Rhee, President National Institute for Environmental Research (NIER)  
Kyung Hee Oh, Chief Biological Resources Div., NIER  
Min-Hyo Lee, Director Biodiversity Research Dept., NIER  
Hye-Young Shin, Programme Manager, Global Environment Office, Min.of Environment  
Shin Hye-Young, Min.of Environment  
Kim Taesen, NCC member (Rural Development Institute)

**Moldova**

Angela Lozan, NPC  
M. Aton, Assistant NPC  
Gheorghe Duca, Minister of Ecology, Construction and Territorial Development.  
Nicolae Stratan, Vice-Minister of Ecology, Construction and Territorial Development & Chair of NCC  
Valentina Caldarus, Head of Direction of Protected Areas and Biodiversity & NCC member  
Lidia Tumanov, Head of Laboratory, Institute of Genetics & NCC member  
Maria Duca, Head of Department of Plant Biology and Genetics, State University of Moldova & NBF Expert on R & D).  
Bernard Whistle, British Ambassador to Moldova  
Vasile Scorpan, NBF Expert on Biotechnology Use  
Ion Buza, Head of Seed Production Section, Ministry of Agriculture NBF Expert on Phytotechnology  
Victor Stan, NBF Expert on Education  
Ion Virtanu, NBF Expert on Regional Collaboration
Sergiu Ciobanu, ICCP Focal point & NBF Expert on Stakeholder Participation
Lucia Nastaciu, NBF Expert on Public Participation  Ilya Mangul, NBF Expert on Conventions Synergy
Ilya Trombitski, NCC member & NBF Expert on Legislation
Ion Panciuc, Head of State Ecological Inspection (Central Part of Moldova)

Slovenia

Darja Stanic Racman, NPC
Biserka Strel; president of NCC; Ministry for Environment, Spatial Planning and Energy (MESP)
Janatel; member of NCC; NEA focal point at National Institute of Biology (NIB)
Franc Potoènik; Deputy director NIB (responsible for financial control over the project)
Marjana Dermelj; NCC member; from NGO UMANOTERA
Julijana Lebez Lozej; MESP; focal point for CBD clearing house and BCH

United Republic of Tanzania

S. Mwinjaka, NPC
R. Kamakuru, Project Officer
R. Mollel, Permanent Secretary, Office of the Vice-President
E. Mugurusi, Director, Dept. of Environment, Office of the Vice-President
K. Allois, NCC Member (Micheni Agricultural Research Institute/MARI)
D. Mnene, NCC Member (MARI)
R. Kingambunu, NCC Member (Natl. Commission Science & Technology)
P.J. Kabudi, Legal Survey Expert, University of Dar Es Salaam
H. Sosovele, Institute of Resource Assessment, University of Dar Es Salaam

Togo

Agogno Koffi, Conseiller Technique, Dr ; Analyste et Aménagiste biotechnologue, Président
De Souza Comlan, Pr. Microbiologiste, biotechnologue, Vice-Président
Djeri-Alassani K. B., Juriste en droit de l’Environnement, Directeur de l’Environnement, 1er Rapporteur
Elemawugo Michel , Biologiste, 2 e Rapporteur
Atsou Aidam, Dr. Spécialiste en physiologie et Biotechnologie végétale, Membre
Doumassi K. Mensah, Ingénieur Agronome , Membre
Labodja  A. Baki, Ministère de la Santé/Service d’Hygiène, Membre
Essiomo Kossivi, Géographe, - Direction de l’Environnement, Membre
Kodjo, Kudadzé, Géographe, - Direction de l’Environnement, Membre
Amegbleame Atah Évényo, Juriste spécialiste en droit d’Ecoémie Internationale et du développement, Membre
Keoula Kodjo   Cephas, Economiste, Membre
Dote Mawuena   Tsomo, Administrateur Civil, Attaché de Cabinet, Membre
Bokovi Kwami, NIOTO Zone Industrielle du Port de Lomé, Membre
Adjevi  Labitey  Wosro, Secrétaire Général de la Chambre d’Agriculture maritime, Membre
Lawson L. Akpé, Direction de la Planification /Ministère des Finances, Membre
Dantsey Koffi Edinam, Ingénieur Agronome - Attaché de Cabinet au Ministère de l’Environnement et des Ressources Forestières, NPC & Membre